

**A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
TO BE HELD IN COUNCIL CHAMBERS AT
LADYSMITH CITY HALL ON
MONDAY, MAY 7, 2018**

Call to Order and Closed Meeting

5:00 p.m.

Regular Open Meeting

7:00 p.m.

CALL TO ORDER (5:00 P.M.)

1. CLOSED SESSION

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

- Negotiations and related discussions respecting the proposed provision of a municipal service 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)
- Labour relations or other employee relations - section 90 (1) (c)
- Personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity - section 90 (1) (b)
- 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)

REGULAR MEETING (7:00 P.M.)

2. AGENDA APPROVAL

3. RISE AND REPORT – Items from Closed Session

4. MINUTES

- 4.1. Minutes of the Regular Meeting of Council held April 9, 2018 1 - 5



- 4.2. Minutes of the Public Hearing and Regular Meeting of Council held April 16, 2018 6 – 17

5. DELEGATIONS

- 5.1. Jennifer Woike
Cowichan 2018 BC Summer Games
- 5.2. Mark Skelton
Community Living BC Council
- 5.3. Bill Eller and Associates
Holland Creek Bridge Crossing

6. PROCLAMATIONS

- 6.1. National Public Works Week 18
Mayor Stone has proclaimed May 20 - 26, 2018 as “National Public Works Week” in the Town of Ladysmith and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works, and to recognize the contributions which public works officials make every day to our health, safety, comfort and quality of life.
- 6.2. National Missing Children’s Month and National Missing Children’s Day 19
Mayor Stone has proclaimed May as Child Find’s Green Ribbon of Hope month and May 25th as National Missing Children’s day. He urges all citizens to wear a green ribbon as a symbol of hope for the recovery of all missing children, and to remain vigilant in our common desire to protect and nurture the youth of our Province.

7. DEVELOPMENT APPLICATIONS

- 7.1. Zoning Amendment and Development Permit Application
Subject Property: 431 1st Avenue (Lot 10, Block 10, District Lot 56, Oyster District, Plan 703) 20 - 36

Staff Recommendation:

That Council:

1. Proceed with first and second reading of Bylaw 1963, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963” under the Bylaws portion of this agenda.
2. Refer Bylaw 1963 to public hearing.

3. Issue Development Permit (DP) 3060-18-03 for:
 - a) form and character of site and building improvements at 431 1st Ave;
 - b) reducing off-street parking spaces for residential use at 431 1st Ave. pursuant to DPA 1 guideline 11 (e), and authorize the Mayor and Corporate Officer to sign the Development Permit.

4. Authorize the Town to enter into an Encroachment Agreement with the property owner for the purpose of allowing: a) an exterior covered staircase to be located in the lane to access the second storey of the building at 431 1st Avenue; b) a restaurant kitchen vent to be located over the lane a minimum of 3 metres above lane grade; c) front window canopies; and authorize the Mayor and Corporate Officer to sign the Encroachment Agreement.

5. Direct staff to issue a ‘Highway Use Permit’ (Schedule D Bylaw 1309) for improvements to a portion of the lane adjacent to the First Avenue sidewalk subject to the applicant providing engineering for the proposed works.

7.2. OCP AND ZONING BYLAW AMENDMENT APPLICATION

Subject Property: 900 Russell Rd. (Lot A, District Lot 67, Oyster District, Plan EPP24148) 37 - 40

Staff Recommendation:

That Council:

1. Consider the application (3360-17-01) to amend:
 - a) The Official Community Plan (OCP) by placing the “Parks and Open Spaces” designation on the dedicated parkland.
 - b) The Zoning Bylaw by changing the zoning of a portion of the property at 900 Russell Road from ‘Single Dwelling Residential’ (R-1) to ‘Single Dwelling Residential – Small Lot A’ (R-1-A) and to add park zoning.

For the property legally described as Lot A, District Lot 67, Oyster District, Plan EPP24148.

2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to refer the proposed OCP amendment (3360-18-04) to the Stz’uminus First Nation, pursuant to the Town’s Memorandum of Understanding.

3. Direct staff to work with the applicant regarding land use matters and a community amenity contribution; commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw

amendment bylaw for application 3360-18-04, and report the results of the Neighbourhood Information meeting to Council.

8. BYLAWS – OFFICIAL COMMUNITY PLANNING AND ZONING

- 8.1. Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952**
Subject Properties: Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener Street) 41 - 42

Staff Recommendation:

That Council adopt “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.51) 2018, No. 1952”.

- 8.2. Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.13) 2018, No.1953**
Subject Properties: Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener Street) 43 - 44

Staff Recommendation:

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.13) 2018, No.1953”.

- 8.3. OCP & ZONING BYLAW AMENDMENT APPLICATION**
Ladysmith Marina – D. Strongitharm – Rocky Creek Rd.
Subject Properties:
Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537
Lot 1, District Lots 81 and 86, Oyster District, Plan VIP88459
Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459
Block C, District Lot 2054, Cowichan District, Plan EPC721 (Provincial lease area) 45 - 56

Staff Recommendation

That Council:

1. Proceed with first and second reading of:
 - a) Bylaw 1960 cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 53) 2018, No. 1960”; and
 - b) Bylaw 1961 cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 15) 2018, No. 1961”.
2. Refer Bylaw 1960 and 1961 to public hearing.

- 8.4. Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 16) 2018, No. 1962**
Subject Property: Lot 7, District Lot 38, Oyster District, Plan VIP73070..... 57 - 60

Staff Recommendation:

That Council:

1. Proceed with first and second reading of Bylaw 1962 cited as “Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.16) 2018, No. 1962”.
2. Waive the holding of the public hearing pursuant to Section 464(2) of the *Local Government Act*.
3. Direct staff to proceed with notification of the waiver of public hearing as required by the *Local Government Act* and the *Procedures Bylaw*.

- 8.5. Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963 61 - 62**

Staff Recommendation:

That Council:

1. Proceed with first and second reading of Bylaw 1963, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963.
2. Refer Bylaw 1963 to public hearing.

9. COMMITTEE REPORTS

- 9.1. Mayor A. Stone**
Cowichan Valley Regional District; Ladysmith Chamber of Commerce; Stocking Lake Advisory Committee; Waterfront Area Plan Leadership Committee, Waterfront Implementation Committee **63 - 67**

Recommendations from the Naut’sa Mawt Steering Committee

1. That Council and Stz’uminus First Nation Council send letters to Transport Canada and the Vancouver Port Authority indicating they are unhappy with the moorages of freighters in Ladysmith harbour and surrounding waters and express their concern over the lack of consultation with stakeholders.
2. That Council send a letter of support to Indigenous Services Canada in support of Stz’uminus First Nation’s application to include property at the

intersection of Timberlands Road and Highway No.1 into their community reserve land, in order to secure additional groundwater for their Shell Beach and Kulleet Bay communities.

Recommendations from the Waterfront Implementation Committee

That Council adopt the Waterfront Implementation Committee Terms of Reference.

9.2. Councillor R. Hutchins

Municipal Services Committee; Heritage Revitalization Advisory Commission; 2017 Parcel Tax Review Panel; Waterfront Area Plan Leadership Committee, Waterfront Implementation Committee **68 - 81**

Recommendations from the Heritage Revitalization Advisory Commission (March 15, 2018)

That Council:

1. Receive the Heritage Strategic Plan 2018 Review (attached);
2. Appoint Ann Rogers as the LDHS Liaison to the Heritage Revitalization Advisory Commission, and Lesley Moore as the Alternate; and
3. Direct staff to consider the suggestions of the Heritage Revitalization Advisory Commission in the final location of the Great Street Plaque in the area of First Avenue and Gatacre Street.

Recommendations from the Heritage Revitalization Advisory Commission (April 19, 2018)

That Council:

1. Direct staff to work with the owner of 210 Buller Street to install a second plaque at the owner’s cost.
2. Advise the HRAC that any changes to the Metal Collage will require approval by Council, subject to budget.

Recommendations from the Municipal Services Committee

That Council:

1. Receive the report from the Director of Financial Services regarding the opportunity to establish a Vancouver Island-wide Inter-Community Business Licence.

2. Direct staff to prepare an amendment to “Town of Ladysmith Inter-Community Business Licence Bylaw 2013, No. 1839” to establish a Vancouver Island-wide Inter-Community Business Licence.

9.3. Councillor C. Henderson

Invasive Species Advisory Committee; Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan; Ladysmith Community Justice Program..... 82 - 83

9.4. Councillor D. Paterson

Parks, Recreation and Culture Advisory Committee; Protective Services Committee; 2017 Parcel Tax Review Panel; Advisory Design Panel 84 - 87

Recommendations from the Parks, Recreation and Culture Advisory Committee

That the Parks, Recreation and Culture Advisory Committee advise Council that the committee approves in principle the sign design and the location for the Aggie Hall and field signage, providing sightlines for traffic will not be affected.

9.5. Councillor J. Friesenhan

Liquid Waste Management Committee; Ladysmith Downtown Business Association; Ladysmith Festival of Lights Committee; Waterfront Area Plan Leadership Committee, Waterfront Implementation Committee

9.6. Councillor C. Fradin

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

9.7. Councillor S. Arnett

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

10. REPORTS

10.1. 4th Avenue Reconstruction Plan..... 88 - 99

Staff Recommendation:

That Council:

1. Endorse Options 2-5 as the typical cross-sections for the reconstruction of Fourth Avenue.

2. Confirm that the bicycle path is to be located on Sixth Avenue from Symonds Street to Methuen and on Jamison to Root Street.
3. Direct staff to present the Fourth Avenue Reconstruction Plan to the public at an open house.
4. Direct staff to proceed with design drawings for the first phase from south of Hambrook Street to Belaire Street.

10.2. Bollards on 1st Avenue..... 100 - 112

Staff Recommendation:

That Council:

1. Direct staff to move forward with the installation of 9 bollards on 1st Ave. utilizing ductile iron decorative bollard R-7592 from Reliance Foundry.
2. Confirm that the first nine bollards will be installed across the frontage of 528 1st Ave.
3. Continue to budget \$30,000 each year until all 160 bollards on 1st Ave. have been installed.

10.3. 4th Avenue Repairs (Rocky Creek Crossing)..... 113 - 122

Staff Recommendation:

That Council:

1. Direct staff to move forward with the construction of a pre-cast concrete bridge structure over Rocky Creek on 4th Ave.
2. Omit approach slabs from the design.
3. Upon conformation by the project geotechnical Engineer that spread footings are suitable for this project, delete piles.
4. Direct staff to revise the Rock Creek Culvert Project budget to \$1,032,000 with the additional funds to come from the Infrastructure Reserve, the Water Reserve and Prior Year Surplus, and amend the 2018-2022 Financial Plan.

10.4. Appointment of Chief, Ladysmith Fire/Rescue..... 123

Staff Recommendation:

That Council appoint Ray Delcourt as Chief, Ladysmith Fire/Rescue in accordance with Town of Ladysmith Fire Department Bylaw 1965, No. 832, effective April 1, 2018.

10.5. Adjustments to Water Billing Accounts..... 124 - 126

Staff Recommendation:

That Council approve adjusting the water billing due to leaks for the following properties up to:

1153000 for \$4,621

7040400 for \$4,062

10.6. Council Remuneration Committee..... 127 - 135

Staff Recommendation:

That Council appoint a Select Committee on Council Remuneration , to report to Council with recommendations prior to September 30, 2018.

11. BYLAWS

11.1. Town of Ladysmith Financial Plan Bylaw 2018, No. 1956..... 136 - 140

The purpose of Bylaw 1956 is to adopt a five-year Financial Plan for the Town of Ladysmith, as required by the *Community Charter*.

Staff Recommendation:

That Council adopt “Town of Ladysmith Financial Plan Bylaw 2018, No. 1956”.

11.2. Town of Ladysmith Tax Rates Bylaw 2018, No. 1957..... 141 - 142

The purpose of Bylaw 1957 is to set the property tax rates for 2018 in accordance with the 2018 to 2022 Financial Plan.

Staff Recommendation:

That Council adopt “Town of Ladysmith Tax Rates Bylaw 2018, No. 1957”.

11.3. Water Parcel Tax Bylaw 2018, No. 1958..... 143 - 144

The purpose of Bylaw 1958 is to establish a water parcel tax rate for property parcels in the Town of Ladysmith.

Staff Recommendation:

That Council adopt “Water Parcel Tax Bylaw 2018, No. 1958”.

11.4. Sewer Parcel Tax Bylaw 2018, No. 1959..... 145 - 146

The purpose of Bylaw 1959 is to establish a sewer parcel tax rate for property parcels in the Town of Ladysmith.

Staff Recommendation:

That Council adopt “Sewer Parcel Tax Bylaw 2018, No. 1959”.

11.5. Town of Ladysmith Smoking Regulation Bylaw, 2017, No. 1936..... 147 - 154

That Council:

1. Read Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936 a first, second and third time and refer the bylaw to the Minister of Health;
2. Direct staff to mount appropriate “No Smoking” signage at the entrance to parks, public spaces and Town-owned buildings;
3. Direct staff to implement a communications and public education strategy to support the introduction of Bylaw 1936; and
4. Request that the Cowichan Valley Regional District amend “CVRD Clean Indoor Air and Control of Smoking Regulation Bylaw 1995, No. 1672” to remove the Town of Ladysmith.

11.6. Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941..... 155 - 164

That Council:

1. Approve the Communications Plan for amendments to Streets and Traffic Bylaw 1309 regulating parking and use of boulevards, and
2. Give first three readings to Streets and Traffic Bylaw 1309, Amendment Bylaw 2018, No. 1941.

11.7. Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945..... 165

The purpose of Bylaw 1945 is to introduce a housekeeping amendment to ensure that the Officers and Delegation of authority bylaw accurately reflects the current organizational structure and staff positions.

Staff Recommendation:

That Council adopt “Town of Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945”.

12. CORRESPONDENCE

**12.1. Cindy Shelest
Freighters Parked in Front of Homes in Ladysmith 166 - 169**

Staff Recommendation:

That Council write to the Federal Transport Minister strongly requesting information regarding current anchoring of freighters in Ladysmith harbor and neighbouring waters.

- 12.2. The Society for the Prevention of Cruelty to Animals (SPCA)
On-call Service Change to Assist Stray, Sick or Injured Animals 170 - 171**

Staff Recommendation:

That Council refer the correspondence from the SPCA, dated April 24, 2018, regarding emergency on-call service to assist stray, sick or injured animals after hours to staff for review and recommendations.

- 12.3. Bill Drysdale and Chuck Forest
The Ladysmith Station Revitalization Project..... 172 - 174**

Staff Recommendation:

That Council refer the correspondence from Bill Drysdale and Chuck Forest, dated May 1, 2018 regarding the Ladysmith Expo Trail Stewardship Committee’s Station Revitalization Project to staff for review, consultation with the Island Corridor Foundation and recommendations with respect to liability, scheduling and possible impact on implementation of the Waterfront Area Plan.

13. NEW BUSINESS

14. 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 SPECIAL MEETING OF COUNCIL
MONDAY, APRIL 9, 2018
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

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

STAFF PRESENT:

Guillermo Ferrero	Felicity Adams	Erin Anderson
Joanna Winter	Sue Bouma	

CALL TO ORDER

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

**CLOSED SESSION
CS 2018-092**

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:

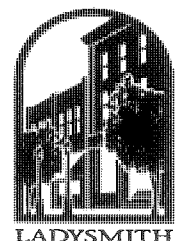
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality – section 90(1) (e)
- labour relations or other employee relations – section 90(1) (c)

Motion carried.

SPECIAL MEETING

Mayor Stone called this Open Session of Council to order at 7:00 p.m., recognizing the traditional unceded territory of the Stz'uminus First Nation and the Coast Salish people and expressing gratitude to be here.

The Mayor and Council expressed their deep sorrow regarding the Humboldt Broncos Junior Hockey team tragedy and extended their condolences to the families, billet families, the City of Humboldt and the hockey community at large.



CS 2018-093

Moved and seconded:

That Council:

- 1) Send a letter of condolence to the City and people of Humboldt, expressing Council's deep sorrow for the Humboldt Broncos Junior Hockey team tragedy
- 2) Release the letter of condolence through the Town's social media and usual channels
- 3) Outline on social media the personal stick memorial campaign as well as the community stick donation campaign at Frank Jameson Community Centre
- 4) Lower the flags to half-mast from Tuesday, April 10 to Tuesday, April 17

Motion carried.

AGENDA APPROVAL

CS 2018-094

Moved and seconded:

That Council approve the agenda for this Special Meeting of Council for Monday, April 9, 2018 as amended by the following:

- Correct the value of the recommended grant in aid for the Festival of Lights in item 5.2., "Municipal Services Committee Recommendation regarding Grants in Aid" from \$2,000 to \$12,000

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 5:51 p.m. without report.

MINUTES

CS 2018-095

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held March 19, 2018.

Motion carried.

2018-2022 FINANCIAL PLAN DELIBERATIONS

CS 2018-096

2018-2022 Financial Plan

Moved and seconded:

1. That Council direct staff to prepare:
 - a) The Financial Plan Bylaw and Tax Rates Bylaw based on Option #1 of allocating the same percentage of tax allocation in 2017 to the difference after non market change in the total tax levy;
 - b) The 2018 Water Parcel Tax Bylaw; and
 - c) The 2018 Sewer Parcel Tax Bylaw.
2. That Council confirm in the 2018-2022 Financial Plan the Waterfront Area Plan work, including the contracted services,

consulting fees, and an additional temporary exempt position to manage the Waterfront Area Plan project at a cost of \$400,000 per year for the next 5 years to be funded by various reserves.

CS 2018-097 *Moved and seconded:*
That Resolution CS 2018-095 be divided.
Motion carried.

CS 2018-098 *Moved and seconded:*
That Council direct staff to prepare:
a) The Financial Plan Bylaw and Tax Rates Bylaw based on Option #1 of allocating the same percentage of tax allocation as in 2017 to the difference after non market change in the total tax levy;
b) The 2018 Water Parcel Tax Bylaw; and
c) The 2018 Sewer Parcel Tax Bylaw.
Motion carried.

CS 2018-099 *Moved and seconded:*
That Council confirm in the 2018-2022 Financial Plan the Waterfront Area Plan work at a cost of \$400,000 per year for the next 5 years to be funded by various reserves.
Motion carried.

CS 2018-100 *Moved and seconded:*
That Council approve the inclusion within the approved budget of contracted services, consulting fees and an additional temporary exempt position to manage the Waterfront Area Plan project.
Motion carried.

OPPOSED:
Councillor Friesenhan

Municipal Services Committee Recommendations regarding Grants in Aid

CS 2018-101 *Moved and seconded:*
That Council approve the following recommendations regarding Grants in Aid for inclusion in the 2018 budget:

Ladysmith Festival Of Lights	12,000
Ladysmith Fire Rescue - Santa Parade	1,200
Ladysmith Golf Club Society	5,000
Ladysmith Citizens on Patrol	1,500
Old English Car Club Central	250

Island Branch	
Ladysmith District Historical Soc. - Industrial Heritage Preservation	7,000
Art Council of Ladysmith and District- Arts on the Avenue	1,500
Ladysmith and District Marine Rescue Society	2,500
Art Council of Ladysmith and District Waterfront Gallery	1,000
Ladysmith Downtown Business Association(Grand Christmas)	1,500
Ladysmith Show and Shine	500
257 RCACS Parent Committee (Ladysmith Air Cadets)	0
Ladysmith Downtown Business Association(Old Time Christmas)	1,500
Ladysmith Ambassador Program	1,500
Ladysmith Fire Rescue - Community Haunted House	0
LAFF	2,500
Ladysmith Community Gardens Society	650
Ladysmith Celebrations Society	8,000
Cowichan Family Caregivers Support Society	750
St Phillips Anglican Church - Open Table	500
Cowichan Social Planning Society	0
Ladysmith Maritime Society	1,500
Stz'uminus First Nation (Aboriginal Day)	1,200
Waiving Fees	4,000
LSS - Frank Jameson Bursary	1,500

Motion carried.

**PUBLIC INPUT AND
QUESTIONS
REGARDING
FINANCIAL PLAN**

There were no enquiries from the public.

ADJOURNMENT

CS 2018-102

Moved and seconded:
That this Special Meeting of Council adjourn at 7:40 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)

Subject to Adoption

**MINUTES OF A PUBLIC HEARING AND REGULAR
MEETING OF COUNCIL
MONDAY, APRIL 16, 2018
CALL TO ORDER 6:30 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	Sue Bouma	

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:30 p.m.

**CLOSED SESSION
CS 2018-103**

Moved and seconded:
That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 6:30 p.m. in order to consider items related to the following:

- labour relations or other employee relations – section 90(1) (c)

Motion carried.

**PUBLIC HEARING &
REGULAR COUNCIL
MEETING**

Mayor Stone called this Open Session of Council to order at 7:00 p.m., recognizing the traditional unceded territory of the Stz'uminus First Nation and the Coast Salish people and expressing gratitude to be here.

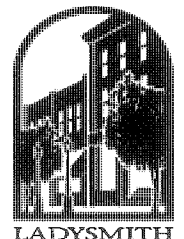
AGENDA APPROVAL

CS 2018-104

Moved and seconded:
That Council approve the agenda for this Public Hearing and Regular Meeting of Council for Monday, April 16, 2018.
Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:46 p.m. without report.



PUBLIC HEARINGS

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

He stated that there were three separate Public Hearings on the agenda, and that the public would have the opportunity to provide their comments to Council about the content of (1) Bylaw 1944, (2) Bylaws 1952 and 1953, and (3) Bylaws 1954 and 1955.

Mayor Stone advised the public that following the close of each Public Hearing, no further submissions or comments from the public or interested persons could be accepted by members of Council.

Public Hearing One – Bylaw 1944

Members of the public present: 21

Felicity Adams, Director of Development Services, introduced the agenda item and listed the following property as the subject of “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 11), 2018, No. 1944:

618 Farrell Road

Lot 1, District Lot 41, Oyster District, Plan 11706 except part in Plans 43985, VIP58153 and VIP79598.

She stated that the purpose of Bylaw 1944 is to amend the zoning for the subject property from Rural Residential (RU-1) to Single Dwelling Residential (R-1) to allow for a residential subdivision.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on April 4 and 11, 2018 and posted on community notice boards through-out Town, as well as on the Town’s website. The Notice was mailed and delivered to the subject property and all properties located within 60 metres of the subject property.

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

Written submissions regarding Bylaw 1944 that were received prior to the Agenda deadline were included in the Public Hearing agenda package.

Ms. Adams reminded Council and the public that a Public

Information Meeting was held by the applicant on November 29, 2017, and that input from the meeting was considered in the development of the proposal.

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

- i. That the street lighting on the strata road adheres to dark sky principles.
- ii. That a grading plan is submitted and approved by the Approving Officer as a condition of the subdivision application.
- iii. That a tree assessment by a certified Arborist be submitted at time of Subdivision application with the intention of maintaining a grouping of healthy trees that complements the trees on the adjacent Gales entrance driveway, such trees to be protected by covenant. And, if it is not possible to create this treed edge, the requirement would be that at the time of building permit, two new trees with a minimum diameter of 6cm are planted on each new lot. A security deposit of \$300 per new tree will be required. One new tree must be in the rear yard.

Ms. Adams informed Council and the public that the applicant was in attendance to respond to questions from Council.

Mayor Stone called for submissions to Council.

Jeff Reichert, 11-626 Farrell Road, recommended that the Town hire its own independent arborist to make decisions regarding the trees on the subject property. He also recommended that the Town use the potential increase in tax base on Farrell Road to erect street lighting, curbs and gutters in the neighbourhood.

Lynn McDermott, 606 Farrell Road, expressed concerns about the easement and requested a strong wall to help protect pets. She also addressed parking issues on the easement and recommended signage.

Gerald Stasiuk, 6-626 Farrell Road, reiterated that the Town should engage an independent arborist and erect street lights, curbs and sidewalks, and that highway noise mitigation is an important consideration. He submitted a copy of his letter for Town records.

John Garstang, 4-626 Farrell Road , underscored highway noise as an issue and recommended that Council request BC Highways to use whisper pavement through sections of the Trans-Canada Highway to mitigate noise and provide protection from wet conditions.

Mayor Stone called for comments about Bylaw 1944 a second and third time. Hearing no further comments, Mayor Stone declared the Public Hearing for Bylaw 1944 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

Public Hearing Two: Bylaws 1952 and 1953

Members of the Public Present: 19

Ms. Adams introduced the agenda item and listed the following property as the subject of “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 13), 2018, No. 1953”:

11 and 17 Kitchener Street

Lot 7 and Lot 8, Block 7, District Lot 24, Oyster District, Plan 703

She stated that the purpose of Bylaw 1952 is to amend the Official Community Plan by changing the designation of 11 and 17 Kitchener Street from ‘Downtown Mixed Use’ to ‘Downtown Core’, and that the purpose of Bylaw No. 1953 is to change the zoning of 11 and 17 Kitchener Street from Live/Work Residential (R-2-LW) to Downtown Commercial (C-2) to allow for commercial use.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on April 4 and April 11, 2018 and posted on community notice boards through-out Town, as well as on the Town’s website. The Notice was mailed and delivered to the subject properties and all properties located within 60 metres of the subject properties.

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

No written submissions regarding proposed Bylaws 1952 and 1953 were received prior to the Agenda deadline.

Ms. Adams informed Council and the public that the applicant was in attendance to respond to questions from Council.

Mayor Stone called for submissions to Council. Mayor Stone called for submissions a second time.

Theresa Kell, 17 Kitchener St., expressed concern that changing the zoning of 11 and 17 Kitchener Street would eliminate residential rentals in an already limited rental market.

Mayor Stone called for submissions and comments about Bylaws 1952 and 1953 a third and final time. Hearing none, Mayor Stone declared the Public Hearing for Bylaws 1952 and 1953 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

Public Hearing 3 – Bylaws 1954 and 1955

Members of the public: 17

Ms. Adams introduced the agenda item and listed the following property as the subject of “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954”, and “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 14), 2018, No. 1955”: 1240 Fourth Avenue -- Lot B, District Lot 97, Oyster District, Plan VIP56663 except part in Plan VIP89355

She stated that the purpose of Bylaw 1954 is to amend the Official Community Plan by removing ‘Development Permit Area 4 – Multi-Unit Residential’ from the property at 1240 Fourth Ave, and that the purpose of Bylaw 1955 is to amend the Zoning Bylaw to change the zoning of the property at 1240 Fourth Ave. from Medium Density Residential (R-3) to Single Dwelling Residential Small Lot B (R-1-B) to allow for small lot residential use.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on April 4 and April 11, 2018 and posted on community notice boards through-out Town, as well as on the Town’s website. The Notice was mailed and delivered to the subject property and all properties located within 60 metres of the subject property.

A copy of the notice, the proposed Bylaws and background information considered by Council was made available at the Front Counter of City Hall for the Notice period. Staff in the Development

Services office were available to respond to questions prior to the public hearing.

No written submissions regarding Bylaws 1954 and 1955 were received prior to the Agenda deadline.

Ms. Adams reminded Council and the public that a Public Information Meeting was held by the applicant on March 14, 2018.

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

- i) 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.

Council had also previously approved of the discharge of covenant EL128958 from the title of the property at 1240 Fourth Avenue once the new section 219 covenant is registered on the title.

Ms. Adams informed Council and the public that the applicant was in attendance to respond to questions from Council.

Mayor Stone called for submissions and comments to Council.

Mayor Stone called for submissions and comments about Bylaws 1954 and 1955 a second and third time. Hearing none, Mayor Stone declared the Public Hearing for Bylaws 1954 and 1955 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

**BYLAWS (SUBJECTS
OF PUBLIC
HEARINGS)**

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 11) 2018, No. 1944
Subject Property: Lot 1, District Lot 41, Oyster District, Plan 11706, Except Part in Plans 43985, VIP58153 and VIP79598 (618 Farrell Road)

Moved and seconded:

CS 2018-105

That, in the community interest, Council direct staff to include in the Section 219 covenant on the title for Lot 1, District Lot 41, Oyster District, Plan 11706, that the access road is to be located on the west side of the property.

Motion carried.

Moved and seconded:

CS 2018-106

That Council:

1. Proceed with third reading of Bylaw 1944 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 11) 2018, No. 1944"; and
2. Direct staff to refer Bylaw 1944 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

Motion carried.

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 51) 2018, No. 1952; and
Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 13) 2018, No. 1953

Subject Properties: Lots 7 & 8, Block 7, District Lot 24, Oyster District, Plan 703 (11 and 17 Kitchener Street)

Moved and seconded:

CS 2018-107

That Council:

1. Proceed with third reading of "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.51) 2018, No. 1952";
2. Proceed with third reading of "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.13) 2018, No.1953"; and
3. Direct staff to refer Bylaw 1953 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

Motion carried.

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 52) 2018, No. 1954; and
Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 14) 2018, No. 1955

Subject Property: Lot B, District Lot 97, Oyster District, Plan VIP56663, Except part in plan VIP89355 (1240 Fourth Avenue)

Moved and seconded:

That Council proceed with:

CS 2018-108

1. Third reading of "Official Community Plan Bylaw 2003, No 1488, Amendment Bylaw (No.52) 2018, No. 1954; and

2. Third reading of "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.14) 2018, No.1955.

Motion carried.

DELEGATIONS

MNP, Auditors for the Town of Ladysmith

Cory Vanderhorst, CPA, CA

Presentation of the Draft 2017 Financial Statements

C. Vanderhorst presented a summary of the draft audited Financial Statements for the Town of Ladysmith for 2017. He stated that this is an unqualified or clean audit. C. Vanderhorst responded to questions from Council

Moved and seconded:

CS 2018-109

That Council approve the Audited Financial Statements for the Town of Ladysmith for 2017.

Motion carried.

PROCLAMATIONS

Human Values Day

Mayor Stone proclaimed April 24, 2018 as "Human Values Day" in the Town of Ladysmith, and encouraged all citizens to make the Town of Ladysmith a "a Town of Character" by practicing the human values of truth, right conduct, peace, love and nonviolence.

DEVELOPMENT APPLICATIONS

Zoning Bylaw Amendment Application, 1280 Rocky Creek Road (J. Basi, TRT Trucking)

Subject Property: Lot 7, District Lot 38, Oyster District, Plan VIP73070

Moved and seconded:

CS 2018-110

That Council:

1. Direct staff to commence the preparation of the Zoning Bylaw amendment bylaw for application 3360-18-06, to add a site specific accessory use to the Light Industrial (I-1) Zone to permit 'Marshalling Yard' at 1280 Rocky Creek Road (Lot 7, District Lot

38, Oyster District, Plan VIP73070); with the condition that the 'Marshalling Yard' use is permitted in areas that are surfaced with a hard surface of asphalt or similar surface, graded to contain and dispose of surface water, and contain an oil/water separator.

2. Waive:

- a) The referral of zoning bylaw amendment application 3360-18-06 to the Advisory Planning Commission; and
- b) The requirements for a public information meeting and public hearing.

Motion carried.

Official Community Plan Amendment Application, Ladysmith Marina -

D. Strongitharm - Rocky Creek Road

**Subject Properties: Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537
Lot 1 and 2, District Lots 81 and 86, Oyster District, Plan VIP88459**

Block C, District Lot 2054, Cowichan District, Plan EPC721 (Provincial lease area)

Moved and seconded:

That Council:

CS 2018-111

1. Direct staff to commence the preparation of Official Community Plan amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-18-03, to amend:

- a) Official Community Plan Map 1 by removing a portion of the 'Local Commercial' and 'Industrial' designation and replacing it with 'Single Family Residential' designation for the 'surplus' lands; and by removing the 'Industrial' designation from the active marina area and replacing it with the 'Waterfront' designation;
- b) Official Community Plan Map 2 by adjusting DPA 1 Waterfront such that it is removed from the 'Single Family Residential' designated area and moved to the new 'Waterfront' designated area; and by adding DPA 5 Industrial to the adjusted 'Industrial' designated area;
- c) The Zoning Bylaw text (Schedule A of Bylaw 1860) by amending the Tourist Service Commercial (C-4) Zone and Light Industrial (I-1) Zone to accommodate Ladysmith Marina uses.

- d) The Zoning Bylaw map (Schedule B of Bylaw 1860) by adjusting the C-4 'Tourist Service Commercial' zone such that it applies only to the active Ladysmith Marina area, and adjusting the R-1-B, W-2, I-2 and I-1 zones accordingly surrounding the new C-4 zoned area.

For properties legally described as

- Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537;
 - Lot 1 and 2, District Lots 81 and 86, Oyster District, Plan VIP88459; and
 - Block C, District Lot 2054, Cowichan District, Plan EPC721 (lease area)
2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to refer the OCP amendment application 3360-18-03 to the Stz'uminus First Nation, pursuant to the Memorandum of Understanding between the Stz'uminus First Nation and Town of Ladysmith.

Motion carried.

REPORTS

CS 2018-112

Direction to Proceed with an Alternative Approval Process (AAP) for a Proposed Two Lot Boundary Extension

Moved and seconded:

That Council:

1. Direct staff to seek elector approval of the proposed two lot boundary extension in south Ladysmith through an Alternative Approval Process with a deadline for receipt of Elector Response Forms of 4:00 p.m., Wednesday, June 6, 2018; and
2. Confirm the number of eligible electors for the Alternative Approval Process as 6,635.

Motion carried.

CS 2018-113

Options for Public Consultation on the Retail Sale of Non-Medical Cannabis

Moved and seconded:

That Council establish a budget of \$20,000 to support public consultation on the retail sale of non-medical cannabis in Ladysmith, with the funds to come from surplus, and direct staff to amend the Financial Plan accordingly.

Motion carried.

CS 2018-114 *Moved and seconded:*
That the Mayor appoint three members of Council, including the Mayor, to an ad hoc Committee of Council to support the public consultation process on the retail sale of non-medical cannabis in the Town of Ladysmith.
Motion carried.

CS 2018-115 *Moved and seconded:*
That Council direct the ad hoc Committee to use the 'Municipal Guide to Cannabis Legislation' - the framework provided by the Federation of Canadian Municipalities - to develop recommendations on locational or other criteria and a desired public input strategy and scope for Council's consideration with respect to the retail sale of non-medical cannabis in the Town of Ladysmith prior to embarking on a public consultation on the matter.
Motion carried.

CS 2018-116 *Moved and seconded:*
That the ad hoc Committee consider the suitability of engaging an outside consultant with the appropriate knowledge of the legislative framework to manage the public consultation on the retail sale of non-medical cannabis for Council's consideration.
Motion carried.

CS 2018-117 *Moved and seconded:*
That Council direct staff to develop land use recommendations for Council's consideration with respect to the production and processing of non-medical cannabis in the Town of Ladysmith.
Motion carried.

BYLAWS

CS 2018-118 **Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945**
Moved and seconded:
That Council give first, second and third readings to Town of Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945.
Motion carried.

CS 2018-119 **Town of Ladysmith Financial Plan Bylaw 2018, No. 1956**
Moved and seconded:
That Council give first, second and third readings to Town of Ladysmith Financial Plan Bylaw 2018, No. 1956.
Motion carried.

Town of Ladysmith Tax Rates Bylaw 2018, No. 1957

Moved and seconded:

CS 2018-120

That Council give first, second and third readings to Town of Ladysmith Tax Rates Bylaw 2018, No. 1957.

Motion carried.

Water Parcel Tax Bylaw 2018, No. 1958

Moved and seconded:

CS 2018-121

That Council give first, second and third readings to Water Parcel Tax Bylaw 2018, No. 1958.

Motion carried.

Sewer Parcel Tax Bylaw 2018, No. 1959

Moved and seconded:

CS 2018-122

That Council give first, second and third readings to Sewer Parcel Tax Bylaw 2018, No. 1959.

Motion carried.

QUESTION PERIOD

Members of the public enquired about raising amenity fees to reflect the current higher value of property. Members of the public also recommended that the ad hoc committee established to support the public consultation process on the retail sale of non-medical cannabis consider the smell of cannabis and the distance it carries when developing their recommendations.

ADJOURNMENT

Moved and seconded:

CS 2018-123

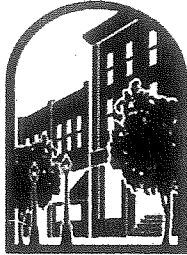
That this regular meeting of Council adjourn at 9:00 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



LADYSMITH

TOWN OF LADYSMITH

PROCLAMATION

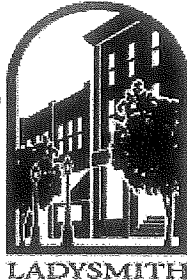
NATIONAL PUBLIC WORKS WEEK

- WHEREAS: Public work services provided in our community are an integral part of our citizens' everyday lives; and*
- WHEREAS: The support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs, such as water, sewers, streets and highways, public buildings, and solid waste collection; and*
- WHEREAS: The health, safety and comfort of this community greatly depends on these facilities and services; and*
- WHEREAS: The quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and*
- WHEREAS: The efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform.*
- THEREFORE, I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim the week of May 20th to May 26th, 2018 as "National Public Works Week" in the town of Ladysmith, British Columbia.*



Mayor A. Stone

May 1, 2018

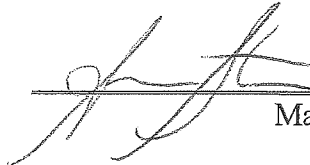


TOWN OF LADYSMITH

PROCLAMATION

NATIONAL MISSING CHILDREN'S MONTH AND MISSING CHILDREN'S DAY

- WHEREAS:** *Child Find British Columbia, a provincial member of Child Find Canada, is a non-profit, registered charitable organization, incorporated in 1984; and*
- WHEREAS:** *The Mandate of Child Find British Columbia is to educate children and adults about abduction prevention; to promote awareness of the problem of missing children, and to assist in the location of missing children; and*
- WHEREAS:** *Child Find has recognized Green as the colour of Hope, which symbolizes a light in the darkness for all missing children; and*
- WHEREAS:** *Child Find's annual Green Ribbon of Hope Campaign will be held in the month of May, and May 25th is National Missing Children's Day;*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim May as Child Find's Green Ribbon of Hope month and May 25th as National Missing Children's day. I urge our citizens to wear a green ribbon as a symbol of Hope for the recovery of all missing children; and to remain vigilant in our common desire to protect and nurture the youth of our Province.*



Mayor A. Stone

April 27, 2018

STAFF REPORT TO COUNCIL

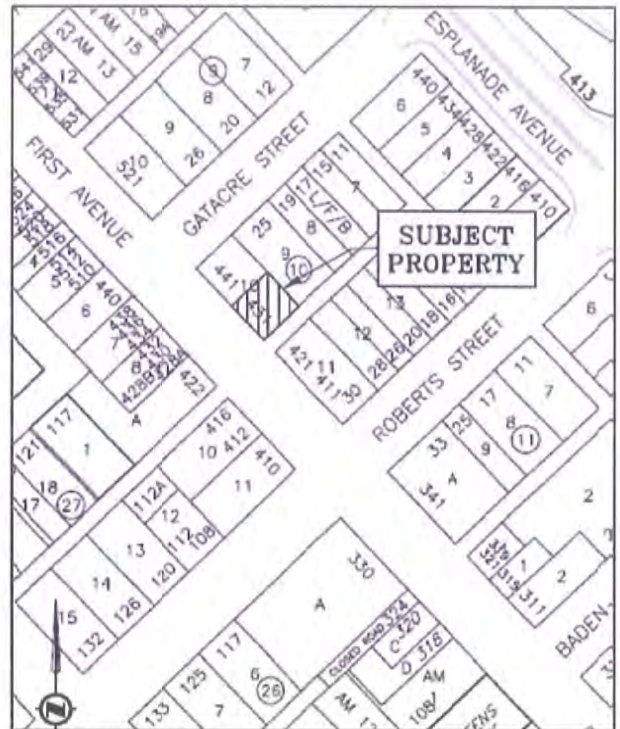
From: Lisa Brinkman, Senior Planner
 Meeting Date: May 7, 2018
 File No: 3360-18-07 and 3060-18-03
 RE: **Zoning Amendment and Development Permit Application – AYPQ
 Architecture – 431 First Ave.
 Subject Property: Lot 10, Block 10, District Lot 56, Oyster District, Plan 703**

(except that part lying to the north west of a line drawn parallel to the north westerly boundary from a point on the south westerly boundary distant 63 feet from the most westerly corner thereof).

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Bylaw 1963 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.17) 2018, No.1963.
2. Refer Bylaw 1963 to public hearing.
3. Issue Development Permit (DP) 3060-18-03 for:
 - a) form and character of site and building improvements at 431 First Ave.;
 - b) reducing off-street parking spaces for residential use at 431 First Ave. pursuant to DPA 2 guideline 11(e);
 and that the Mayor and Corporate Officer be authorized to sign the Development Permit.
4. Authorize the Town to enter into an Encroachment Agreement with the property owner for the purpose of allowing: a) an exterior covered staircase to be located in the lane to access the second storey of the building at 431 First Avenue; b) a restaurant kitchen vent to be located over the lane a minimum of 3 metres above lane grade; c) front window canopies; and that the Mayor and Corporate Officer be authorized to sign the Encroachment Agreement.
5. Direct staff to issue a 'Highway Use Permit' (Schedule D Bylaw 1309) for improvements to a portion of the lane adjacent to the First Avenue sidewalk subject to the applicant providing engineering for the proposed works.



PURPOSE:

The purpose of this staff report is to present for Council's consideration Bylaw 1963 to amend the Zoning Bylaw; Development Permit 3060-18-03; as well as a request for a lane encroachment agreement and lane improvements to facilitate improvements to the site and building at 431 First Avenue.

PREVIOUS COUNCIL DIRECTION

None

INTRODUCTION/BACKGROUND:

The applicant has submitted an application to amend the Zoning Bylaw and an application for a Development Permit for the form and character of site and building improvements at 431 First Avenue. The subject property is 317m² (3416ft²) in size and is bounded by First Avenue, a lane, and commercial property. The proposed improvements include a full renovation of the exterior of the building and a new outdoor patio. A restaurant and retail use are proposed for the main floor of the building, three residential units are proposed for the second storey, and a loft unit is proposed for the third storey within the existing roof. The building is 11 metres in height.

The applicant is also requesting an encroachment agreement with the Town so that they can locate an exterior access stair to the second level of the building in the lane adjacent to 431 First Avenue. To create a level landing for the access stair the applicant is proposing improvements to that portion of the lane adjacent to the First Avenue sidewalk.

1. ZONING AMENDMENT APPLICATION (3360-18-07)

The applicant is requesting to amend the Zoning Bylaw to permit two additional dwelling units at 431 First Avenue. The subject property is zoned Downtown Commercial (C-2) which permits two dwelling units on a parcel that is 317m² (3416ft²) in size. To make the building renovation project financially viable the applicant has indicated that four dwelling units are required. Thus, the applicant is requesting an additional two units.

The Official Community Plan states that “the Downtown will be promoted as a residential area with infill and mixed use development (residential in the downtown and residential over commercial/retail in the core) as a key component”.

Bylaw 1963 proposes a site specific amendment to the Zoning Bylaw to permit a maximum of four dwelling units, that are each a minimum size of 32m² (344ft²), at 431 First Avenue.

Summary of Zoning Amendment Application for 431 First Ave.

	Current	Proposed
Official Community Plan	Downtown Core	Downtown Core
Development Permit Area (DPA)	Downtown DPA2 Multi-Unit Residential (DPA 4)	Downtown DPA2 Multi-Unit Residential (DPA 4)
Zoning Bylaw	Downtown Commercial (C-2) <i>(two dwelling units)</i>	Downtown Commercial (C-2) <i>Site specific amendment to permit four dwelling units at 431 First Ave. that are each a minimum size of 32m².</i>

2. DEVELOPMENT PERMIT APPLICATION (3060-18-03)

The subject property falls within Development Permit Area 2 ‘Downtown’ (DPA 2) and Development Permit Area 4 ‘Multi-Unit Residential’ (DPA 4). The proposed site and building façade improvements have been reviewed in relation to the Zoning Bylaw as well as the DPA 2 and DPA 4 guidelines.

Materials and Colours

The existing stucco will be replaced with hardiplank siding. The applicant has proposed the use of three colours – off-white for the upper storey, black for the lower storey, and charcoal grey accents. The same colour palette is repeated in trim, awning and signage. New vinyl windows and new doors will be installed. The asphalt roof will remain. The recessed doorway surface will be upgraded from concrete to black and white checkerboard tile.

Windows & Doors

The existing large storefront windows and door will be replaced, while maintaining the heritage building commercial frontage style. New windows are proposed for the upper storey of the front façade and these are consistent with the window style and location of other heritage downtown buildings.

The DP guidelines encourage entrances to upper levels to be located on the street frontage however in the retrofit of this building it is proposed that the residential units are accessed by two external staircases on the sides of the building to the second storey.

Outdoor Patio and Landscaping

The outdoor patio for the restaurant is proposed to be in the side yard and contain seating for 38 people. The patio will have a controlled access from First Avenue as well as access through the restaurant. The patio will be enclosed at the front (First Avenue) and rear by a black wrought iron fence constructed with a brick base and gate. The owner also intends to place trees and shrubs in pots within the patio area. A cypress hedge is also proposed along the patio fences.

The DP guidelines encourage private outdoor living spaces for residential dwelling units. One dwelling unit contains an outdoor deck 2.7m² (29.6ft²) in size.

Sign, Canopies and Lighting

Proposed signage consists of pedestrian scale fascia and projecting signs. The canopy/sign band above the storefront windows will be used for the two business fascia signs, with projecting signs at either side of the building frontage. A prominent fascia sign with individual letters “The Residences” will be displayed on the upper storey frontage. The type and location of the proposed signage complies with the Sign & Canopy Bylaw.

Four awnings are proposed for the building including a solid charcoal scalloped awning over the main entrances, and striped scalloped awning over the storefront windows and external stairway. The Sign & Canopy Bylaw requires that awning/canopy that extends over the First Avenue sidewalk be authorized by an encroachment agreement. Exterior lighting is provided with decorative gold/brass gooseneck lighting on the front and side facades. Lighting follows dark sky principles and is directed downward to the sidewalk.

Vehicle & Bicycle Parking

When a building is being renovated in the Downtown Commercial (C-2) zone the parking for the commercial use is not recalculated (for uses permitted in the C-2 zone). However, one off-street parking space per residential unit is required for each dwelling unit. The applicant is requesting that the off-street parking spaces required for the residential units be waived such that residents of the dwelling units must utilize the Town’s public parking lots. Bicycle parking for the dwelling units is being provided in the storage room accessed at the rear of the building. Development Permit guideline 11(e) allows parking requirements to be reduced or altered.

Preservation, Rehabilitation & Restoration of Heritage Buildings

The building, known as the “Ladysmith Hotel”, was constructed in 1900. It was originally constructed on the opposite side of First Avenue and was moved across the road to make way for the Traveller’s Hotel. The proposed façade improvements are in keeping with the ‘*Standards and Guidelines for the Conservation of Historic Places in Canada*’ by retaining the original building shape and roofline; and by retaining the style of large storefront windows, transom windows and recessed entrance.

Additionally, due to the move of the building across First Avenue, some original heritage elements were lost, such as the original upper floor windows and balcony facing First Avenue. The applicant proposes to add features to regain heritage character in the following ways:

- New upper storey windows facing First Avenue consistent with the original facade
- New checker tile flooring in the recessed entrance
- Provision of awnings
- Detailing and trim on the First Avenue façade

3. ENCROACHMENT AGREEMENT AND HIGHWAY USE PERMIT REQUEST

The applicant is requesting an encroachment agreement to extend two features from the building at 431 First Avenue into a portion of the lane that is adjacent to the building as shown in Figure 1. A restaurant kitchen vent is proposed to extend from the building, a minimum of 3m from the lane grade. Also, a covered staircase is proposed to the second storey of the building. The stairs are proposed to be a width of approximately 1m (3.2 ft).

To accommodate the landing area for the stairs, improvements to the lane would be required such as leveling the grade of that portion of the lane, new brickwork, new retaining wall and concrete steps to the remainder of the lane. The applicant would be required to work with those that donated the bench, tree and commemorative plaque to ensure the new design accommodated these features. If Council supports the encroachment agreement it is recommended that Council direct staff to prepare a ‘Highway Use Permit’ to allow improvements to a portion of the lane subject to the applicant providing engineering for the lane works for review and approval by Infrastructure Services.



Figure 1: Proposed stairs, vent and lane improvements adjacent to 431 First Avenue.

ALTERNATIVES:

1. Council may decide to not proceed with proposed Bylaw 1963.
2. Council may decide to not issue Development Permit 3060-18-03 where the refusal is based upon a determination that the development permit application does not meet the Development Permit guidelines. If the Development Permit is refused then reasons must be given. The determination by Council must be in good faith and it must be reasonable, not arbitrary.
3. Council may decide to not proceed with the encroachment agreement and lane improvements (highway use permit) request.

FINANCIAL IMPLICATIONS:

The applicant would be responsible for legal fees associated with the Encroachment Agreement and would be responsible for all costs associated with the lane improvements.

LEGAL IMPLICATIONS:

Zoning Amendment: The subject property is located within 800 metres of a controlled access highway, thus Bylaw 1963 must be referred to the Ministry of Transportation & Infrastructure for approval following third reading of the bylaw. Also, if the application proceeds a public hearing would be required

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Since Bylaw 1963 is consistent with OCP policy, Council may choose to not refer the bylaw to the Advisory Planning Commission. Council may also consider waiving the holding of the public hearing.

At their meeting on April 19, 2018 the Heritage Revitalization Advisory Committee passed the following motion regarding proposed Development Permit 3060-18-03:

It was moved, seconded and carried that the Heritage Revitalization Advisory Commission supports the colour, design, location and style of the proposed façade updates, signage and awning for 431 First Avenue.

Notification to neighbouring businesses will be undertaken by the applicant as part of the approval of the Highway Use Permit.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department is supportive of the proposed zoning amendment, development permit and lane encroachment for stairs. The Streets and Traffic Bylaw No. 1309 requires that all work in Town streets and lanes be authorized by a 'Highway Use Permit'.

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:

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

- Natural & Built Infrastructure
- Partnerships
- Not Applicable

SUMMARY:

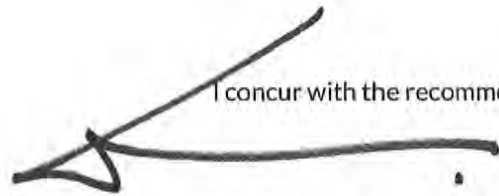
It is recommended to: 1) proceed with first and second reading of Bylaw 1963 and refer the bylaw to public hearing; 2) issue Development Permit 3060-18-03; 3) authorize the Town to enter into an encroachment agreement; and 4) direct staff to issue a 'Highway Use Permit' to allow improvements to a portion of the lane.

Reviewed by:



May 2, 2018

Felicity Adams, Director of Development Services

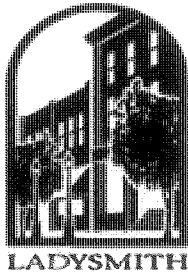


I concur with the recommendation.

Guillermo Ferrero, City Manager

ATTACHMENTS:

Development Permit 3060-18-03
Bylaw 1963



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

FILE NO: 3060-18-03

DATE: May 7, 2018

Name of Owner(s) of Land (Permittee): Karen Lynn Olenik

Applicant: Angela Quek (AYPQ Architecture)

Subject Property (Civic Address): 431 First Avenue

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.
2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

Lot 10, Block 10, District Lot 56, Oyster District, Plan 703, except that part lying to the north west of a line drawn parallel to the north westerly boundary from a point on the south westerly boundary, distant 63 feet from the most westerly corner thereof. PID# 000-869-121

(referred to as the "Land")
3. This Permit has the effect of authorizing:
 - (a) the issuance of a building permit for the alteration of a building on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit; and
 - (b) the alteration of land or a building on land designated in the Official Community Plan under section 488(1)(d) and (f) of the *Local Government Act*.Subject to the conditions, requirements and standards imposed and agreed to in section 6 of this Permit.
4. With respect to the Land Town of Ladysmith Zoning Bylaw 2014, No. 1860 is hereby varied as follows:
 - a) Section 8.1(d)(iii) is varied such that off-street parking spaces shall not be required for residential use on the Land.
5. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.

6. The Permittee, as a condition of the issuance of this Permit, agrees to:
 - a) To develop the Land as shown in:
 - Schedule A: Front Elevation – Exterior Materials
 - Schedule B: Side Elevation (adjacent to lane)
 - Schedule C: Side Elevation (adjacent to 441 First Ave.)
 - Schedule D: Outdoor Patio
 - Schedule E: Rear Elevation
 - Schedule F: Colours and Signs
 - Schedule G: Signs
7. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
8. The plans and specifications attached to this Permit are an integral part of this Permit.
9. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3060-18-03**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
10. This Permit prevails over the provisions of the Bylaw in the event of conflict.
11. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

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

MAYOR

CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

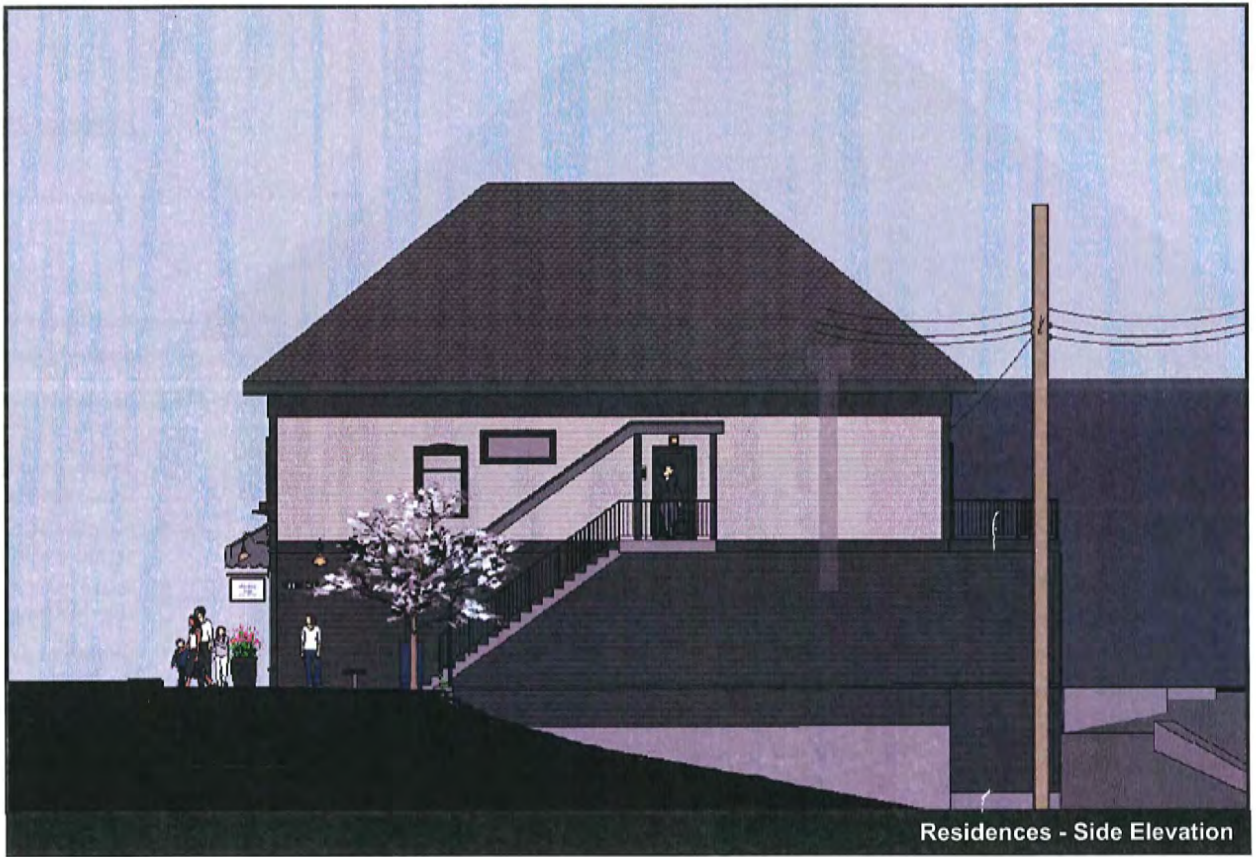
OWNER

PLEASE PRINT NAME



ATPQ Architecture :: www.atpqarchitects.com ::

Schedule A: Front Elevation - Exterior Materials
 DP 3060-18-03 431 First Avenue
 Angela Quek



Schedule B: Side Elevation (adjacent to lane)
DP 3060-18-03 431 First Avenue
Angela Quek



ATPQ Architecture :: www.atpqarchitecture.com ::

Schedule C: Side Elevation (adjacent to 441 First Avenue)
DP 3060-18-03 431 First Avenue
Angela Quek



JPG Architecture :: www.jpgarchitecture.com

Outdoor Patio

Schedule D: Outdoor Patio
DP 3060-18-03 431 First Avenue
Angela Quek



Back Elevation

Schedule E: Rear Elevation
DP 3060-18-03 431 First Avenue
Angela Quek

Sign Text
Colour #3



Sign Text
Colour #3

Entry Floor Tile
B&W 2" Checkerboard



Front Entry Doors
Colour #2



Colour #1 : Totally Black HDC-MD-04



Colour #2 : Charcoal Slate HC-17B



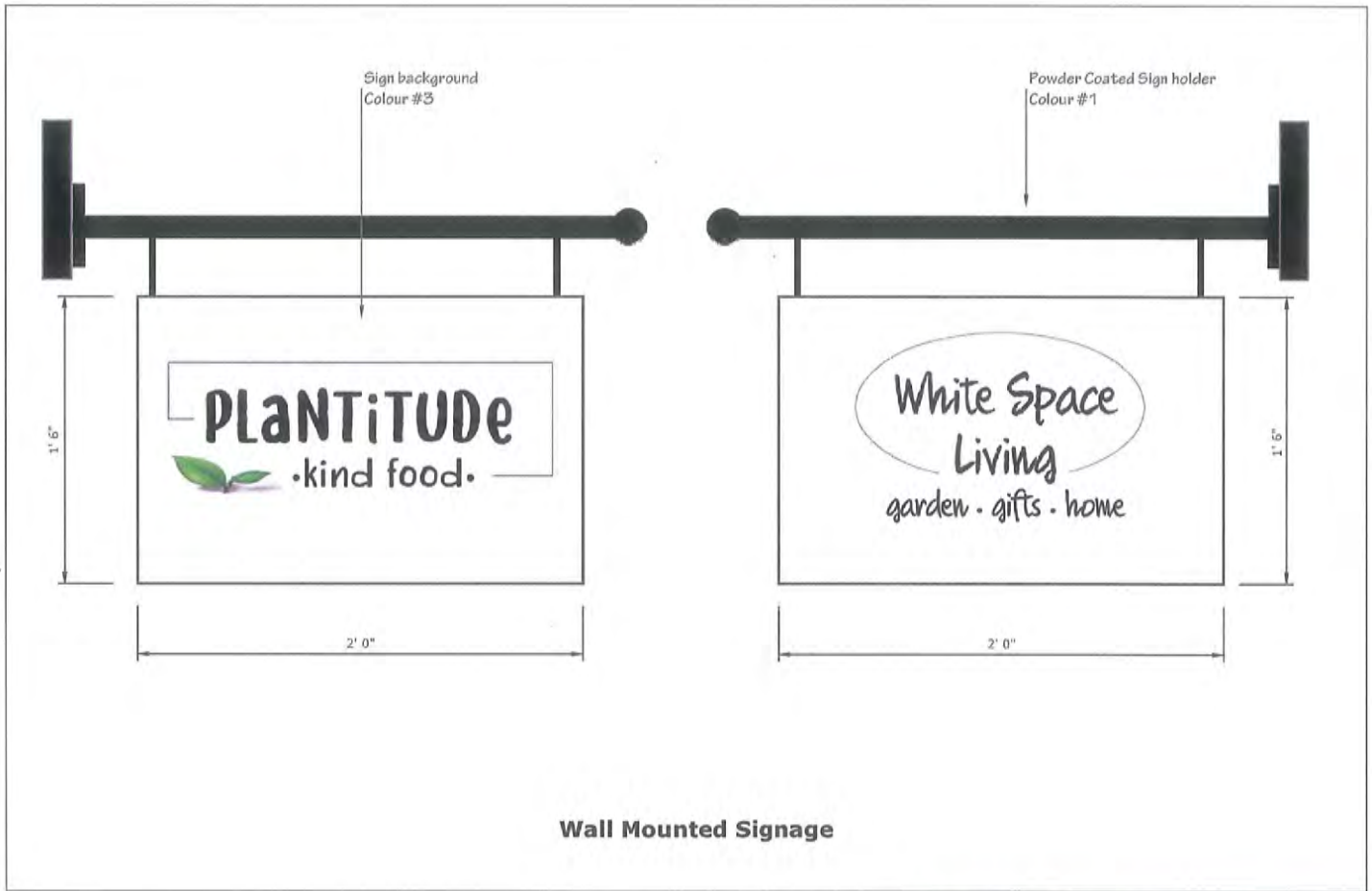
Colour #3 : Dove HDC-MD-21



Colour #4 : Metallic Gold/Brass

Colours

Schedule F: Colours and Signs
 DP 3060-18-03 431 First Avenue
 Angela Quek



A/PQ Architecture :: www.a/pqarchitecture.com ::

Schedule G: Signs
 DP 3060-18-03 431 First Avenue
 Angela Quek

TOWN OF LADYSMITH

BYLAW NO. 1963

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) Section 11.2 Downtown Commercial (C-2) Zone of Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) Adding a new sub-section (f) to Section 10 "Site Specific Regulations:

"(f) For the *Parcel* legally described as Lot 10, Block 10, District Lots 56, Oyster District, Plan 703, except that part lying to the north west of a line drawn parallel to the north westerly boundary from a point on the south westerly boundary distant 63 feet from the most westerly corner thereof (431 First Avenue) the following site specific regulations shall apply:

- i) Despite Section 11.2(4)(a), the minimum *Finished Floor Area* for a one bedroom *Dwelling Unit* shall be 32.0 square metres.
- ii) Despite Section 11.2(4)(b), the maximum number of *Dwelling Units* permitted is four.

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963".

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)

STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
 Meeting Date: May 7, 2016
 File No: 3360-18-04
 RE: OCP AND ZONING BYLAW AMENDMENT APPLICATION
 Subject Property: 900 Russell Rd. (Lot A, District Lot 67, Oyster District, Plan EPP24148)

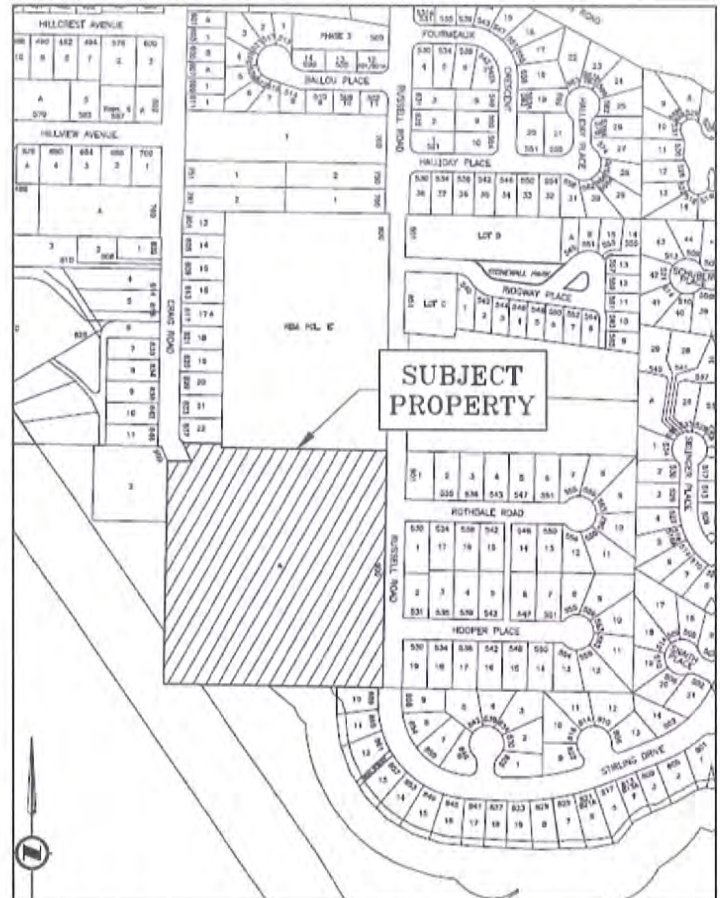
RECOMMENDATION:

That Council:

1. Consider the application (3360-17-01) to amend:
 - a) The Official Community Plan (OCP) by placing the "Parks and Open Spaces" designation on the dedicated parkland.
 - b) The Zoning Bylaw by changing the zoning of a portion of the property at 900 Russell Road from 'Single Dwelling Residential' (R-1) to 'Single Dwelling Residential - Small Lot A' (R-1-A) and to add park zoning.

For the property legally described as Lot A, District Lot 67, Oyster District, Plan EPP24148.

2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to refer the proposed OCP amendment (3360-18-04) to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding.
3. Direct staff to work with the applicant regarding land use matters and a community amenity contribution; commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-18-04, and report the results of the Neighbourhood Information meeting to Council.



PURPOSE:

The purpose of this staff report is to introduce an application to amend the Official Community Plan (OCP) and Zoning Bylaw for the property at 900 Russell Road and to seek direction from Council regarding consultation and next steps.

PREVIOUS COUNCIL DIRECTION *none*

INTRODUCTION/BACKGROUND:

An application has been received to amend the OCP and Zoning Bylaw to rezone a portion of the property at 900 Russell Road from 'Single Dwelling Residential' (R-1) to 'Single Dwelling Residential – Small Lot A' (R-1-A) for a 2.4 ha portion. The sale of this property required the dedication of 0.5 ha of parkland. The property is surrounded by R-1 zoned residential property to the north and east, and parkland to the south and west. The applicant intends to develop the property in two phases:

Phase 1: The applicant has received Preliminary Layout Approval (PLA) from the Town to create eight single dwelling parcels, 668m² in size, along Russell Road (see Figure 1). These eight parcels will remain zoned R-1. The 0.5 hectare park will be dedicated to the Town at the time of registration of the eight parcels (as required by covenant CA6213752). Road frontage improvements are required along Russell Road as a condition of the eight parcel PLA. A covenant will require the future dedication of the proposed road.

Phase 2: If the rezoning application is successful the phase two subdivision plan proposes 33 residential parcels. The proposed parcel sizes would be approximately as follows: 10 parcels less than 500m², 13 parcels 500-600m², and 10 parcels greater than 600m². The public road would be dedicated and constructed to connect Russell Road to Craig Road. Pedestrian paths will be provided to create access to public parkland.

A biophysical assessment of the site, completed by Aquaparian Environmental Consulting Ltd. in 2017 determined that there are no fish bearing watercourses within the property and that there are no areas on the site which qualify as a stream.

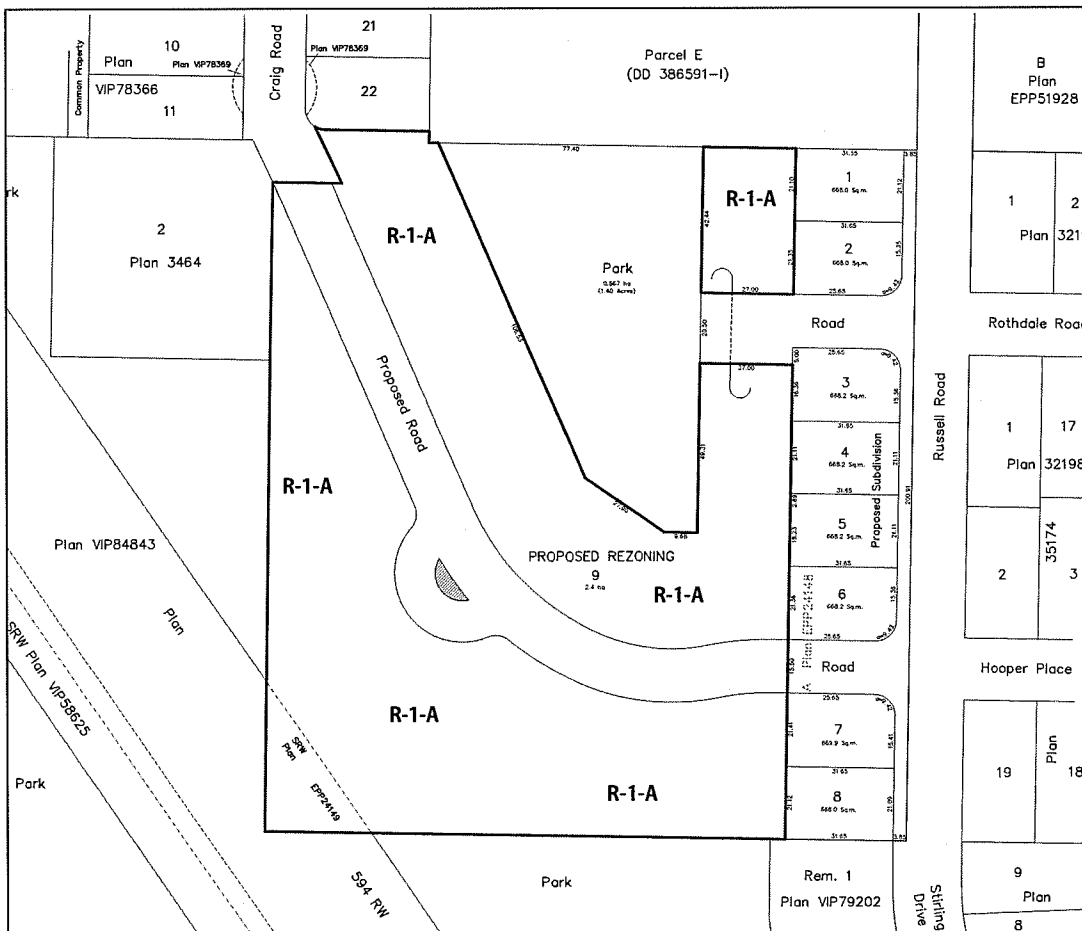


Figure 1: Map showing areas proposed to be zoned from R-1 to R-1-A (900 Russell Road)

Official Community Plan

The subject property is designated as 'Single Family Residential' in the Official Community Plan (OCP) and a 'future park' is indicated on Map 1 'Land Use'. The 'Single Family Residential' designation supports small lot single family residential neighbourhoods. It is recommended to designate the dedicated parkland as 'Parks and Open Spaces'.

Zoning Bylaw

The subject property parcel size is 3.8 hectares and the applicant is requesting that 2.4 hectares be zoned from the R-1 Zone to the R-1-A Zone. The R-1-A Zone permits parcels that are a minimum size of 460 m². As reference, in the neighbourhood the residential parcels on both Ballou Place and Ridgeway Place are zoned R-1-A with minimum lot sizes of 460m². It is also recommended to rezone 0.5 hectares for park use.

Table 1: Summary of Application 3360-18-04

	Current	Proposed
OCP	Single Family Residential Future Park	Single Family Residential Park and Open Space
Zoning Bylaw	Single Dwelling Residential (R-1) Current zoning would permit approximately 32 R-1 zoned parcels (24 parcels + 8 parcels with PLA = 32).	<ul style="list-style-type: none"> 2.4 ha proposed to be zoned Single Dwelling Residential - Small Lot A (R-1-A), to permit approximately 33 parcels. 0.5 ha proposed to be zoned for park use. 8 parcels with PLA remain zoned as Single Dwelling Residential (R-1). (33 R-1-A parcels + 8 parcels with PLA = 41)

It is recommended to direct staff to work with the applicant regarding land use matters and a community amenity contribution; and to commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw.

ALTERNATIVES:

Council can choose to not proceed with rezoning application 3360-18-04.

FINANCIAL IMPLICATIONS:

None

LEGAL IMPLICATIONS:

Statutory Right of Way **CA6213754** is registered on the title and requires that a public trail provide access to the adjacent parkland to the southwest of the subject property.

Statutory Right of Way **CA2875057** is also registered on the title and requires that public access be provided on a 680m² area, shown in bold in Figure 2, as this area is anticipated to be part of a public trail system. As a condition of the rezoning it may be appropriate to dedicate this 680m² area to the Town to contribute to the surrounding park area and Town owned land.

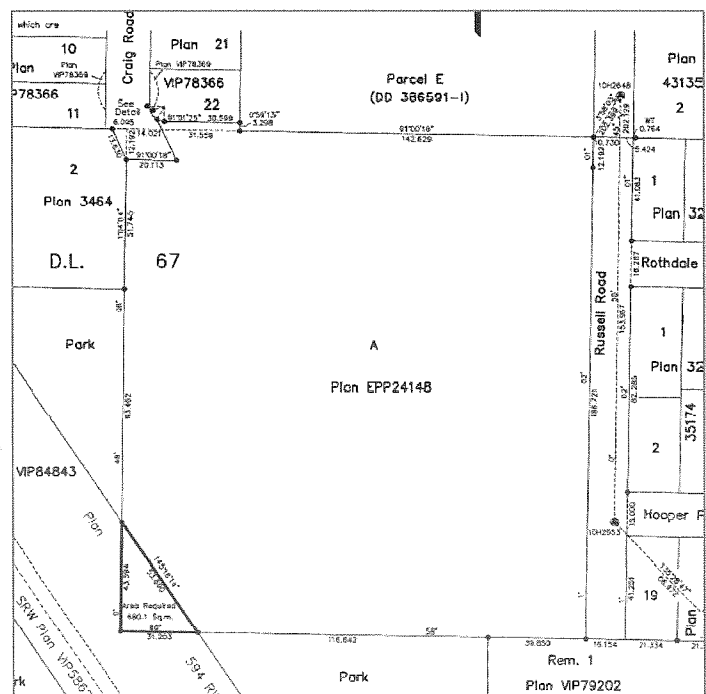


Figure 2: Survey showing 680m² ROW area (900 Russell Rd.)

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The applicant is hosting a neighbourhood information meeting in May 2018 to introduce the proposed rezoning and development plans for the property. Since the proposed small lot residential use is consistent with OCP policy, Council may choose to not refer the application to the Advisory Planning Commission. If the application proceeds a public hearing is required.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposed rezoning has been referred to the Infrastructure Services Department and to the Director of Parks, Recreation, and Culture for review. A Preliminary Layout Approval (PLA) has been issued for eight R-1 zoned residential parcels and a 0.5 hectare park dedication.

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:

An application has been received to rezone a portion of the parcel at 900 Russell Road to R-1-A. Recommendations are provided for the next steps in the application review process.

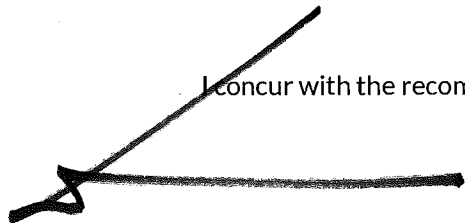
Reviewed by:

May 2, 2018



Felicity Adams, Director of Development Services

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 19th day of March, 2018

READ A SECOND TIME on the 19th day of March, 2018

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

on the 16th day of April, 2018

READ A THIRD TIME on the 16th day of April, 2018

ADOPTED on the day of , 2018

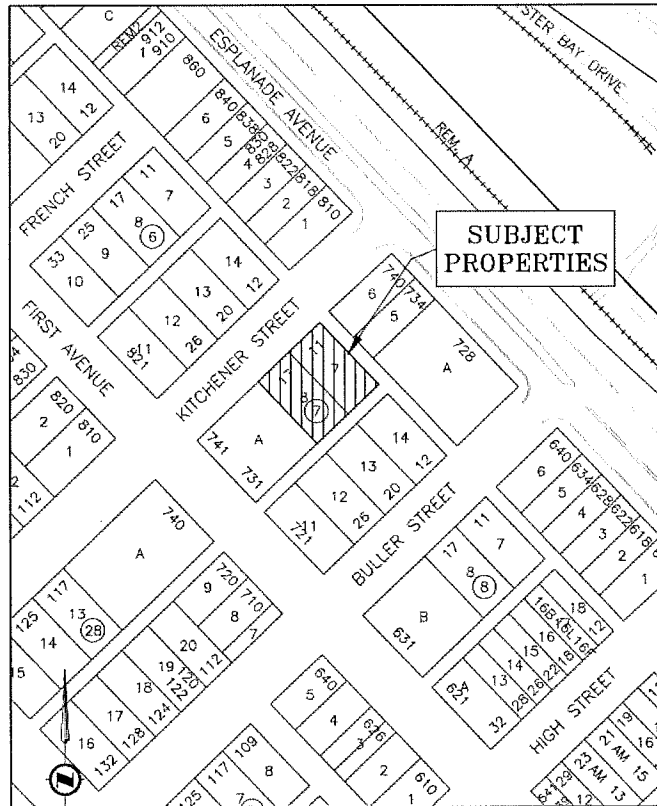
Mayor (A. Stone)

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 19th day of March, 2018

READ A SECOND TIME on the 19th day of March, 2018

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

on the 16th day of April, 2018

READ A THIRD TIME on the 16th day of April, 2018

APPROVED BY THE MINISTER OF TRANSPORTATION

on the day of, 2018

ADOPTED

on the day of, 2018

Approved under the Transportation Act

this 20th day of April 2018

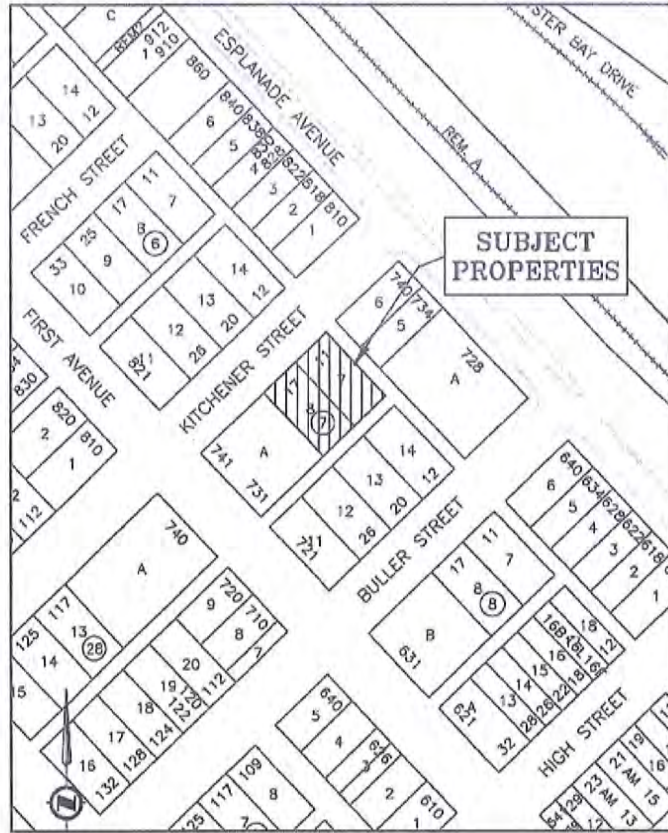
J. Hopkins
District Development Technician
Ministry of Transportation and Infrastructure

Mayor (A. Stone)

Corporate Officer (J. Winter)

JAMIE LEIGH HOPKINS
A Commissioner for taking affidavits
within the Province of British Columbia
2100 Labieux Road, Nanaimo BC V9T 6E9

Bylaw No. 1953 - Schedule I



STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
 Meeting Date: May 7, 2018
 File No: 3360-18-03
 RE: **OCP & ZONING BYLAW AMENDMENT APPLICATION**
Ladysmith Marina – D. Strongitharm – Rocky Creek Rd.

Subject Properties:

Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537
 Lot 1, District Lots 81 and 86, Oyster District, Plan VIP88459
 Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459
 Block C, District Lot 2054, Cowichan District, Plan EPC721 (Provincial lease area)

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of:
 - a. Bylaw 1960 cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 53) 2018, No. 1960”; and
 - b. Bylaw 1961 cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 15) 2018, No. 1961”.
2. Refer Bylaw 1960 and 1961 to public hearing.

PURPOSE:

The purpose of this staff report is to present Official Community Plan (OCP) amending Bylaw 1960 and Zoning amending Bylaw 1961.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2018-107	April 16, 2018	That Council: <ol style="list-style-type: none"> 1. Consider the application (3360-18-03) to amend: <ol style="list-style-type: none"> a) Official Community Plan Map 1 by removing a portion of the ‘Local Commercial’ and ‘Industrial’ designation and replacing it with ‘Single Family Residential’ designation for the ‘surplus’ lands; and by removing the ‘Industrial’ designation from the active marina area and replacing it with the ‘Waterfront’ designation; b) Official Community Plan Map 2 by adjusting DPA 1 Waterfront such that it is removed from the ‘Single Family Residential’ designated area and moved to the new ‘Waterfront’ designated area; and by adding DPA 5 Industrial to the adjusted ‘Industrial’ designated area; c) The Zoning Bylaw text (Schedule A of Bylaw 1860) by amending the Tourist Service Commercial (C-4) Zone and Light Industrial (I-4) Zone to accommodate Ladysmith Marina uses.



		<p>d) The Zoning Bylaw map (Schedule B of Bylaw 1860) by adjusting the C-4 'Tourist Service Commercial' zone such that it applies only to the active Ladysmith Marina area, and adjusting the R-1-B, W-2, I-2 and I-1 zones accordingly surrounding the new C-4 zoned area.</p> <p>For properties legally described as</p> <ul style="list-style-type: none"> • Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537; • Lot 1 and 2, District Lots 81 and 86, Oyster District, Plan VIP88459; and • Block C, District Lot 2054, Cowichan District, Plan EPC721 (lease area) <p>2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to refer the OCP amendment application 3360-18-03 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding.</p> <p>3. Direct staff to commence the preparation of Official Community Plan amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-18-03.</p>
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INTRODUCTION/BACKGROUND:

The current stage of this application is to present OCP amending Bylaw 1960 and Zoning Bylaw amending Bylaw 1961. Bylaw 1960 and 1961 relate to the lands and lease area shown in the subject properties map attached to this staff report. In discussion with the applicant the area to be included in the Waterfront designation now includes a filled foreshore area used by the Marina.

Bylaw 1960

Bylaw 1960 proposes to amend Section 3.8.1 of the OCP text by adding the words "and associated upland" in the description of the Waterfront Land Use Designation to reflect that land and water areas may be designated Waterfront.

Bylaw 1960 proposes to amend OCP Map 1 - Land Use by:

- a) Removing the 'Local Commercial and 'Industrial' designation and placing the 'Single Family Residential designation on portions of Lot A, Plan EPP35537 and Lot 2, Plan VIP 88459 such that proposed Lot A (4.7 ha) is fully designated 'Single Family Residential'.
- b) Removing the 'Industrial' and 'Local Commercial' designations and placing the 'Waterfront' designation on portions of Lot A, Plan EPP35537 and Lot 2, Plan VIP88459 such that the uses occurring at the Ladysmith Marina are correctly designated.

Bylaw 1960 also proposes to amend OCP Map 2 – Development Permit Areas by:

- a) Removing DPA 1 and DPA 5 from the single family residential designated areas;
- b) Adding DPA 5 Industrial to areas designated Industrial; and
- c) Adding DPA 1 Waterfront to the Ladysmith Marina area designated 'Waterfront'.

Bylaw 1961

Bylaw 1961 proposes to amend the Zoning Bylaw by:

- a) Adding a definition for 'marina office'.
- b) Amending the Tourist Service Commercial (C-4) zone by adding principal use 'marina office with assembly use'; and accessory uses 'boat launch' and the 'storage of marine fuel tanks' as site specific permitted uses for the C-4 zoned portion of the Ladysmith Marina.
- c) Amending the Light Industrial (I-1) zone by adding 'marine sales and service' as a principal permitted use.

- d) Amending the Light Industrial (I-1) zone by adding the principal uses 'Storage Yard for Boats and Boat Houses' and 'Boat House Construction', and accessory use 'retail sales,' as site specific permitted uses for the I-1 zoned portion of the Ladysmith Marina land.
- e) Amending the Zoning Map by adding the zone Single Dwelling Residential – Small Lot B (R-1-B) to a portion of proposed Lot A ; adding the C-4 zone to the existing Ladysmith Marina operations; and by changing a portion of proposed Lot B from Industrial (I-2) to Light Industrial (I-1).

ALTERNATIVES:

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

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

The subject areas are located within 800 metres of a controlled access highway, thus 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 introduced to the Stz'uminus First Nation at the May 1, 2018 Naut'Sa Mawt Steering Committee meeting and was also sent by mail pursuant to the Memorandum of Understanding.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department has no concerns with the proposed amendments 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 type="checkbox"/> Not Applicable |

SUMMARY:

It is recommended to proceed with first and second reading of Bylaw 1960 and 1961 and refer the bylaws to public hearing.

Reviewed by:

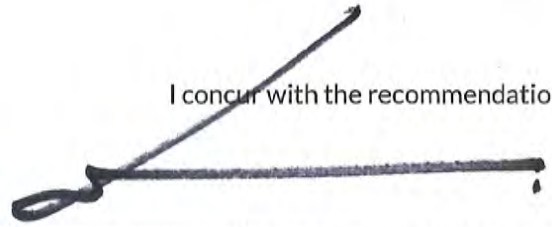


Felicity Adams, Director of Development Services

May 2, 2018

Date

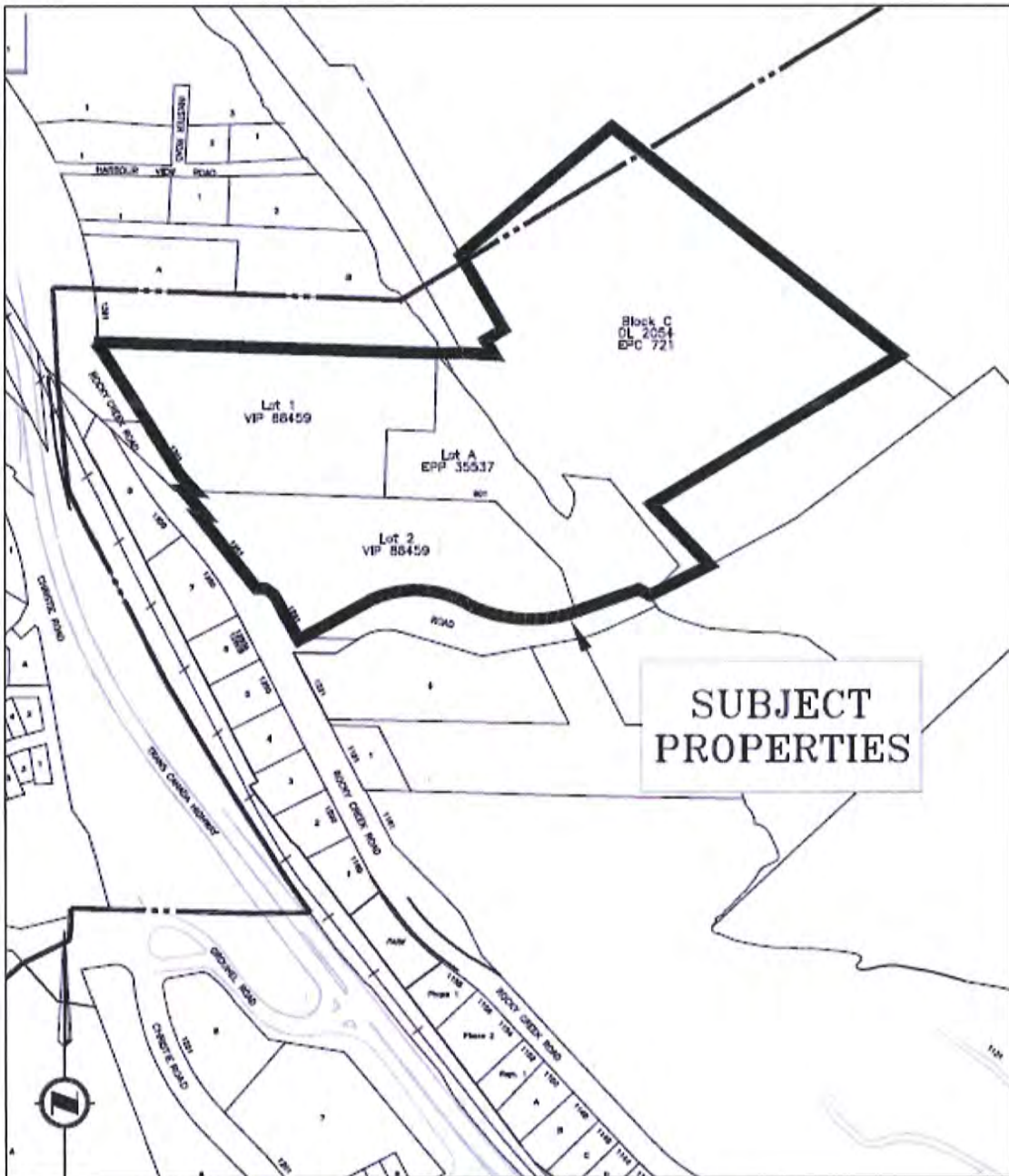
I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

- Subject Properties Map
- Bylaw 1960
- Bylaw 1961



TOWN OF LADYSMITH

BYLAW NO. 1960

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 I" 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. 53) 2018, No. 1960".

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)

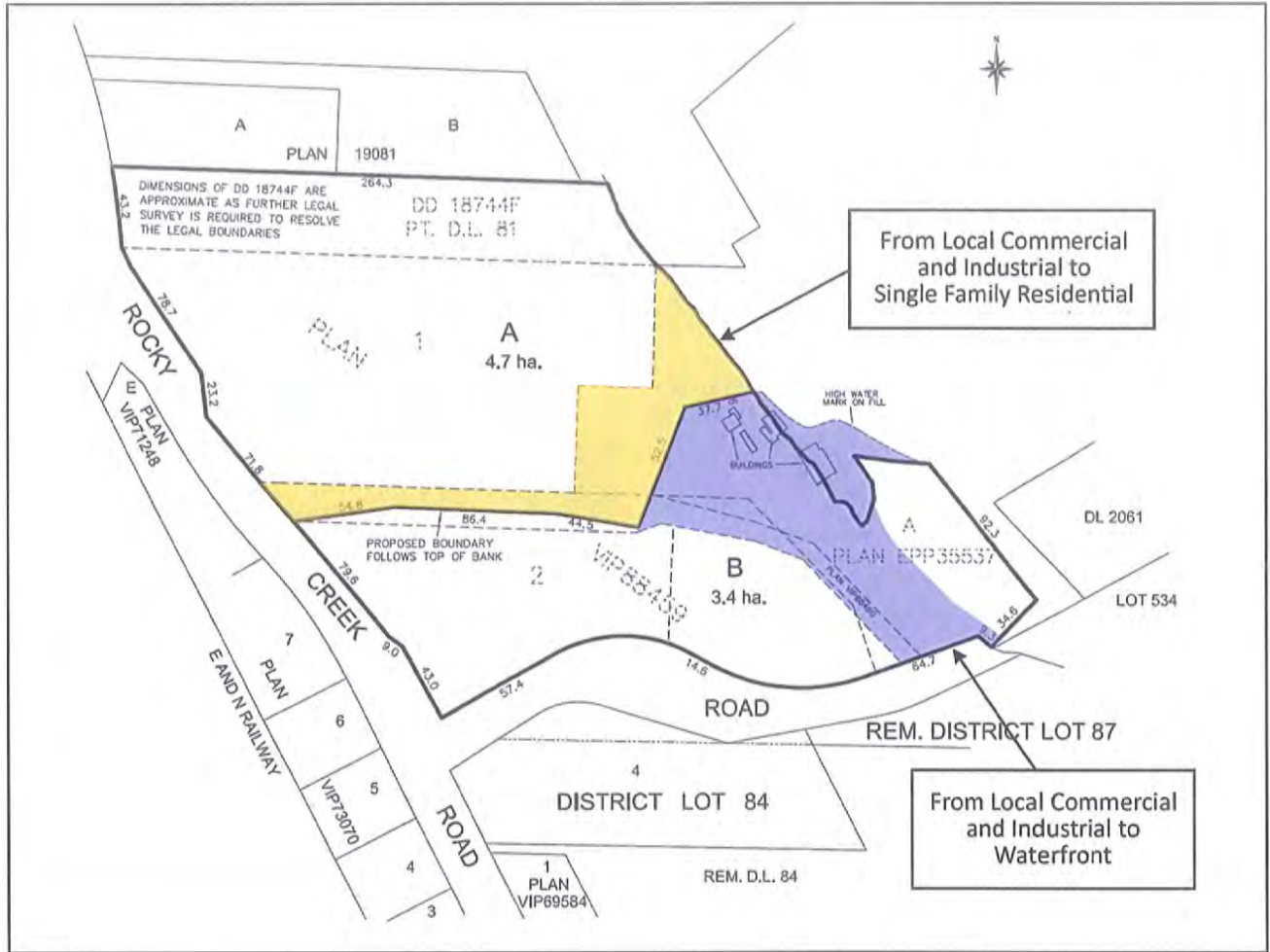
Corporate Officer (J. Winter)

Bylaw No. 1960 – Schedule I

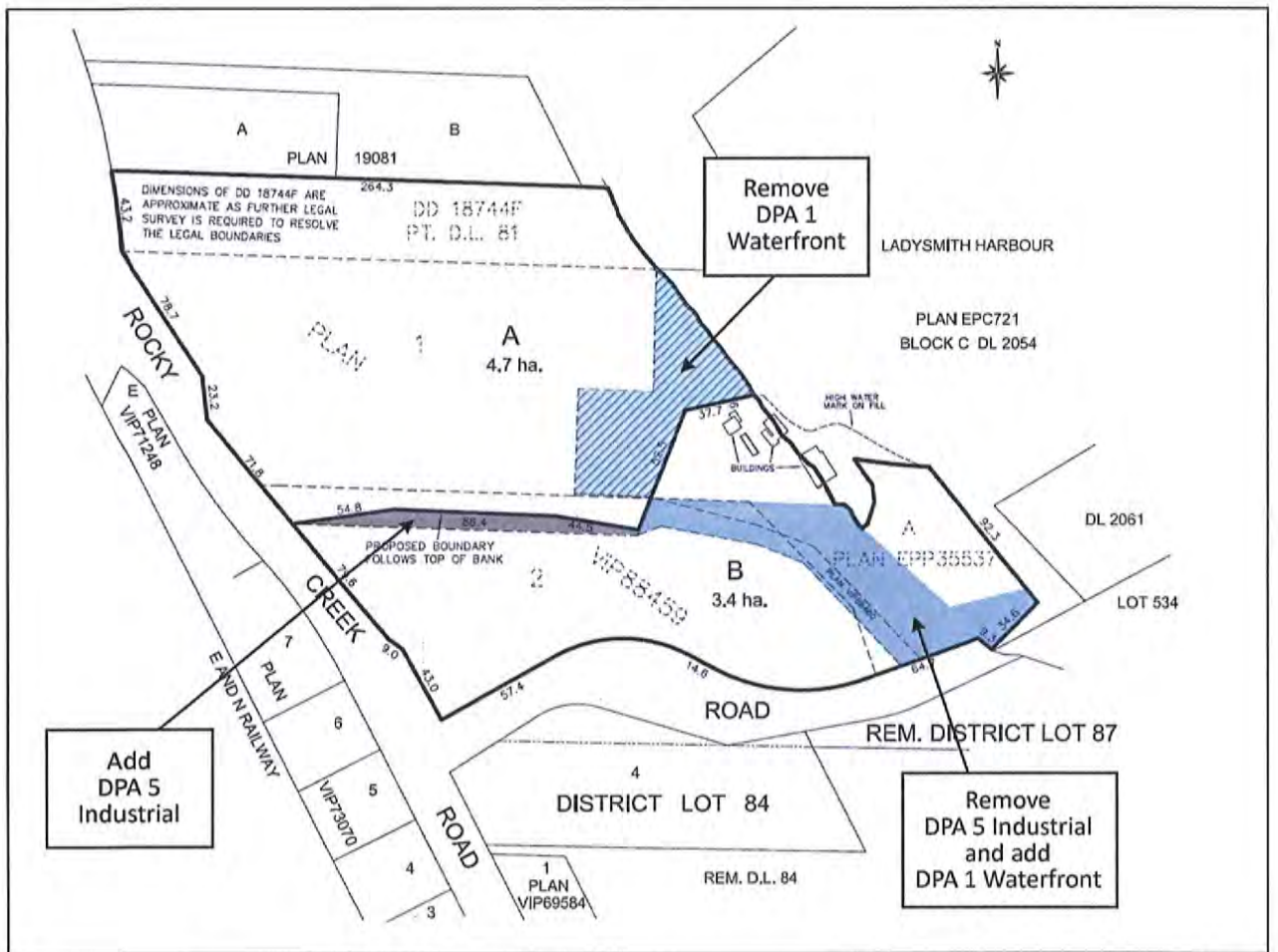
Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:

1. Amending Section 3.8.1 “Land Use Designations - Waterfront” by deleting the first sentence in the paragraph and replacing it with the following sentence:
“The Waterfront designation is applied to ocean and foreshore areas of the Ladysmith harbour and associated upland and is intended to provide for a range of marine oriented uses.”
2. Official Community Plan “Map 1 – Land Use” is amended by:
 - a) Removing “Local Commercial” and “Industrial” land use designations and placing the “Single Family Residential” land use designation on portions of the subject properties legally described as Lot A, District Lots 81, 86, 87, 98 Oyster District and District Lot 2054 Cowichan District, Plan EPP35537 and Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459 as shown on Schedule II attached to and forming part of this Bylaw.
 - b) Removing the “Local Commercial” and “Industrial” land use designation and placing the “Waterfront” land use designation on portions of the subject properties legally described as Lot A, District Lots 81, 86, 87, 98 Oyster District and District Lot 2054 Cowichan District, Plan EPP35537; Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459; and Block C, District Lot 2054, Cowichan District, Plan EPC721 as shown on Schedule II attached to and forming part of this Bylaw.
3. Official Community Plan “Map 2 – Development Permit Areas” is amended by:
 - a) Removing “DPA 1” from a portion of the subject property legally described as Lot A, District Lots 81, 86, 87, 98 Oyster District and District Lot 2054 Cowichan District, Plan EPP35537 as shown on Schedule III attached to and forming part of this Bylaw.
 - b) Removing “DPA 5” and placing “DPA 1” on portions of the subject properties legally described as Lot A, District Lots 81, 86, 87, 98 Oyster District and District Lot 2054 Cowichan District, Plan EPP35537 and Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459 as shown on Schedule III attached to and forming part of this Bylaw.
 - c) Placing “DPA 5” on a portion of the subject property legally described as Lot 2, District Lots 87 and 98, Oyster District, Plan VIP88459 as shown on Schedule III attached to and forming part of this Bylaw.

Bylaw No. 1960 - Schedule II



Bylaw No. 1960 - Schedule III



TOWN OF LADYSMITH

BYLAW NO. 1961

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 A – Zoning Bylaw Text of “Town of Ladysmith Zoning Bylaw 2014, No.1860” is hereby amended as follows:

(a) Section 4.1 is hereby amended as follows:

(i) Add a definition for “Marina Office” following the definition of “Marina” as follows:

“MARINA OFFICE: means premises used for the administrative functions of a *Marina* including charter, rental and boat brokerage services; and marine sales and service.”

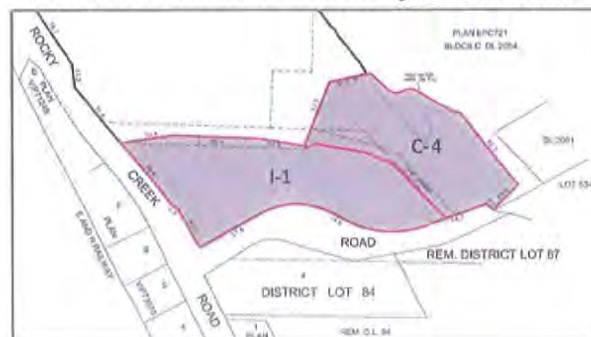
(b) Section 11.4 “Tourist Service Commercial (C-4)” is amended as follows:

(i) Section 11.4(8) “Other Regulations” is amended by adding the following to the end of Section 11.4(8):

“b) The following additional *Uses* are permitted on the C-4 zoned portion of the parcel illustrated in Figure 11.4.1: 1251 Rocky Creek Road:

1. Principal Uses
 - i) *Marina Office*, including *Assembly Use*
2. Accessory Uses
 - i) *Boat Launch*
 - ii) Marine fuel storage tanks for a *Marine Fuel Supply Station* on Block C, District Lot 2054, Cowichan District, Plan EPC721”

FIGURE 11.4.1: 1251 Rocky Creek Road



(c) Section 12.2 “Light Industrial (I-1)” is amended as follows:

(i) Section 12.2(1) “Principal Uses” is amended by adding the following to the end of Section 12.2(1):
“ee) Marine Sales and Service”

(ii) Section 12.2(9) “Site Specific Regulations” is amended by adding the following to the end of Section 12.2(9):

“b) The following additional *Uses* are permitted on the I-1 zoned portion of the parcel illustrated in Figure 12.1.1 1251 Rocky Creek Road:

1. Principal Uses

- i) Storage for *Boats* and *Boathouses*; and
- ii) *Boathouse* Construction.

2. Accessory Uses

- i) *Retail Sales*

FIGURE 12.1.1: 1251 Rocky Creek Road



(d) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) By removing C-4 (Tourist Service Commercial) and placing R-1-B (Single Dwelling Residential - Small Lot B) on a portion of the property legally described as Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537 as shown on Schedule I attached to and forming part of this Bylaw.

(b) By removing I-1 (Light Industrial) and placing R-1-B (Single Dwelling Residential - Small Lot B) on a portion of the property legally described as Lot 2, District Lot 87 & 98, Oyster District, Plan VIP88459 as shown on Schedule I attached to and forming part of this Bylaw.

(c) By removing W-2 (Marina) and I-2 (Industrial) and placing C-4 (Tourist Service Commercial) on portions of the properties legally described as Lot 2, District Lot 87 and 98, Oyster District, Plan VIP88459; Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537; and Block C, District Lot 2054, Cowichan District, Plan EPC721 as shown on Schedule I attached to and forming part of this Bylaw.

(d) By removing I-2 (Industrial) and placing I-1 (Light Industrial) on portions of the properties legally described as Lot 2, District Lot 87 and 98, Oyster District, Plan VIP88459 and Lot A, District Lots 81, 86, 87, 98, Oyster District and District Lot 2054 Cowichan District, Plan EPP35537 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. 15) 2018, No. 1961".

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

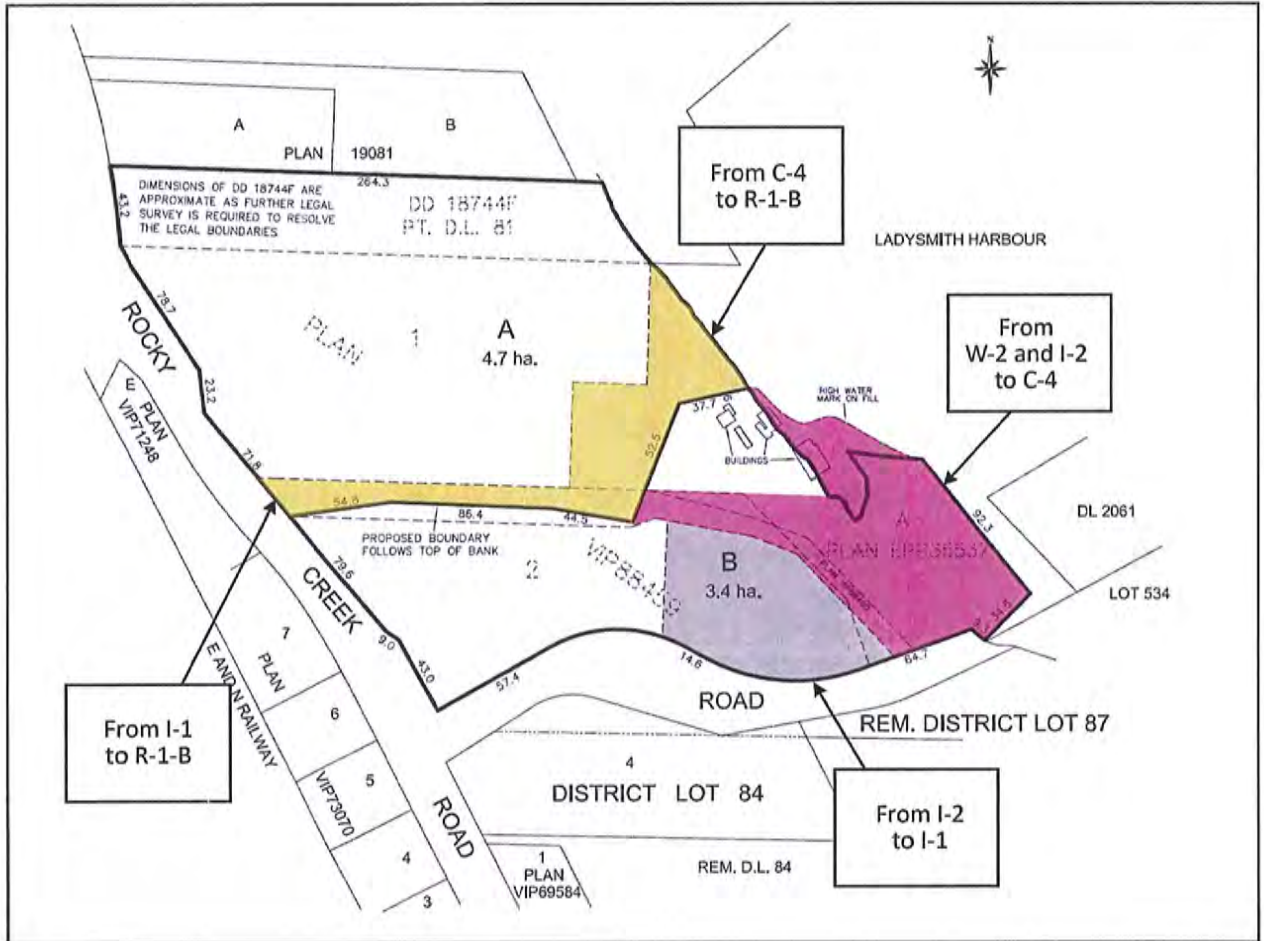
on the _____ day of _____, 2018

ADOPTED on the _____ day of _____, 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1961 - Schedule I



STAFF REPORT TO COUNCIL

From: Angela Davies, Planner
 Meeting Date: May 7, 2018
 File No: 3360-18-06
 RE: **ZONING BYLAW AMENDMENT APPLICATION**
1280 ROCKY CREEK ROAD (J. BASI, TRT HOLDINGS)
 Subject Property: **LOT 7, DISTRICT LOT 38, OYSTER DISTRICT, PLAN VIP73070**

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Bylaw 1962 cited as “Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.16) 2018, No. 1962”.
2. Waive the holding of the public hearing pursuant to Section 464(2) of the *Local Government Act*.
3. Direct staff to proceed with notification of the waiver of public hearing as required by the *Local Government Act* and the *Procedures Bylaw*.

PURPOSE:

The purpose of this staff report is to present Zoning Amending Bylaw 1962 to permit a site specific accessory use at 1280 Rocky Creek Road.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2018-106	April 16, 2018	<p>That Council:</p> <ol style="list-style-type: none"> 1. Consider the application to amend the Zoning Bylaw to add a site specific accessory use to the Light Industrial (I-1) Zone to permit 'Marshalling Yard' at 1280 Rocky Creek Road (Lot 7, District Lot 38, Oyster District, Plan VIP73070); with the condition that the 'Marshalling Yard' use is permitted in areas that are surfaced with a hard surface of asphalt or similar surface, graded to contain and dispose of surface water, and contain an oil/water separator. 2. Direct staff to commence the preparation of the Zoning Bylaw amendment bylaw for application 3360-18-06. 3. Direct staff to waive: <ol style="list-style-type: none"> a) The referral of zoning bylaw amendment application 3360-18-06 to the Advisory Planning Commission. b) The requirement for a public information meeting and public hearing.



INTRODUCTION/BACKGROUND:

The current stage of this application is to present Zoning Bylaw amending Bylaw 1962.

Bylaw 1962

Bylaw 1962 proposes to amend the Zoning Bylaw by permitting ‘Marshalling Yard’ as a site specific accessory use at 1280 Rocky Creek Road subject to the Marshalling Yard area having a hard surface of asphalt or similar and being graded to contain and dispose of surface water with an oil/water separator.

‘Marshalling Yard’ is defined in the Zoning Bylaw as “land, buildings or structures used to store and maintain industrial equipment, vehicles and materials”.

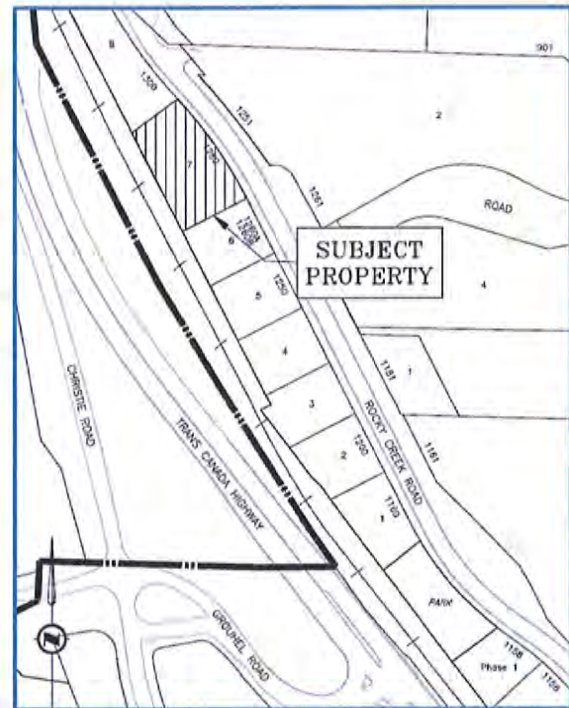


Table 1: Summary of rezoning application 3360-18-06

	Current	Proposed
OCP	Industrial	Industrial
DPA	DPA 5 - Industrial	DPA 5 - Industrial
Zoning	Light Industrial (I-1)	Light Industrial (I-1) Add 'Marshalling Yard' as a site specific accessory use at 1280 Rocky Creek Rd.

ALTERNATIVES:

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

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

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

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notification regarding the waiver of public hearing must be mailed and delivered to the neighbourhood and be published in two consecutive issues of the local newspaper (s.467 of the *Local Government Act*). The *Procedures Bylaw* also requires that a sign be posted on the property advising of the proposed amendment to the Zoning Bylaw.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department has no concerns with proposed Bylaw 1962.

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 checked="" type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

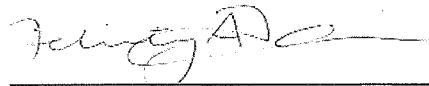
ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <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 1962.

Reviewed By

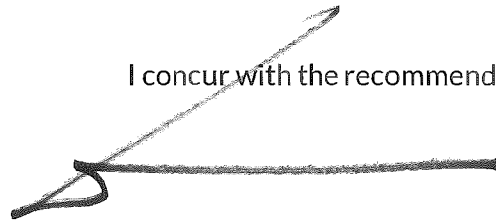


Felicity Adams, Director of Development Services

May 1, 2018

Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

Bylaw 1962

TOWN OF LADYSMITH

BYLAW NO. 1962

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 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 A – Zoning Bylaw Text of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” is hereby amended as follows:

(a) Section 12.2(9) “Site Specific Regulations” is amended by adding the following to the end of Section 12.2(9):

“(c) For the *Parcel* legally described as Lot 7, District Lot 38, Oyster District, Plan VIP73070 (1280 Rocky Creek Road), *Marshalling Yard* is a permitted *Accessory Use* subject to the *Marshalling Yard* area having a hard surface of asphalt or similar and being graded to contain and dispose of surface water with an oil/water separator.”

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 16) 2018, No. 1962”.

READ A FIRST TIME on the day of , 2018

READ A SECOND TIME on the day of , 2018

PUBLIC HEARING waived pursuant to s.464(2) 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)

TOWN OF LADYSMITH

BYLAW NO. 1963

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) Section 11.2 Downtown Commercial (C-2) Zone of Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) Adding a new sub-section (f) to Section 10 "Site Specific Regulations:

"(f) For the *Parcel* legally described as Lot 10, Block 10, District Lots 56, Oyster District, Plan 703, except that part lying to the north west of a line drawn parallel to the north westerly boundary from a point on the south westerly boundary distant 63 feet from the most westerly corner thereof (431 First Avenue) the following site specific regulations shall apply:

- i) Despite Section 11.2(4)(a), the minimum *Finished Floor Area* for a one bedroom *Dwelling Unit* shall be 32.0 square metres.
- ii) Despite Section 11.2(4)(b), the maximum number of *Dwelling Units* permitted is four.

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 17) 2018, No. 1963".

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)

COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From: Mayor Aaron Stone
Date: May 7, 2018
File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Naut'sa Mawt Steering Committee

Met on March 27, 2018

A. Agenda Items:

1. 2012 Memorandum of Understanding – potential joint initiatives and budget
2. Celebration of Renewed Community Accord – budget and type of event
3. Transport Canada Moorage Pilot Consultation
4. Hul'qumi'num Pronunciation of phrase "we are working as one"

B. Recommendation for Council

That Council and Stz'uminus First Nation Council send letters to Transport Canada and the Vancouver Port Authority indicating they are unhappy with the moorages and express their concern over the lack of consultation with stakeholders.

Naut'sa Mawt Steering Committee

Met on May 1, 2018

A. Agenda Items:

1. 2012 Memorandum of Understanding – discussion re: potential joint initiatives including budget
2. Celebration of renewed Community Accord – discussion re: updated draft and end date to be included in new accord (Section 8.2)
3. OCP Referral – Oak Bay Marine Group (Rocky Creek Road)
4. April 20, 2018 letter from Stz'uminus First Nation re: request for letter of support for purchase of property at Timberlands Road and Highway No. 1 in order to access water supply

B. Recommendation for Council

That Council send a letter of support to Indigenous Services Canada in support of Stz'uminus First Nation's application to include property at the intersection of Timberlands Road and Highway No. 1 into their community reserve land, in order to secure additional groundwater for their Shell Beach and Kulleet Bay communities.

Waterfront Implementation Committee

Met on March 26, 2018

A. Agenda Items:

1. Develop Terms of Reference for Joint Council Review
2. Invitations to Next Committee Meeting

C. Recommendation for Council

For information.

Waterfront Implementation Committee

Met on April 18, 2018

A. Agenda Items:

1. Process for Machine Shop Grant
2. Potential Funding Opportunities
3. Review of the Waterfront Area Implementation Plan
4. Waterfront Area Plan Public Hearing Background
5. Contaminated Harbour Cleanup
6. Review Draft Terms of Reference
7. International Association for Public Participation Award Submissions

B. Recommendation for Council

That Council adopt the Waterfront Implementation Committee Terms of Reference. (attached)

Respectfully submitted



Mayor Aaron Stone



WATERFRONT IMPLEMENTATION COMMITTEE TERMS OF REFERENCE - 2018

1. **BACKGROUND**
 - The Waterfront Implementation Committee (WIC) was formed as a result of resolutions by both the Stz'uminus First Nation Council and the Town of Ladysmith Council (the Councils) regarding implementation of the Waterfront Area Plan.
 - The work of the WIC is guided by the Vision for the Waterfront in the Waterfront Area Plan.
2. **PURPOSE**
 - The purpose of the WIC is to advise and make recommendations on waterfront implementation items to the Councils.
3. **SCOPE**
 - The work of the WIC is to support the implementation of items identified on Page 43 of the Waterfront Area Plan and other related initiatives as referred by the Councils.
4. **COMPOSITION AND MEMBERSHIP**
 - The Councils will each appoint three Council representatives to the WIC.
5. **LENGTH OF TERM**
 - Members will be appointed by each Council on an annual basis.
6. **COMMITTEE CHAIR**
 - The chair of the WIC will rotate at each meeting.
 - The role of Chair will be reviewed on an annual basis.
7. **MEETING QUORUM / ATTENDANCE**
 - Meeting quorum for the WIC is 2 representatives of each Council.
 - Meetings will not proceed if fewer than 4 members are in attendance.
8. **MEETING CONDUCT**
 - The WIC is intended to allow for full and open-ended discussion.
 - Members will treat each other with respect and will listen and consider the views of other participants.

9. MEETING LOCATION

- Meetings of the WIC will be held in the Town of Ladysmith Council Chamber or other locations.

10. MEETING FREQUENCY

- The WIC will meet monthly or as required.
- Additional meetings may be scheduled at the discretion of the WIC.
- The meeting schedule will be determined by the members.

11. MEETING AGENDAS / ARRANGEMENTS

- Meeting agendas will be mutually determined.
- Administrative services will be provided by the Town.
- This role will be reviewed on an annual basis.

12. MEETING RECORDING / MINUTES

- The Town will keep minutes of the meetings.
- The draft meeting minutes will be placed on the agenda of the following meeting for review. If no comments are received, the minutes will be considered final.
- The minutes may be provided to each Council as part of an In-Camera agenda.

13. DUTIES AND RESPONSIBILITIES

- The duties and responsibilities of the WIC are determined by the Councils as outlined in the Waterfront Area Plan, and include the following:
 - a) to establish a terms of reference for the committee for approval by the Councils;
 - b) to prioritize, develop, and recommend specific projects of the Waterfront Area Plan to the Councils;
 - c) to advise the Councils in the undertaking of specific projects and initiatives;
 - d) to identify and advise the Councils of financial and other resources required to undertake specific projects;
 - e) to endeavour to establish best practices in all initiatives;
 - f) to develop an information sharing and consultation framework; and
 - g) to provide input and advice to the Waterfront Implementation Project Manager as needed.

14. RESOURCES AND BUDGET

- The Councils will assist each other in securing the resources necessary to implement the work of the WIC.
- The TOL Chief Administrative Officer and the Waterfront Implementation Project Manager are the staff liaisons to the WIC and will participate as non-voting members.
- The Project Manager will assist the Committee in meeting project milestones on or before scheduled completion dates as established by the WIC.

15. **YEARLY WORKPLAN**
 - The WIC will review the Waterfront Area Implementation Plan on an annual basis.
16. **SUBJECT MATTER EXPERTS**
 - Subject matter experts may be invited to Committee meetings as agreed by the WIC members.
 - Terms of Reference and members of any Technical Advisory Committee or Working Group to support the work of the WIC will be appointed by the Councils on the recommendation of the WIC.
17. **REPORTING**
 - The SFN and TOL representatives will report independently to their respective Council.
 - The WIC will prepare an annual written report to the joint Councils.
18. **CONFIDENTIALITY**
 - The business of the WIC is confidential to external parties unless agreed to by the Councils to report out.
19. **MEDIA PROTOCOL**
 - All media inquiries will be directed to the Stz'uminus First Nation Chief and the Town of Ladysmith Mayor who are the joint spokespersons for the WIC.

Agreed to this 18th day of April, 2018.

Chief John Elliott

Mayor Aaron Stone

Councillor Anne Jack

Councillor Joe Friesenhan

Councillor Peter Seymour

Councillor Rob Hutchins

COMMITTEE LIAISON REPORT TO COUNCIL

To: Council

From: Councillor Rob Hutchins
(Alternate Councillor Duck Paterson)

Date: May 7, 2018

File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Heritage Revitalization Advisory Commission - Met on March 15, 2018

A. Agenda Items:

1. Signs/Facades (28 Roberts Street and 1010 First Avenue)
 - *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommend the proposed signage and façade updates for Neck of the Woods General Store at 28 Roberts Street.*
 - *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommend that the applicant for Liquor Depot at 1010 First Avenue work with staff to ensure the signage fits the heritage downtown signage guidelines.*
2. Heritage Strategic Plan 2018 Review
 - *It was moved, seconded and carried that clarification be provided for the Heritage Strategic Plan Review, initiative #11.3 regarding the establishment of a downtown task force.*
 - *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission approves the Heritage Strategic Plan Review.*
 - *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommends that Council receive the Heritage Strategic Plan 2018 Review.*
3. LDHS Liaison

The Ladysmith & District Historical Society (LDHS) has appointed Ann Rogers as the LDHS Liaison, and Lesley Moore as the Alternate, to the Heritage Revitalization Advisory Commission.

4. Heritage Week 2018 Review

Heritage Week initiatives in Ladysmith included:

- ✓ Completion and release of the Heritage Strategic Plan Review
- ✓ Heritage Week Proclamation by Council
- ✓ Advertisements in the Chronicle newspaper and Take 5 magazine
- ✓ TOL website and social media posts
- ✓ Heritage Week sign boards installed on the TransCanada Highway
- ✓ Celebrations and events organized by LMS and LDHS including tours, discussions, and the grand opening for the Salish Wind canoe art installation at Transfer Beach Park.

5. Great Street Plaque location

- *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommend to Council that the CIP Great Places plaque be placed on the heritage metal collage with shorter landscaping in front, or at the corner of Gatacre and First Avenue near the rainbow bench.*

B. Recommendations for Council

That Council:

1. Receive the Heritage Strategic Plan 2018 Review (attached);
2. Appoint Ann Rogers as the LDHS Liaison to the Heritage Revitalization Advisory Commission, and Lesley Moore as the Alternate; and
3. Direct staff to consider the suggestions of the Heritage Revitalization Advisory Commission in the final location of the Great Street Plaque in the area of First Avenue and Gatacre Street.

Heritage Revitalization Advisory Commission - Met on April 19, 2018

A. Agenda Items:

1. Signs/Facades (431 First Avenue)
 - *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission supports the colour, design, location and style of the proposed façade updates, signage and awning for 431 First Avenue.*
2. Heritage Plaques

The newest Heritage Plaques were recently installed. The new owner of of the Convent School Apartment building (210 Buller Street) has approved the installation of a heritage plaque, and has requested that a heritage plaque also be provided in Mandarin for visitors from China.

- *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommends to Council that property owners cover the cost for additional plaques, including material and labour.*

3. First Avenue Metal Collage

- *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommends to Council that maintenance and updates be made to the Metal Collage on First Avenue and advise Council that a HRAC Metal Collage subcommittee has been formed.*

4. Condition of "Lady Cynthia" Rhododendron

- *It was moved, seconded and carried the Heritage Revitalization Advisory Commission recommends to Council that support or assistance be provided to the property owner of 226 Kitchener Street to maintain the condition of the Lady Cynthia Rhododendron.*

5. Ladysmith Lives & Legend Video Series

The Ladysmith Lives & Legends video series was produced by the Ladysmith & District Historical Society as part of a Canada 150 Celebration project. To date, twelve videos have been released on YouTube.

- *It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommends to Council that a link be provided from the Town of Ladysmith website to the LDHS YouTube Channel for heritage promotion purposes.*

(Note: There is a link to LDHS already on the Town's website)

B. Recommendations for Council

That Council:

1. Direct staff to work with the owner of 210 Buller Street to install a second plaque at the owner's cost.
2. Advise the HRAC that any changes to the Metal Collage will require approval by Council, subject to budget.

Respectfully submitted

Councillor Hutchins
(Alternate Councillor Paterson)

HERITAGE STRATEGIC PLAN – IMPLEMENTATION STRATEGY REVIEW (2018)

AREA OF FOCUS 1: HERITAGE PLANNING AND LEGISLATIVE FRAMEWORK

2008 Heritage Strategic Plan		2018 Implementation Strategy Review	
STRATEGY 1: Enhance revitalization of the Downtown Core	Time Line	2018 Review	Status
1.1 Promote property tax incentives for heritage building owners.	Ongoing	<ul style="list-style-type: none"> Revitalization Tax Exemption Bylaw 1625 (2007) Economic Revitalization Bylaw 1807 (2012) Information packages available online and at Town offices. 	Ongoing
1.2 Review and revise Downtown Specified Area Guidelines and the Downtown Development Permit Area Guidelines.	Immediate	<p>Updated Development Permit Area Guidelines in 2014 (Schedule A.1 of the Town of Ladysmith Official Community Plan.) Guidelines for all new developments & improvements on land designated as DPA 2 (Downtown) intended to enhance Ladysmith's distinctive character and preserve its heritage.</p> <p>Heritage-specific guidelines include:</p> <ul style="list-style-type: none"> Building design that forms part of heritage streetscape; Materials and colours Windows and doors; Signs, canopies & lighting Preservation, Rehabilitation & Restoration of Heritage Buildings Preservation & Restoration of Residential Character Incorporates Parks Canada's "Standards & Guidelines for the Conservation of Historic Places in Canada" 	✓

1.3 Implement streetscape improvements in the Downtown Core.	Long	<ul style="list-style-type: none"> • Heritage Street Signs • General improvements to East/West streets • Heritage Building Plaques • Banner program • Rainbow crosswalk and bench • Fish pavers • Business facade improvements reviewed by HRAC 	Ongoing
1.4 Create business directional signage in the Downtown Core.	Immediate	<ul style="list-style-type: none"> • Public parking signage installed • Designs created for business directional signage • Signage underway for Canada's Greatest Street 	Ongoing
1.5 Update downtown signage guidelines.	Medium	<ul style="list-style-type: none"> • New Development Permit Area Guidelines for the Downtown require that signage be "primarily pedestrian-oriented, and designed at the pedestrian scale. Handcrafted signs of professional quality, and externally illuminated signs constructed with individual raised or incised letters are preferred" 	An update to the Sign & Canopy Bylaw is needed.
STRATEGY 2: Respect the historic authenticity of buildings	Time Line	2018 Review	Status
2.1 Review and if appropriate, adopt the Parks Canada <i>Standards & Guidelines</i> to guide future restorations.	Immediate	<ul style="list-style-type: none"> • Adopted the Parks Canada "Standards & Guidelines for the Conservation of Historic Places in Canada" in 2008 in the Downtown Development Permit Guidelines 	✓
STRATEGY 3: Expand the range of heritage conservation incentives	Time Line	2018 Review	Status
3.1 Identify inventory of alternative heritage conservation incentive programs.	Medium	<ul style="list-style-type: none"> • Zoning Bylaw 1860 (2014) provides relaxations of parking requirements for downtown buildings • Information on the Town's website about building code equivalencies for heritage properties 	✓

3.2 Adopt a Tree Protection Bylaw for significant trees in Ladysmith.	Medium	<ul style="list-style-type: none"> • PRC prepared a draft bylaw in the mid-2000s. Council has not taken action on it • The Ladysmith Arboretum was added to the Community Heritage Register in 2017 • Tree preservation is considered as part of rezoning applications 	Ongoing
STRATEGY 4: Monitor & renew the Heritage Strategic Plan		2018 Review	
4.1 Monitor the implementation of the strategies and actions outlined in the Heritage Strategic Plan.	Ongoing	<ul style="list-style-type: none"> • Consistent monitoring and progress through prioritized approach to strategies in process • HRAC projects have reflected the HSP 	In process
4.2 Initiate a cyclical re-examination of the Heritage Strategic Plan.	Long	<ul style="list-style-type: none"> • Very limited external funding • Provincially, HSP renewal uncommon • Potential for consultant review in the future • 2018 Review has confirmed the HSP is still relevant 	In process

AREA OF FOCUS 2: HERITAGE INFORMATION AND RESOURCES

2008 Heritage Strategic Plan		2018 Implementation Strategy Review	
STRATEGY 5: Identify natural, industrial, archaeological and built heritage resources throughout the entire community	Time Line	2018 Review	Status
5.1 Review existing Heritage Inventory and expand in both scope and type of sites.	Medium	<ul style="list-style-type: none"> Recent SOS's have expanded scope to include more than buildings (i.e. signs, artifacts, land) Revision of the Heritage Inventory is prioritized as a future project. The revision may include an expanded scope as determined by HRAC 	Planned for 2019
5.2 Digitize Heritage Inventory where practical.	Medium	<ul style="list-style-type: none"> Heritage Inventory was converted to a digital format (MS Word) to aid in digitization of entire Inventory LDHS hired to locate and digitize archival photos from the original document A revision of the Heritage Inventory may include both printed and digital copies 	Planned for 2019
STRATEGY 6: Expand the Ladysmith assets in the Heritage Register	Time Line	2018 Review	Status

<p>6.1 Continue to prepare Statements of Significance as per the Canadian Register of Historic Places.</p>	<p>Long</p>	<ul style="list-style-type: none"> • Council approved the addition of all heritage properties listed in the Heritage Inventory to the Community Heritage Register, through the SOS process • HRAC created a comparison matrix for prioritizing CHR candidates. • Updated CHR in 2010 with 5 heritage properties and a downtown context statement. • Updated in 2014 with 13 heritage properties • Updated in 2017 with 10 heritage properties. • Community Heritage Register currently includes 32 records. • All properties included in the CHR are submitted for inclusion on the Provincial and National Heritage Registers 	<p>Ongoing</p>
<p>STRATEGY 7: Establish a municipal Archives and Museum</p> <p>7.1 Renovate community property allocated to the Archives.</p> <p>7.2 Archive Knight Collection.</p> <p>7.3 Establish a contract with LDHS to operate Archives.</p> <p>7.4 Maintain a reserve fund for a museum or heritage centre.</p> <p>7.5 Explore strategic partnerships to establish a museum or heritage centre.</p>	<p>Time Line</p> <p>Immediate</p> <p>Immediate</p> <p>Immediate</p> <p>Ongoing</p> <p>Ongoing</p>	<p>2018 Review</p> <ul style="list-style-type: none"> • LDHS operates the Ladysmith Archives from 1115 First Avenue • The Knight Collection was archived by LDHS and is available to members of the public • Contract established with LDHS in 2008 to operate the Archives • Heritage Reserve Fund maintained • LDHS opened the Ladysmith Museum in 2012 at 721 First Avenue • Partnership/services agreement with LDHS for provision of archive services and Ladysmith Museum • LMS established the Maritime Museum, Heritage Vessels and Harbour Heritage Centre <p>2018 Review</p>	<p>Status</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>Status</p>
<p>STRATEGY 8: Develop a historical record of the Ladysmith pioneers</p>	<p>Time Line</p>	<p>2018 Review</p>	<p>Status</p>

8.1 Establish an audio and video archive of pioneer stories.	Ongoing	<ul style="list-style-type: none"> • Various Ladysmith organizations have worked on archiving stories. • Contributed funding to video on Coal Miners' strike • Encourage LDHS and others to publish audio-video collections for public availability 	Ongoing
8.2 Promote the local historical literature and publications.	Ongoing	<ul style="list-style-type: none"> • Local authors work with heritage organizations and businesses to produce and promote local historical literature 	✓

AREA OF FOCUS 3: HERITAGE AWARENESS & PROMOTION

2008 Heritage Strategic Plan		2018 Implementation Strategy Review	
STRATEGY 9: Raise public awareness and appreciation of Ladysmith's heritage	Time Line	2018 Review	Status
9.1 Promote local heritage themes within special events and initiatives.	Ongoing	<ul style="list-style-type: none"> HRAC - Annual Heritage Week celebrations Other special events include: <ul style="list-style-type: none"> LMS Wooden Boat Festival Festival of Lights (30 years) Logger Sports Ladysmith Celebration Days 	Ongoing
9.2 Complete Downtown heritage street name signs project.	Immediate	<ul style="list-style-type: none"> Historic street signs completed in 2009 on downtown streets 	✓
9.3 Partner with Stz'uminus First Nation to co-host heritage events.	Long	<ul style="list-style-type: none"> Naut'sa Mawt "Working Together" Community Accord between SFN and TOL in 2012 has created additional partnerships Both councils and staff work together on joint initiatives SFN history included in Transfer Beach panels unveiled on Canada Day 2016 Canada 150 canoe carving project Salish Wind installed at Transfer Beach Park Canada Day celebrations and Canada 150 projects Aboriginal Day celebrations 	Ongoing
9.4 Create and maintain an interpretive history program.	Medium	<ul style="list-style-type: none"> Heritage Plaque program created for all properties included on the Community Heritage Register Plaques in progress for additional buildings to be installed in early 2018 Aggie Hall informative plaque and photos Existing artifact plaques Heritage Walk Brochures (Artifacts & Buildings) Coal mine explosion plaque Transfer Beach Pictorial project 	Ongoing

9.5 Erect and promote 49th Parallel Marker.	Medium	<ul style="list-style-type: none"> Town installed 49th Parallel Markers at Aggie Hall Plaza in 2017 Province created BC Stop of Interest Sign for the 49th Parallel, also located at Aggie Hall Plaza 	✓
9.6 Work with Stz'uminus First Nation on marking Stz'uminus First Nation place names.	Medium	<ul style="list-style-type: none"> Signs created for the two shell middens within the Town of Ladysmith SFN worked with Brian Thom to create digital atlas of local place names and stories 	Ongoing
9.7 Revise and publish Ladysmith Heritage Walk brochure.	Immediate	<ul style="list-style-type: none"> Heritage Walk I: Artifacts Heritage Walk II: Buildings Brochures are available at town locations and Visitor Centre, also provided online 	✓
9.8 Promote heritage in local media.	Ongoing	<ul style="list-style-type: none"> Local media (The Chronicle and Take 5) regularly carry heritage features and are supportive of local heritage initiatives 	Ongoing
9.9 Develop primary and intermediate school activities programs that engage students in the town and its history.	Medium	<ul style="list-style-type: none"> School tour programs operated by LDHS and LMS Secondary School First Nation involvement and engagement - new figures and cedar weave artwork HRAC considering future project with school involvement 	✓
STRATEGY 10: Inform building owners of heritage opportunities	Time Line	2018 Review	Status
10.1 Training and development for HRAC, Council and Town staff to further enhance the Heritage Program.	Medium	<ul style="list-style-type: none"> Speakers/workshops provided to HRAC members Funding has been available for HRAC and Staff to attend Heritage BC conferences 	Ongoing
10.2 Provide technical assistance and conservation guidelines to owners of properties i.e. Public workshops, heritage incentives.	Medium	<ul style="list-style-type: none"> Town provides assistance to property owners. Heritage incentive information provided Parks Canada Standards & Guidelines available on Town's website 	Ongoing

AREA OF FOCUS 4: HERITAGE PARTNERSHIPS

2008 Heritage Strategic Plan		2018 Implementation Strategy Review	
Time Line	2018 Review	Status	
STRATEGY 11: Develop partnerships to implement the Heritage Strategic Plan			
11.1 Hold joint annual meetings of the Town's Commissions to discuss actions related to planning and coordination.	Ongoing	<ul style="list-style-type: none"> • HRAC liaison on the Advisory Design Panel. • LDHS liaison on HRAC • Commission representatives participated in the Design Charrette for the Waterfront Area Plan • Joint commissions meeting held with the Design Charrette team as part of the Waterfront Area Plan project (2017) 	✓
11.2 Establish and maintain dialogue and communications with other community and regional partners with similar interests.	Medium	<ul style="list-style-type: none"> • Relationship building has assisted with HSP implementation • Communication with Nanaimo Heritage Planner • Past meetings with Nanaimo Heritage Commission 	Ongoing
11.3 Continue to develop a vision for the Downtown Core with other organizations.	Immediate	<ul style="list-style-type: none"> • Visioning workshop (2008) • Dynamic Downtown visioning workshop (2014) with community representatives and commission representatives • Development Permit Area guidelines • Council Strategic Plan 2016-2019 to establish a downtown task force 	Ongoing
STRATEGY 12: Obtain funding to implement the Heritage Strategic Plan			
12.1 Obtain funding through various organizations to implement the Heritage Strategic Plan.	Ongoing	<ul style="list-style-type: none"> • Very limited funding available • The Heritage Legacy Fund contributed \$4000 to the Transfer Beach Pictorial • Tourism funding has been used to print brochures 	Ongoing
12.2 Partner with senior governments to achieve heritage preservation initiatives.	Ongoing	<ul style="list-style-type: none"> • Sources suggested by HSP offer limited or no funding • CHR properties also listed on the Federal and Provincial Registries 	Ongoing

STRATEGY 13: Promote heritage tourism development	Time Line	2018 Review	Status
13.1 Liaise with Tourism Advisory Committee to develop tourism strategies that include the theme of heritage.	Medium	<ul style="list-style-type: none"> Ladysmith Visitor Centre (Chamber of Commerce) and Cowichan Visitor Centre distribute Heritage Walk brochures Tourism Cowichan Society has been formed to undertake tourism promotion for the region 	✓
STRATEGY 14: Establish a heritage partnership with Stz'uminus First Nation	Time Line	2018 Review	Status
14.1 Create joint initiatives that will increase the awareness and understanding of the Stz'uminus First Nation heritage.	Medium	<ul style="list-style-type: none"> Community Accord between SFN and TOL (Naut'sa Mawt "Working Together" in 2012) has created additional partnerships Celebrations and awareness including Aboriginal Day, Canada Day, Canada 150 	Ongoing

List of acronyms

HRAC = Ladysmith Heritage Revitalization Advisory Commission
 LDHS = Ladysmith & District Historical Society
 SOS = Statement of Significance

SFN = Stz'uminus First Nation
 LMS = Ladysmith Maritime Society
 CHR = Community Heritage Register

COMMITTEE REPORT

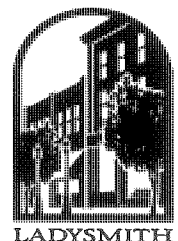
To: Council
From: Municipal Services Committee
Date: April 3, 2018
File No: 0540-20 MS

Re: **RECOMMENDATION FROM THE MUNICIPAL SERVICES COMMITTEE**
Meeting Held March 12, 2018

RECOMMENDATION:

That Council direct staff to:

1. Receive the report from the Director of Financial Services regarding the opportunity to establish a Vancouver Island-wide Inter-Community Business Licence.
2. Direct staff to prepare an amendment to "Town of Ladysmith Inter-Community Business Licence Bylaw 2013, No. 1839" to establish a Vancouver Island-wide Inter-Community Business Licence.



COMMITTEE LIAISON REPORT TO COUNCIL

To: Council

From: Carol Henderson

Date: May 7th, 2018

File No: 0550-04

Re: MONTHLY COUNCIL LIAISON REPORTLadysmith InteragencyMet on March 8th & April 12th, 2018 Did not meet this month
(Date)

Agenda Items:

1. BC Ambulance Service Unit Chief reported stock of Narcan Kits in vehicles for replacements at overdose sites. Chemainus Community Paramedic hired for house visits to dementia patients living alone. Monitored staffing change allows crew to stay in Ladysmith.
2. Town of Ladysmith PRC outlined Youth Plan in final stages with LSS and Stz'uminus engaged. 500 surveys completed. Physical Literacy courses 101 and 301 on offer. BC Summer Games looking for Volunteers. Ladysmith hosting field lacrosse, beach volleyball and baseball July 19-22nd
3. LRCA Extreme Weather Shelter open 121 days 650 guests no critical incidents. Housing First for Youth needed -no crisis team after 10pm. Shelter does not take minors. Some exceptions if RCMP notified. June 16th., Fundraiser: Running of the Balls,
4. Island Health Family Practice 200 new patients this year._new ultrasound approved.New neighbourhood model for Home Care workers. Opioid Crisis Dr. Waters considering if there is a need for a Ladysmith Community Meeting.
5. EPIC New cards being printed "How are you Aging?" for self assessment.
6. BC Age Friendly Project Christy Villiers is Project Director for the Ladysmith Accessibility Project, managing Provincial grant and deliverables with committee.



Ladysmith Early Years Program

Met on March 21st and April 18th, 2018

Did not meet this month

(Date)

Agenda Items: reports

1. Make Children First Family Day weekend a big success with Concert, PRC swim, LRCA Dad's Group Breakfast for families. Healthy Start to Learning event -April 5th - well attended-no Island Health presence and not reaching most vulnerable. Consider being on rotation with Nanaimo Ready Set Learn circuit. LEYP Resource Guide to include disclaimer, Early Childhood Development Care Providers meeting regularly. Longest Day of Play-June 21st at Spirit Square will mesh with Aboriginal Day celebrations.

Success by 6 Changes to model will be in place March 31st, 2019. No details yet.

Town of Ladysmith (PRC) Aggie Hall Playground /Parking update, Youth Strategy to Council in May, Physical Literacy Workshops available.

Round Table: Ministry of Child and Family Development: Child/Youth mental health waitlists grow, caseloads large, complexity of cases increasing, clients requiring services longer. Divided into under and over 12year old groupings.

Pacific Care Stz'uminus conference held March 10th great success.

NL Public Schools Welcome to Kindergarten event for registered students -gift bags to be given out May-June with focus on social/emotional domains.

Ladysmith Community Justice Program

Did not meet this month

Social Planning Cowichan

Did not meet this month

Met on March 29th, 2018

ED job description and compensation to be reviewed

2017 Annual Review and 2018 Overview distributed. Highlights include Cultural Connections. An evaluation report available June 2018. Social Wellness with values set in Visions 20/20 with plans for Visions 2050. Neighbourhood Planning with focus on safety initiatives, cost of homelessness, youth transition housing, community dialogues on opioid use, mental health and racism. Climate Change Collaborative addressing impacts on region Policy toolkit for social resiliency available on websit.

Invasive Species Advisory Committee

Did not meet this month

Respectfully submitted

Carol Henderson

Councillor Name

COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From: Councillor Paterson
Date: report for April 9th council
File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Parks, Recreation and Culture

Met on Wed., March 21 at the Saltair Community Centre – *at the start of the meeting members of the Saltair Parks & Rec gave the group a tour of their community centre.*

A. Agenda Items:

1. Ladysmith Youth Plan – Sue Glenn gave a run-down of the progress to date and informed the group that there will be open house events at two different times on April 11 at FJCC
2. Natural Playspace at Aggie Hall – (item referred from council) Mr. Postings did a step-by-step look at the new parking and playground area at Aggie Hall. The overall project was received with good comments.
3. Regional Recreation update: it is going through phase 3. The report can be found online at the CVRD website.
4. BC Summer Games update: they are looking for volunteers in a big way. Events in Ladysmith will be beach volleyball, baseball and grass hockey. The volleyball at Transfer Beach will be simpler than original plans.
5. PRC updates – Perfect Mind is the new software that is going to be used throughout the region. It will be launched in September.
6. Machine Shop – an update was given on the grant and the various groups involved.
7. Master Plan Discussion – as part of the master PRC Master Plan the Youth Plan is

in progress and the next step will be the Public Art Strategy.

Next Meeting Is Wednesday April 18

Advisory Design

Did not meet this month

Respectfully submitted

Councillor Paterson

COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From: Councillor Paterson
Date: May 7, 2018
File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Parks, Recreation and Culture

The committee met on Wed., April 19th at the Ladysmith Little Theatre. Bruce Mason, committee member and theatre president, gave the members a tour of the facility.

A. Unfinished Business:

1. Aggie Signage – staff showed the existing town signage and location of proposed Aggie Hall & Field signage. It was felt that it was a good idea but should also have Aggie Hall and address on the sign.

B. Recommendation for Council

1. That the Parks, Recreation and Culture Advisory Committee advise Council that the committee approves in principle the sign design and the location, providing sightlines for traffic will not be affected.

C. New Business:

1. Ladysmith Youth Strategy – the two open houses attracted well over a couple of hundred interested parties and many of the local youth. Lots of great feedback with the two “high priority” items being a “youth hub” and next being “youth having a voice”. The draft report will be submitted to Council at a future Council meeting.

D. Department Updates (current projects & regional activities):

1. Regional Recreation update – it will be online on April 26

2. B.C. Summer Games update – the final venue tour was done last week. The tour was happy with the local sites. The organization is still very much in need of volunteers. The games are July 19 to 22.
3. Art Gallery update – Bruce Mason updated the committee on activities at the waterfront Gallery.

E. **Master Plan Discussion:** - nothing at this time

... Next meeting Wednesday, May 16

Advisory Design

Did not meet this month

Respectfully submitted

Councillor Paterson

STAFF REPORT TO COUNCIL

From: Geoff Goodall, Director of Infrastructure Services
 Meeting Date: May 7, 2018
 File No:
 RE: **FOURTH AVENUE RECONSTRUCTION PLAN**

RECOMMENDATION:

That Council:

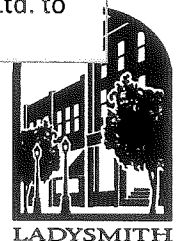
1. Endorse Options 2-5 as the typical cross-sections for the reconstruction of Fourth Avenue.
2. Confirm that the bicycle path is to be located on Sixth Avenue from Symonds Street to Metheun and on Jamison to Root Street.
3. Direct staff to present the Fourth Avenue Reconstruction Plan to the public at an open house.
4. Direct staff to proceed with design drawings for the first phase from south of Hambrook Street to Belaire Street.

PURPOSE:

To have Council provide direction on the reconstruction plan for Fourth Ave.

PREVIOUS COUNCIL DIRECTION

Resolution	MeetingDate	ResolutionDetails
CS 2016-262	2016-07-18	That Council direct staff to: 1. Complete a functional design for configuration of the 4th Avenue corridor with timelines and budget for Council’s consideration; and 2. Investigate options for intersections along 4th Avenue, as well as options for street beautification including boulevards, landscaping and other amenities.
CS 2016-114	03/21/2016	That Council: 1. Approve proceeding with the design phase of the 4th Ave/4th Ave Extension Upgrading Project for construction in late 2016, including the repaving of 4th Ave/4th Ave Extension; 2. Direct that the work start at Hambrook, and continue north; 3. Direct that the road cross section include the construction of a new three metre wide shared use bike lane/walkway on the west side, and new curbs on both sides; 4. Direct that construction include various underground utility replacements as outlined in Appendix “B”; 5. Waive the purchasing policy and contract with Herold Engineering Ltd. to provide the design work.



INTRODUCTION/BACKGROUND:

In 2016 Council held a public open house for residents to review a proposed design for the reconstruction of Fourth Avenue. As a result of the feedback received, Council directed staff to do a more extensive review of the proposed changes across the entire Fourth Ave corridor, with the objective to confirm what cross section would best meet the needs of the corridor.

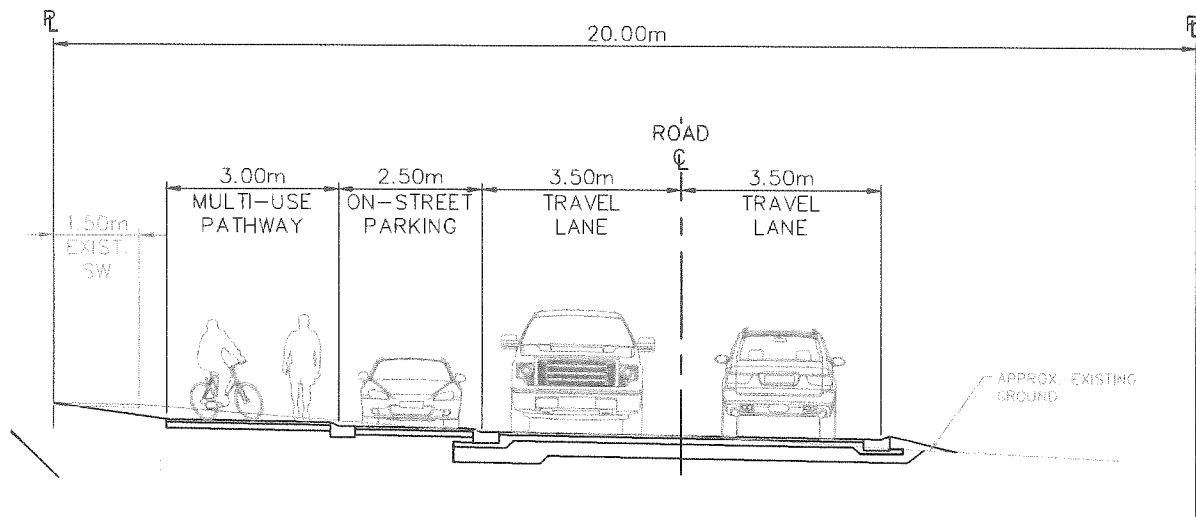
Fourth Ave. traverses in generally a north-south orientation, the corridor width varies over the length of the corridor with the widest width of 24.4m between Symonds St and Methuen St and the narrower width 20m in newer sections on the north and south end of the corridor. The cross sectional grade also varies considerably over the length of the corridor with the highest grades being in the old section of the corridor from Methuen St to Buller St.

The objective of the option review was to find a cross section that provided efficient movement of traffic, safe pedestrian access, appropriate cyclist movement, provided on-street parking opportunities, enhanced the general aesthetics of the corridor and was cost effective.

The most significant challenge with the corridor is dealing with the cross sectional grades. The road right-of-way width generally provides sufficient width to accommodate many options, but the cross sectional grades restrict the general width of the improvements in order to eliminate the need for construction of significant retaining structures. Compounding the issues with grades is dealing with driveway access and transitioning this into the new cross section. Fortunately most driveways through the steeper grade areas enter lots on the side streets.

Early on in the design review it became obvious that a single design would not work well along the entire corridor and there would need to be some design flexibility. These design approaches are provided below as options 1-5. Intersection designs will be considered in the next phase of work.

Option 1 (Original 12.5m)



4TH AVENUE: TYPICAL SECTION

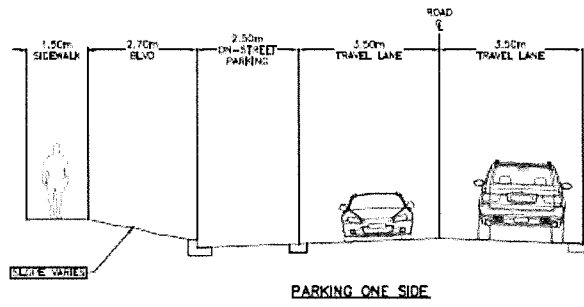
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Option 1 was the original option that was considered through the corridor, this option has a total construction cross section of 12.5 meters. When this option was applied in the corridor there were many areas where retaining walls would be required and the wider multi-use path created some conflicts with existing driveways. In addition, this option largely removes the grass boulevard on the west side of the corridor and results in 12.5 m of continuous paved surface which has less aesthetical appearance. It was found the even creating a boulevard between the parking lane and the multi-use pathway increased the need for retaining walls.

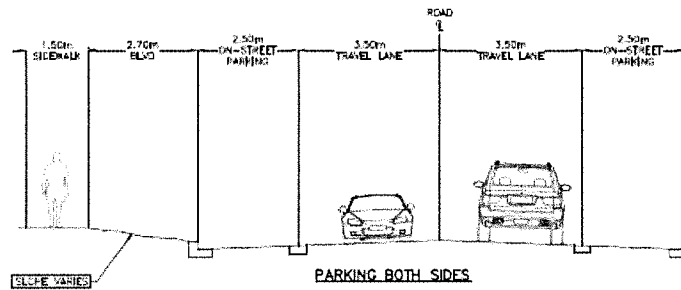
After reviewing the original option, staff developed a second series of options which are largely the same but provides for variations that can be applied across different sections of the corridor.

The main consideration for the practicality of these options is moving the bike lane from Fourth Ave. to Sixth Ave. between Symonds and Metheun and joining to Jamison to Root St. The extra 3m required to accommodate dedicated bike movements is very difficult to achieve through the Fourth Ave. area where cross sectional slopes are greater. Sixth Ave. on the other hand has a relatively flat cross section as does this section of Symonds. The bike path on Sixth could utilize the existing trail connecting the south end of Sixth Ave with Jamison Road and then reconnecting with Fourth Ave. at Root St. A plan of a bike route on Sixth Ave. is shown on Attachment A. The 2009 Bike Plan identified Sixth Ave as the primary bike route as it connects to schools, FJCC and other institutions. The Plan did include an option for a bike facility on Fourth Ave. which is reflected in the cross section options 4 and 5.

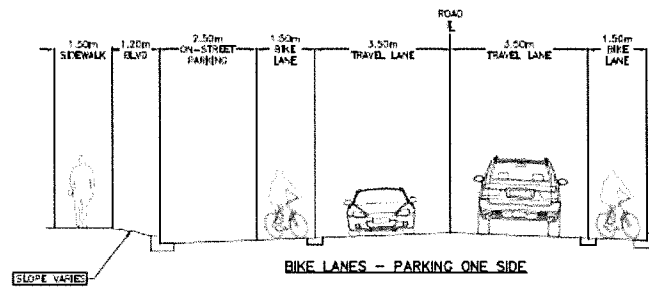
Option 2



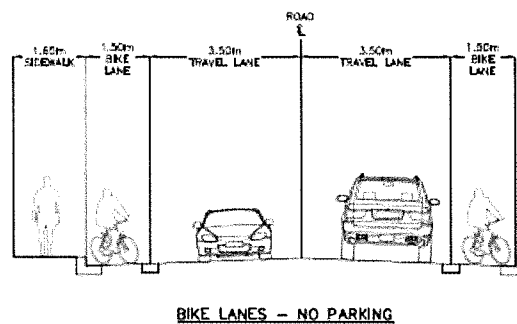
Option 3



Option 4



Option 5



The other main feature of this group of options is that it retains the existing sidewalk on Fourth Ave. in its current location. The existing sidewalk is generally in good shape but there will be small sections that need replacement due to deterioration.

The overall plan for Fourth Ave. is shown in Attachment B. On road bike lanes are provided from the southern project start, just south of Hambrook St to Root St and then from Symonds to the end of the project at Greenhorn Place. Parking is then applied as the cross section permits. Steeper areas get parking on the west side and flatter areas get parking on both sides. Parking is not provided for from Walkem Rd to the north end of the project.

In order to reduce retaining structures, the options held the east road shoulder in approximately the same location as it exists today, this does vary in flatter portions of the corridor where parking opportunities exist on both side.

ALTERNATIVES:

Council can choose to:

1. Consider moving forward with option 1 but this option will have a significant cost increase due to retaining structures being required between Bel Aire and Buller and may also cause other driveway conflicts elsewhere in the corridor.
2. Although parking was popular topic during the open house, Council could consider removing parking from the steeper areas of the route.

FINANCIAL IMPLICATIONS:

Cost implications for the Options are as follows:

Option	Cost/m
Option 1	\$2,150*
Option 2	\$2,030
Option 3	\$2,220
Option 4	\$2,260
Option 5	\$2,070
Retaining walls	\$500

*This cost does not include retaining structures

The existing budget for the 2018 project is \$1,233,542 made up of funding from DCC Roads (\$168k), Gas Tax (\$240k) and Reserves (\$825,542). Considering the above costs, a contingency including engineering would be 25%. The distance between the southerly start of the project south of Hambrook St. to Belaire St is approximately 350m resulting in a cost of approximately \$1,000,000.

LEGAL IMPLICATIONS:

Staff have not identified any legal issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There is significant interest in the project from the public. The original open house was attended by over 80 people. All participants appreciated the opportunity to comment on the project and staff feel that it is important to go back to the public with the new information presented.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This project has required significant input from staff in both engineering and development services. The project will be designed utilizing a consulting engineer (Herold Engineering) and the construction portion of the project will be tendered.

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:

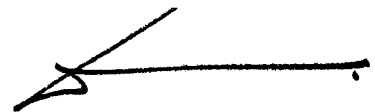
In 2016 Council held a public open house for residents to review a proposed reconstruction of Fourth Ave. As a result of the feedback received Council directed staff to do a more extensive review of the proposed changes across the entire Fourth Ave corridor, with the objective to confirm what cross section would best meet the needs of the corridor. Five options were considered across the corridor and the options vary as the width and cross sectional slopes change. The basis for the selected options rely on moving the bike lane from Fourth Ave to Sixth Ave from Symonds to Root. In addition, the sidewalk on Fourth Ave is retained in its existing location. Parking is applied across the corridor as the cross sectional slope permits, avoiding the need for retaining structures.



Geoff Goodall, Director of Infrastructure Services

May 1, 2018

I concur with the recommendation.



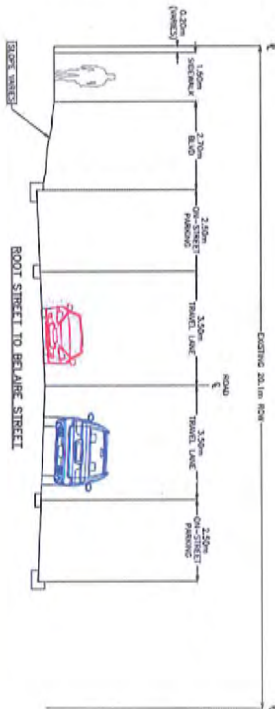
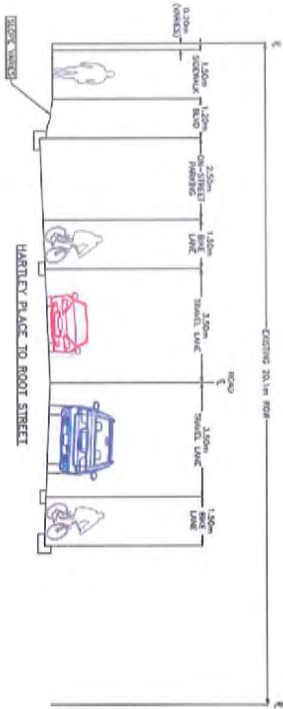
Guillermo Ferrero, City Manager

ATTACHMENTS:

Herold Engineering: 4th Avenue Reconstruction Options



END OF 4TH AVENUE TO BELAIRE STREET



1:2000

DATE: 2016-04-25 11:04 AM

PROJECT NO: 037-084
 SHEET NO: SK-1
 OF 8

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMIT	2016-04-25	SCOTT JENSEN	SCOTT JENSEN
2	ISSUED FOR CONSTRUCTION			
3	ISSUED FOR RECORD			
4	ISSUED FOR ARCHIVE			

END OF 4TH AVENUE
 TO BELAIRE STREET

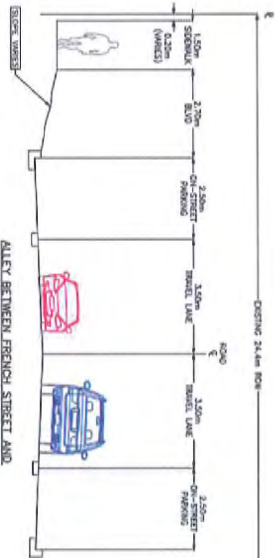
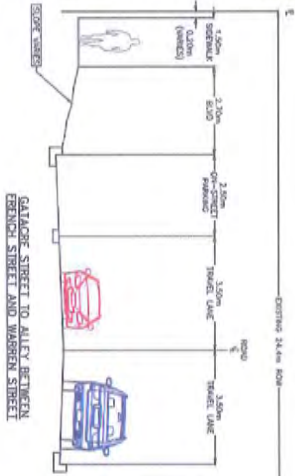
HEROLD
 ENGINEERING

4TH AVENUE RECONSTRUCTION
 LADYSMITH, BC
 TOWN OF LADYSMITH

NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR PERMIT	2016-04-25	SCOTT JENSEN	SCOTT JENSEN
2	ISSUED FOR CONSTRUCTION			
3	ISSUED FOR RECORD			
4	ISSUED FOR ARCHIVE			



GATACRE STREET TO SYMONDS STREET



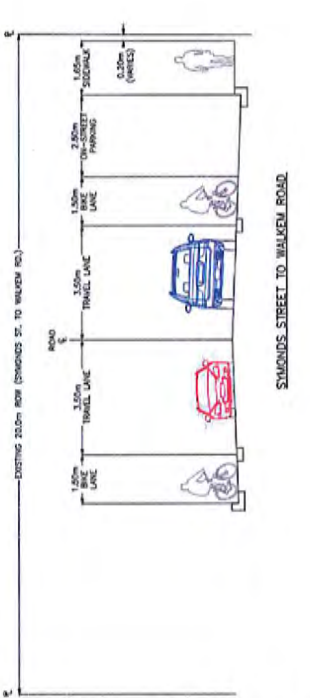
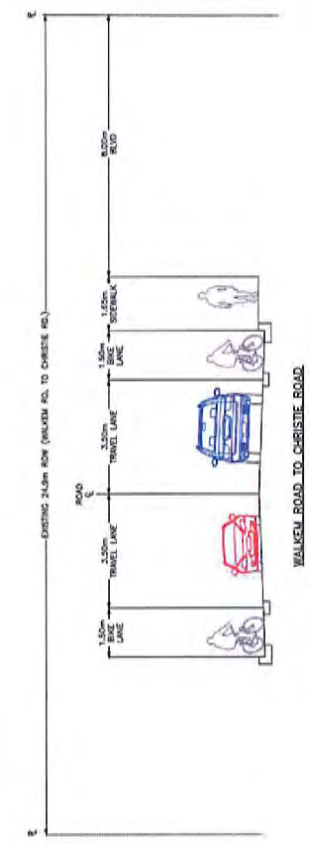
<p>HEROLD ENGINEERING</p> <p>3077 401-293-7111 401-293-7111 401-293-7111</p>		<p>4TH AVENUE RECONSTRUCTION</p> <p>LADYSMITH, BC TOWN OF LADYSMITH</p>	
<p>GATACRE STREET TO SYMONDS STREET</p>		<p>DATE: 04/20/10 DRAWN BY: [Name] CHECKED BY: [Name] PROJECT NO: [Number] SHEET NO: 3 OF 8</p>	

DATE	04/20/10
DRAWN BY	[Name]
CHECKED BY	[Name]
PROJECT NO	[Number]
SHEET NO	3 OF 8

OWNER		TOWN OF LADYSMITH	
DESIGNED BY		HEROLD ENGINEERING	
DATE		MAY 2012	
DRAWN BY		DWA	
CHECKED BY		DWA	
SCALE		AS SHOWN	
PROJECT NO.		037-024	
SHEET NO.		1 OF 2	
DATE		MAY 2012	
PROJECT		4TH AVENUE RECONSTRUCTION	
DRAWING		SK-4	
REVISION		A #16	
		B	

4TH AVENUE RECONSTRUCTION
 LADYSMITH, BC
 TOWN OF LADYSMITH
HEROLD ENGINEERING
 2701 Crownpoint Ave. Vancouver, BC V6T 2M1
 Tel: (604) 271-1984 Fax: (604) 271-8595
 Email: info@herold-eng.com
 Website: www.herold-eng.com

SYMONDS STREET TO CHRISTIE ROAD
 SYMONDS STREET TO WALKER ROAD
 SYMONDS STREET TO WALKER ROAD
 SYMONDS STREET TO CHRISTIE ROAD

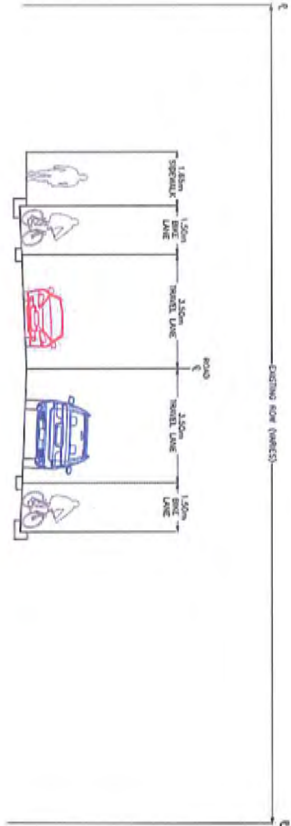


1:1000





CHRISTIE ROAD TO GREENHORN PLACE



4TH AVENUE RECONSTRUCTION	
LADYSMITH, BC TOWN OF LADYSMITH	
PROJECT NO. 0527-064	CLIENT'S DRAWING NO. 1000
PROJECT NAME 4TH AVENUE RECONSTRUCTION	DRAWING NO. SK-5
SHEET NO. 5 OF 6	DATE 2018

SHEET NO. 5 OF 6
DATE 2018

REVIEWS	
NO. _____	DATE _____
BY _____	FOR _____

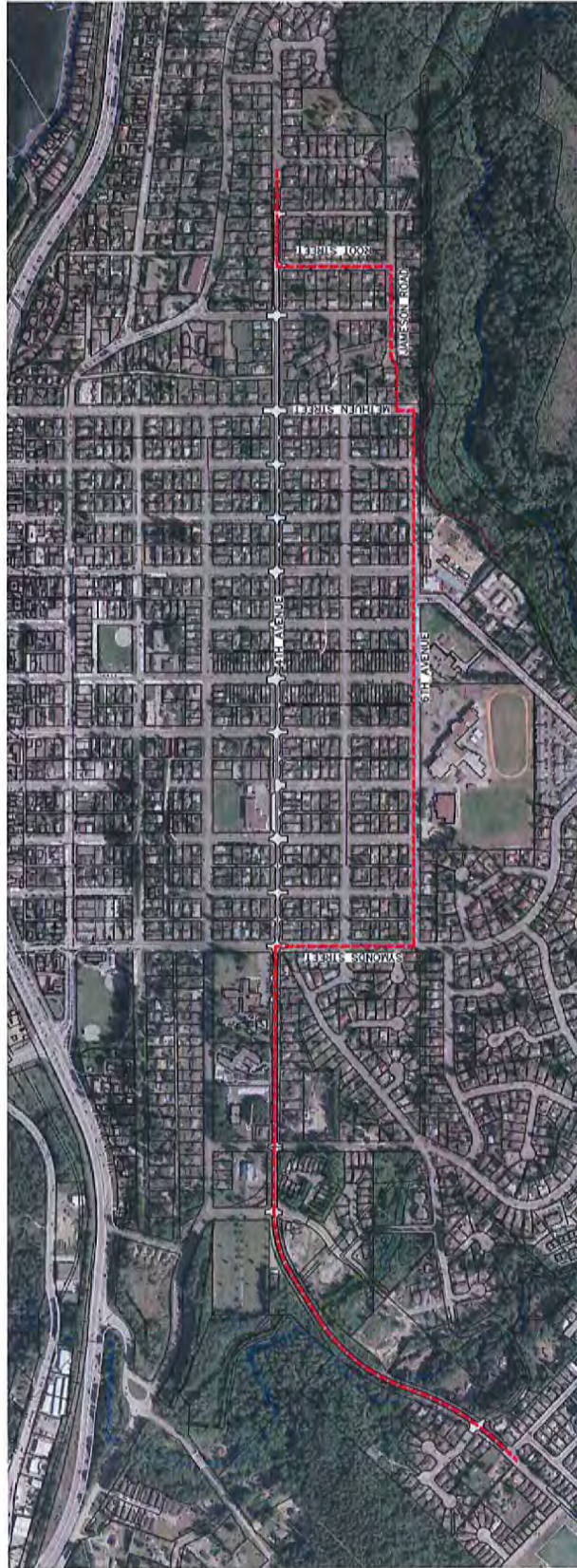
4TH AVENUE RECONSTRUCTION
 LADYSMITH, BC
 TOWN OF LADYSMITH

HEROLD ENGINEERING
 2170 22nd Ave. Victoria, BC V8P 2K1
 Tel: 250-363-8898
 Fax: 250-363-8899
 www.heroldeng.com

BICYCLE PATH ROUTE

DESIGNED	CONCEPT'S S/W
DRAWN	
CHECKED	
DATE	
PROJECT NO.	
DWG. NO.	
SCALE	
DATE	
PROJECT NO.	
DWG. NO.	
SCALE	
DATE	

SK-6 8 of 8 B



BICYCLE PATH ROUTE

STAFF REPORT TO COUNCIL

From: Geoff Goodall, Director of Infrastructure Services
 Meeting Date: May 7, 2018
 File No:
 RE: **BOLLARDS ON FIRST AVE.**

RECOMMENDATION:

That Council:

1. Direct staff to move forward with the installation of 9 bollards on 1st Ave. utilizing ductile iron decorative bollard R-7592 from Reliance Foundry.
2. Confirm that the first nine bollards will be installed across the frontage of 528 1st Ave.
3. Continue to budget \$30,000 each year until all 160 bollards on 1st Ave. have been installed.

PURPOSE:

To have Council approve construction of the first 9 angled parking bollards on 1st Ave across the frontage of 528 1st Ave utilizing the Reliance Foundry ductile iron bollard R7592. Further that \$30,000 is budgeted each year until all 160 bollards have been installed.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2016-031	2016-01-29	That Council direct staff to investigate and report back on options for the installation of bollards or other safety improvements to prevent vehicles from running onto sidewalks.

INTRODUCTION/BACKGROUND:

Over the years there have been a number of accidents involving cars jumping the curb and impacting buildings along 1st Ave. These accidents seem to occur during the process of parking in the angled parking spots on 1st Ave. To mitigate this risk staff were directed to investigate the installation of bollards that would be located at the end of each angled parking spot on 1st Ave. There are 160 angled parking spots on 1st Ave.

Investigations of bollard installation have confirmed that bollards can be installed at the approximate center line of each angled parking spot. The bollard would be located either on the edge of the sidewalk or curb. Many services exist underground along this corridor and some modification to location may be required to avoid these utilities. The general



layout will be as shown in Attachment A. Keeping the bollard as close to the curb as possible will reduce interference with pedestrians and the Town sidewalk snow cleaning unit. The proposed installation will follow the design provided by Herold Engineering (Attachment B).

The cost estimate for a single installation including the purchase of the decorative bollard is \$3,000. Based on the existing budget of \$30,000 staff is recommending Council proceed with the installation of 9 bollards this year.

ALTERNATIVES:

Council can choose to:

1. Increase the budget in subsequent years to speed up the overall completion of the 160 bollard installations.
2. Direct staff to install a different bollard than the R7592.

FINANCIAL IMPLICATIONS:

Council has budgeted \$30,000 in its 2018 budget for the installation of Bollards on 1st Ave. increasing the budget in subsequent years could be considered during the 2019 budget process.

LEGAL IMPLICATIONS:

Staff has not identified any legal issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Due to the potential for injury to persons and structures it is felt that the addition of bollards will be viewed positively by the public. The bollards are attractive and in a style in keeping with the light standards on the street. The installation should minimize interference with daily pedestrian movement.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Currently the plan is that the installations will be completed by Town forces.

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:

Due to a number of incidents involving vehicles impacting buildings along 1st Ave., Council directed staff to investigate the installation of bollards at the end of each angled parking spot on 1st Ave. esthetically pleasing bollards can be installed with minimal impact to the pedestrian public. The cost of installation of a bollard would be approximately \$3,000 including the cost of the bollard.



Geoff Goodall, Director of Infrastructure Services

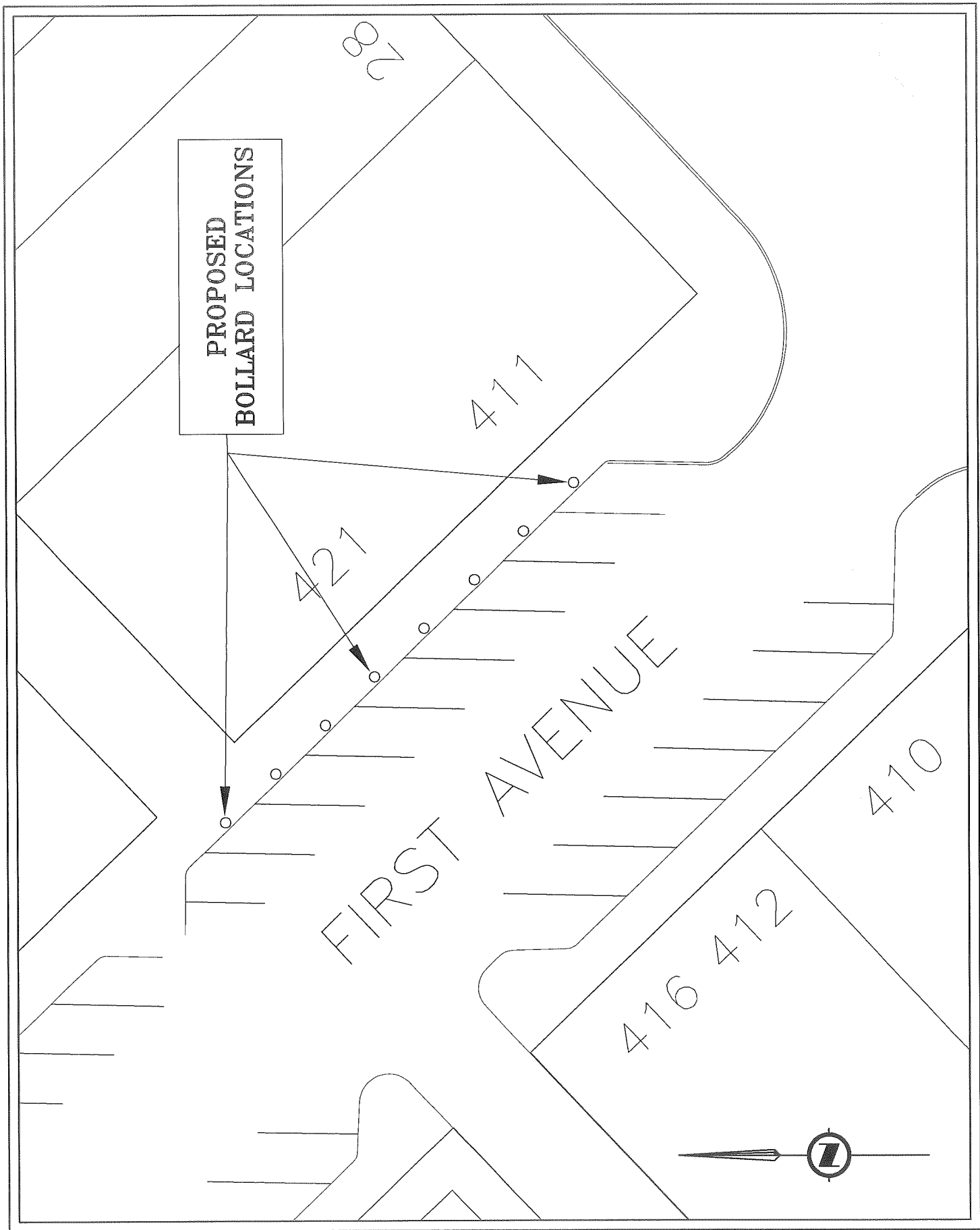
April 20, 2018

I concur with the recommendation.

Guillermo Ferrero, City Manager

ATTACHMENTS:

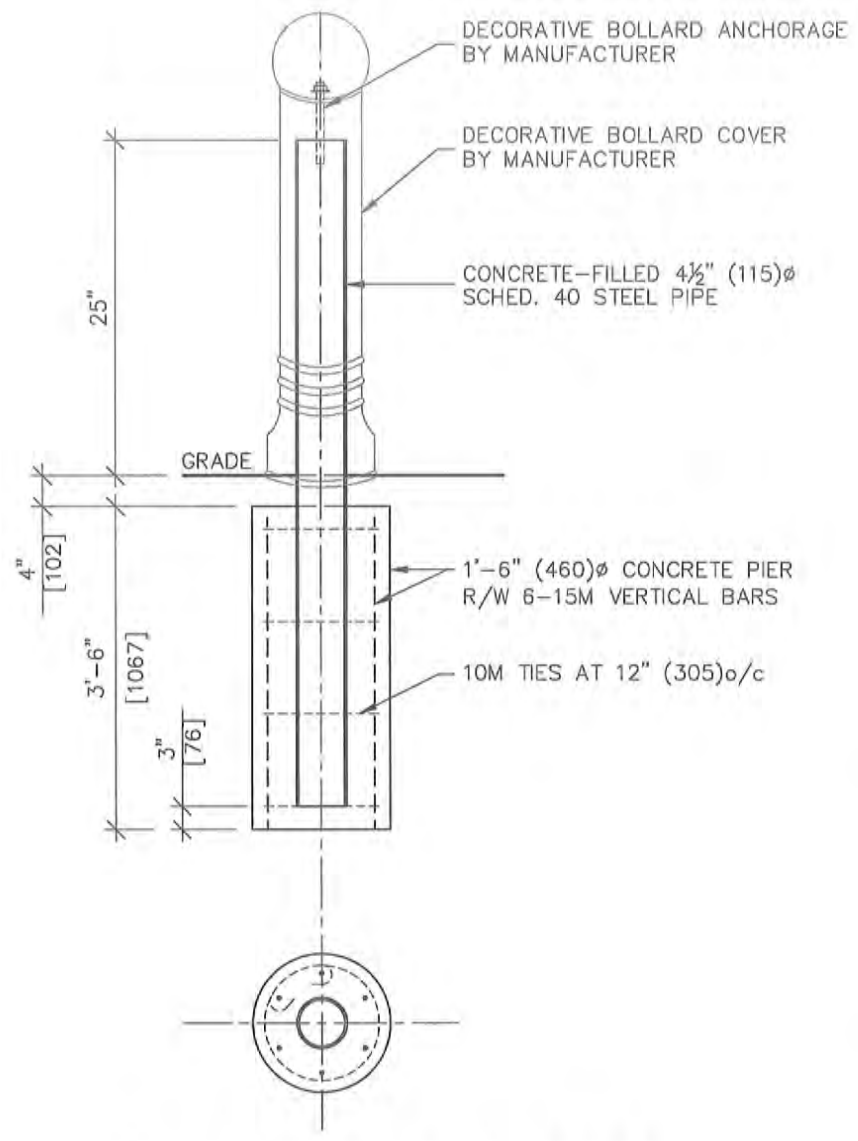
- A: Proposed Bollard Locations
- B: Bollard Detail
- C: Bollard Design
- D: Solar Power Option



3

LETTER B 1/2" x 11"

File: H:\Projects\0037-075 4th Avenue Culvert Replacement\0037-075-SK#01-04.dwg Plot Time: Apr. 17, 18 10:53 AM User: Evan Cheung
 ©Copyright reserved. This drawing remains the exclusive property of Herold Engineering Limited and may not be reused or reproduced without written consent of Herold Engineering Limited.



TYPICAL BOLLARD DETAIL

NOT TO SCALE

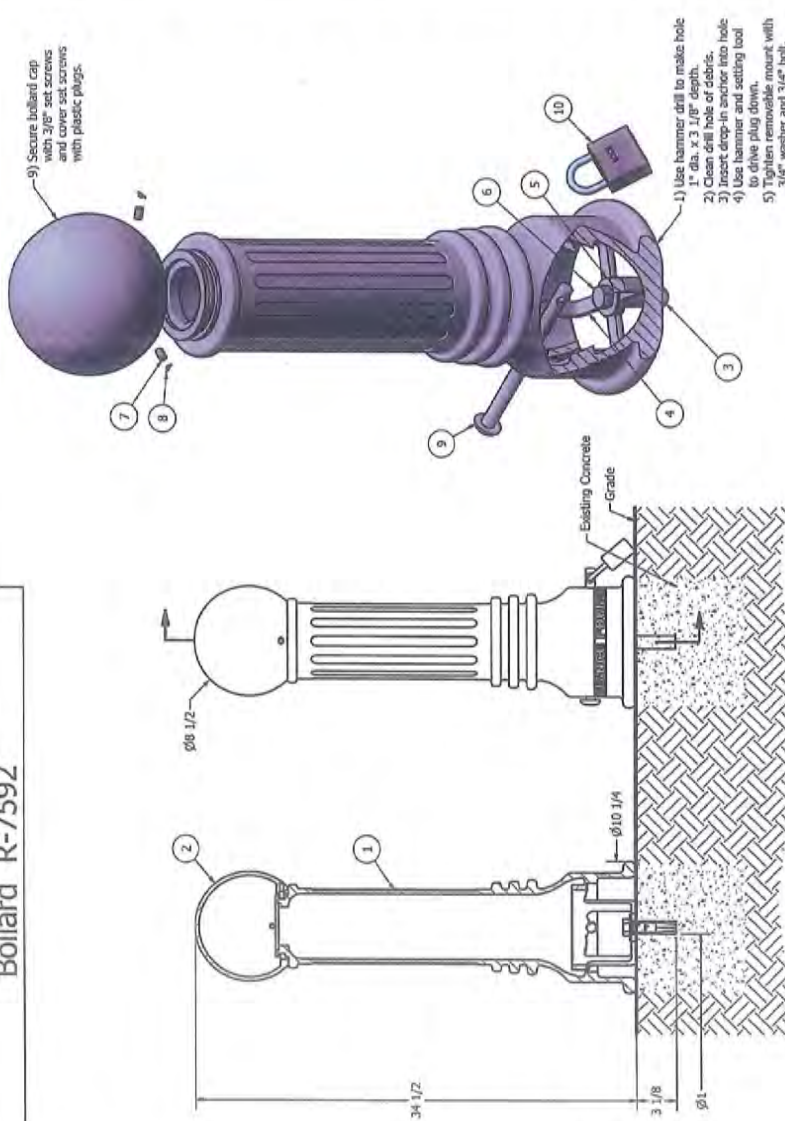


3701 Shenton Rd, Nanaimo, BC V9T 2H1
 Tel: 250-751-8558 Fax: 250-751-8559
 Email: mail@heroldengineering.com

TOWN OF Ladysmith DECORATIVE BOLLARDS				BOLLARD DETAILS			
PROJECT No. 0037-076	DESIGNED SM/SH	DESIGN REVIEW	DRAFTED EC	DRAFTING REVIEW	SCALE AS SHOWN	DRAWING No. SK#01	REV.

DESTROY ALL DRAWINGS SHOWING PREVIOUS REVISION

Bollard R-7592



- Notes:**
- 1) Minimum foundation size depends on local soil conditions, weather conditions, and engineering requirements.
 - 2) Dimensions provided herein are for reference only. Please consult Reliance Foundry sales professionals if any dimension is critical to your particular installation.
 - 3) Reliance Foundry reserves the right to amend design and specifications without prior notice for product improvement.
- Tools needed:**
- 1) Measuring tape
 - 2) 1 1/8" wrench
 - 3) 3/8" hex key
 - 4) Hammer
 - 5) 1" Masonry drill bit
 - 6) Hammer
 - 7) Drop-in concrete insert setting tool

General Description:

The R-7592 Decorative Bollard features a classic design, suitable for traditional and contemporary environments. R-7592 bollards are made from a versatile ductile iron, featuring decorative fluting and large spherical top castings. Bollard surfaces are protected by a durable powder coating. The bollard is designed to prevent damage to property and security posts. Removable mouldings are available.

Specifications:

Height: 34 1/2"
 Base Dia: 10 1/4"
 Weight: 75 lbs (Bollard Only)
 Material: Ductile Iron
 Max. Inset Security Post Size: 4 1/2" x 25" (Diameter x Height)

Finish Options:

© Polyester Powdercoated
 See Reliance Foundry's standard color options at: www.reliance-foundry.com/bollards/bollards

Installation Options:

- Fixed - Anchor Casting in New Concrete (see sheet 2 of 12)
- Fixed - Concrete Insert Anchor in Existing Concrete (see sheet 3 of 12)
- Fixed - Adhesive Anchor in Existing Concrete (see sheet 4 of 12)
- Fixed - Anchor Casting with Concrete Form (see sheet 5 of 12)
- Post Cover - New Post in New Concrete (see sheet 6 of 12)
- Post Cover - New Post in Existing Concrete (see sheet 7 of 12)
- Post Cover - Existing Post with Adhesive Anchor (see sheet 8 of 12)
- Post Cover - Existing Post with Concrete Anchor (see sheet 9 of 12)
- Removable - Anchor Casting in New Concrete (see sheet 10 of 12)
- Removable - Concrete Insert Anchor in Existing Concrete (see sheet 11 of 12)
- Removable - Adhesive Anchor in Existing Concrete (see sheet 12 of 12)

Care and Maintenance:

Reliance's line of bollards are finished with a long-lasting powder-coating. Proper care and maintenance are required to ensure that a bollard retains its aesthetic appeal and does not become damaged by the elements.

See Reliance Foundry's maintenance guide at: www.reliance-foundry.com/pdfs/maintenance-bollards

For more information on bollard post locations, please visit: www.reliance-foundry.com/postlocations/maintenance-bollards

RELIANCE FOUNDRY
— SINCE 1912 —

Unit: 207, 6450 - 148 Street, Surrey, BC V2S 7S7, Canada
 1-877-789-3245 info@reliance-foundry.com
www.reliance-foundry.com

Bollard R-7592

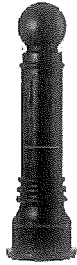
REV	C4	REV	R7592	REV	C4
SIZE	C	LOWE NO			

NOT TO SCALE

ITEM	QTY	PART NUMBER	DESCRIPTION	MATERIAL	WEIGHT
1	1	R7592B	Bollard Base	Ductile Iron Powder Coated	60 lbs
2	1	R7592C	Bollard Cap	Ductile Iron Powder Coated	15 lbs
3	1	Drop-In Concrete Insert 3/4"	Drop-In Concrete Insert 3/4" - requires 1" x 3 1/8" hole (dia. x depth)	Steel Plated	1/2 lbs
4	1	R759200M 1"	R759200 Removable Mount 1"	Steel Hot Dip Galvanized	4 5/8 lbs
5	1	Washer 3/4" OD 2"	Washer 3/4" OD 2" Thick 1/8"	Steel Plated	1/8 lbs
6	1	Hex Bolt 3/4" x 1 1/4"	Hex Bolt 3/4" x 1 1/4" - requires 1 1/8" wrench	Stainless Steel	1/4 lbs
7	3	Hexagon Socket Set Screw 3/8" x 5/8"	Hexagon Socket Set Screw 3/8" x 5/8" - requires 3/16" hex key	Stainless Steel	
8	3	Polysulfone Plug 3/8"	Polysulfone Plug 3/8"	LDPE Black	
9	1	R759200 Lock Pin 3/4" x 10"	R759200 Lock Pin 3/4" x 10"	Steel Powder Coated	1 1/2 lbs
10	1	Padlock (Optional)	Optional Padlock (Brass or Stainless Steel)	Choice of Brass or Stainless Steel	5/8 lbs

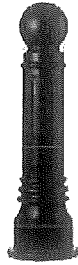
COPYRIGHT RESERVED THIS PLAN DRAWING AND DESIGN ARE, AND AT ALL TIMES REMAIN THE EXCLUSIVE PROPERTY OF RELIANCE FOUNDRY CO. LTD.

SHEET 11 OF 12



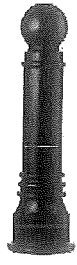
R-7539
Ductile Iron
Height: 35-3/4"
 [Item Drawing](#)

Quantity	Price
1	\$484.00
2	\$474.00
3	\$463.00
4	\$455.00
5 - 9	\$447.00
10 - 24	\$439.00
25 - 49	\$431.00
50 - 99	\$423.00
100 +	\$415.00



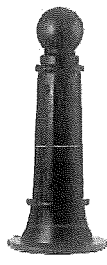
R-7539-AL
Aluminum
Height: 35-3/4"
 [Item Drawing](#)

Quantity	Price
1	\$534.00
2	\$523.00
3	\$512.00
4	\$503.00
5 - 9	\$494.00
10 - 24	\$485.00
25 - 49	\$477.00
50 - 99	\$468.00
100 +	\$459.00



R-7551
Ductile Iron
Height: 35-3/4"
 [Item Drawing](#)

Quantity	Price
1	\$484.00
2	\$474.00
3	\$463.00
4	\$455.00
5 - 9	\$447.00
10 - 24	\$439.00
25 - 49	\$431.00
50 - 99	\$423.00
100 +	\$415.00



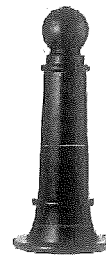
R-7589
Ductile Iron
Height: 35"
 [Item Drawing](#)

Quantity	Price
1	\$605.00
2	\$593.00
3	\$581.00
4	\$571.00
5 - 9	\$562.00
10 - 24	\$552.00
25 - 49	\$543.00
50 - 99	\$533.00
100 +	\$523.00



R-7589-AL
Aluminum
Height: 35"
 [Item Drawing](#)

Quantity	Price
1	\$640.00
2	\$628.00
3	\$615.00
4	\$605.00
5 - 9	\$595.00
10 - 24	\$585.00
25 - 49	\$575.00
50 - 99	\$565.00
100 +	\$555.00



R-7561
Ductile Iron
Height: 35"
 [Item Drawing](#)

Quantity	Price
1	\$605.00
2	\$593.00
3	\$581.00
4	\$571.00
5 - 9	\$562.00
10 - 24	\$552.00
25 - 49	\$543.00
50 - 99	\$533.00
100 +	\$524.00



R-7592
Ductile Iron
Height: 35"
 [Item Drawing](#)

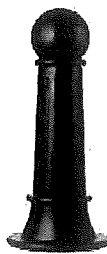
Quantity	Price
1	\$495.00
2	\$484.00
3	\$473.00
4	\$465.00
5 - 9	\$457.00
10 - 24	\$449.00
25 - 49	\$440.00
50 - 99	\$432.00
100 +	\$424.00

base
10 size



R-7555
Ductile Iron
Height: 35"
 [Item Drawing](#)

Quantity	Price
1	\$495.00
2	\$484.00
3	\$473.00
4	\$465.00
5 - 9	\$457.00
10 - 24	\$449.00
25 - 49	\$441.00
50 - 99	\$432.00
100 +	\$424.00



R-7582
Ductile Iron
Height: 34"
 [Item Drawing](#)

Quantity	Price
1	\$615.00
2	\$603.00
3	\$591.00
4	\$581.00
5 - 9	\$571.00
10 - 24	\$562.00
25 - 49	\$552.00
50 - 99	\$543.00
100 +	\$533.00



R-7591
Ductile Iron
Height: 32"
 [Item Drawing](#)

Quantity	Price
1	\$509.00
2	\$498.00
3	\$487.00
4	\$479.00
5 - 9	\$470.00
10 - 24	\$462.00
25 - 49	\$454.00
50 - 99	\$445.00
100 +	\$437.00



R-7591-AL
Aluminum
Height: 32"
 [Item Drawing](#)

Quantity	Price
1	\$555.00
2	\$544.00
3	\$532.00
4	\$523.00
5 - 9	\$514.00
10 - 24	\$505.00
25 - 49	\$496.00
50 - 99	\$487.00
100 +	\$478.00



R-7553
Ductile Iron
Height: 32"
 [Item Drawing](#)

Quantity	Price
1	\$509.00
2	\$498.00
3	\$487.00
4	\$479.00
5 - 9	\$471.00
10 - 24	\$462.00
25 - 49	\$454.00
50 - 99	\$445.00
100 +	\$437.00



R-7581
Ductile Iron
Height: 31"
 [Item Drawing](#)

Quantity	Price
1	\$629.00
2	\$617.00
3	\$605.00
4	\$595.00
5 - 9	\$585.00
10 - 24	\$575.00
25 - 49	\$565.00
50 - 99	\$556.00
100 +	\$546.00



R-7581-AL
Aluminum
Height: 31"
 [Item Drawing](#)

Quantity	Price
1	\$662.00
2	\$649.00
3	\$636.00
4	\$626.00
5 - 9	\$615.00
10 - 24	\$605.00
25 - 49	\$595.00
50 - 99	\$585.00
100 +	\$574.00



Solar Lighting Bollards

Solar bollard lights provide year-round outdoor lighting

Solar bollards capture energy from the sun during the day to illuminate open spaces and pathways for added safety and wayfinding when it's dark. Internal solar panels house high-capacity LED batteries, which keep lights on all night—and for up to 14 days without direct sunlight.

Reliance Foundry's solar powered bollards are suitable for municipal, commercial, industrial, and hospitality applications, and more.

[Read more about solar bollard lights.](#)

Prices shown in USD\$
[Change to CAD\\$](#)



R-9811
Steel

Height: 36"

[Item Drawing](#)

Quantity	Price
1	\$1,289.00
2	\$1,225.00
3	\$1,194.00
4	\$1,172.00
5 - 9	\$1,152.00
10 - 24	\$1,131.00
25 - 49	\$1,114.00
50 - 99	\$1,098.00
100 +	\$1,083.00



R-9811-B
Steel

Height: 36"

[Item Drawing](#)

Quantity	Price
1	\$1,502.00
2	\$1,434.00
3	\$1,400.00
4	\$1,375.00
5 - 9	\$1,352.00
10 - 24	\$1,329.00
25 - 49	\$1,309.00
50 - 99	\$1,291.00
100 +	\$1,273.00



R-9811-FL
Steel

Height: 36"

[Item Drawing](#)

Quantity	Price
1	\$1,325.00
2	\$1,260.00
3	\$1,229.00
4	\$1,205.00
5 - 9	\$1,186.00
10 - 24	\$1,164.00
25 - 49	\$1,146.00
50 - 99	\$1,130.00
100 +	\$1,115.00



R-9811-FL-B
Steel

Height: 36"

[Item Drawing](#)

Quantity	Price
1	\$1,539.00
2	\$1,469.00
3	\$1,435.00
4	\$1,408.00
5 - 9	\$1,386.00
10 - 24	\$1,362.00
25 - 49	\$1,342.00
50 - 99	\$1,323.00
100 +	\$1,305.00

Prices subject to change without notice.

Want to see more? See [all of Reliance Foundry's bollards](#), which can be used for wayfinding, path definition, and road delineation.



Solar lighting bollards are easy and inexpensive to install on pathways as they do not require ground wiring.

INTELLIGENT ENERGY MANAGEMENT

Maintain optimal lighting all night, in all seasons. Reliance Foundry's solar-powered light fixtures use a proprietary energy management system (EMS) to conserve energy and maintain optimal energy output. EMS analyses regional weather patterns and available daylight hours to determine the ideal light intensity for every season.

Fully charged solar bollard cells can operate for 14 days without sunlight. Bollard location, available sunlight hours, and long-term weather patterns influence overall performance.

SOLAR-POWERED SAVINGS

Solar powered bollard lights provide illumination all night, every night, with minimal environmental impact. Self-contained solar lighting systems can be installed anywhere, with no expensive trenching and ground wiring required.

The combined design, installation, and fixture costs result in a savings of 50% when solar powered bollard lighting is used compared to AC wired lights. The lithium battery is encased in polyurethane, and requires no maintenance or changes for up to 10 years.



Solar panels collect energy to give off light all night—not just for a few hours.

DURABLE CONSTRUCTION AND SIMPLE INSTALLATION

Solar light bollards are self-contained, and can be installed to add light anywhere with access to direct sunlight. Each solar bollard holds a self-contained, self-powered lighting source that requires minimal maintenance and is immune to power outages. LED bulbs are energy efficient and long-lasting—delivering 50,000 hours under normal operating conditions.



Solar lighting bollards can be powder coated in various colors to complement the surroundings.

Solar lighting bollards are constructed of steel, aluminum, and polycarbonate, and are powder-coated for added protection and durability against weather, vandalism, and other impacts in high-traffic, outdoor areas. Solar panels are covered in a protective polycarbonate shield, able to withstand the toughest impacts without shattering.

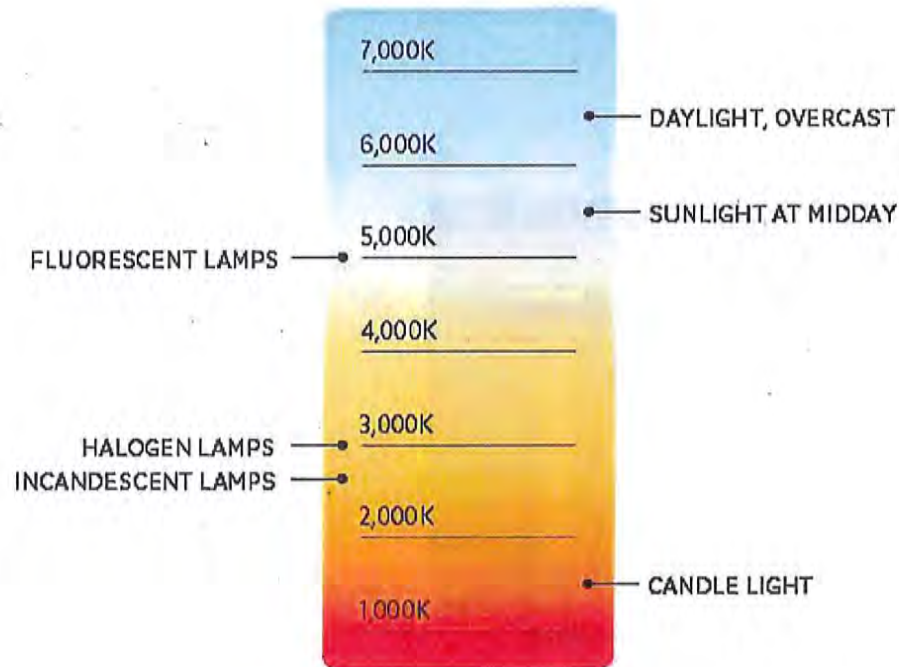
TECHNICAL LIGHTING SPECIFICATIONS

Refer to the table below to compare light color, distribution, and schedule options. Please note that these options must be decided at time of sale and cannot be modified after the order is placed.

Need help understanding a term? See our [glossary of solar and photometric terms](#) for more information.

Light color	
-------------	--

KELVIN COLOR TEMPERATURE CHART



Select solar lighting according to kelvin temperature.

Neutral light (4,500 K) is the most common type of lighting. It creates a comfortable, natural white light with a slight blue cast. Neutral lighting provides excellent visibility, and is commonly used for headlights, parking lots, and warehouses.

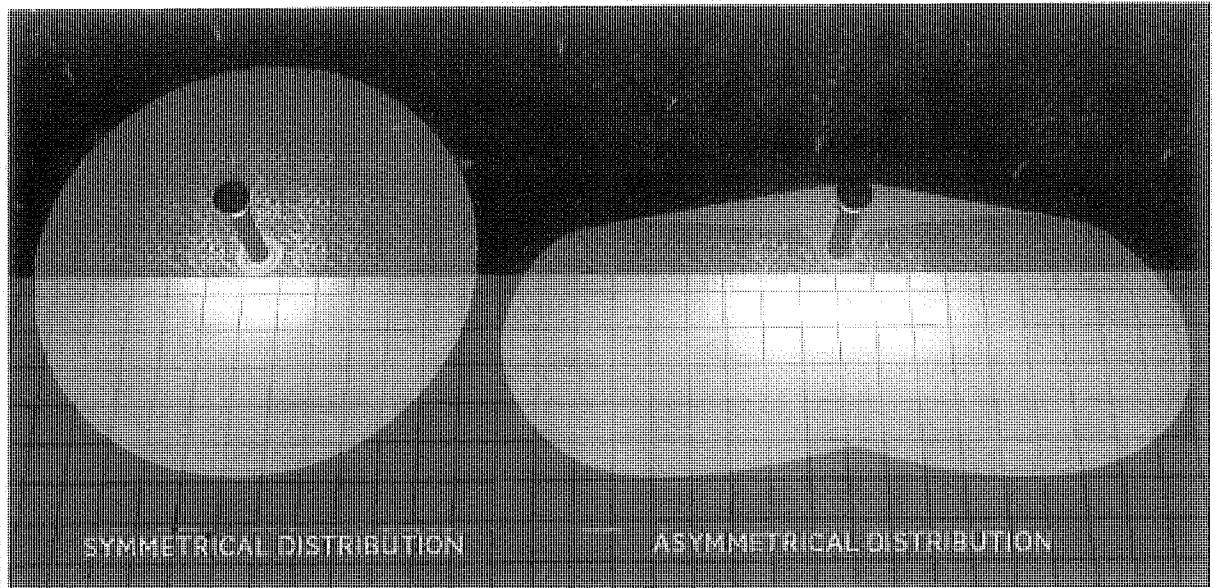
Warm light (3,000 K) emits a slight yellow cast to produce softer ambiance—similar to an incandescent bulb. Warm lighting uses slightly less energy, but doesn't provide the same visibility as neutral lighting. Warm lighting fixtures are often used to accent building or landscape architecture.

Light distribution

Solar bollards distribute light downwards and to each side to illuminate the ground—less than 2.5 percent of total emitted light escapes above 90 degrees.

Symmetrical configurations disperse light in a circular pattern, reaching up to 14 feet in all directions. It creates a condensed and even distribution. Symmetrical lighting is ideal for contained or open areas and medians.

Asymmetrical configurations emit directional light to one side, creating elongated, skewed distribution that reaches up to 20 feet. Asymmetrical lighting is ideal for narrow sidewalks and pathways.



Select lighting distribution at time of order.

Solar lighting bollards have an average luminous output of 200–300 lumens. To avoid breaks between lit areas, asymmetrical distributions should be placed within 12 feet of one another. Symmetrical distributions are generally used to provide accent lighting and wayfinding, and do not need to provide uniform illumination. These can be spaced at varying distances based on the application.

For more exact performance, a lighting specialist, engineer, or architect can help determine average and minimum illuminance values based on the weather patterns and daylight hours typical to your region; this will inform optimal placement of solar bollards. View the [LEED credit submittal](#) form for a summary of lighting intensities at different points within each distribution pattern.

Lighting schedule

Select 1 of 5 program schedules. EMS will conserve energy when less light is required, prolonging optimal output in adverse weather.

Program 1

- On at sunset: Maximum illumination
- At 5 hours: 30 percent illumination
- 1 hour before sunrise: Maximum illumination
- Off at sunrise

Program 3

- On at sunset: Maximum illumination
- Off at 6 hours

Program 5

- On at sunset: Maximum illumination
- Off at 5 hours
- On 1 hour before sunrise
- Off at sunrise

Program 2

- On at sunset: Maximum illumination
- Off at sunrise

Program 4

- On at sunset: Maximum illumination
- At 6 hours: 30 percent illumination
- Off at sunrise

STAFF REPORT TO COUNCIL

From: Director of Infrastructure Services
 Meeting Date: May 7, 2018
 File No:
 RE: **4TH AVE ROCKY CREEK CROSSING**

RECOMMENDATION:

That Council:

1. Direct staff to move forward with the construction of a pre-cast concrete bridge structure over Rocky Creek on 4th Ave.
2. Omit approach slabs from the design.
3. Upon conformation of the project geotechnical Engineer that spread footing are suitable for this project, piles be deleted.
4. Direct staff to revise the Rock Creek Culvert Project budget to \$1,032,000 with the additional funds to come from the Infrastructure Reserve, the Water Reserve and Prior Year Surplus, and amend the 2018-2022 Financial Plan.

PURPOSE:

To have Council provide direction regarding construction of a new creek crossing structure over Rocky Creek on 4th Ave.

PREVIOUS COUNCIL DIRECTION

CS 2017-425	12/18/2017	That Council provide early budget approval for the following capital projects: <ul style="list-style-type: none"> • Rocky Creek Storm • Rocky Creek Culvert • Holland Creek Bridge Inspection • Development Cost Charges Review • Equipment Replacement Purchases • Clarke Road Storm • Storm water improvements to Public Works • Safety Upgrades to 1st Avenue (bollards) • Asset Management (condition assessment) • Carpentry Tools and Self Retracting Lifeline & Tripod
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INTRODUCTION/BACKGROUND:

In the late winter/early spring of 2018 the Town experienced two larger storm events that resulted in storm flows on Rocky Creek exceeding the capacity of the existing culvert on



4th Ave. The first event washed out the sidewalk and most of the south bound lane of 4th Ave. Staff completed a temporary repair and was able to get the two lanes reopened. A second event occurred a number of weeks later that again damaged the upstream sidewalk and a portion of the southbound lane. At this point under recommendations from an engineer, staff closed the southbound lane and initiated an inspection program to monitor the crossing.

During the inspections after the two events it was determined that the existing culvert was failing and a portion of the upstream section of the culvert had begun to collapse. Consultation with an engineer confirmed that the structure was in need of complete replacement.

Herold Engineering (Herold) was retained to complete design services for the structure. The first part of this work involved sizing the structure and providing crossing structure options.

Three options were investigated: Steel Arch Culvert, Concrete Box Culvert and a Precast Concrete Bridge. All three options will accommodate the 200 year flood volumes and will accommodate fisheries requirements. Herold has prepared a technical performance matrix of the options. Based on this matrix the precast bridge scores significantly above the concrete box culvert and the steel arch culvert. The cost for the precast bridge is however the most costly structure, \$155,000 above the steel arch culvert and \$110,000 above the concrete box culvert. Herold has indicated that eliminating approach slabs could reduce the cost of the bridge by \$45,000 and utilizing spread footing rather than pile could result in an additional \$35,000 saving.

As Herold has indicated eliminating approach slabs may result in some settling occurring at the approaches, this can be rectified by periodic approach paving. Staff recommends that the approach slabs be eliminated. Utilizing spread footing rather than piles can only be determined after the site geotechnical work has been completed. Staff recommends that if the geotechnical engineer confirms that spread footings are feasible that this change be made.

Based on the engineers recommendation and the proposed potential saving staff is recommending that Council proceed with construction of pre-cast concrete bridge.

ALTERNATIVES:

Council could decide to proceed with either a concrete box culvert or a steel arch culvert. Either option provides for the 200 year flood volumes as well as meets fisheries requirements. These options require more instream work which may have impacts on the construction window particularly when construction extends into the fall/winter rainy season. Even given ideal working conditions the construction period for either of these two options is one month longer than the bridge.

FINANCIAL IMPLICATIONS:

Council has budgeted \$750,000 in its 2018 budget for the installation of a new 4th Ave. structure over Rocky Creek. The project is currently funded from Infrastructure Reserve (\$275,000) and Gas Tax Reserves (\$500,000).

The estimated construction cost of the three options is as follows:

Option	Construction Cost	Contingency (20%)	Total	Deviation From Budget
Pre-cast Concrete Bridge	\$860,000	\$172,000	\$1,032,000	\$282,000
Concrete Box Culvert	\$750,000	\$150,000	\$900,000	\$150,000
Steel Arch Culvert	\$705,000	\$141,000	\$846,000	\$96,000

Costs in excess of the budget will need to be obtained from reserves. It is recommended that the additional funding for the pre-cast bridge is made up of:

- \$50,000 from Infrastructure Reserve
- \$200,000 from Prior Year Surplus
- \$32,000 from Water Reserves

LEGAL IMPLICATIONS:

Staff have not identified any legal issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The development area north of the Rocky Creek crossing on 4th Ave. is 100 per cent reliant on this route for all regular access; no other Town road network provides access to this area. In cases of emergency there is an alternative route into and out of this area utilizing the Timber West logging road that can be accessed off of the north end of 4th Ave.

Since the second storm event last winter/spring 4th Ave has been operating as a single lane over Rocky Creek, although this has been operating satisfactorily, it can be inconvenient for local residents. The inconvenience will become more pronounced as traffic to the sports facility at the end of 4th Ave. increases.

Staff have received many comments from residents in this area concerned with the existing situation as well as the lack of a second road network into this area.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This project will be tendered and Herold will provide construction supervision.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- Complete Community Land Use
- Green Buildings
- Low Impact Transportation
- Multi-Use Landscapes

- Innovative Infrastructure
- Healthy Community
- Not Applicable

- Local Food Systems
- Local, Diverse Economy

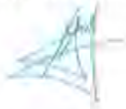
ALIGNMENT WITH STRATEGIC PRIORITIES:

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

- Natural & Built Infrastructure
- Partnerships
- Not Applicable

SUMMARY:

The Rocky Creek culvert on 4th Ave. has begun to fail and engineering review has indicated that it is significantly undersized. Herold Engineering has provided three options for replacement of the structure which include a pre-cast concrete bridge, concrete box culvert and a steel arch culvert. Based on the recommendation of the Herold staff are recommending that council move forward with the construction of the pre-cast concrete bridge. The overall construction cost estimate of the bridge option including a 20% contingency is \$1,032,000.



Geoff Goodall, Director of Infrastructure Services

May 1, 2018

I concur with the recommendation.

Guillermo Ferrero, City Manager

ATTACHMENTS:

Herold Engineering Report April 30, 2018

April 30, 2018

0037-075

Via email: kgoldfuss@ladysmith.ca

Town of Ladysmith, Infrastructure Services Department
330 Sixth Ave, Box 220
Ladysmith, BC
Postal Code

Attn: Kevin Goldfuss, Manager of Operations

**Re: 4th Avenue Culvert Replacement at Rocky Creek, Ladysmith, BC
Option Analysis**

Dear Kevin:

This letter summarizes the preliminary option analysis for the re-construction of the 4th Avenue culvert, located over Rocky Creek in Ladysmith, BC. For this study, three (3) design options were investigated and order of magnitude costs were generated for each option, to provide the comparative basis for our recommendation.

This study was triggered by a heavy rainfall event that occurred in January of this year and resulted in settlement of the sidewalk on the South side of 4th Avenue. Upon later investigation at a time with less water in the creek, it was discovered that the steel arch culvert is experiencing partial failure in the form of separation of the southmost section of culvert from the rest of the structure resulting in both settlement and water ingress into the overlying soils. A further desktop Hydrotechnical study indicated that the existing culvert is undersized and not capable of accommodating the estimated 200 year flood volumes. It should also be noted that the natural stream width upstream of the culvert is in the order of 8-10m and the current culvert width of 3m significantly restricts the width of flow under 4th avenue.

The three options investigated in this study include:

- **OPTION 1 – Pre-Cast Concrete Bridge**

-An 18m single span bridge, using pre-cast concrete box girders

- **OPTION 2 – Concrete Box Culvert**

-A 6m wide cast-in-place concrete box culvert

- **OPTION 3 – Steel Arch Culvert**

-A 9m diameter coated steel arch culvert.

Preliminary sketches of these options are attached to this letter.

Of the three options, the bridge option provides the best overall technical performance and offers the least time on site (shortest road closure) because most of the bridge components can be pre-fabricated prior to a significant site mobilization. The bridge offers the best hydraulic performance and if founded on piles would provide the best resistance to scour and settlement.

The options given in this letter should therefore not be taken as a “like-to-like” comparison, as the bridge is a technically superior structure in this installation. The point based comparison table that follows gives an indication of the relative technical performance of the three structures. The two culvert options would perform similarly, with the concrete culvert having better durability and longevity than the steel option (but for a higher construction cost and potentially longer road closure).

Table 1 Comparison of Options Technical Performance	Option 1	Option 2	Option 3
	Pre-Cast Concrete Bridge	Concrete Box Culvert	Steel Arch Culvert
Contract Risk	15	5	5
Environmental Impact	15	10	10
Aesthetics	10	5	10
Performance of the Hydraulic Opening	15	10	5
Scour/Settlement Resistance	15	5	5
Maintenance / Durability	15	10	5
Total technical points	85	45	40

As can be seen from the table, the bridge option outperforms the culvert options in most technical areas. It does however come with a higher estimated construction cost as indicated in the following table:

Table 2 Comparison of Options Cost and Schedule	Option 1	Option 2	Option 3
	Pre-Cast Concrete Bridge	CIP Concrete Box Culvert	Steel Arch Culvert
Estimated Construction Cost	\$860,000	\$750,000	\$705,000
Estimated Road Closure Time	4 months	5 months	5 months

Since designs are preliminary at this stage, the cost estimates presented are order of magnitude only. Costs for approach roadworks, project management and engineering are included, but owner costs and contingencies are not. At this stage, budgeting should include an additional contingency of 20% beyond the numbers shown in table 2.

As mentioned, the bridge option does potentially offer a better schedule in terms of on-site time and road closure time. The bridge also provides lower risk in terms of in-stream work. De-watering and restriction of work to within the Fisheries Window are less of an issue with bridges because most of the work is done outside the wetted perimeter of the stream.

Costs for the bridge option could be mitigated by omitting a few bridge elements, but each omission would represent a technical or functional compromise as follows:

- Omit approach slabs, deduct \$45,000 from estimate. The risk of this omission is potential settlement at the bridge approaches. This omission is not uncommon for lower speed and volume roadways where the owner opts for some up-front economy and mitigates settlement with regular repaving at approaches.
- Use spread footings instead of piles, deduct \$35,000 from Bridge estimate. This option may or may not be feasible, depending upon the detailed geotechnical investigation and would represent a technical compromise in the form of potential settlement and scour.

Recommendation:

Because the bridge offers the best value in terms of overall technical performance versus cost, we recommend that Option 1 – Pre-Cast Concrete Bridge be adopted as the preferred design solution for the project.

Since the existing structure is experiencing partial failure, we understand that there is some urgency to complete design and proceed with construction this summer if possible. We therefore recommend that the permitting process be undertaken with the Province as soon as possible.

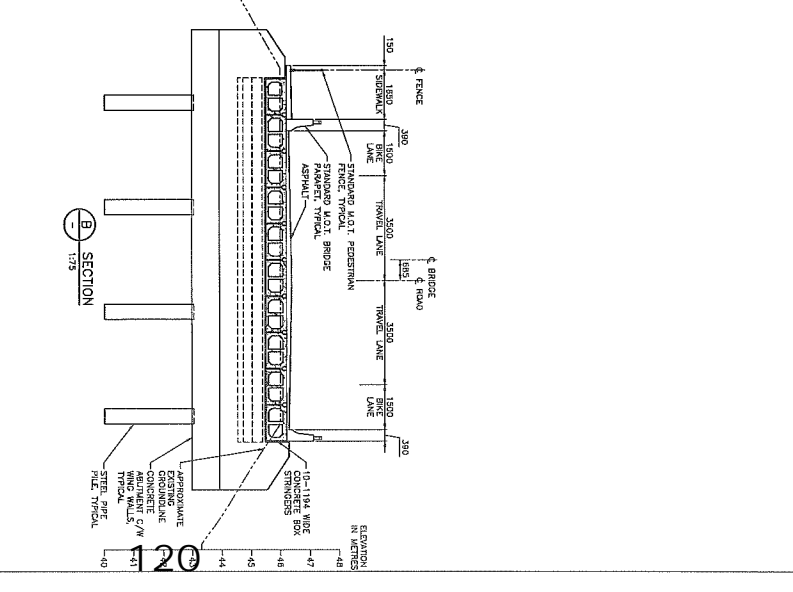
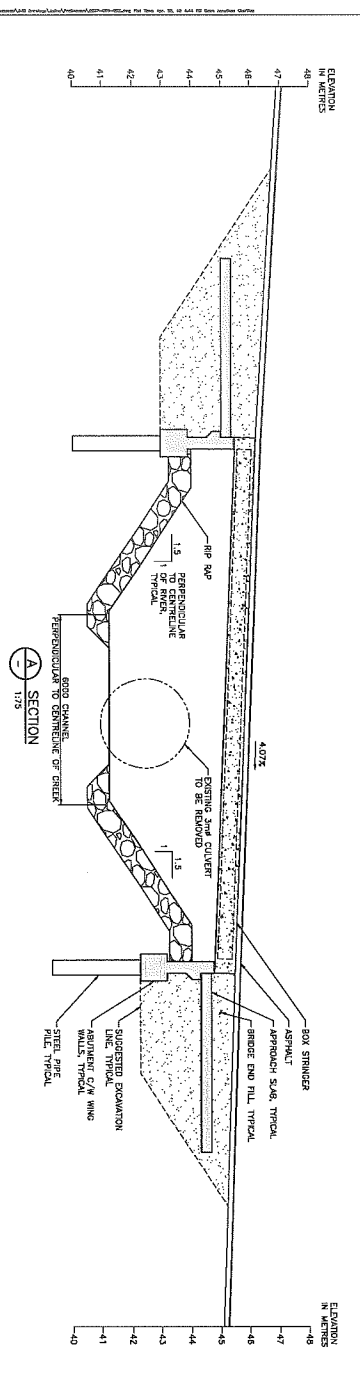
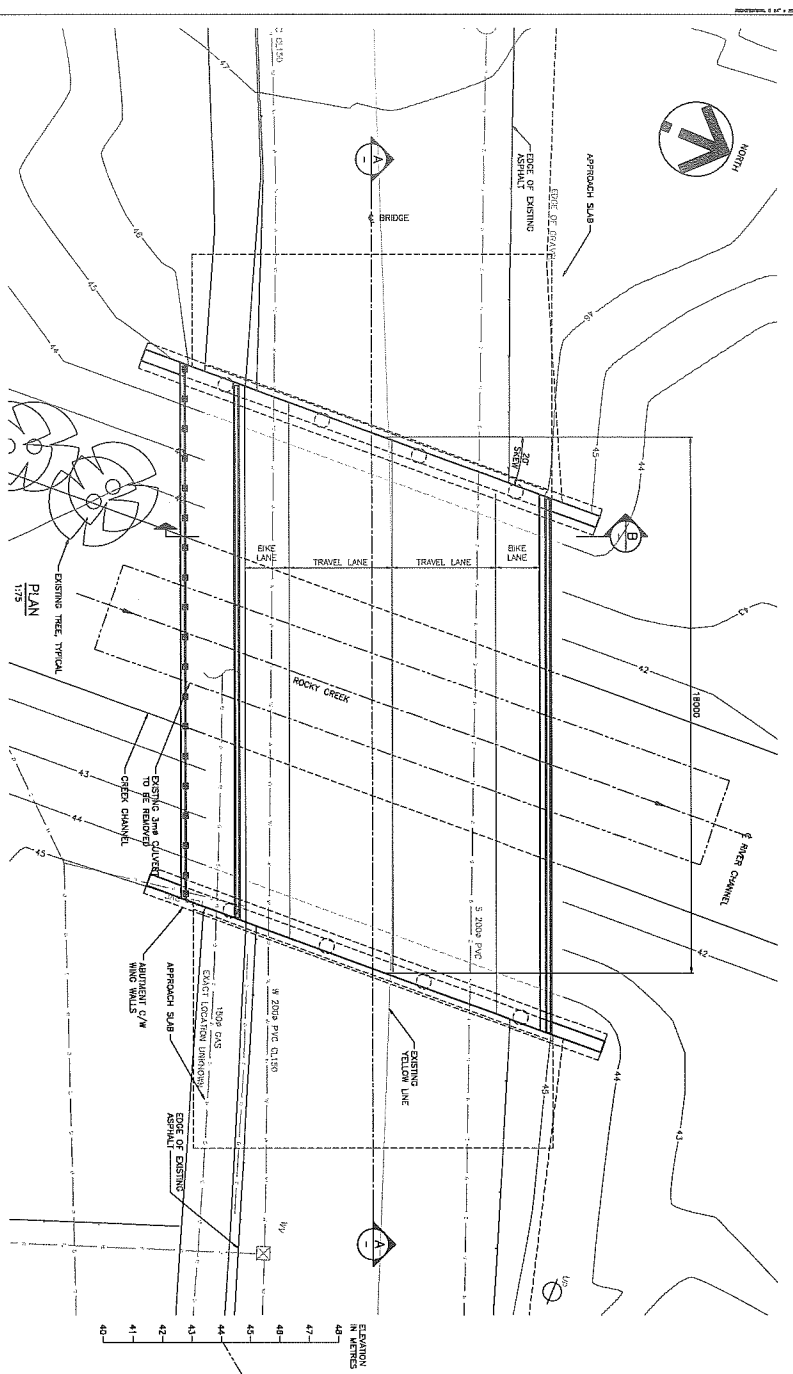
Yours truly,

HEROLD ENGINEERING LIMITED



Steve Scott, P.Eng.
Principal

Attachments: 0037-075 SK2, SK3, SK4



DATE ISSUED FOR	ISSUES	DATE ISSUED FOR	ISSUES	DATE ISSUED FOR	ISSUES
2013.03.21	PLAN REVIEW	2013.03.21	PLAN REVIEW	2013.03.21	PLAN REVIEW
2013.03.21	PLAN REVIEW	2013.03.21	PLAN REVIEW	2013.03.21	PLAN REVIEW

DATE	BY	DESCRIPTION
2013.03.21	M. B. BROWN	ISSUED FOR REVIEW
2013.03.21	M. B. BROWN	ISSUED FOR REVIEW
2013.03.21	M. B. BROWN	ISSUED FOR REVIEW

DATE	BY	DESCRIPTION
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2013.03.21	M. B. BROWN	ISSUED FOR REVIEW
2013.03.21	M. B. BROWN	ISSUED FOR REVIEW

NOT FOR CONSTRUCTION

ISSUED FOR REVIEW

OPTION 1: 1.8 METRE BRIDGE

4TH AVENUE CULVERT REPLACEMENT

410 ESPLANADE LADYSMITH BC V9G 1A2

TOWN OF LADYSMITH

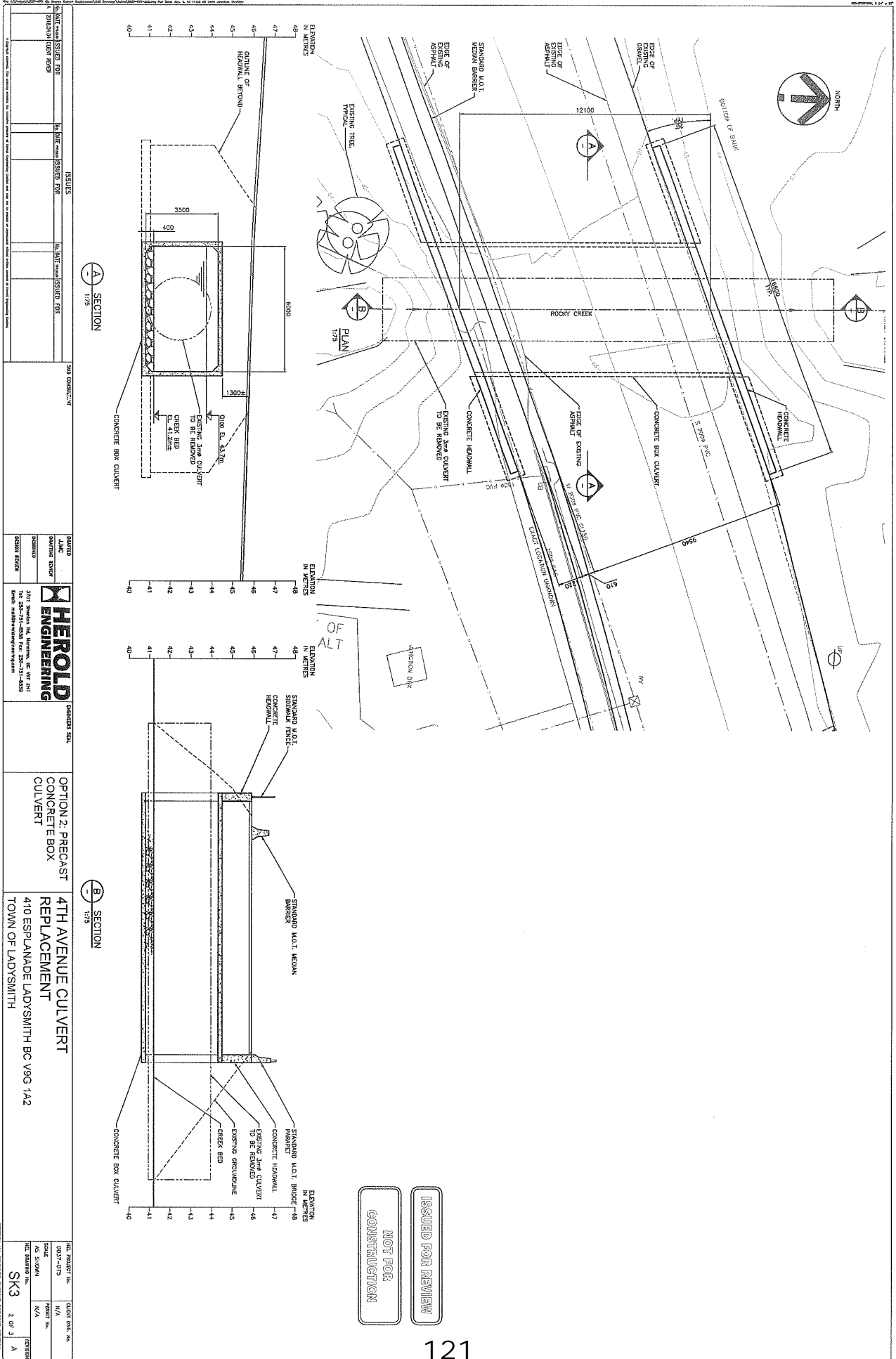
SCALE: 1:20

DATE: 2013.03.21

BY: M. B. BROWN

PROJECT: 4TH AVENUE CULVERT REPLACEMENT

1 OF 3



ISSUES	NO.	DATE	BY	DESCRIPTION

3RD CONSULTANT	DATE	BY	DESCRIPTION

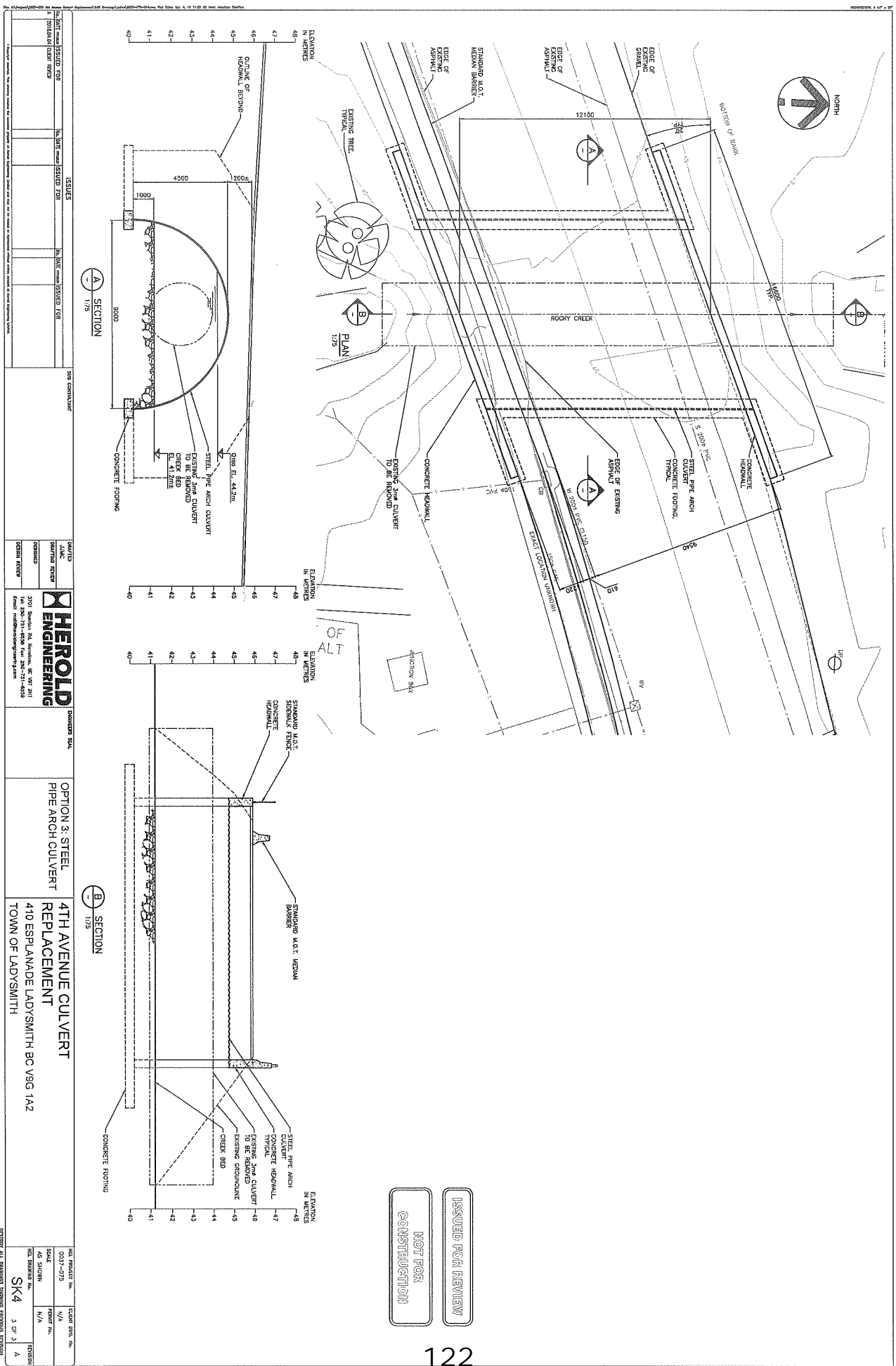
HEROLD ENGINEERING
 3301 Sandwell Rd. Burnaby, BC V4T 2H1
 Phone: 604-291-8822
 Email: info@herold-engineering.com

CONTRACT NO. 142
OPTION 2: PRECAST CONCRETE BOX CULVERT

4TH AVENUE CULVERT REPLACEMENT
 410 ESPLANADE LADYSMITH BC V9G 1A2
 TOWN OF LADYSMITH

REV. PROJECT NO.	003-075	CLIENT PROJ. NO.	N/A
SCALE	AS SHOWN	REVISION NO.	N/A
REV. DRAWING NO.	SK3	DATE	2 OF 3
			A

ISSUED FOR REVIEW
 NOT FOR CONSTRUCTION



SHEET NUMBER: 1001 PROJECT NUMBER: 1001		DATE: 10/15/2010	
DRAWN BY: [Name] CHECKED BY: [Name]		SCALE: 1:50	
PROJECT TITLE: 4TH AVENUE CULVERT REPLACEMENT TOWN OF LADYSMITH		SHEET TITLE: 4TH AVENUE CULVERT REPLACEMENT TOWN OF LADYSMITH	
PROJECT LOCATION: 410 ESPLANADE LADYSMITH BC V9G 1A2		SHEET NUMBER: 3 OF 3	

HEROLD ENGINEERING

2070 Douglas Rd. Kamloops, BC V2C 2H1
 Phone: (250) 835-4444
 Fax: (250) 835-4445
 Email: info@heroldengineering.com

ISSUED FOR REVIEW

NOT FOR CONSTRUCTION

INFORMATION REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
Meeting Date: April 16, 2018
File No:
RE: Appointment of Chief, Ladysmith Fire/Rescue

RECOMMENDATION:

That Council appoint Ray Delcourt as Chief, Ladysmith Fire/Rescue in accordance with Town of Ladysmith Fire Department Bylaw 1965, No. 832, effective April 1, 2018:

PURPOSE:

The purpose of this report is to seek Council approval of the newly elected officers of Ladysmith Fire/Rescue.

PREVIOUS COUNCIL DIRECTION

N/A

DISCUSSION:

At its annual General Meeting on April 10, 2018, Ladysmith Fire/Rescue elected the following officers:

- Chief Ray Delcourt
• Deputy Chief Wayne Johnston
• Chief Training Officer Chris Geiger
• Captain Mike Primrose
• Lieutenant Mike Turner
• Lieutenant Jag Basi
• Lieutenant Matt Rickett

Bylaw 832 requires that Council appoint the Fire Chief. Two long-standing members of the department, Al Delcourt and Doug Judson, have retired from Ladysmith Fire/Rescue.

SUMMARY POINTS

Council is required by bylaw to appoint the Fire Chief.

[Handwritten signature]

Manager of Legislative Services

April 12, 2018

I concur with the recommendation.

[Handwritten signature]

Guillermo Ferrero, City Manager



STAFF REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Meeting Date: May 7, 2018
File No: 1820-01
RE: **ADJUSTMENTS TO WATER BILLING ACCOUNTS**

RECOMMENDATION:

That Council approve adjusting the water billing due to leaks for the following properties up to:

1153000 for \$4,621
7040400 for \$4,062

PURPOSE:

The purpose of this staff report is to present to Council specific properties with high water consumption due to water leaks and request authorization to adjust the water billing accounts.

PREVIOUS COUNCIL DIRECTION

Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1930:

Where any account is rendered pursuant to this section, the Director of Finance, in estimating the account, shall consider previous billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director, may affect the consumption of water. The maximum adjustment amount is \$3,000 per account.

INTRODUCTION/BACKGROUND:

Adjustment to water billings due to water breaks or leaks is permitted under the Waterworks Regulation Bylaw. Two properties submitted leak adjustment requests to the Town for consideration. The dollar amount of the adjustments are greater than the \$3,000 authorized by the Director of Finance and require the approval of Council to adjust the billing amounts.

The adjustments are calculated using the consumption during the same period in the previous year as the baseline consumption.

Property owners are to repair the leak on their property within 45 days of notification of high consumption. The notification could be in the form of a notice placed at the property during the meter reading, a letter sent from the Town or the utility bill.

Property owners can apply for one leak adjustment within a ten-year period.

Property 1153000 was notified March 19th, 2018 by Town staff during the quarterly meter readings of a potential leak. The property owner hired a plumbing company to repair the water service between the meter and the house and submitted the cost of that repair to their insurance company. Using historical consumption, the property owner would receive a \$4,621 credit adjustment to their water account.

Property 7040400 was notified March 20, 2018 by Town staff during the quarterly meter readings of high consumption. The property owner found, after calling plumber, that a hose left running under their house and suspects it was a prank. Using historical consumption, the property owner would receive a \$4,062 credit adjustment to their water account. This includes an estimate into the second quarter billing.

ALTERNATIVES:

Council can choose to:

- Not provide an adjustment to the water billing accounts.

FINANCIAL IMPLICATIONS:

Adjustments to the water billing accounts impact the water revenues.

The first quarter water billings were \$196k or 20% of budget revenues. These two adjustments will reduce the revenues in the first quarter by ~4%.

LEGAL IMPLICATIONS:

There are no legal implications to providing an adjustment to the water billing account.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Citizens are encouraged to quickly repair any water leak when it is discovered. The incentive of a potential adjustment supports repairs made in a timely manner.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Utilities department in the Public Works Department is involved from reading the meters, notifying property owners of high consumption and monitoring consumption until it returns to a normal range. Finance calculates the billing and any subsequent adjustments.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Complete Community Land Use

Low Impact Transportation

- Green Buildings
- Innovative Infrastructure
- Healthy Community
- Not Applicable

- Multi-Use Landscapes
- Local Food Systems
- Local, Diverse Economy

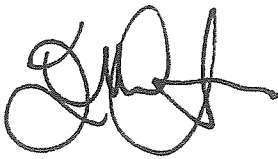
ALIGNMENT WITH STRATEGIC PRIORITIES:

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

- Natural & Built Infrastructure
- Partnerships
- Not Applicable

SUMMARY:

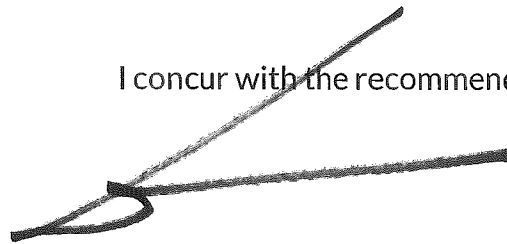
There are 2 properties with water billing adjustments over the \$3,000 approval limit of the Director of Finance. It is up to Council to authorize any addition adjustment to the water billing accounts.



Erin Anderson, Director of Financial Services

October 31, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

none

INFORMATION REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
Meeting Date: May 7, 2018
File No: 0540-20
RE: COUNCIL REMUNERATION COMMITTEE

RECOMMENDATION:

That Council appoint a Select Committee on Council Remuneration , to report to Council with recommendations prior to September 30, 2018.

PURPOSE:

The purpose of this report is to establish a Council Remuneration Committee in accordance with previous Council direction.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2016-014	01/18/2016	That a regular review (survey) and Select Committee on Council Remuneration appointments and recommendations be completed prior to September 30 in the final year of a Council term.
CE 2015-040	03/30/2015	That, in accordance with Section 142 of the Community Charter, Council appoint Jan Christensen, Renee Hutchinson, Mike Hooper and Councillor Hutchins to the Council Remuneration Select Committee to review the current level of remuneration and provision of benefits for Council members, and further, to recommend a Council Remuneration Policy for Council's consideration.

DISCUSSION:

In 2015, Council appointed a Select Committee to review levels of remuneration and benefits for Council members. The Committee, comprised of Mike Hooper, Jan Christenson, Renee Hutchins and Coun. Hutchins, made a series of recommendations to Council which resulted in the adoption of Bylaw 1901, an amendment to Council Remuneration Bylaw 1427 (see attached consolidated bylaw.) The Committee also recommended that a review be conducted prior to September 30 in the final year of a Council term (see Council resolution CS 2016-014, above).

The Committee's report and presentation are attached.



Council is not currently subject to income tax on one third of their elected official income, per Canada Revenue Agency guidelines . The intention of this tax exemption was to cover miscellaneous expenses required to perform the duties of the office. This exemption will be removed in 2019, which essentially decreases the remuneration by 3% and increases the employer CPP and payroll taxes.

SUMMARY POINTS

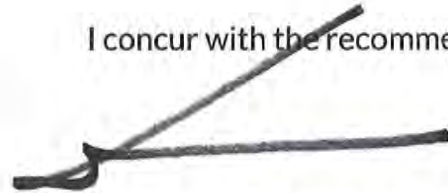
- Council adopted by resolution a recommendation from the Select Committee on Council Remuneration to have the committee conduct a review of Council remuneration prior to September 30 in the final year of a Council term.



Joanna Winter, Manager of Legislative Services

April 24, 2018

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Council Remuneration Bylaw 1427 (consolidated version)
Report and Presentation from Select Committee on Council Remuneration, May 2015

TOWN OF LADYSMITH



COUNCIL REMUNERATION AND EXPENSES BYLAW NO. 1427

MAY 2001

CONSOLIDATED FOR CONVENIENCE ONLY

A BYLAW TO PROVIDE FOR COUNCIL MEMBER REMUNERATION AND EXPENSES

The amendment bylaws which are included in this consolidated version of the "Council Remuneration and Expenses, No. 1427" are:

1660, 1784 and 1901

as on March 10, 2016

TOWN OF LADYSMITH COUNCIL MEMBER REMUNERATION AND EXPENSES BYLAW CONSOLIDATION

This consolidation of the Town of Ladysmith Council Member Remuneration and Expenses bylaw has been prepared exclusively for the use of the Town of Ladysmith for convenience only.

The Town of Ladysmith does not represent that this consolidation is accurate or complete and anyone using this material should confirm its content by reference to the original Bylaws.

TOWN OF LADYSMITH

BYLAW NO. 1427

A Bylaw to provide for Council member remuneration and expenses.

WHEREAS the *Local Government Act* provides that a Council may, by bylaw, provide for one or more of the following payments:

- (a) remuneration to Council members for discharge of the duties of office, of which specified portion may be an allowance for expenses incidental to those duties other than expenses covered by (b) or (c) below;
- (b) all or part of the expenditures made or expenses incurred by a Council member when the Council member is representing the municipality, engaging in municipal business, or attending a meeting, course or convention;
- (c) an allowance, daily or otherwise, for expenses incurred by a Council member when performing activities referred to in (b) above; if those expenses are not covered under that paragraph.

AND WHEREAS the *Local Government Act* provides that, by bylaw, Council must specify the types of expenses and expenditures that may qualify for payment and the levels at which payment may be made;

AND WHEREAS the *Local Government Act* provides that Council may provide greater remuneration for Mayor, Deputy Mayor and Acting Mayor than for other Council members, may limit the types of activities that may qualify for payment, and may set different levels for different types of expenses and expenditures.

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

1. This Bylaw may be cited for all purposes as "Council Member Remuneration and Expense Bylaw 2001, No.1427".
2. In this Bylaw "Municipality" means the Town of Ladysmith

Bylaw 1901 3. (1) For 2016 and each subsequent calendar year, there shall be paid in monthly installments out of annual revenue, an annual remuneration to Council members for discharge of the duties of office, as follows:

- (a) to the Mayor, the amount of Thirty Thousand, Five Hundred and Fifteen Dollars (\$30,515.00);
- (b) to the Councillors, the amount of Fourteen Thousand Four Hundred and Seventy-Five Dollars (\$14,475.00);

4. One third of the remuneration paid pursuant to Section 3 shall be paid as an allowance for expenses incidental to the Council member's discharge of the duties of office other than those in 5 and 6 below.

5. In addition to the remuneration paid in Section 3, the following expenditures or expenses incurred by a Council member when the Council member is representing the municipality, engaged in municipal business or attending a meeting, course or convention, will be paid by the Municipality, at cost, including applicable taxes and gratuities, unless otherwise specified, for:

Bylaw 1901 (a) Mileage accumulated on the Council member's own vehicle for travel outside the Town of Ladysmith in accordance with established Canada Revenue Agency automobile allowance rates.
(b) Rental motor vehicles;
(c) Accommodation for Council member in suitable and economical lodgings;

- (d) Ferry rides for vehicle and one driver or one passenger;
- (e) Taxis or shuttle bus rides;
- (f) Return airfare for trips:
 - (i) to attend the Union of British Columbia Municipalities convention;
 - (ii) to attend to urgent municipal business or to attend meetings involving labour relations matters, administrative tribunal or court proceedings related to the Municipality;
- (g) Parking fees;
- (h) Long distance telephone charges for calls involving municipal business;
- (i) Meals of the guests of the Mayor or Council members while attending a municipal business breakfast, lunch or dinner meeting;
- (j) Long distance fax charges; and
- (k) Photocopying fees.

6. In addition to the remuneration and expenses paid in Section 3 and 5, a meal allowance shall be paid to Council members while attending a meeting, or while on a course, on behalf of the Municipality as follows:

	<u>Maximum: With Receipts</u>
Full Day	\$50.00
Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

- Bylaw 1901** 7. Should a member of Council choose not to accept all or part of his or her remuneration, he or she must:
- (a) advise the Director of Financial Services in writing;
 - (b) specify the requested amount of remuneration; and
 - (c) specify the date this request will come into effect

Such a request cannot be retroactive.

8. Council Member Remuneration and Expense Bylaw 1995, No. 1186 and all amendments thereto are hereby repealed.

- Bylaw 1901** **Citation**
This bylaw may be cited for all purposes as "Council Remuneration and Expense Bylaw 2001, No. 1427, Amendment Bylaw 2016, No. 1901".

READ A FIRST TIME on the 7th day of MAY, 2001
READ A SECOND TIME on the 7th day of MAY, 2001
READ A THIRD TIME on the 7th day of MAY, 2001
ADOPTED on the 22nd day of MAY, 2001

Mayor (R. Hutchins)

Manager of Corporate Services (P.Durban)

I hereby certify this to be a true and correct copy
of "Council Member Remuneration and Expense
Bylaw 2001, No.1427".

Manager of Corporate Services

May 29, 2015

Mayor Aaron Stone and Council
Town of Ladysmith
PO Box 220
Ladysmith, BC V9G 1A2

Dear Mayor Stone and Council:

On behalf of the Select Committee appointed by Council on March 16, 2015 (Mike Hooper, Jan Christensen, Renee Hutchinson and Councilor Hutchins), I respectfully present the following recommendations to Council. The task of the Select Committee was to review the current level of remuneration and provision of benefits for Ladysmith Council members and to make recommendations for the years 2015-2018. The committee members wish to acknowledge that the remuneration of Council is always a controversial topic. We wish to thank Council for their trust in our recommendations and the opportunity to contribute to Council decisions. We also wish to state that we would be available to complete tasks that we are recommending be deferred until 2016.

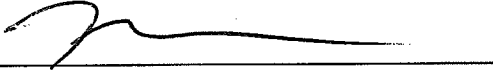
Recommendations:

1. That Ladysmith Council members be compensated at a level that is at a minimum 'average' for their peers and that the compensation include provision for regularly scheduled increases to keep pace with inflation and further, that a complete review be scheduled on a regular basis.
2. That the Mayor of Ladysmith be compensated at the 'average' of similar sized communities surveyed in 2014. It was acknowledged that this knowingly puts the Ladysmith Mayor one year behind in the average compensation. The compensation level from the survey is \$30,515. It is recommended that the effective date of the remuneration be July 1, 2015.
3. That the Council members of Ladysmith be compensated at the 'average' of similar sized communities surveyed in 2014. It was acknowledged that this knowingly puts the Ladysmith Council one year behind in the average compensation. The compensation level from the survey is \$14,475. It is recommended that the effective date of the remuneration be July 1, 2015.
4. That there be no change to the benefits package at this time; however, it is recommended that a review of benefits be completed by September 2016.
5. That a regular review (survey) and Select Committee appointment and recommendations be completed prior to Sept 30 on the final year of a Council term.
6. That the per diem rate (\$50 per day) be reviewed by Council. It appears that the current level dates back to before 2001. As the per diem impacts staff and Council, it is recommended that it be completed by a separate process of best practices.

7. That the compensation for mileage be maintained at the existing practice as guided by CCRA levels.

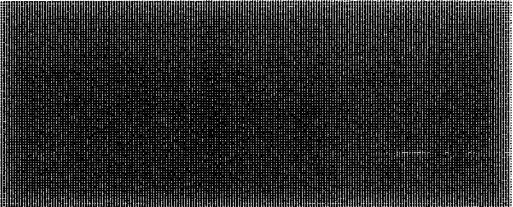
Respectfully,

The Mayor/Council Remuneration Committee



Mike Hooper,
Jan Christenson,
Renee Hutchinson,
Rob Hutchins.

SELECT COMMITTEE
REVIEW OF REMUNERATION AND PROVISION OF BENEFITS
FOR LADYSMITH COUNCIL



COMMITTEE MEMBERS

- Mike Hooper
- Jan Christenson
- Renee Hutchinson
- Councillor Rob Hutchins

COMMITTEE MANDATE

Review the current level of remuneration and provision of benefits for Ladysmith Council members and make recommendations for the years 2015 – 2018.

MUNICIPALITIES REVIEWED	
<input type="checkbox"/> Revelstoke	<input type="checkbox"/> Town of View Royal
<input type="checkbox"/> Ladysmith	<input type="checkbox"/> Creston
<input type="checkbox"/> Kitimat	<input type="checkbox"/> North Sannich
<input type="checkbox"/> Qualicum Beach	<input type="checkbox"/> Peachland
<input type="checkbox"/> Quesnel	<input type="checkbox"/> Duncan
<input type="checkbox"/> Castlegar	<input type="checkbox"/> Oliver
<input type="checkbox"/> Trail	<input type="checkbox"/> Osoyoos
<input type="checkbox"/> Nelson	<input type="checkbox"/> Gibsons
<input type="checkbox"/> Merritt	<input type="checkbox"/> City of Williams Lake
<input type="checkbox"/> Kimberley	

RECOMMENDATIONS
<input type="checkbox"/> Ladysmith Council members be compensated at a level that is at a minimum 'average' for their peers.
<input type="checkbox"/> Compensation include provision for regularly scheduled increases to keep pace with inflation and further.
<input type="checkbox"/> Mayor of Ladysmith be compensated at the 'average' of similar sized communities surveyed in 2014 – effective July 1, 2015.
<input type="checkbox"/> Council members of Ladysmith be compensated at the 'average' of similar sized communities surveyed in 2014 – effective July 1, 2015.

RECOMMENDATIONS
<input type="checkbox"/> That there be no change to the benefits package at this time; however, it is recommended that a review of benefits be completed by September 2016.
<input type="checkbox"/> Regular review (survey) and Select Committee appointment and recommendations be completed prior to Sept 30 on the final year of a Council term.
<input type="checkbox"/> Per diem rate (\$50 per day) be reviewed by Council, as the current rate dates back to before 2001.
<input type="checkbox"/> That the compensation for mileage be maintained at the existing practice as guided by CCRA levels.

TOWN OF LADYSMITH

BYLAW NO. 1956

A bylaw establishing the Financial Plan for the years 2018-2022

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

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

Administration

- (1) Schedule "A" attached hereto and made part of the bylaw is hereby adopted and shall be the Financial Plan for the Town of Ladysmith for the five years ending the 31st of December, 2022.
- (2) Schedule "B" attached hereto and made part of the bylaw is hereby adopted and shall be the statement of objectives and policies for the Town of Ladysmith for the five years ending the 31st of December 2022.

Repeal

- (3) The "Town of Ladysmith Financial Plan Bylaw 2017, No. 1926" is hereby repealed.

Citation

- (4) This bylaw may be cited for all purposes as "*Town of Ladysmith Financial Plan Bylaw 2018, No. 1956*".

READ A FIRST TIME on the 16th day of April, 2018

READ A SECOND TIME on the 16th day of April, 2018

READ A THIRD TIME on the 16th day of April, 2018

ADOPTED on the _____ day of May,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule 'A' of Bylaw 1956

2018 – 2022 Financial Plan

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
REVENUES:					
Revenue From Property Tax Values	7,961,111	8,271,026	8,684,577	9,274,202	9,452,677
Revenue From Grants In Lieu	165,877	169,195	172,578	176,029	179,550
Revenue From Parcel Taxes	2,557,527	2,872,983	3,182,797	3,205,506	3,228,669
Revenue From Fees & Charges	4,361,409	4,486,497	4,537,612	4,628,364	4,720,936
Revenue From Other Sources	11,045,715	6,810,030	1,631,913	842,515	918,046
	<u>26,091,639</u>	<u>22,609,731</u>	<u>18,209,477</u>	<u>18,126,616</u>	<u>18,499,878</u>
EXPENSES:					
General Operating Expense	11,009,288	10,442,291	10,652,154	10,865,191	11,082,474
Sanitary Sewer Operating Expenses	1,944,203	1,394,299	1,591,647	1,623,473	1,655,940
Water Operating Expenses	1,294,475	1,127,347	1,399,894	1,427,886	1,456,439
Interest Payments	495,201	506,106	889,144	1,124,311	1,087,022
Amortization	3,211,065	3,275,286	3,340,792	3,407,608	3,475,760
	<u>18,054,232</u>	<u>16,745,329</u>	<u>17,873,627</u>	<u>18,448,470</u>	<u>18,737,635</u>
Annual Surplus/Deficit	8,137,407	5,864,402	335,846 -	321,853 -	257,757
Add back:					
Amortization	3,211,065	3,275,286	3,340,792	3,407,608	3,475,760
Capital Expenditures					
General Capital	5,984,154	1,934,500	1,443,000	11,744,200	2,959,752
Sanitary Sewer Capital	919,927	430,000	320,000	590,000	280,000
Water Capital	15,014,169	10,546,000	7,215,000	550,000	5,090,000
	<u>21,918,250</u>	<u>12,910,500</u>	<u>9,078,000</u>	<u>12,884,200</u>	<u>8,329,752</u>
Proceeds from New Debt	(5,016,472)	(3,660,000)	(4,985,675)	(10,400,000)	(2,250,752)
Principal Payments	835,237	857,942	1,220,909	1,397,361	1,462,889
Transfers from Reserves	(1,465,972)	(625,699)	(978,262)	(328,132)	(3,549,045)
Transfer to (from) Own Funds	(4,922,571)	(343,055)	(558,334)	(467,674)	(774,841)
	<u>(10,569,782)</u>	<u>(4,170,812)</u>	<u>(4,291,362)</u>	<u>(10,798,385)</u>	<u>(5,011,758)</u>
Financial Plan Balance	-	-	-	-	-

Schedule 'B' of Bylaw No. 1956

**Town of Ladysmith 2018 – 2022 Financial Plan
Statement of Objectives and Policies**

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

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

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2018. Council currently has no specific policy surrounding the proportion of total revenue to come from each funding source. Property taxes form the greatest proportion of revenue. As a revenue source, property taxation offers a number of advantages, for example, it is simple to administer and it is fairly easy for residents to understand. It offers a stable and reliable source of revenue for services that are difficult or undesirable to fund on a user-pay basis. These include services such as general administration, fire protection, police services, bylaw enforcement and street lighting.

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

Objective

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

Policies

- The Town will review all user fee levels to ensure they are adequately meeting both the capital and delivery costs of the service.
- Water and Sanitary Sewer Rates will be reviewed to ensure that appropriate user fees are charged, rather than taxation, to lessen the burden on its limited property tax base.
- Borrowing will be considered when a capital project will provide benefits to taxpayers over a long period.
- Pursuant to Council's direction, the Town will build a reserve to fund major capital projects. For 2018, a minimum of 8% prior year's municipal tax levy will be transferred to General Capital projects as well as setting aside a further 5% for asset replacement. For the years 2019-2022, a 10% prior year's municipal tax levy to General Capital projects.

Table 1: Sources of Revenue

<u>Revenue Source</u>	<u>2018</u>	<u>% total</u>
Property Taxes	7,961,111	20.71%
Grants in Lieu	165,877	0.43%
Parcel Taxes	2,557,527	6.65%
User fees & Charges	4,361,409	11.34%
Other Sources	289,635	0.75%
Borrowing	5,016,472	13.05%
Government Grants	10,756,080	27.97%
DCCs & Reserves	1,465,972	3.81%
Own Funds	5,876,825	15.29%

Distribution of Property Tax Rates

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

Objectives

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

Policies

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

Table 2: Distribution of 2018 Property Tax Rates

Property Class	2018
	% of Total Property Taxation
Residential (1)	73.02%
Utilities (2)	0.35%
Supportive Housing (3)	0.00%
Major Industry (4)	11.84%
Light Industry (5)	0.77%
Business and Other (6)	13.73%
Managed Forest Land (7)	0.00%
Recreation/Non-profit (8)	0.28%
Farmland (9)	0.01%
Total	100%

Permissive Tax Exemptions

The Town provides permissive tax exemptions. The Permissive Tax Exemption Bylaw 2017, No.1935, adopted on October 16, 2017, contains a list of property exempt from taxation for 2018. Some of the eligibility criteria for permissive tax exemptions include the following:

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

Objective

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

Policies

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

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

Table 3: Utilization of Reserves, Development Cost Charges and Surplus for 2018

Source	% of Total	Dollar Value
Development Cost Charges - Roads	2%	168,000
Development Cost Charges - Sewer	1%	43,000
Development Cost Charges - Water	1%	102,000
Cemetery Care Fund	0%	1,900
Reserve - Amphitheatre	0%	10,000
Gas Tax Funds	16%	1,142,972
Surplus	80%	5,876,825
Total		\$7,344,697

TOWN OF LADYSMITH

BYLAW NO. 1957

A bylaw for the levying of rates for Municipal, Hospital and Regional District purposes for the year 2018.

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

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

Administration

1. The tax rates for the year 2018 shown on Schedule "A", attached to and forming part of this Bylaw, shall be imposed on the assessed value of all the land and improvements within the Town of Ladysmith for the following purposes of:
 - (a) The Town of Ladysmith General Municipal Purposes – Column 'A';
 - (b) The Cowichan Valley Regional District – Column 'B';
 - (c) The Cowichan Valley Regional District Hospital – Column 'C'.

Citation

2. This bylaw may be cited as the "Town of Ladysmith Tax Rates Bylaw 2018, No. 1957".

READ A FIRST TIME on the 16th day of April, 2018

READ A SECOND TIME on the 16th day of April, 2018

READ A THIRD TIME on the 16th day of April, 2018

ADOPTED on the

Mayor (A. Stone)

Corporate Officer (J. Winter)

**Town of Ladysmith Tax Rates Bylaw 2018, No.1957
Schedule "A"**

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

PROPERTY CLASS		<u>A</u> Municipal	<u>B</u> Cowichan Valley Regional District	<u>C</u> Cowichan Valley Regional Hospital District
1	Residential	4.3110	0.7786	0.5206
2	Utilities	32.3693	2.7251	1.8221
3	Supportive Housing	4.3110	0.7786	0.5206
4	Major Industry	104.1157	2.6472	1.7699
5	Light Industry	18.2273	2.6472	1.7699
6	Business/Other	12.9479	1.9076	1.2755
7	Managed Forest	32.2222	2.3358	1.5618
8	Rec Non Profit	2.9693	0.7786	0.5206
9	Farm	33.9117	0.7786	0.5206

TOWN OF LADYSMITH

BYLAW NO. 1958

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

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

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

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

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

Definitions

1. In this Bylaw:

"Parcel"

Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2018 Revised Assessment Roll and all amendments thereto.

"Group of Parcels"

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

Levy

2. A water parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the water system of the Town, or which is deemed to abut on the said water system.
3. The annual water parcel tax shall be in the amount of Three Hundred and Eight Four Dollars (\$384.00) per parcel or group of parcels.
4. The water parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the water parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.
5. The water parcel tax shall have the same rights and remedies as other real property taxes.
6. Every water parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter*.

Repeal

7. "Water Parcel Tax Bylaw, 2017, No. 1928" is hereby repealed.

Citation

8. This bylaw may be cited as "Water Parcel Tax Bylaw 2018, No. 1958".

READ A FIRST TIME on the 16th day of April, 2018

READ A SECOND TIME on the 16th day of April, 2018

READ A THIRD TIME on the 16th day of April, 2018

ADOPTED on the

Mayor (A. Stone)

Corporate Officer (J. Winter)

TOWN OF LADYSMITH

BYLAW NO. 1959

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

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

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

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

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

Definitions

1. In this Bylaw:
"Parcel" Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2018 Revised Assessment Roll and all amendments thereto.

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

Levy

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

Repeal

7. "Sewer Parcel Tax Bylaw 2017, No. 1927" is hereby repealed.

Citation

8. This bylaw may be cited as "Sewer Parcel Tax Bylaw 2018, No. 1959".

READ A FIRST TIME on the 16th day of April, 2018

READ A SECOND TIME on the 16th day of April, 2018

READ A THIRD TIME on the 16th day of April, 2018

ADOPTED on the

Mayor (A. Stone)

Corporate Officer (J. Winter)

REPORT TO COUNCIL

From: Councillor Duck Paterson
 Meeting Date: May 7, 2018
 File No: 3900-20
 RE: **TOWN OF LADYSMITH SMOKING REGULATION BYLAW 2018, NO. 1936**

RECOMMENDATION:

That Council:

1. Read Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936 a first, second and third time and refer the bylaw to the Minister of Health;
2. Direct staff to mount appropriate “No Smoking” signage at the entrance to parks, public spaces and Town-owned buildings;
3. Direct staff to implement a communications and public education strategy to support the introduction of Bylaw 1936; and
4. Request that the Cowichan Valley Regional District amend “CVRD Clean Indoor Air and Control of Smoking Regulation Bylaw 1995, No. 1672” to remove the Town of Ladysmith.

PURPOSE:

The purpose of this report is to recommend that Council proceed with first three readings of Smoking Regulation Bylaw 1936 and an associated communications and public education strategy.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017-393	12/04/2017	That Council direct staff to prepare a Town of Ladysmith Smoking Regulation Bylaw.
CS 2017-076	Mar-06-2017	That Council ratify the appointment of Councillor Duck Paterson as the Town of Ladysmith representative on the Cowichan Region Smoke-Free Task Force.
CS 2015-378	Nov-16-2015	That Council direct staff to prepare: <ol style="list-style-type: none"> 1. A No Smoking/Clean Air Bylaw once Bill 14, the Tobacco Control Amendment Act, comes into force; 2. An amendment to the Ticket Utilization Bylaw to incorporate fines associated with the No Smoking/Clean Air Bylaw; 3. A Communications Strategy to ensure that the Town’s position on smoking in public places is clearly communicated to the public; and 4. A report on the cost of signage and communications initiatives associated with the proposed No Smoking/Clean Air Bylaw.



Resolution	Meeting Date	Resolution Details
CS 2014-129	Apr-07-2014	That Council direct staff to investigate the suitability of amending the relevant no-smoking regulations in order to include the use of electronic cigarettes in its current enforcement of regional smoking regulations, as requested by the Cowichan Communities Health Network in their correspondence dated March 25, 2014.

INTRODUCTION/BACKGROUND:

Staff began preparing a new Smoking Regulation bylaw in fall of 2016, and were supported in this work by Island Health, who prepared bylaw templates and other supporting materials. In November 2016, representatives of the Our Cowichan Community Health Network appeared before Council and requested that the Town appoint a representative to a regional No-Smoking Task Force. The intent of the Task Force was to develop and encourage implementation of a region-wide No Smoking Bylaw supported by the Cowichan Valley Regional District and all municipal governments in the region. Councillor Paterson was the Ladysmith representative on the Task Force.

The Regional Task Force draft bylaw included cannabis in the definition of smoking, in anticipation of the federal legislation to legalize recreational cannabis. Although the original plan was to have a single region-wide No Smoking bylaw, the Cowichan Region local governments are at different stages of readiness to proceed. Council therefore directed that Ladysmith proceed with its own bylaw in order to regulate smoking (including vaping and smoking cannabis) in the community.

Smoking in Ladysmith is currently governed by the CVRD’s smoking regulation bylaw. Given Council’s direction that Ladysmith proceed to adopt its own updated Smoking Regulation Bylaw, it is further recommended that, for clarity and to ensure the Town’s ability to enforce its own bylaw, the Cowichan Valley Regional District be requested to remove the Town of Ladysmith from its current regional smoking bylaw. Council can consider at a later date whether it wishes to be part of a regional smoking regulation bylaw should the Regional District update its current bylaw.

ALTERNATIVES:

Council can choose:

- Not to proceed with Bylaw 1936 at this time
- To amend Bylaw 1936.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

Council will follow legislative requirements in considering and adopting Bylaw 1936. The Bylaw does not conflict with the recently introduced *BC Cannabis Control and Licensing Act*.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It will be important to implement a public education and awareness campaign with the adoption of this Bylaw. It is anticipated that this bylaw will be generally well received by the public as it is in line with other communities in the Island Health region. The new bylaw also applies to vaping and cannabis.

Communications for Bylaw No. 1936 will be aimed at informing residents, businesses, visitors, media, and stakeholders about the Town's position on smoking and vaping of any products in public places.

The strategy will include the following:

- A news release will be issued to announce the content of the bylaw
- Various media outlets will be approached in an attempt to secure earned media coverage
- A human interest article will be posted on Our Ladysmith, the Town blog, and promoted via social media
- A shorter article will be included in the Town's quarterly utility bill insert newsletter
- A new webpage to explain the content of the bylaw, offer related information, and provide links to related health agencies will be created on the Town's website.
- The bylaw could also be accompanied by a public education campaign launched on World No Tobacco Day May 31, 2018 (and in cooperation with Island Health and the Canadian Cancer Society)
- To demonstrate the Town's commitment to health and wellness, no smoking signage will be posted in public places, park entrances and at Town-owned buildings. Where appropriate, signage can include contact information for QuitNowBC
- Signage could include:
 - Information targeted at youth and those who vape (e-cigarettes)
 - Prohibition of e-cigarettes and cannabis in addition to tobacco

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Bylaw Compliance staff will be responsible for enforcement. Legislative Services staff will be responsible for public communications and education on the changes. Maintenance staff will be responsible for posting signage.

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 |

- Innovative Infrastructure
- Healthy Community
- Not Applicable

- 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:

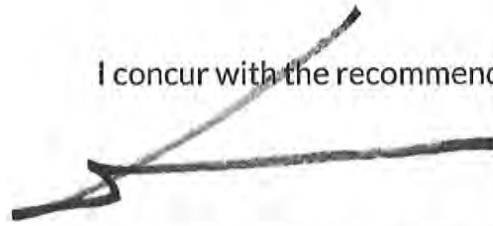
As previously directed by Council, Ladysmith's Smoking Regulation Bylaw is brought forward for first three readings, and referral to the Ministry of Health as required under section 8 of the *Community Charter*. The Bylaw will be supported by a public awareness and education campaign.



Joanna Winter, Manager of Legislative Services

May 1, 2018

I concur with the recommendation.



Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT:

Bylaw 1936

TOWN OF LADYSMITH

BYLAW NO. 1936

A Bylaw to Regulate Smoking in the Town of Ladysmith

WHEREAS it has been determined that Environmental Smoke whether from tobacco, marijuana, heated vapour or the burning of other substances can contain Class A carcinogens, can contain fine particles that can be inhaled deep into the lungs causing harm both locally and in other parts of the body, and is a health hazard and a nuisance to inhabitants and visitors of the Town of Ladysmith;

AND WHEREAS it is generally recognized by scientific and medical communities that there is no safe level of smoke or vapour exposure and that whether the smoking occurs indoors or outdoors exposure to significant levels of Environmental Smoke can occur;

AND WHEREAS it is desirable for the purposes of maintaining, promoting and preserving public health in the Town of Ladysmith to prohibit, regulate and impose requirements in relation to smoking in the Town of Ladysmith;

NOW THEREFORE, the Council of the Town of Ladysmith, in public meeting assembled, hereby enacts as follows:

INTERPRETATION

1. Definitions

In this Bylaw:

“Town” means the Town of Ladysmith

“Council” means the Council of the Town of Ladysmith

“Peace Officer” includes a Bylaw Enforcement Officer appointed by the Town of Ladysmith

“Responsible person” means a person who owns, controls, manages, supervises or operates common public areas;

“Burning” means to produce smoke, vapour or other substances that can be inhaled;

“Bus stop” means a place on a bus route marked by a sign at which buses stop to pick up and drop off passengers and may include a transit shelter;

“Customer service area” means a partially enclosed or unenclosed area, including a balcony, patio, yard or side walk, that is part of or connected to or associated with a

business or use in a building or premises that includes the service of food or alcoholic drinks to customers or other persons for consumption on site;

“Designated public space” includes but is not limited to public playing fields, public playgrounds, public squares, and outdoor public places where individuals are required to queue for the receipt of any service;

“Outdoor workplace” means any outdoor place used in conjunction with the workplace, including but not limited to construction and marine sites as well as sites with flag persons;

“Park” means any real property or property subject to a right of occupation by the Town for the purpose of pleasure, recreation or community uses of the public, including playgrounds, sport courts, natural and landscaped areas, sports fields, trails, walkways and other public places and all improvements and may include beaches, and other public places adjacent to streams including land covered by water, but does not include the travelled portion of a highway;

“Public Facility” includes but is not limited to any outdoor gathering place, buildings and land owned or operated by the Town, including but not limited to parks, playgrounds, sports fields and outdoor public places where individuals are required to queue for the receipt of any service;

“Smoke” or “smoking” means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking device or electronic smoking device that burns or heats tobacco, cannabis, or any other weed or substance. It does not include the carrying of lighted incense or smoking as part of a traditional aboriginal cultural activity;

“Outdoor workplace” means any outdoor place used in conjunction with the workplace including but not limited to construction and marine sites as well as sites with flag persons.

2. Severability

A decision by a court of competent jurisdiction that any part of this Bylaw is illegal, void or unenforceable severs that part from this Bylaw and is not to affect the balance of this Bylaw.

3. Enforcement

The Bylaw Enforcement Officers of the Town of Ladysmith shall be responsible for administration of this Bylaw.

4. Duty of Administration

The intent of this Bylaw is to set standards in the general public interest, and not to impose a duty on the Town of Ladysmith, its employees or any Peace Officer to enforce its provisions and:

- (a) a failure to administer or enforce its provisions or the incomplete or inadequate administration or enforcement of its provisions is not to give rise to a cause of action in favour of any person; and
- (b) the grant of any approval or permission or issuance of any permit is not a representation, warranty or statement of compliance with the Bylaw and the issuance thereof in error is not to give rise to a cause of action.

HEALTH REGULATIONS

5. Prohibition of Smoking

No person shall smoke in, at, on or within 7 meters of any of the following:

- (a) any part of a park within the Town of Ladysmith
- (b) a bus stop;
- (c) a customer service area;
- (d) any designated public place;
- (e) any outdoor workplace;
- (f) common areas of apartment buildings, condominiums and dormitories;
- (g) school grounds;
- (h) motor vehicles when youth under 16 years of age are present;
- (i) any public facility;
- (j) any fully or substantially enclosed workplace;
- (k) inside any part of a building or structure except in a private residence, hotel or motel room;
- (l) any public entrance, open window or air intake

6. Enforcement of Ban on Smoking

A responsible person must not suffer or allow a person to smoke in any of the areas specified in section 5 (a) through (k)

VIOLATIONS AND PENALTIES

7. Offences Under Bylaw

A person who:

- a. violates any provision of this Bylaw or does any act or thing which violates any provision of this Bylaw or allows or permits any other person to do any act or thing which violates any provision of this Bylaw;
- b. neglects to do or refrains from doing anything required to be done by any provision of this Bylaw; or
- c. fails to comply or allows another person to fail to comply, with an order or direction given under any provision of this Bylaw;

is guilty of an offence against this Bylaw, and liable to the penalties imposed under Town of Ladysmith Ticket Information Utilization Bylaw No. 1457.

Each day that an offence against this Bylaw continues or exists shall be deemed to be a separate offence.

ENACTMENT

5. Force and Effect

This Bylaw comes into force and takes effect upon adoption.

6. Citation

This Bylaw may be cited for all purposes as “Town of Ladysmith Smoking Regulation Bylaw, 2018, No. 1936”.

READ A FIRST TIME **on the** **day of** ,

READ A SECOND TIME **on the** **day of** ,

READ A THIRD TIME **on the** **day of** ,

DEPOSITED WITH THE MINISTER OF HEALTH **on the** **day of** ,

ADOPTED **on the** **day of** ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

INFORMATION REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
Meeting Date: May 7, 2018
File No: 3900-20-1309
RE: **STREETS AND TRAFFIC BYLAW AMENDMENTS AND COMMUNICATIONS PLAN**

RECOMMENDATION:

That Council:

1. Approve the Communications Plan for amendments to Streets and Traffic Bylaw 1309 regulating parking and use of boulevards, and
2. Give first three readings to Streets and Traffic Bylaw 1309, Amendment Bylaw 2018, No. 1941.

PURPOSE:

The purpose of Bylaw 1941 is to introduce amendments to Streets and Traffic Bylaw 1309 to regulate parking of recreational vehicles on Town streets and boulevards, as previously directed by Council. Council has previously reviewed the draft amendment bylaw, and it is now brought to Council for first three readings. The attached Communications Plan will guide messaging related to proactive compliance with the bylaw.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2016-208	2016-06-06	That Council direct staff to review the Streets and Traffic Bylaw in response to suggestions regarding long-term storage of non-commercial large trailers, campers and motorhomes on Town-owned property proposed by Robert Lawson in his correspondence dated April 26, 2016.
CS 2017-046	Feb-20-2017	That Council direct staff to bring forward amendments to “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309” that would: 1. Limit the parking of large recreational vehicles (over 6.5m in length), including trailers, motorhomes and camper trucks on Town boulevards to a maximum of 72 hours which would match the current 72 hour time period limit on Town streets; 2. Amend the current bylaw language that restricts the parking of vehicles on Town streets to a maximum of 72 consecutive hours without the vehicle being moved to ensure that the bylaw meets the policy intent, such that “being moved” is described to mean a distance beyond the same one block area; and 3. Prohibit camping/sleeping overnight in all types of vehicles on Town



Resolution	Meeting Date	Resolution Details
		streets and boulevards.
CS 2018-030	2018-02-13	That Council direct staff to amend Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941 as amended to include “boulevard” to the definition of highway, and to remove any reference to recreational vehicle size.
CS 2018-031	2018-02-13	That Council support proactive bylaw compliance on unattached trailers in accordance with Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, due to potential safety and liability risks. OPPOSED: Councillor Arnett

DISCUSSION:

In response to concerns expressed by citizens to Council and through bylaw infraction reporting, Council directed staff to propose amendments to the Streets and Traffic Bylaw to regulate parking on Town streets and boulevards,

The Town’s Bylaw Officer has worked with the Legislative Services Department to develop amendments to the Streets and Traffic Bylaw that will incorporate the direction provide by Council.

These include:

- An updated definition of ‘boulevard’ to remove reference to shoulders of roadways, for clarity
- An amendment to section 32 (parking) to add a reference to parking beyond the time limit designated by a traffic control device and prohibit moving a vehicle within the same block for the purpose of beginning the time period over and thereby extending the parking time limit
- An amendment to section 40(5) to prohibit overnight sleeping or camping on public streets and boulevards.
- A new section 67 that prohibits parking of recreational vehicles, boats, and other vehicles on a Town boulevard for more than 72 hours
- Amendments to the terms ‘Superintendent of Public Works’ and ‘Manager of Development Services’ to reflect current staff position titles.

The key messages to be communicated to citizens are in the attached document.

The Communications Plan is intended to be proactive in educating first in order to seek compliance with the bylaw. The bylaw’s effective date is the date of adoption, however, staff recommend that fines not be issued for three months following bylaw adoption, in order to give residents time to adjust to the bylaw changes.

The Communications Plan will incorporate the key messages, and will include the following proactive approaches:

1. A news release to be issued in conjunction with first three readings of the amendment bylaw. The release will explain the new (and existing) rules and remind residents that parking of unattached RVs and trailers on boulevards is not permitted, and that this is not a new rule.
2. Visits by the Bylaw Compliance Officer to homes where unattached trailers, recreational vehicles and unlicensed vehicles are parked on boulevards reminding them of both the bylaw and the new regulations. This will include leaving a letter explaining the bylaw and the fact that the Town is using a proactive compliance approach with the changes.
3. Educational posts on social media and the Town's website regarding the bylaw amendments, together with key points and frequently asked questions.

SUMMARY POINTS

Streets and Traffic bylaw amendment 1941 is presented for first, second and third readings, together with the communications plan for proactive compliance for Council review and approval.



Manager of Legislative Services

April 30, 2018

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Bylaw 1941
Communications Plan

TOWN OF LADYSMITH

BYLAW NO. 1941

A Bylaw to amend the Streets and Traffic Bylaw 1998, No. 1309 in order to regulate parking.

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Streets and Traffic bylaw;

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

Amendment

1. Delete the definition of "Boulevard" and replace it with the following:

"Boulevard" means that portion of a highway between the curb lines or the lateral lines of a roadway and the adjoining property line and, in the case of a divided highway, that portion between the inside curbs and the lateral line of the roadways.

2. Delete the definition of the term "Manager" and replace it with the following:

"Director of Development Services" means the person appointed as Director of Development Services for the Municipality and includes his/her authorized deputy.

3. Delete each instance of the term of "Manager", and replace each instance with the term "Director of Development Services":

4. Delete the definition of the term "Superintendent of Public Works" and replace it with the following:

"Director of Infrastructure Services" means the person appointed as the Director of Infrastructure Services for the Municipality and includes his/her authorized deputy.

5. Delete each instance of the term "Superintendent of Public Works" and replace it with the term "Director of Infrastructure Services".

6. Amend the definition of Highway to include "Boulevard" and "Sidewalk" so that it reads:

"Highway includes every highway, road, street, lane, boulevard, sidewalk, bridge, viaduct or right-of-way designed, intended for, or used by the general public for the passage of vehicles, cycles or pedestrians and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited."

7. Amend section 32 to read as follows:

32. Notwithstanding any other provision of the Bylaw, no person shall park a vehicle on any highway

(1) beyond the time limit specified by the traffic control device.

(2) in the absence of a traffic control device, for more than seventy-two (72) hours continuously. For the purposes of this section, a vehicle shall be deemed continuously parked for as long as it remains within the public parking lot or on either side of the highway within the block in which it was originally parked.

8. Amend section 40(5) to read as follows:

40(5) No person shall occupy a vehicle, trailer, camper or boat parked on a highway or boulevard for the purpose of lodging, sleeping accommodation or a residence.

9. Add a new section 67 to read as follows:

67. No person shall park a recreational vehicle, boat or trailer on a boulevard for a period longer than 72 hours.

10. Renumber section 67 to be section 68.

11. Replace Schedule "A" (Fine Schedule) with the attached Schedule "A".

Citation

12. This Bylaw may be cited for all purposes as "Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941".

READ A FIRST TIME	on the	day of	,
READ A SECOND TIME	on the	day of	,
READ A THIRD TIME	on the	day of	,
ADOPTED	on the	day of	,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw 1309, Amending Bylaw #5, 2017, No. 1941

SCHEDULE "A"
FINE SCHEDULE

The indicated penalties for alleged offenses committed against this Bylaw are as follows:

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
10(2)	Drive contrary to <i>traffic control device</i>	\$30.00	\$50.00
10(3)	Interfere with <i>traffic control device</i>	\$30.00	\$50.00
10(4)	Remove notice from <i>vehicle</i>	\$30.00	\$50.00
11(1)	Disobey <i>stop sign – stop line</i>	\$30.00	\$50.00
11(2)	Disobey <i>stop sign – crosswalk</i>	\$30.00	\$50.00
11(3)	Disobey <i>stop sign – no stop line/crosswalk</i>	\$30.00	\$50.00
12	Stunting	\$30.00	\$50.00
13	Unnecessary Noise	\$30.00	\$50.00
14	Racing	\$30.00	\$50.00
15	Careless driving	\$30.00	\$50.00
16	Driving over newly painted lines	\$30.00	\$50.00
28(1)	Pedestrian impede <i>traffic</i> on <i>highway</i>	\$20.00	\$35.00
28(2)	Pedestrian impede <i>traffic</i> on <i>sidewalk</i>	\$20.00	\$35.00
28(3)	Busking/Panhandling	\$20.00	\$35.00
29(2)(a)	Cyclist on a <i>sidewalk</i>	\$20.00	\$35.00
29(2)(b)	Cyclist improperly using <i>crosswalk</i>	\$20.00	\$35.00
29(2)(c)	Cyclist on left side of <i>roadway</i>	\$20.00	\$35.00
29(2)(d)	Cyclists riding abreast	\$20.00	\$35.00
29(2)(e)	Cyclist riding without using hands	\$20.00	\$35.00
29(2)(f)	Cyclist not astride seat	\$20.00	\$35.00
29(2)(g)	Cyclist with too many persons	\$20.00	\$35.00
29(2)(h)	Cyclist on <i>highway</i> where prohibited	\$20.00	\$35.00
29(2)(i)	Cyclist without safety helmet	\$20.00	\$35.00
29(3)	Child without safety helmet	\$20.00	\$35.00
29(4)	Cyclist off available bike path	\$20.00	\$35.00
29(5)	Cyclist attached to <i>vehicle</i>	\$20.00	\$35.00
29(6)	Cyclist - undue care on <i>highway</i>	\$20.00	\$35.00
29(7)	Cyclist without lights	\$20.00	\$35.00
29(8)	Play vehicle on roadway	\$20.00	\$35.00
29(9)	Skateboarding in downtown core	\$55.00	\$100.00
30(1)	Parked on wrong side of <i>roadway</i>	\$20.00	\$35.00
30(2)(a)	Left <i>vehicle</i> unsecured	\$20.00	\$35.00
30(2)(b)	Improper wheel position	\$20.00	\$35.00
30(3)	Parked obstructing free passage of <i>traffic</i>	\$20.00	\$35.00
30(4)	Improper <i>angle parking</i>	\$20.00	\$35.00
30(5)	No valid plates	\$20.00	\$35.00
31(1)	Parked on <i>sidewalk</i>	\$20.00	\$35.00
31(2)	Parked blocking <i>driveway</i>	\$20.00	\$35.00
31(3)	Parked in <i>intersection</i>	\$20.00	\$35.00
31(4)	Parked at fire hydrant	\$20.00	\$35.00
31(5)	Parked on a <i>crosswalk</i>	\$20.00	\$35.00
31(6)	Park within 15 metres of a <i>crosswalk</i>	\$20.00	\$35.00
31(7)	Park within 6 metres of a <i>traffic control device</i>	\$20.00	\$35.00
31(8)	Park within 15 metres of a railway track	\$20.00	\$35.00
31(9)(a)	Parked advertising for sale	\$20.00	\$35.00
31(9)(b)	Parked for repair or wrecking	\$20.00	\$35.00
31(9)(c)	Parked displaying signs	\$20.00	\$35.00
31(9)(d)	Parked selling goods	\$20.00	\$35.00

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
31(10)	Parked obstructing <i>traffic</i> at construction	\$20.00	\$35.00
31(11)	Double <i>parked</i>	\$20.00	\$35.00
31(12)	Parked on a bridge or in a tunnel	\$20.00	\$35.00
31(13)	Parked contrary to <i>traffic control device</i>	\$20.00	\$35.00
31(14)	Parked block view of <i>traffic control device</i>	\$20.00	\$35.00
31(15)	Excessive <i>vehicle</i> length – <i>angle parking</i>	\$20.00	\$35.00
31(16)	Parked at bus stop	\$20.00	\$35.00
31(17)	Park within 9 metres of an <i>intersection</i>	\$20.00	\$35.00
32	Parked beyond time limit	\$20.00	\$35.00
33(1)	Parked too long in loading zone	\$20.00	\$35.00
33(2)	Parked too long in passenger zone	\$20.00	\$35.00
34	Parked in <i>disabled zone</i> without permit	\$20.00	\$35.00
36(3)	Disobey direction of a <i>peace officer</i>	\$50.00	\$75.00
37	Littering	\$50.00	\$75.00
38(1)	Abandon container or <i>vehicle</i>	\$75.00	\$100.00
39(1)	<i>Driver</i> fail to correctly state name	\$75.00	\$100.00
39(2)	Pedestrian fail to correctly state name	\$75.00	\$100.00
40(1)	Container without warning protection	\$75.00	\$100.00
40(2)	Place material on <i>roadway</i>	\$75.00	\$100.00
40(3)	Fail to remove material from <i>roadway</i>	\$75.00	\$100.00
40(4)	Interfere with warning protection	\$75.00	\$100.00
40(5)	Use <i>vehicle, trailer, camper</i> or boat for accommodation	\$30.00	\$50.00
40(6)	Interfere in parade or funeral procession	\$30.00	\$50.00
40(7)	Drive over fire hose	\$200.00	\$250.00
41	Fail to remove accident debris	\$30.00	\$50.00
42(1)	Unauthorized signs on <i>highway</i>	\$30.00	\$50.00
43(3)	Fail to comply with Regulations		
	- No oversize permit	\$75.00	\$100.00
	- Contrary to oversize permit	\$75.00	\$100.00
	- Wheels and tires	\$75.00	\$100.00
	- Weighing of <i>vehicles</i>	\$75.00	\$100.00
	- No overload permit	\$75.00	\$100.00
	- Contrary to overload permit	\$75.00	\$100.00
	- Fail to secure load as required	\$75.00	\$100.00
	- Misuse of overload or oversize permit	\$75.00	\$100.00
	- No axles permit	\$75.00	\$100.00
	- Contrary to axles permit	\$75.00	\$100.00
	- Overweight on towing dolly	\$75.00	\$100.00
	- No pilot car as required	\$75.00	\$100.00
	- No flags or lamps as required	\$75.00	\$100.00
45	Fail to obtain <i>highway</i> use permit	\$75.00	\$100.00
46(1)	<i>Heavy Truck</i> off <i>truck route</i>	\$100.00	\$150.00
46(2)	<i>Heavy Truck</i> on no <i>Heavy Truck</i> route	\$100.00	\$150.00
47(1)	<i>Heavy Truck</i> parked in <i>residential district</i>	\$75.00	\$100.00
47(2)(a)	Commercial <i>trailer</i> parked with no motive power unit attached	\$75.00	\$100.00
47(2)(b)	Non-commercial <i>trailer</i> parked with no motive power unit attached	\$20.00	\$35.00
47(3)	Excessive <i>vehicle</i> length in a <i>lane</i>	\$20.00	\$35.00
47(4)	<i>Vehicle</i> over 5,000 kg after hours	\$35.00	\$50.00
47(5)	Commercial <i>truck</i> after hours on the <i>highway</i>	\$75.00	\$100.00
47(6)	Dangerous goods on <i>highway</i>	\$75.00	\$100.00
48(1)	<i>Heavy Truck</i> operating after hours	\$100.00	\$150.00
49	Drive contrary to order of <i>Superintendent of Public Works</i>	\$75.00	\$100.00
50(1)(a)	Exceed licensed gross <i>vehicle</i> weight		**
50(1)(b)	Exceed axle weight permitted		**
50(1)(c)(i)	Exceed load dimensions		**

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
50(1)(c)(ii)	Exceed <i>vehicle</i> dimensions		**
50(1)(d)	Non-conforming distance between axles		**
52	ATV not insured or equipped as required	\$30.00	\$50.00
53	Snowmobile on <i>highway</i> without permit	\$30.00	\$50.00
54	No lights on ATV when required	\$30.00	\$50.00
55(1)	Careless operation of ATV	\$30.00	\$50.00
55(2)	Operate ATV in planting area	\$30.00	\$50.00
55(3)	Operate ATV on sidewalk	\$30.00	\$50.00
55(4)	Operate ATV on railroad right-of-way	\$30.00	\$50.00
55(5)	ATV on private property without permission	\$30.00	\$50.00
55(6)	Operate ATV harassing wildlife	\$30.00	\$50.00
55(7)	Operate ATV in environmentally sensitive area	\$75.00	\$100.00
56	Operate ATV without helmet	\$30.00	\$50.00
67	RV over 6.5 m. parked on boulevard beyond time limit	\$30.00	\$50.00

NOTE: ** Refer to Section 51(2) for penalties

Streets and Traffic Bylaw Amendments Communications Plan

Objective:

To use a proactive compliance approach to communicating changes to the Streets and Traffic Bylaw regarding parking and use of Town boulevards.

Tactics:

1. A news release to be issued in conjunction with first three readings of the amendment bylaw. The release will explain the new (and existing) rules and remind residents that parking of unattached RVs and trailers on boulevards is not permitted, and that this is not a new rule.
2. Visits by the Bylaw Compliance Officer to homes where unattached trailers, recreational vehicles and unlicensed vehicles are parked on boulevards reminding them of both the bylaw and the new regulations. This will include leaving a letter explaining the bylaw and the fact that the Town is using a proactive compliance approach with the changes.
3. Educational posts on social media and the Town's website regarding the bylaw amendments, together with key points and frequently asked questions.

Key Messages

- Town Council has approved amendments to Ladysmith's Streets and Traffic bylaw.
- The Streets and Traffic bylaw prohibits any vehicles, including recreational vehicles, from parking on any town street longer than 72 hrs at one time.
- Further, the bylaw clarifies the definition of 'boulevard'. Some residents are not aware that the area between a roadway and a property line is a boulevard and is Town property.
- It is important to note that unlicensed vehicles and unattached trailers and other items have never been allowed to be stored in these areas. While residents might see it as inconvenient, this is standard in most communities and improves neighbourhood aesthetics and pedestrian and vehicular traffic safety
- The bylaw has also been amended to prohibit camping and sleeping overnight in **all types of vehicles** on Town streets and boulevards.
- While the amendments are effective with the adoption of the bylaw, Town staff will work with residents to ensure that people are aware of the new rules.
- We know it will take some time for people to grow accustomed to this new approach of proactive enforcement. We plan to work with citizens by providing information through a number of public information channels.

- In the beginning, the bylaw officer will talk to residents, explain the situation, and give advisory notices about the bylaw and the changes before any further compliance measures occur.
- We appreciate everyone's cooperation on this matter.

TOWN OF LADYSMITH

BYLAW NO. 1945

A Bylaw to amend Town of Ladysmith Delegation Bylaw 2016, No. 1905, being a bylaw to provide for the appointment of Officers for the Town of Ladysmith and to prescribe the powers, duties and responsibilities of such officers including the delegation of authority.

The Council of the Town of Ladysmith, in open meeting assembled, enacts as follows:

Amendment

1. Bylaw 1905 is hereby amended as follows:

1.1. Replace every instance of “Director of Corporate Services” with “**Corporate Officer**”

1.2. Amend section 8 by adding “and the Corporate Officer”, to read as follows:
“The selection and appointment of all Department Directors *and the Corporate Officer* is delegated to the Chief Administrative Officer.”

1.3. Amend Schedule A as follows:

- Delete “Director of Corporate Services”
- Change “Manager of Administrative Services” to “Manager of Legislative Services”

Citation

2. This bylaw may be cited for all purposes as the “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2018, No. 1945”.

READ A FIRST TIME	on the 16th	day of April	, 2018
READ A SECOND TIME	on the 16th	day of April	, 2018
READ A THIRD TIME	on the 16th	day of April	, 2018
ADOPTED	on the	day of	,

Mayor (A. Stone)

Corporate Officer (J. Winter)

To Sheila Malcolmson
CC: STZ'UMINUS First Nation and Town of Ladysmith
From Cindy Shelest
Date April 20, 2018
Re Freighters parked in front of our home in Ladysmith harbor

Hello Sheila. I'm writing as you advised to express my concerns regarding the freighters that have begun to park in front of our home in Ladysmith harbor.

My concerns are multi-fold and result from the recent events where freighters were parked all along the shoreline in front of Ladysmith, Saltair and further south (apparently due to a trial being run or maybe due to wheat shipments being held up). However what is causing me to write today is the freighter that is currently in front of our home and has been there almost two weeks now. It is closer into the harbor (further north) than the other freighters were. Given the location (so close to the shoreline on both sides) and the time it has been there I am concerned.

In summary, my concerns are:

1. Water pollution – where is the waste going in an area with a public beach and people swimming
2. Damage to shoreline – additional wave motion
3. Impact on wildlife – crab fisheries, otters
4. Impact on marine traffic – kayakers, pleasure boats, fishing boats, log dumps
5. Impact on residents – noise and light pollution

Its location is directly in front of a public beach where people often come to swim and kayak or canoe. It is also at the entrance of Ladysmith harbor and I regularly see small pleasure craft maneuvering around this ship. As well there is commercial traffic, fishing boats for example. And the log dump barge that comes to bring logs to the mills. This freighter is parked right in the path usually used to bring the logs in.

I worry about the safety of having this freighter parked so close to shore (I would estimate less than ½ a km from two shorelines – are there any restrictions on this) and blocking the pathway of marine traffic. I am attaching a picture that I hope shows how close it is. While walking in our neighbourhood I noticed that in some areas north of us it looks right on their doorstep.

I wonder what these ships do with their waste water or sewage when there so long? My understanding is that they are not allowed to dump in the water. Can you confirm this. If it is true it is not allowed, how is this monitored. Alternatively, some have told me that they can dump in the water - the thinking being it will wash out to sea with the tides. In this particular spot however, it is very enclosed and I find it hard to believe that the waste would wash out. One of the pictures I am sending shows a ring of white substance that seems to be emanating from the ship about a week after it parked there and is washing up on the public beach. I worry the waters are being polluted in areas where people swim and marine animals live. At a time when the Town of Ladysmith is investing heavily in water treatment, utilizing

funds from the Clean Water and Wastewater Fund, it seems ironic that these ships would be allowed to come into our waters and negatively impact this vision.

I worry about the impact on wildlife in this area. Crab fishers regularly have buoys directly in this area – is this safe? If these ships drag their anchor along the bottom, will the crabs be impacted. Or is the water pollution impacting the safety of eating these crabs. And is this type of traffic in these waters impacting the fishery at all? I also notice that when these ships are parked there, the otters and herons and seals are not evident along the shore. I have been told that the light pollution at night will impact the otters. These are the concerns I have environmentally.

I also have concerns socially. I do not understand the use of this particular waterway for parking a ship and whether it is a reasonable use of space. It is basically parked between two residential areas. If a large semi-truck parked on the street in front of our home with the lights on all night, would this be tolerated?

And there are further impacts to us personally. The lights are on all night and are very bright. I have attached a picture but I don't think it truly captures the disturbance to our space.

And I worry about the shoreline in front of our homes and if there is damage caused by the waves created when these ships come in and drop anchor and as they rotate their position. When one of the previous freighters came in (which was further outside of the harbor than the current freighter) it created significant wave action along the shoreline.

I would appreciate it if you could comment on my concerns or share them with the appropriate authorities.

Thank you, Cindy Shelest

Ladysmith, BC

CC: STZ'UMINUS ADMINISTRATION OFFICE
Director of Administration: Maureen Tommy B.A., M.A.L.T., C.A.P.A
12611B Trans Canada Highway
Ladysmith, B.C.
V9G-1M5
maureen.tommy@stzuminus.com

CC: TOWN OF LADYSMITH
City Manager: Guillermo Ferrero
410 Esplanade Street, Ladysmith, BC
gferrero@ladysmith.ca <gferrero@ladysmith.ca>

Pictures attached:

First two – show how close this freighter is the shorelines

Third – shows the white foam coming from the ship

Fourth – how bright the lights are (picture doesn't accurately show how bright)



April 24th, 2018

Mayor and Council

The BC SPCA commends North Cowichan council on their expeditious action and unanimous decision to move forward with creating new animal bylaw taking into consideration the welfare and Five Freedoms of our Valley animals.

In conjunction with the changes to the municipal animal control contracts, the BC SPCA Cowichan Branch is taking on a different role in the Cowichan Valley. As a result, we are hopeful that each municipality, through your animal bylaw contractor, will continue to deliver an essential service that the BC SPCA has been historically providing: the on-call service to assist stray sick or injured animals.

Prior to our branch assuming the role of animal bylaw contractor in 1998 for all of the valley communities except North Cowichan, we were the agency people called upon to help stray animals injured or in distress. We responded to these urgent calls utilizing volunteers when available and as funding permitted. Upon receiving funding for our animal control contracts, we went from a predominantly volunteer run shelter to a full service facility with paid staff.

Although there was no provision in any of our contracts to provide after-hours stray pick-up (except in cases of livestock attacks or police assistance), we felt obligated to provide this service, extending beyond our contractual obligations to ensure assistance animals at all times. The BC SPCA provided this service at no cost to each municipality or the regional district. As our animal control contractual obligations gradually reduced from four valley communities to just contracting for the CVRD, the on-call service continued because we still had an animal control officer to fulfill our contract. Effective March 16th, 2018 those duties are now contracted to Coastal Animal Services. Because of this, we have reduced our staffing levels and no longer employ an animal control officer. It also means we no longer receive any local government funding, simply donations from our supporters to perform our mandate and mission work, rather than municipal responsibilities.

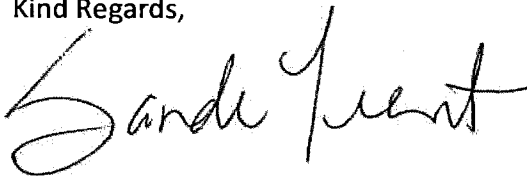
This emergency on-call service is an essential one for the welfare of Cowichan Valley non-human residents. We recommend each municipality negotiate with Coastal Animal Services to ensure there is no interruption for stray pick up of sick or injured animals. This recommended agreement is not unique to the Cowichan Valley; the City of

Nanaimo for years has made provisions for the pickup and care of sick or injured strays in their animal control contract, as does the Capital Regional District. We have met with the Coastal Animal Services team who are aware we would be giving each municipality and regional district notice that the BC SPCA would no longer be providing this service. We feel this is a community responsibility and the responsibility of local governments.

We endeavor to continue to provide invaluable services to the Cowichan Valley through our animal shelter. Our shelter operations provide animal surrender and adoption services but go far beyond. We also offer support services for people seeking advice about their pets, rehoming animals for Coastal Animal Services, adult humane education programming, kids summer camps, advocacy work with local governments and stakeholders, investigations by our regional Special Provincial Constable, as needed assistance to animal control officers, and we continue to build relationships and offer guidance and education in partnership with local First Nation communities. This is the work of our mission and what our donors and members support through their donations.

Since we wish no interruption in stray animals requiring assistance, we have arranged to continue this service for valley animals until June 1st, 2018 and would like confirmation of where we are to redirect calls from the public for this service after that date.

Kind Regards,



Sandi Trent
Branch Manager
BCSPCA Cowichan & District
strent@spca.bc.ca

Ladysmith Expo Trail Stewardship Committee

Mayor and Council

01 May 2018

Town of Ladysmith

410 Esplanade

Ladysmith BC

Dear Mayor and Council,

This letter is to update you on The Expo Trail Stewardship Committee's progress to date. We have been cleaning up the grounds around the Ladysmith Train Station and renewing the sight line from Gatacre St to the Ladysmith Maritime Society docks. We are preserving the Station structure by painting over "tags" and removing brush and litter from around the foundation. Our initial focus has been to cut back the blackberry bushes and other shrubs / weeds to create a safe and intuitive route to and from Town for our visiting mariners. In addition, we installed a temporary sign to direct them to the lights at Roberts St and the highway. The many positive comments they've shared with us confirm success in "phase one"!

We are elated to receive a letter of support from Graham Bruce, the Chief Executive Officer of the Island Corridor Foundation, granting us permission to improve the grounds and maintain the Train Station building, (please see attached).

Our present focus is to put down landscape fabric and/or gravel /wood chips to keep the blackberries and weeds at bay, at locations between the train tracks and the gravel road behind the Expo Legacy bldg, as well as the "parking area" beside the train station, (approximately 6,000 square feet in total). It would be prudent to put two concrete barriers parallel to the tracks to prevent folks unfamiliar with the area from trying to drive across the rail line. We are in talks with the LMS and have received positive feedback that we will become a sub-committee of their organization, which will aid in our ability to account for funds raised to complete projects related to the Expo Trail, and will ensure volunteers are insured. It is our intent to keep improvements simple and easily adaptable, to facilitate changes that may be required when the applicable phase of the Town's Waterfront Area Plan is implemented.

The next phase of improving the view corridor will involve partnering with the Town of Ladysmith, BC Hydro and possibly other local Service Clubs. Previously there was a look-out structure at the south end of the Expo Legacy bldg, across from the mini amphitheatre. We would like permission to clear brush away and remove two dangerous dead trees, to vastly improve the view between the LMS and Gatacre St. It will be necessary to install a railing, similar to the type used at Transfer Beach Amphitheatre, approximately 80 feet in length, along the bank above the access road to LMS, to ensure safety for visitors taking pictures and enjoying the view. The area lends itself well to install a "dedication" bench or two and a wonderful opportunity to sit and contemplate what a beautiful place Ladysmith is. An

existing concrete plinth near the Art Gallery parking would be an excellent base for a ship's mast and flag, with an anchor attached at the bottom. This would create a terrific nautical theme to help frame the view of the Marina. Shirley Blackstaff has generously offered to donate the mast and anchor to bring that idea to fruition! BC Hydro will have to prune/remove the maple trees engulfing the hydro wires feeding LMS and a bucket truck will be required to remove the remainder of the trees and shrubs. We understand and accept this phase may have to be done by City Works personnel and are willing to fundraise to help offset costs for rental equipment and materials. We would like to thank Clayton Postings and Kevin Goldfuss for scheduling time to meet with us Wed 25 Apr 2018 to review the area in question. Their expert guidance and enthusiastic encouragement is greatly appreciated.

One of the long term goals of the Expo Trail Stewardship Committee is to entice a business or two, (or the Town!), to invest in the Train Station building. We will continue to improve the landscaping around the Station and have discussed providing an opportunity for local youth, (Ladysmith and Stz'uminus), to paint murals on the Station. Shirley Blackstaff made an excellent suggestion that we instead install 4' x 8' plywood panels which the students / youth could paint. The panels could be changed out each year to provide ongoing artistic expression. We will partner with local Art Gallery volunteers to investigate grant opportunities to hire an Artist in Residence to facilitate the process, (perhaps in 2019). We would like to thank Len Manuel for supervising our investigation, on Wed 18 Apr 2018, into the structural integrity of the Station. Extensive repair work is required; the good news being it is primarily cosmetic in nature. There is a small leak in the roofing which has not caused serious damage at this time. Roof replacement and building renovation is well beyond our present scope; our focus is to provide the "invitation"!

The members of the Expo Trail Stewardship Committee are grateful for the continued support from Mayor and Council. We would appreciate assistance from City Works staff regarding the source and approximate price of the industrial grade landscape cloth they use. Please clarify ownership of the grassed area at the south end of the Expo Legacy bldg, and limits to our involvement in brush / tree removal, and subsequent railing construction along the bluff overlooking the access road to LMS. We are interested in partnering with the Town to obtain two concrete barriers when City Works staff purchase new barriers.

We believe the improved view corridor to Gatacre St from the Marina provides an obvious enticement for visiting mariners to enjoy shopping and dining in downtown Ladysmith. The upgraded view from Gatacre to the waterfront will pique the curiosity of tourists and draw them to the waterfront, benefitting the Art Gallery, John Marston, LMS Museum, the Industrial Heritage group, the boat restoration team, and LMS. It is indeed our pleasure to work with the Town to foster better links to local business, and spark in visitors, fond memories of Ladysmith. Again, thank you for your continued support.

The Ladysmith Expo Trail Stewardship Committee

Bill Drysdale & Chuck Forrest

Ladysmith Station Revitalize Project

April 16, 2018

Dear Chuck Forest

Re: Ladysmith Station Revitalize Project

The Island Corridor Foundation grants permission to Chuck Forest to develop a plan to do the following work at the Ladysmith Station:

- | | |
|---|---------|
| 1: Cleanup of graffiti and garbage around station. | Ongoing |
| 2: Removal of blackberry bushes and cottonwood brush | Ongoing |
| 3: Removal of larger cottonwoods encroaching behind the station | |
| 4: Covering exposed grounds with heavy ground cloth and gravel | |
| 5: Painting station, utilizing the high school arts students, with murals depicting the history of Ladysmith. | |

The artwork must be approved by the Island Corridor Foundation prior to painting.

- 6: Installing solar flood lights on existing power poles for safety and convenience.
- 7: Replacing the roof on the station
- 8: Refurbishing the station for alternate uses

The footprint of the building must not be altered. Southern Railway of Vancouver Island, our Rail Operator, safety rules regarding site line must be adhered to.

Yours truly,



Graham Bruce
Chief Executive Officer
Island Corridor Foundation

Cc: