

A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF LADYSMITH WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON MONDAY, MAY 12, 2014 Call to Order 4:30 p.m. Closed Meeting 4:31 p.m. Regular Meeting 7:00 p.m.

AGENDA

CALL TO ORDER 4:30 P.M. in order to retire immediately into Closed Session.

1. CLOSED MEETING

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

- labour relations or other employee relations
- 2. AGENDA APPROVAL
- 3. DELEGATIONS

 - 3.2. Jacqueline Nelligan, Ladysmith Family and Friends Current LaFF Programming and Collaborative Opportunities
 - 3.3. Nick Clarke, Glenn Piggot, Rob Thomas (BC Timber Sales), Ken Hughes-Adams (Madrone Consulting), BC Timber Sales Proposed Logging Plan

4. **PROCLAMATIONS**

	4.3.	Mayor Hutchins has proclaimed June 1 st to June 8 th , 2014 as World Oceans Week in the Town of Ladysmith, to encourage residents of Ladysmith to actively conserve, preserve and protect our waterways, oceans and habitat				
	4.4.	Mayor Hutchins has proclaimed June 14 th and 15 th , 2014 as Be a Hometown Tourist weekend in the Town of Ladysmith to encourage local residents to become acquainted with the community and in so doing become supporters and ambassadors of local businesses and attractions				
5.	Deve	ELOPMENT APPLICATIONS				
	5.1.	Official Community Plan Amendment and Rezoning Application: Trans Canada Highway (K. Goldsbury) – Lots 9, 10, 11, 12 and 13, DL 139, Oyster District, Plan 72179 - 12				
6.	Bylav	ws - OCP / ZONING				
	6.1.	Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 38) 2012, No. 1790				
	6.2.	Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 88) 2012, No. 1791				
	May be read a third time and adopted.					
		The purpose of Bylaws 1790 and 1791 is to amend the Official Community Plan and Zoning Bylaw respectively to permit a proposed development on Malone Road.				
	6.3.	Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 42) 2014, No. 1843				
	6.4.	Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 96) 2014, No. 1844				
		The purpose of Bylaws 1843 and 1844 is to amend the Official Community Plan and Zoning Bylaw respectively to permit eight single- family bare land strata lots on the subject property on Holland Creek Place.				

7. COUNCIL COMMITTEE REPORTS

7.1. Mayor R. Hutchins

Cowichan Valley Regional District; Stocking Lake Advisory Committee; Community Health Advisory Committee/Interagency Group

7.2. Councillor B. Drysdale

Municipal Services Committee; Protective Services Committee; Heritage Revitalization Advisory Commission

7.3. Councillor J. Dashwood

Advisory Design Panel; Cowichan Valley Regional District Community Safety Advisory Commission; Social Planning Cowichan; Social Planning Cowichan Affordable Housing Directorate; Ladysmith Early Years Partnership; Ladysmith Chamber of Commerce

7.4. Councillor G. Horth

Advisory Planning Commission; Parks, Recreation and Culture Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association

7.5. Councillor D. Paterson

Protective Services Committee; Parks, Recreation and Culture Commission; Festival of Lights

7.6. Councillor G. Patterson

Youth Advisory Committee; Liquid Waste Management Committee

7.7. Councillor S. Arnett

Stocking Lake Advisory Committee; Vancouver Island Regional Library Board; Celebrations Committee

8. STAFF REPORTS

8.1.	Disposal of Assets – Bicycles	4 - 35
8.2.	Indemnification of Municipal Officials	6 - 37
8.3.	Stz'uminus Soccer Tournament Request	8 - 40
8.4.	Dogs on Holland Creek Trail and Other Town Parks42	1 - 50
D. //		

9. Bylaws

Bylaw 1862 is the subject of a staff report under Agenda Item 9.2. The purpose of this bylaw is to provide indemnity to municipal officers,

employees and elected officials acting reasonably and in good faith in performing their duties and functions with the Town.

The purpose of Bylaw 1851 is to set up a program to permit the payment of property taxes for the following year in monthly installments, for the convenience of taxpayers.

The purpose of Bylaw 1853 is to adopt a five-year financial plan for the Town, as required by the *Community Charter*.

The purpose of Bylaw 1854 is to set the property tax rates for 2014 in accordance with the Financial Plan for 2014.

The purpose of Bylaw 1855 is to set the water tax rate on property parcels for 2014, to help meet the costs of water system services and improvements.

The purpose of Bylaw 1856 is to set the sewer tax rate on property parcels for 2014, to help meet the costs of sewer system services and improvements.

The purpose of Bylaw 1857 is to formally adopt the audited Financial Statements for the year 2013 in accordance with the *Local Government Act.* Please note that, as Schedule A of the Bylaw (Financial Statements for 2013) was considered at the May 8, 2014 Special Meeting of Council, it has not been reprinted for this agenda. Please refer to the May 8, 2014 Council Meeting Agenda package.

10. CORRESPONDENCE

10.1.	, I	64 - 66	
	Request for Letter of Support for BC Ocean Boating Tourism Association	<u>Page</u>	
	Staff Recommendation That Council provide a letter of support for the newly-formed BC Ocean Boating Tourism Association as requested in the correspondence from Geoff Millar, Economic Development Cowichan, dated March 31, 2014.		
10.2.	Lesley Parent, Ladysmith Downtown Business Association Request for Waiver of Trolley Rental Fee	67	
	Staff Recommendation That Council consider whether it wishes to provide funds from the Trolley Rental Fee Grant-in-Aid to offset the cost of the 3.5 hour trolley rental fee for the Ladysmith Downtown Business Association Old Tyme Christmas event to be held on December 4, 2014, as requested by Lesley Parent in her correspondence dated April 8, 2014.		
10.3.	Duck Paterson, Ladysmith Kinsmen Club Construction of Sidewalk at Brown Drive/Kin Park and Request for Funds to Support Replacement of Transfer Beach Playground	68	
	Staff Recommendation That in response to the correspondence from the Kinsmen Club of Ladysmith dated April 9, 2014, Council consider whether it wishes to:		
	 authorize the Kinsmen Club of Ladysmith to construct a sidewalk along the north side of Brown Drive/Kin Park, subject to securing the appropriate permits and approvals from the Town; 		
	 b) refer the request from the Kinsmen Club of Ladysmith to place soil and grass seed along the north side of the Brown Drive/Kin Park to staff to review and report back with recommendations; and 		
	 c) refer the request from the Kinsmen Club of Ladysmith to contribute funds to the reconstruction of the playground at Transfer Beach Park to the 2015 budget process 		
10.4.	Cyndi Beaulieu, Ladysmith Chamber of Commerce Request for Town Sponsorship of a Hole at the Ladysmith Chamber of Commerce Golf Tournament	69 - 73	
	Staff Recommendation		

That Council consider whether it wishes to sponsor a hole at the Ladysmith Chamber of Commerce Golf Tournament on June 20, 2014, at a cost of \$200.00, as requested in the correspondence dated April 15, 2014.

Staff Recommendation:

That Council consider whether it wishes to sponsor the Ladysmith Family and Friends Golf Tournament on May 25, 2014 as requested in the correspondence dated March 24th, 2014.

Staff Recommendation

That Council advise the Festival of Lights Society that it supports the proposed partnership with the Town of Ladysmith for the sole purpose of securing grant funding through the FCC AgriSpirit Fund to build new decoration base pads for the light displays which are erected for the annual "Light Up" event throughout the Town; and further that Council direct staff to liaise with the Society to establish the details of this arrangement.

11. New Business

12. UNFINISHED BUSINESS

13. 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.
- 14. RISE AND REPORT
- 15. ADJOURNMENT

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The Finish Work

What every affordable housing initiative requires:

- Demonstrate need

- Partnerships
- Regulatory compliance • Design considerations

Making a home The long view

Community Leadership Regionalization of policies

- Protecting existing AH Stock Sustainable funding Developer Driven / Community Driven
 Leveraging funds
 - Providing the tools
 - Data collection

Justifying a Regional AH Trust Fund

Any Questions

Thank you!

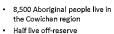
Regional Affordable Housing Directorate of Social Planning Cowichan

250-746-1004 ext 260 joyspcowichan@gmail.com



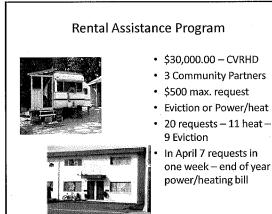
Off-Reserve Aboriginal Housing Needs





- Younger and faster growing population
- More than half of the absolute homeless are Aboriginal





- 20 requests 11 heat -
- one week end of year

The Finish Work

RΔ

- Ready to Rent
- Tenants Rights
- Homeless Action Week Day of Services
- Street Survival Guide Support work of
- Ladysmith Emergency Aid Committee



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The Framework

RAHD Mission The new Affordable Housing Association acts as an umbrella organization coordinating and providing a host of services, programs and projects that are best provided through a central organization serving the entire region and ensuring coordination, rather than duplication, of services. The association works to improve affordable housing at all levels of the housing continuum but homelessness and prevention of homelessness are a primary focus.

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RAHD

Strategic Plan (2012) **Steering Committee**

Advocacy

Raise awareness of homelessness

- Projects Work to support local initiatives around affordable housing
 - Data collection

Governance

- Identify funding options
- Create a regional housing association

Homelessness Report - the data

Absolute and relative homelessness and the precariously housed

Standardized methodology Night Count and Day Count

Responses as to what is needed Affordable housing

- Less discrimination
- Higher or regular income
- Information about housing/support services
- Outreach worker / advocate
- Mental health supports



14% 4% 18% 65% 125 (100%)

Homelessness and Housing Needs Surveys in Ladysmith

- Oct 2013 Survey by Ladysmith Emergency Aid Committee
- Participants Food bank
- 35 people surveyed
- 5 people live on boats (1 with infant - no heat, electricity, running water)
- 1 in tent
- 1 in vehicle
- 1 in trailer

- Feb 2014 Regional Homeless Count - site in Ladysmith • Participants – Food Bank

trailers)

 26 people surveyed • 1 person absolutely homeless (counted at Nanaimo shelter); 3 relatively homeless (coach surfing); 22 precariously housed (3 in boats or 6 in

2014 Report of Regional Affordable Housing Directorate (RHAD)

A community initiative under the auspices of Social Planning Cowichan

Addressing Homelessness and Affordable Housing

The foundation - accomplishments

RAHD Vision Everyone in the Cowichan has the opportunity to live in safe, affordable, culturally appropriate housing and this is the foundation for a healthy community.

The framework -- current work

The finish work - next steps

Making a home - the long view

The Foundation

Inadequate Shelter in the Cowichan Valley (2007) Regional Affordable Housing Directorate (RAHD) formed (2007)

Information gathering (2008 ~ 10) Regional Housing Strategy (2010) Hospital District Homelessness Prevention funds (2011 - 12) Homelessness Partnering Strategy (2013-14)





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, Robert Hutchins, Mayor of the Town of Ladysmith, do hereby proclaim the week of May $18^{th} - 24^{th}$, 2014 as "National Public Works Week" in the town of Ladysmith, British Columbia.

Mayor R. Hutchins

May 5, 2014



PROCLAMATION

<u>National Missing Children's Month</u> and Missing Children's Day

WHEREAS: Chi

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, Robert Hutchins, 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 R. Hutchins

May 5, 2014



PROCLAMATION

"World Oceans Week"

- In 2009 the United Nations proclaimed June 8 to be World Oceans Day each WHEREAS: year around the world; and
- Since 1992 Canada played a key role in the United Nations recognizing World WHEREAS: Oceans Day; and
- World Oceans Week Canada was founded to encourage all Canadians to WHEREAS: honour, celebrate, protect and preserve our waterways and oceans as well as the habitat along and in our waterways and oceans where 80% of the oxygen we breathe is generated; and
- World Oceans Week Canada has designated June 1st to June 8th as World WHEREAS: Oceans Week in Canada; and
- World Oceans Week Canada urges all Canadians to take action to conserve WHEREAS: water, preserve waterways and shorelines, reduce emissions, reduce their carbon footprint and protect the habitat along and in our waterways; and
- World Oceans Week Canada urges all Canadians to help our marine life WHEREAS: recover by avoiding sea foods on the endangered list;
- I, Robert Hutchins, Mayor of the Town of Ladysmith, do hereby proclaim, THEREFORE, June 1st to June 8th as World Oceans Week in the Town of Ladysmith, British Columbia. I encourage the residents of Ladysmith to actively conserve, preserve and protect our waterways, oceans and habitat.

Mayor R. Hutchins

May 12, 2014



PROCLAMATION

<u>"Be a Hometown Tourist Weekend"</u>

WHEREAS: Ladysmith, Cassidy, Cedar, South Nanaimo, Saltair and Chemainus comprise a community renowned for its natural beauty, waterfront, friendly people, arts, history and festivals; and

WHEREAS: This is the fourth consecutive year for this popular event; and

WHEREAS: There is an opportunity to encourage local residents to become acquainted with their community and in so doing become supporters of local business, attractions and ambassadors for visitors to this area

THEREFORE, I, Robert Hutchins, Mayor of the Town of Ladysmith, do hereby proclaim June 14 & 15, 2014 to be "Be a Hometown Tourist Weekend" in the Town of Ladysmith, British Columbia.

Mayor R. Hutchins

May 5, 2014

Town of Ladysmith

STAFF REPORT



To: From: Date: File No:

Ruth Malli, City Manager Felicity Adams April 30, 2014 3360-14-02

Re: Official Community Plan Amendment & Rezoning Application: Trans Canada Hwy. (K. Goldsbury)

Subject Properties: Lot 9, 10, 11, 12 and 13, DL.139, Oyster District, Plan 7217

RECOMMENDATION(S):

THAT Council has considered S.879 of the *Local Government Act* (consultation during an OCP amendment) and determines that for Official Community Plan amendment application 3360-14-02 the following consultation is to be undertaken:

- Staff referral to the Advisory Planning Commission for review and comment;
- Referral to Stz'uminus First Nation and the Ministry of Transportation;
- Applicant to host a neighbourhood information meeting as required by the Development Procedures Bylaw.

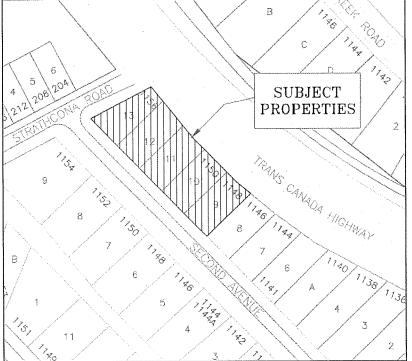
AND THAT Council identify any land use issues it wishes staff to review regarding application 3360-14-02.

PURPOSE:

The purpose of this staff report is to introduce an application to amend the Official Community Plan (OCP) and Zoning Bylaw to permit:

- a) highway service commercial use and motor vehicle sales on 1148 and 1150 Trans Canada Hwy (lots 9 and 10); and
- b) one accessory residential suite at 1156 Trans Canada Hwy (lots 11, 12, and 13).

The applicant, Kevin Goldsbury, is proposing to purchase the subject properties.





INTRODUCTION/BACKGROUND:

The properties at 1148 and 1150 Trans Canada Hwy are currently vacant and are dedicated and zoned for residential use. The applicant is proposing to amend the OCP and Zoning Bylaw to permit highway service commercial use including motor vehicle sales at 1148 and 1150 Trans Canada Hwy. The area of each lot is approximately 771 m² (8,300ft²). Currently, access to the property is through 1156 Trans Canada Hwy.

A former gas station existed at 1156 Trans Canada Hwy and the owner of the lands has completed remediation work and is currently in the process of applying for a certificate of compliance from the Ministry of Environment to verify the site is clean. The three lots that comprise 1156 Trans Canada Hwy are dedicated and zoned to permit highway service commercial use including a gas bar, service station, and convenience store. The total area of the three lots is approximately 0.2 hectares (0.5 acres) and access is from Strathcona Road and the Trans Canada Hwy. The applicant's intention is to establish a Midas business at 1156 Trans Canada Hwy. and to improve the building and site for this purpose (a development permit will be submitted for the proposed improvements). The subject of this application is the applicant's request to amend the OCP and Zoning Bylaw to:

- a) legalize an existing suite, 69m²(740ft2) in size, at the rear of the building; and
- b) rezone lots 9 & 10 from residential use to highway service commercial use including motor vehicle sales as a principal use.

SCOPE OF WORK:

The current stage of this rezoning is to introduce the application and seek direction from Council regarding OCP consultation.

Official Community Plan (OCP)

1148 and 1150 Trans Canada Hwy are designated as Multi-Family Residential in the OCP and the applicant is proposing that they be designated 'Highway Commercial' and that Development Permit Area 3 – Commercial (DPA 3) be applied to the lands.

The three lots that comprise 1156 Trans Canada Hwy. are designated as 'Highway Commercial' and fall within Development Permit Area 3 – Commercial (DPA 3). Permitting an accessory residential suite will not require an amendment to the OCP.

Zoning Bylaw

1148 and 1150 Trans Canada Hwy are zoned R-2. The applicant is proposing that these two lots be zoned C-3 to permit highway service commercial uses including motor vehicle sales as a principal use.

The three lots at 1156 Trans Canada Hwy are zoned C-3 and permit a gas bar, service station, and convenience store. Currently an unoccupied residential suite is in the rear of the existing building onsite. The applicant would like to legalize the suite and has intentions to improve the building and update the suite.



As part of the review of this application items that will be discussed include property access, lot consolidation, and buffering from residential uses. Also, it is recommended that Council identify any land use issues it wishes staff to review at this time regarding application 3360-14-02.

ALTERNATIVES:

That Council not proceed with OCP amendment and rezoning application 3360-14-02.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS;

As this application proposes to amend the OCP, Council must:

- 1. Consider whether the consultation on the OCP amendment should be early and on-going, and
- 2. Specifically consider whether consultation is required with:
 - i. The boards of the CVRD and RDN,
 - ii. The council of a municipality adjacent to Ladysmith,
 - iii. First Nations,
 - iv. The school district, great boards or improvement districts boards, and
 - v. The provincial or federal government and their agencies.

It is recommended to refer the application to the Stz'uminus First Nation consistent with the signed MOU. The application will also be referred to the Ministry of Transportation and the Advisory Planning Commission. A public hearing will also be required to be held.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is recommended to refer the application to the Advisory Planning Commission. In addition, the applicant shall host a neighbourhood information meeting as required by the Development Procedures Bylaw.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Director of Infrastructure Services and to the Building Inspector.

RESOURCE IMPLICATIONS:

Processing rezoning applications is a core function of the Development Services Department. Processing this application is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The applicant has completed a Sustainable Development Checklist and indicates that the proposal is consistent with the Visioning Report in the following ways:

• The residential suite will allow for affordable housing for 1-2 people.



- Additional commercial businesses in the Town allow for additional services and additional employment opportunities;
- The subject properties will be improved and an existing building refurbished;
- A low flush toilet will be placed in the suite;
- New landscaping plants will be installed.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design is a Council strategic direction.

SUMMARY:

It is recommended to refer the application to the Stz'uminus First Nation and the Advisory Planning Commission. It is also recommended that Council identify any land use issues it wishes staff to review regarding application 3360-14-02.

I concur with the recommendation.

Amall.

Ruth Malli, City Manager

ATTACHMENTS: None



BYLAW NO. 1790

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. Schedule "A" – "Town of Ladysmith Community Plan" is hereby amended as set out in Schedule I, II and III, and IV to this Bylaw.

CITATION

2. This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 38) 2012, No. 1790".

READ A FIRST TIME	on the	5^{th}	day of November, 2012
READ A SECOND TIME	on the	5^{th}	day of November, 2012

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

	on the	3 rd	day of December, 2012
READ A THIRD TIME	on the		day of
ADOPTED	on the		day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1790 – Schedule I

- 1. Schedule "A" "Town of Ladysmith Community Plan" is amended as follows:
- (a) Section 3.8.5 "Development Permit Areas" is amended by adding:

"Development Permit Area 8 – Malone Road Multi-Family Residential (DPA 8)

The DPA 8 areas shown on *Official Community Plan Map 2 – Development Permit Areas* are designated pursuant to the *Local Government Act* Section 919.1 (a), (f), (h), (i) and (j) to:

- Protect the natural environment, its ecosystems and biological diversity;
- Establish objectives for the form and character of multi-family residential development; and
- Establish objectives to promote energy conservation, water conservation and the reduction of greenhouse gas emissions.

Justification

The Ladysmith Vision for a Sustainable West Coast Town provides a guide and reference for development in Ladysmith, and calls for complete community land use, low impact transportation, green buildings, multi-use landscapes, innovative infrastructure and a healthy community. The Town has completed a Community Energy Plan and has established in the Official Community Plan targets, actions and strategies to reduce its greenhouse gas emissions. DPA 8 provides guidelines for the detailed site design of a comprehensive multi-family residential development with the objective to achieve a high level of design for multi-family residential development and livability for future residents that is consistent with the Ladysmith Vision, while incorporating energy conservation building placement; energy and water conservation, capture and reuse features; completestreets circulation to increase opportunities for non-vehicle mode share; and innovative infrastructure.

The lands included within DPA 8 include a young Douglas Fir forest ecosystem with intact continuous forest stands; dry, rocky outcrops; and tributaries to Rocky Creek. Integration of the site's natural topography, the protection of its natural features, and the identification of areas that must remain free of development or managed in order to protect the natural environment and sensitive ecosystems are important objectives of the DPA 8. The application of these guidelines to this land should result in a detailed development plan that protects the natural environment, its ecosystems and biological diversity by designing a comprehensive multi-family residential development that works with the natural environment and promotes energy and water conservation, and reduces greenhouse gas emissions.

The guidelines are to be considered and a development permit secured prior to subdivision of land, the construction or alteration of a building or structure, or the alteration of land.

Guidelines

The following guidelines specify the manner in which the special conditions and objectives of DPA 8 will be met.

A. MULTI-FAMILY RESIDENTIAL DEVELOPMENT – FORM, CHARACTER AND

EXTERIOR DESIGN

- i) Building design shall be prepared by a design professional with knowledge of hillside design, natural area conservation, and multi-family building design.
- ii) The design of buildings shall be contemporary west coast and should also be reflective of Ladysmith's built heritage.
- iii) Buildings shall be of a human scale and provide a sense of neighbourhood identity through a coherent architectural language and form.
- iv) Building massing shall respond to the site's topography and natural setting to depict a series of buildings nestled into the forest, rather than a single, uniform building mass.
- v) Where buildings are located on steep or sloping grades, the design of the building shall step with the topography, rather than benching across the change in elevation.
- vi) Building and window placement shall capitalize on the surrounding scenic amenities to help create a sense of place. Buildings shall be located to afford view corridors. Consideration of views to the building(s) from other vantages in Ladysmith shall also be considered.
- vii) Building facades shall be articulated through the use of varied materials and projections to break-up the overall scale of the building and create varied and visually interesting buildings. Considerations include façade modulations, window patterning, roofline changes, alternating dormers, gables, stepped roofs, and building plane material and colour changes.
- viii) Building exteriors shall be constructed from high quality, durable materials including concrete, brick, wood, stone and metal panel products. Bold detailing shall also use natural elements such as rock and wood. Stucco, vinyl, and aluminum siding are not acceptable materials.
- ix) Indoor common spaces for use by the residents shall be provided for social and other activities.
- x) All residential units shall be provided with private outdoor space. This space can take the form of a balcony, deck, or garden patio that is oriented to permit sunlight and views. Where the space is located on the ground level, patios should be provided with adequate screening to afford privacy for the residents.
- xi) The majority of the parking for the residential units should be located in underground parking areas. Limited under-building and in-unit garages may also be considered when set back from the building face and adequately screened with architectural elements and landscaping.
- xii) Parking garage entries shall not dominate the streetscape. They shall be designed and sited to complement the pedestrian entry (this applies to all forms of parking garage entries).
- xiii) Short term (outdoor) and long-term (indoor) bicycle parking facilities shall be provided. Longer term indoor bicycle storage areas shall be located close to elevators and/or access points.

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B. ENERGY CONSERVATION AND BUILDING SITING

- i) The siting of buildings, roofs, windows and walls shall be toward the south, where possible, to maximize passive solar gain and create opportunities for solar energy collection.
- ii) Buildings shall be designed to maximize opportunities for natural ventilation and cooling.
- iii) The incorporation of resource and energy efficiency into building design, construction and systems is highly encouraged.

C. SITE DESIGN AND CIRCULATION

- i) Multi-family buildings shall be oriented towards streets (public or strata). Specifically, building entrances shall face the street and be clearly visible from the street. Buildings shall also provide windows that face the street to provide "eyes on the street". Building entries that face onto common open space that is oriented to the street may also be considered.
- ii) Multi-family buildings shall incorporate a front yard transitional space between the adjacent street(s) and the building(s) to create a semi-public space that divides the public space (the street) from the private space (the building). This may include a landscaped front yard and/or landscaped entry court.
- iii) Outdoor common space for use by residents shall be provided for social and other activities. This space shall include both hard and soft landscaping and may include benches and picnic tables, active play area, and natural landscaped areas.
- iv) Where surface parking is provided for visitors and short-term/loading purposes, such parking areas shall be located to the side or rear of buildings and shall be designed to accommodate clustered parking with landscape buffering/screening included in the landscape plan. Parking areas shall not be located adjacent to street corners.
- v) An on-site pedestrian circulation system shall be provided that is clearly defined and designed to be separated from driveways, parking/loading areas, through the use of raised curbs, elevation changes, bollards, landscaping, different paving materials, and/or similar method.
- vi) Pedestrian linkages from parking areas to building entrances, site amenities, and the street shall be provided.
- vii) Strata roads shall be designed to incorporate pedestrian pathways, cyclist facilities, boulevard trees, and alternative stormwater management strategies.
- *viii)* Short term (outdoor) and long-term (indoor) bicycle parking facilities shall be provided. Short term bicycle parking should be in well-lit locations and clearly visible from a main building entrance. Bicycle racks shall be made of sturdy, theft resistant material that is securely anchored to the floor or ground.

D. NATURAL ENVIRONMENT AND SENSITIVE ECOSYSTEMS

- i) Land clearing shall not take place prior to the issuance of a development permit. Danger trees identified by an appropriately certified arborist may be removed when authorized by the Town.
- A qualified professional Biologist shall identify appropriate green space to be protected, maintained and managed such as forested stands, rocky outcrops and/or additional areas adjacent to riparian features as identified in the "Ecological Assessment – Malone Road" (2010) prepared by Madrone Environmental Services Ltd.. A covenant may be required to protect sensitive ecosystems.
- iii) No development activities are permitted within the Streamside Protection and Enhancement Area (SPEA) including construction of permanent/nonpermanent structures; clearing/disturbing vegetation; dumping of yard waste; and limbing/pruning of trees unless deemed to be danger trees by an appropriately certified Aborist overseen by a Qualified Environmental Professional. The location of the SPEA is subject to the provincial *Riparian Area Regulation*.
- iv) Any development (buildings or land clearing) within the Riparian Assessment Area (RAA) shall be subject to the development of detailed measures consistent with the Riparian Development Permit Area guidelines (DPA 6). The location of the RAA is subject to the Provincial *Riparian Area Regulation*.
- v) Identify the SPEA edge on site plans and in the field through the use of flagging or high visibility, temporary snow fencing to prevent encroachment.
- vi) A detailed site-specific sediment and erosion control plan shall be prepared by a qualified professional prior to development. The sediment and erosion control plan shall include the following requirements:
 - a) Minimize areas to be cleared;
 - b) Maintain vegetation cover for as long as possible;
 - c) Carry out site preparation work in the summer months and suspend operations during periods of wet weather;
 - d) Install silt fencing where appropriate;
 - e) Cover exposed areas with geotextiles or tarps to prevent rain splash mobilization of sediment; and
 - f) Use mulch and/or seeding to stabilize exposed ground and decrease the potential for mobilization of sediment.
- vii) If vegetation clearing (grasses, shrubs and/or trees) is proposed to occur during the bird breeding season (April 15 to July 31) a nest survey shall be completed by a qualified professional Biologist prior to site disturbance.
- viii) A tree preservation plan shall be prepared and supplied by an appropriately certified Arborist. The following general measures shall be addressed:
 - a) Retention and replacement of tree cover as strategies for carbon storage and groundwater management;

- b) Management of tree cover to maximize solar radiation in winter months.
- c) Maintenance of continuous forest stands where possible to sustain connectivity and wildlife use.
- d) Identification of the rooting zone of trees in construction areas to avoid damage to roots (e.g. through trenching);
- e) Management of the soil around the trees so that it is not compacted (e.g. through the action of heavy machinery) so as to maintain drainage conditions;
- f) Management of pollutants to ensure that they do not enter the rooting zones of trees;
- g) Management of the site to avoid damage to tree limbs and bark;
- h) Provision for on-site monitoring during site clearing and construction.

E. LANDSCAPING - SITE DESIGN, ENERGY & WATER CONSERVATION, AND GHG EMISSION REDUCTION

- i) The site landscape plan shall be prepared by a registered professional Landscape Architect in collaboration with the registered professional Biologist.
- ii) A 6.0 metre landscaped buffer shall be provided and maintained along the west property line (B.C. Hydro right of way) as an additional area of landscaping between the transmission lines and the development site. Vegetated bio-swales may be considered within this buffer area.
- iii) On-site landscaping shall consist of native and drought tolerant plants to reduce water consumption and to contribute to natural habitat
- iv) Surface parking areas shall be designed to incorporate alternative stormwater management strategies such as bio-swales, wherever possible.
- v) Stormwater run-off shall be reduced by utilizing vegetative filter strips, infiltration galleries, permeable surfaces, rain gardens, and retention ponds.
- vi) Permeable paving materials shall be utilized extensively for sidewalks, courtyards, driveways, internal roads, and parking areas. Non-permeable surfaces shall be minimized to facilitate on-site rainwater infiltration. Pollution/water separators shall be installed and a maintenance plan prepared.
- vii) Consideration shall be given to installing rainwater collection systems to capture, store, and re-use rainwater to irrigate plants and landscaping.
- viii) The exterior refuse, recycling, and organics collection (compost) storage bins shall be adequately sized and securely enclosed and covered utilizing materials that are compatible with the design of the primary structures on the site, using similar building materials and/or detailing.

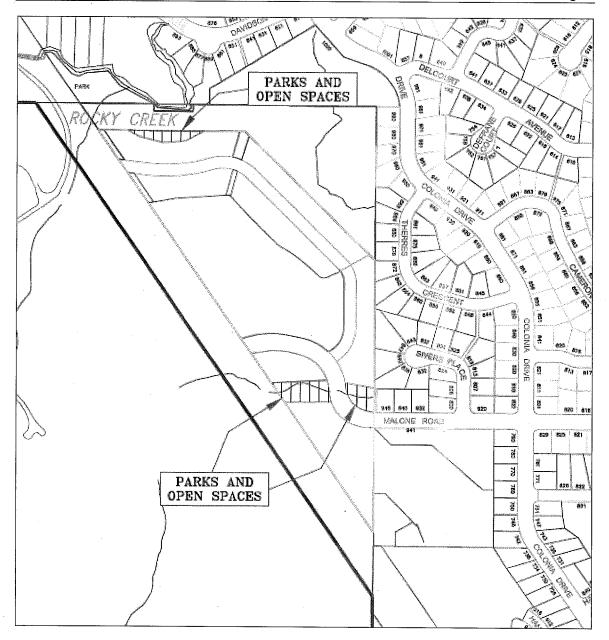
ix) Exterior lighting on the site shall be downcast and shall be directed away from adjacent residential areas and park areas. Pedestrian corridors shall be lit with pedestrian scaled lighting.

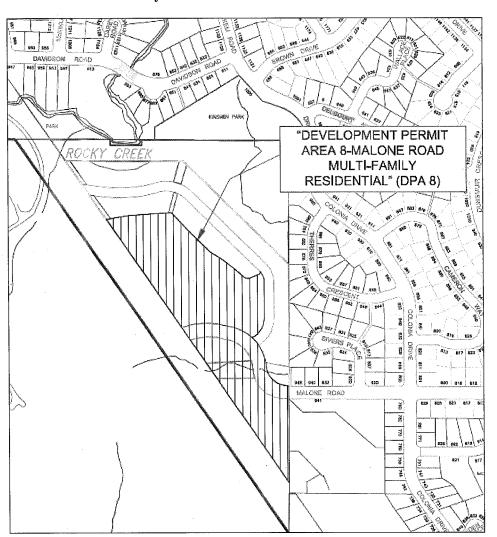
F. MONITORING

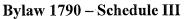
- i) Conditions regarding monitoring and reporting shall be included in the Development Permit.
- ii) On-site monitoring shall be undertaken by the registered professional Biologist during site clearing and throughout the construction of the development.
- iii) On-site monitoring shall be undertaken the by an appropriately certified Arborist during site clearing.
- iv) On-site monitoring shall be undertaken by a registered professional Landscape Architect during landscape installation. Any request for release of a landscape bond shall be accompanied by a report from the Landscape Architect. "
- 2. "Map 1 Land Use" is amended by adding "Parks and Open Spaces" to the Streamside Protection and Enhancement Areas (SPEA) established on Lot B, District Lot 126, Oyster District Plan VIP73132 as shown on Schedule II.
- 3. "Map 2 Development Permit Areas" is amended by:
 - (a) adding "DPA 8 Malone Road Multi-Family Residential" to the 'Legend';
 - (b) placing "DPA 8" on a portion of Lot A, District Lot 126, Oyster District, Plan VIP73132 as shown on **Schedule III** to this Bylaw;
 - (c) removing "DPA 6 Riparian Development Permit Area" from a portion of Lot A, District Lot 126, Oyster District, Plan VIP73132 as shown in Schedule IV to this Bylaw.
 - (d) removing "DPA 4 Multi-Family Residential Development Permit Area" from Lot A, District Lot 126, Oyster District, Plan VIP73132.

Bylaw 1790 – Schedule II

Bylaw No. 1790

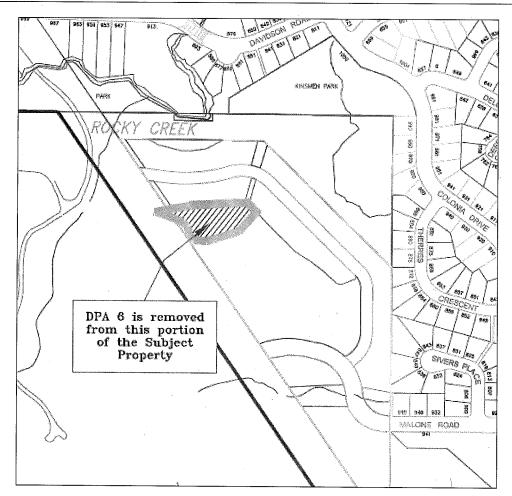






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Bylaw 1790 - Schedule IV



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BYLAW NO. 1791

A bylaw to amend the "Town of Ladysmith Zoning Bylaw 1995, No. 1160"

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 1995, No. 1160";

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

- 1. The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended, is hereby further amended as follows:
 - a) Add to the list in section 6.1(1): "Comprehensive Development 3 (CD-3)";
 - b) Add a new section "35.0 Comprehensive Development 3 (CD-3)" as shown on **'Schedule I'** attached to and forming a part of this Bylaw.
- 2. The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by:
 - (a) Adding "CD-3 Comprehensive Development 3" to the list of zones on page 26;
 - (b) Designating that part of Lot A, District Lot 126, Oyster District, Plan VIP73132 as CD-3 - Comprehensive Development 3 as shown on **Schedule II** attached to and forming part of this Bylaw; and
 - (c) Designating as P-2 Parks and Recreational those areas of Lot A, District Lot 126, Oyster District, Plan VIP73132 as shown as P-2 on **Schedule II** attached to and forming part of this Bylaw.

CITATION

3. This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 88) 2012, No. 1791".

READ A FIRST TIME	on the 5^{th}	day of	November, 2012
READ A SECOND TIME	on the 5^{th}	day of	November, 2012

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

on the 3^{rd} day of December, 2012

READ A THIRD TIME

on the day of

23

day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1791 - Schedule I

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35.0 <u>COMPREHENSIVE DEVELOPMENT THREE (CD-3)</u>

The Comprehensive Development Three zone is to provide for a mixed residential neighbourhood with a range of housing options and densities. Emphasis is placed on protecting the adjacent riparian areas and sensitive natural ecosystems through comprehensive site planning.

35.1 The Comprehensive Development Three zone is divided into areas A, B, and C, located as shown on the Plan in Section 35.11. The location of areas A, B and C shall comply with Section 35.11 CD-3 Zone Areas.

35.2 Permitted Uses: Areas A, B, and C

The following uses are permitted in Areas A, B and C:

- (a) residential use; and
- (b) home occupation (accessory to residential use).

35.3 Area A: Permitted Buildings and Structures

The following buildings and structures are permitted in Area A:

- (a) single family dwelling;
- (b) accessory building or structure.

35.4 Area B: Permitted Buildings and Structures

The following buildings and structures are permitted in Area B:

- (a) single family dwelling;
- (b) two family dwelling;
- (c) accessory building or structure.

35.5 Area C: Permitted Buildings and Structures

The following buildings and structures are permitted in Area C:

- (a) multi-family dwelling;
- (b) accessory building or structure.

35.6 Conditions of Use: Areas A and B

The following regulations and prohibitions apply to the use of land, buildings and structures in Areas A and B:

(a) The maximum permitted lot coverage shall not exceed 33.0 percent.

- (b) The height of a principal building shall not exceed 9.0 metres; except where the roof pitch is less than 4:12 then the maximum height shall be 7.5 metres.
- (c) No building or structure shall be situated closer than:
 - i) 4.5 metres to the front lot line;
 - ii) 3.0 metres to one side lot line and 1.5 metres to the other side lot line;
 - iii) 4.5 metres to the rear lot line.
 - iv) Despite section 35.6 (c)(i) any portion of a building comprising an attached garage shall have a setback of a minimum of 1.5 metres from the front face of the building.
 - v) Despite section 35.6 (c)(ii), closer than 6.0 metres to the boundary of a hydro right of way lot line.
- (d) The minimum finished floor area for a single family dwelling shall be 83.0 square metres and the maximum finished floor area shall be the lesser of 33.0 percent of the parcel area or 240.0 square metres.
- (e) The maximum finished floor area for a two family dwelling shall be the lesser of 33% of the lot area or 310 square metres.
- (f) A secondary suite may not exceed 40 percent of the gross floor area of the single family dwelling or 90 square metres, whichever is less.
- (g) A bed and breakfast use is not permitted in a single family dwelling containing a secondary suite.
- (h) No lot having an area less than 390.0 square metres may be created by subdivision under the *Strata Property Act*.
- (i) Without limiting section 35.6(h) a secondary suite cannot be stratified, subdivided or otherwise legally separated from the single family dwelling wherein it is located.
- (j) Off-street parking must be provided as required by the Municipality's parking regulations.

35.7 Accessory Buildings: Areas A and B

- (a) The height of an accessory building or structure within Areas A and B shall not exceed 5.0 metres; except where the roof pitch is less than 4:12 then the maximum height shall be 3.5 metres.
- (b) The height of an accessory building or structure within Areas A and B shall not exceed one storey and shall not include an attic or roof space greater than 1.5 metres in height measured from the ceiling of the storey below to the highest point of the building.
- (c) Despite section 35.6(c) accessory buildings shall be sited no closer than:
 - (i) 6.0 metres to the front lot line;
 - (ii) 1.5 metres to either side lot line;
 - (iii) 1.5 metres to the rear lot line;

(iv) Despite section 35.7(c)(ii) accessory buildings shall be sited no closer than 6.0 metres to the boundary of a hydro right of way lot line.

35.8 Minimum Lot Size: Areas A and B

Within Areas A and B:

- (a) The minimum lot size permitted for a single family dwelling shall not be less than 668 square metres, including a lot containing a single family dwelling created by subdivision under the *Strata Property Act*.
- (b) The minimum lot size permitted for a two family dwelling shall not be less than 780 square metres.
- (c) Despite 35.8(b) a lot including one dwelling unit of a two family dwelling created by subdivision under the *Strata Property Act*, may be 390.0 square metres.
- (d) All development must be connected to public water and sewer systems.

35.9 Conditions of Use: Area C

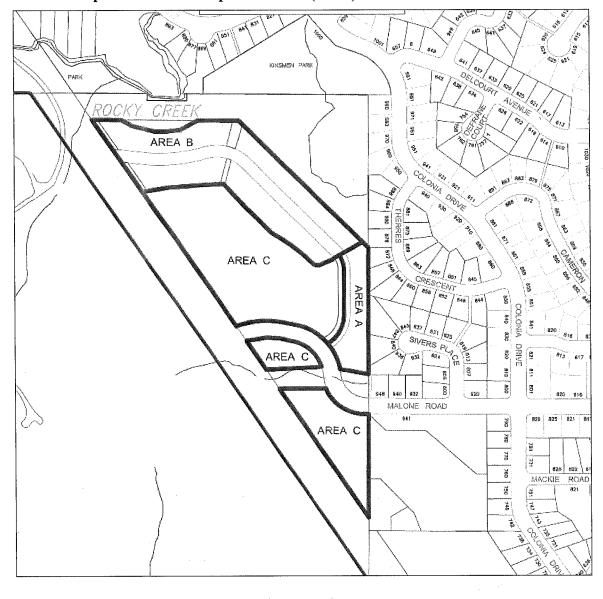
The following regulations and requirements apply to the use of land, buildings and structures in Area C:

- (a) A maximum of 103 dwelling units are permitted in Area C.
- (b) The maximum permitted lot coverage shall not exceed 33.0 percent.
- (c) The maximum permitted floor space ratio is 0.66.
- (d) The height of a principal building shall not exceed 10.0 metres.
- (e) No building or structure shall be closer than:
 - (i) 6.0 metres to the front lot line;
 - (ii) 3.0 metres to a side lot line;
 - (iii) 3.0 meters to a rear lot line;
 - (iv) Despite section 35.9(e)(ii) no building or structure shall be closer than 6.0 metres to the boundary of a hydro right of way lot line and 6.0 metres to the boundary of Area B (as shown on the Plan included in section 35.11).
- (f) No building or structure may be located within a 'Streamside Protection Enhancement Area' as defined by the *Riparian Area Regulation*, *B.C. Reg.* 376/2004.
- (g) Off-street parking and loading must be provided as required by the Municipality's parking regulations.

35.10 Minimum Lot Size: Area C

Within Area C:

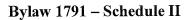
- (a) The minimum lot size permitted shall not be less than 2.5 hectares.
- (b) All development must be connected to water and sewer.



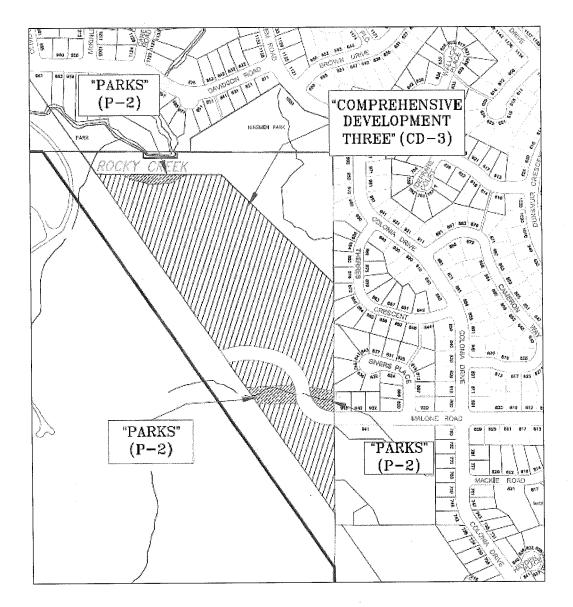
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35.11 Comprehensive Development Three (CD-3) Zone Areas

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BYLAW NO. 1843

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:

- Bylaw No. 1488: Schedule "A" Town of Ladysmith Community Plan Map 1 Land Use is amended by placing "Single Family Residential" on Lot A, District Lot 43, Oyster District, Plan EPP12594 (Holland Creek Place) as shown on Schedule I attached to this bylaw.
- (2) Bylaw No. 1488: Schedule "A" Town of Ladysmith Community Plan Map 2 -Development Permit Areas is amended by removing "Development Permit Area 4 -(DPA4)" from Lot A, District Lot 43, Oyster District, Plan EPP12594 (Holland Creek Place) as shown in Schedule I attached to this bylaw.
- (3) Bylaw No. 1488: Schedule "C" Holland Creek Area Plan Figure 4 Parks & Open Space, Land Use & Circulation is amended by placing "Single-Family" on Lot A, District Lot 43, Oyster District, Plan EPP12594 (Holland Creek Place) as shown in Schedule I attached to this bylaw.

CITATION

(4) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 42), 2014, No. 1843".

READ A FIRST TIME	on the	20^{th}	day of	January, 2014
READ A SECOND TIME	on the	20^{th}	day of	January, 2014

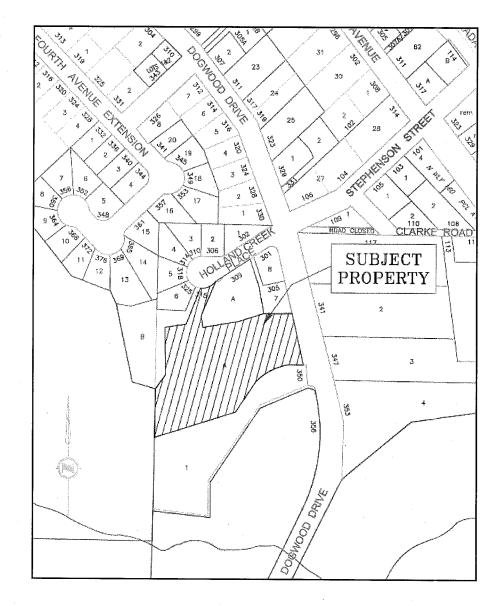
PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

	on the	1 7th	day of	February, 2014
READ A THIRD TIME	on the		day of	
ADOPTED	on the		day of	

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

BYLAW No. 1843 - SCHEDULE I



TOWN OF LADYSMITH

BYLAW NO. 1844

A bylaw to amend "Town of Ladysmith Zoning Bylaw, 1995, No. 1160"

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 1995, No. 1160";

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

(1) The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160", is hereby amended by placing "Medium Density Urban Residential Zone (R-1-A)" on Lot A, District Lot 43, Oyster District, Plan EPP12594 (Holland Creek Place) as shown on Schedule I attached to this Bylaw.

CITATION

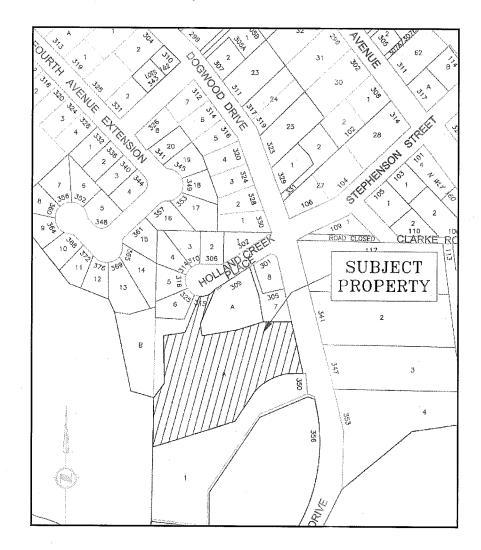
(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 96), 2014, No. 1844".

READ A FIRST TIME	on the	20th	day of	January, 2014		
READ A SECOND TIME	on the	20th	day of	January, 2014		
PUBLIC HEARING held pursuant to the provisions of the Local Government Act						
	on the	17 t h	day of	February, 2014		
READ A THIRD TIME	on the		day of			
ADOPTED	on the		day of			

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1844 - Schedule I



Town of Ladysmith

STAFF REPORT



To: From: Date: File No: Ruth Malli, City Manager Erin Anderson, Director of Financial Services April 29, 2014

Re: Disposal of Assets - Bicycles

RECOMMENDATION(S):

That Council provide direction to staff regarding a request from the RCMP to donate up to 20 bicycles to the RCMP Bicycle Rodeo to be held on June 10th, 2014 at the Stz'uminus First Nations, and waive the Town's Purchasing Policy to facilitate donating the bicycles to the SFN.

PURPOSE:

The purpose of this staff report is to seek Council's direction regarding the possible provision of bicycles recovered by the Ladysmith RCMP to the Stz'uminus First Nations (SFN) for the purposes of participating in a bicycle rodeo. The bicycles will then be donated to the SFN for retention on a permanent basis.

INTRODUCTION/BACKGROUND:

Over the years, the Town of Ladysmith receives various RCMP exhibits, recovered goods and other lost-and-found items. These are items that cannot be returned to their original owner for various reasons. These items are then stored by the Town as surplus items and eventually sold by public auction.

Currently, the Town is storing a number of bicycles. The RCMP has requested that some of the bicycles currently in storage be repaired, at no cost to the Town, and used in an RCMP bicycle rodeo event at the SFN reserve. After the event, the bikes would then be donated to the SFN.

The Town's Purchasing Policy states that:

"... RCMP recovered goods shall be disposed of through public auction or by way of publicly solicited offers."

If Council chooses to donate these bicycles, Council would be required to waive the Purchasing Policy.

SCOPE OF WORK:

The RCMP will determine which bikes are used and will facilitate any repairs.



ALTERNATIVES:

Council could direct staff to dispose of these items through a public auction in accordance with the Town's Purchasing Policy.

FINANCIAL IMPLICATIONS;

Auctioning the items will generate funds, though there will be a cost in staff time to organize the sale as well as a commission charged by the auctioneer. No funds will be generated from donating the items. As noted above, donating these items will require the purchasing policy to be waived.

LEGAL IMPLICATIONS;

There are no legal implications.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The RCMP has noted that this event will increase awareness in bike safety for the SFN children and will continue to build a partnership in policing.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Finance Department and the Parks, Recreation & Culture Department, along with the RCMP will work together on this initiative.

RESOURCE IMPLICATIONS:

No additional resources are required.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This aligns with Strategy #7 - A Healthy Community, by engaging the First Nation Community.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategy G - Supportive Corporate Governance.

<u>SUMMARY:</u>

Staff is seeking Council's direction regarding a request from the RCMP to donate up to 20 bicycles to the RCMP Bike Rodeo on June 10th, 2014 at the Stz'uminus First Nations, and subsequently donate the bicycles to the SFN.

I concur with the recommendation.

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Ruth Malli, City Manager



ATTACHMENTS: None.

Town of Ladysmith

STAFF REPORT



To: From: Date: File No:

Ruth Malli, City Manager Sandy Bowden, Director of Corporate Services May 2, 2014

RE: INDEMNIFICATION OF MUNICIPAL OFFICIALS

RECOMMENDATION(S):

That Council receive the staff report regarding an updated municipal official's indemnification bylaw and proceed with first three readings of "Town of Ladysmith Indemnification Bylaw 2014, No. 1862" later in the meeting.

PURPOSE:

The purpose of this staff report is to seek Council's authorization to proceed with the processing of an up-to-date municipal official's indemnification bylaw.

INTRODUCTION/BACKGROUND:

The current "Officers and Employees Indemnification Bylaw No. 721" was adopted in 1981 and is considered out of date. Staff attended a Municipal Insurance Association of BC Risk Management Conference recently and it was recommended that local governments ensure their indemnification bylaws are current. The proposed new bylaw was prepared by Municipal Solicitor Don Lidstone and provides indemnity to municipal officers, employees and elected officials acting reasonably and in good faith in performing the duties and functions of their positions with the Town of Ladysmith.

SCOPE OF WORK:

Upon Council's direction staff will proceed with the processing of "Town of Ladysmith Indemnification Bylaw 2014, No. 1862".

ALTERNATIVES:

Council could direct staff not to proceed with the bylaw.

FINANCIAL IMPLICATIONS:

n/a







LEGAL IMPLICATIONS;

As noted previously, the bylaw was drafted by a municipal solicitor in accordance with all pertinent legislation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

n/a

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This bylaw provides indemnification for all municipal officials.

RESOURCE IMPLICATIONS:

n/a

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT: n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

This bylaw aligns with Strategic Direction G – Supportive Corporate Governance.

SUMMARY:

The current "Officers and Employees Indemnification Bylaw No. 721" was adopted in 1981 and is considered out of date. Local governments are encouraged to ensure the indemnification of municipal officials is current. Staff seeks Council's consideration of "Town of Ladysmith Indemnification Bylaw 2014, No. 1862" at this time.

I concur with the recommendation.

Ruth Malli, City Manager

ATTACHMENTS: None







Town of Ladysmith

STAFF REPORT



To: From: Date: File No:

ADYSMITH

Ruth Malli, City Manager Clayton Postings, Director of Parks, Recreation & Culture April 30, 2014

Re: Stz'uminus Soccer Tournament Request

RECOMMENDATION:

That Council consider waiving the fees associated with the rental of Forrest Field for the Stz'uminus Soccer Tournament scheduled for June 27th, 28th and 29th, 2014; and requesting, as part of waiving the fees, that organizers of the soccer tournament provide financials for the tournament which is a consistent practice for groups who request fees to be waived.

INTRODUCTION/BACKGROUND:

On April 23, 2014 a letter was received on behalf of the committee for the Stz'uminus Soccer Tournament requesting the use of Forrest Field and the Frank Jameson fields for the dates of June 27th, 28th and 29th, 2014 at no charge. They will be hosting the 3rd Annual Stz'uminus Soccer Tournament with up to 50 teams from all over British Columbia.

The tournament is a large-scale event and regularly scheduled maintenance and park staff cannot support this event; additional staff is required. The additional staff required includes 4 hours on Thursday for set-up, 12 hours on both Friday and Saturday and 8 hours on Sunday, for a total of 36 hours. This equates to approximately \$975.00 in employee costs for the weekend.

Field usage is partially School District #68 (SD) facilities and the remainder would be at Forrest Field (FF). Past practice with this tournament has been to waive facility fees for field usage at FF and SD has also not charged.

ALTERNATIVES:

- 1. Council may choose to grant the fields and staff time at no charge to the user.
- 2. Council may choose not to waive the fees and charges associated with this event.







FINANCIAL IMPLICATIONS;

There will be approximately \$500 in unrealized revenue due to waiving the fees. As well the Parks, Recreation and Culture budgeting process did not include funds for additional staff or supplies for this event, resulting in an approximately \$1,000 impact to operational budget.

LEGAL IMPLICATIONS;

There are no implications identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Local businesses could see an economic benefit if the tournament is held in Ladysmith as in the past the event has been well attended.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks and Maintenance staff will be required to set up the equipment and provide support throughout the weekend, such as emptying garbage containers, cleaning washrooms and any other support required.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

This initiative aligns with Strategy 7 – A Healthy Community: Continuing to enhance the quality of the public realm; increasing community facilities including health and medical facilities.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Priority F - Safe and Healthy Community.

SUMMARY:

The Stz'uminus Soccer Tournament is a major event in the community - one which draws many individuals to the Town. Being a large-scale event additional resources are required to assist in supporting this event. There are no additional funds in the Parks, Recreation and Culture budget to cover the additional resources required and staff are seeking Council's direction in this regard.

I concur with the recommendation.

Ruth Malli, City Manager

<u>ATTACHMENTS:</u> Letter from Stz'uminus Soccer Tournament Director







April 23, 2014

Rob Hutchins Mayor of Ladysmith PO Box 220 410 Esplanade Ave Ladysmith, BC V9G 1A2

Dear Mr. Hutchins,

On behalf of the committee of the Stz'uminus Soccer Tournament we would like to request the use of The Forrest Field (Turf field) and the Frank Jameson fields for the dates of June 27, June 28 & June 29, 2014.

We will be host to our Stz'uminus 3rd Annual Soccer Tournament, which consists of a Men Division (18 teams), Women Division (12 teams) and also the Youth Division in age categories 14-Under, 12-Under, 10-Under, 7-Under and 5-Under which is another 24-32 teams.

With the amount of teams we will need to have the use of all fields. We will be expecting teams from South and North Vancouver Island, Mainland, such as, Vancouver, Powell River, Sechelt and as far north as Hazelton to name a few.

We look forward to hosting the tournament; we would appreciate your support in making this a successful tournament, the use free of charge as we did last year. The tournament is a drug and alcohol free event and will represent "Healthy Living" within our First Nations people.

Thank-you for your time and consideration, we look forward to hearing from you in hopes of our request to use the Town of Ladysmith fields. If you have any questions or concerns please contact myself, the tournament Director at email <u>tim harris10@hotmail.com</u> or telephone (h) (250)245-0969.

Sincerely,

Stephanie Harris for Tim Harris Tournament Director Town of Ladysmith

STAFF REPORT



To: From: Date: File No: Ruth Malli, City Manager Clayton Postings, Director of Parks, Recreation & Culture May 1, 2014

RE: DOGS ON HOLLAND CREEK TRAIL

RECOMMENDATIONS:

THAT Council consider the following recommendations'relating to dogs in parks:

- a) That Council amend Parks Usage Bylaw 1995, No. 1158 as amended to state that dogs must be leashed during the period between 10:00am and 5:00pm while on the portion of Holland Creek Trail between Methuen Road and upper Holland Creek bridge.
- b) That signage be erected in parks where leash restrictions apply to ensure the general public is aware of defined restrictions.
- c) That a "code of conduct" be developed in consultation with the Parks, Recreation and Culture Commission and using the Dog Licencing Control and Pound Bylaw as a reference, relating to off leash areas for dogs in parksand that the code of conduct be posted on signs where appropriate.
- d) That Section 1 (Provisions) of Parks Usage Bylaw 1995, No. 1158 as amended be amended by replacing the existing provisions with the following:
 - i) Dogs are permitted on leashes in all Town parks with the exception of the following defined restricted areas:

Dogs are not permitted in Transfer Beach (below deKonick Way, amphitheatre, beach front, playgrounds), all playgrounds and sport field playing areas.

Dogs are permitted off leash provided they are in the control of a competent person in Transfer Beach Park (above deKonick Way - seasonal between October 1st to March 31st), Mackie Park and on Holland Creek Trail. (Dogs must be leashed from 10am-5pm between Methuem Road and upper Holland Creek bridge, including Mackie Park, Gourlay Janes Park.)

INTRODUCTION/BACKGROUND:

At the Municipal Services Committee meeting held January 20, 2014, correspondence was received requesting that Council consider designating parts of Holland Creek Trail as 'on leash' areas for dogs. The Municipal Services Committee referred the matter to the Parks,

Report to Council – Dogs at Holland Creek Trail May 1, 2014 Page 3

Recreation and Culture Commission to consider options for having dogs on leash on the Holland Creek Trail.

The Parks, Recreation and Culture Commission considered the matter at its January meeting and provided comments to Council. Council reviewed the recommendations and referred the item back to the Commission for further review due further correspondence and information being received relating to this matter.

The Parks, Recreation and Culture Commission made the following recommendation to Council on April 7, 2014.

THAT the Commission recommend that Council consider designating the section of the trail between Methuen Road entrance to the bridge portion of Holland Creek Trail as on-leash area between 10:00am and 5:00pm, and that appropriate signage be posted on the trail.

Council referred the recommendation to staff for review and comment relating to possible implications of these proposed changes to the bylaw as it relates to dogs on leash on the defined portion of Holland Creek Trail.

ALTERNATIVES:

The following options were discussed at the Parks, Recreation and Culture Commission meeting. In addition, they reflect practices employed by neighbouring municipalities currently in place.

- Council may choose to designate other portions of the Holland Creek Trail as 'on leash' with noted periods of off leash and post signage on these trail sections with notifications of on leash requirements.
- Council may choose to direct staff to complete a compressive review of the matter of dogs in parks with the focus of establishing the necessary framework for decision making in respect to all dog-in-park related items including fenced dog off-leash areas, leash-optional trails, set periods of the year where dogs are permitted in parks, and dog waste.

FINANCIAL IMPLICATIONS;

The financial implications identified with respect to installing signs can be covered under operational budgets.

Should Council choose the comprehensive review alternative, funds will need to be allocated in the 2014 Financial Plan.

LEGAL IMPLICATIONS;

The Municipal Insurance Authority (MIA) has indicated that legal or liability implications are the responsibility of the dog owner not the Town. MIA did indicate that the Town must ensure adequate signage is posted stating where dogs must be on leash.



Report to Council – Dogs at Holland Creek Trail May 1, 2014 Page 3

Enforcement should continue to be complaint driven, as is in place in neighbouring municipalities. In addition, any identified areas needing additional attention can be monitored with additional enforcement through the contracted animal control services.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Due to the sensitive nature of dogs in parks, it may be advisable to ensure full public awareness and/or public consultation on this matter. Currently there are more than 1,000 dog licenses issued each year.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks staff and Bylaw Enforcement staff (Public Works Department) will be involved. The external agency, Coastal Animal Control Services, will also be involved in enforcement matters related to this issue.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

This aligns with the following Strategies:

• Strategy 7 – A Healthy Community: Continuing to enhance the quality of the public realm; increasing community facilities including health and medical facilities

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with the following Priorities:

- Priority E Responsible Stewardship of the Environment
- Priority F Safe and Healthy Community

SUMMARY:

Council referred an item relating to off leash dogs on Holland Creek Trail to the Parks, Recreation & Culture Commission. Upon review the Commission has recommended that Council consider designating the section of the trail between the Methuen Road entrance to the bridge portion of Holland Creek Trail as an on leash area between 10:00am and 5:00pm, and that appropriate signage be posted on the trail.

Upon reviewing Parks Usage Bylaw 1995, No. 1158 as amended recommends updates to this bylaw due to new parks being added since the last revision.

Council may wish to consider other alternatives, or to request further information to assist in helping determine the best solution to this matter.

I concur with the recommendation.

Ruth Malli, City Manager

ATTACHMENTS: Bylaws 1158 and 1396 Holland Creek Trail Map Sample signage





Pink dashed area is proposed on-leash section of trail.

Sample signs from other municipalities





Rules for Dog Owners/Handlers

- Handlers must carry a leash at all times Use of dog park at your own risk.
- Owners are responsible for damage or injury inflicted by their dogs. • Children under the age of 12 must have
- adult supervision.
- Children should not run within the dog park Stay alert for traffic on the adjacent trails
- and restrain your dog from trail users with leashed dogs.
- Always clean up after your dog. Bag and dispose pet waste in containers provided.
- No dog food, no human food or glass containers in dog parks

Rules for Dogs

- Dogs must be licensed, have up to date vaccinations and have tags displayed on a collar.
- Dogs may be off-leash only within the boundaries of designated off-leash parks.
- Dogs must be on-leash at all other times. Dogs must not be left unattended. Handlers must keep dogs within eyesight and under verbal control. No aggressive dogs allowed. Handlers must remove aggressive dog from the park immediately.
- No pupples younger than 4 months old. No dogs in heat allowed in or near the dog parks. No excessive or uncontrolled barking. No chasing wildlife

TOWN OF LADYSMITH

BYLAW NO. 1158

- WHEREAS pursuant to the <u>Municipal Act</u>, R.S.B.C. 1979, Chapter 290, Section 679, the Council may by bylaw make rules and regulations governing the management, maintenance, improvement, operation, control and use of property held for pleasure, recreation or community uses of the public;
- NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled, enacts as follows:

PART ONE - INTERPRETATION

1.1 "Building" means a structure wholly or partly enclosed by a roof or roofs supported by walls, columns or posts;

"Campgrounds or Recreation Vehicle Campgrounds" means a use providing for the temporary accommodation of travellers in trailers or tents; excluding a mobile home park or motel, a hotel or an auto court;

"Director of Parks, Recreation and Culture" means the person appointed to such position by the Council of the Town of Ladysmith, or his/her designate;

"Director of Public Works" means the person appointed to such position by the Council of the Town of Ladysmith, or his/her designate;

"Greenbelt" means areas with outdoor recreation and/or conservation qualities;

"Park" means and includes all community parks, playgrounds, beaches, trails, landscaped areas, community centres, tennis courts, and all community recreation or cultural facilities within the Town of Ladysmith;

"Scenic Area" means open space areas, coastal or mountain landforms and other areas within the Town of Ladysmith having unique or outstanding scenic value;

"Silviculture" means the act or procedure of producing and tending a treed area;

"Vehicle" means and shall include all forms of conveyance for the carriage or transport of persons, passengers, goods or materials whether drawn by animal or propelled by any mechanical device or other motive power whatsoever, and shall include bicycles and motorcycles.

PART TWO - BASIC PROVISIONS

- 2.1 This bylaw shall be applicable to all parks, greenbelts and publicly owned scenic areas under the jurisdiction of the Town of Ladysmith.
- 2.2 No person shall in any park, greenbelt or publicly owned scenic area, including beaches, without the authority of the Town of Ladysmith,
 - a) remove, cut, destroy or damage any tree, shrub, plant, turf or flower without permission;
 - b) damage or deface any building, structure, fence, sign, seat, bench or ornament of any kind;
 - c) foul or pollute any area of water;

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i.,

d)	cross, travel on, use or walk upon any grassed plot, treed area under silviculture management, or other lands where signs have been posted forbidding any such use;
e)	deposit any waste or offensive matter or other substance of any kind into or upon any park, except in receptacles provided for such purpose;
f)	take up temporary abode overnight within any park;
g)	obstruct the free use and enjoyment of any park or facility therein by any other person;
h)	hinder, deter or interrupt any person in the exercise of any of their duties in charge of any organized recreation authorized by the Town of Ladysmith;
i)	let off, turn on, or discharge any water so that the water runs to waste out of any tap, pipe, hose or other fixture within any park;
j)	drive any vehicle in such a manner as to disturb the enjoyment of the park by other persons;
k)	drive any vehicle at a greater speed than 10 kilometres per hour in any park unless otherwise posted;
1)	drive any vehicle anywhere other than the respective driveway or designated area provided for such purpose, except for emergency vehicles;
m)	ride, lead or drive a horse except on paths provided for that purpose;
n)	permit any animal or fowl under their ownership or custody to run at large in any park area, except for Dogwood Days related events under the direction and control of the sponsor of celebration activities in Transfer Beach park;
0)	dogs must be leashed and in the care and control of a responsible person at all times while on all community property held for pleasure, recreation or community use of the public, except for Transfer Beach Park where dogs are prohibited;
p)	bring any dog or other pet to any park that is posted as prohibiting their presence;
q)	operate, drive or propel in any park any advertising vehicle without permission of the Council of the Town of Ladysmith;
r)	deposit or remove any material or debris of any kind, into, from or within any park without permission of the Council of the Town of Ladysmith;
s)	molest, injure, trap or snare any bird or animal;
t)	sell or expose for sale any refreshment or any article without permission of the Council of the Town of Ladysmith;
u)	make or set a fire, except in areas provided, or throw or place upon the ground any lighted materials, cigar, cigarette or other burning substance; and all fires will be prohibited due to fire restrictions during fire season in accordance with Provincial Government regulations;
v)	erect, construct, or cause to be erected or constructed or placed in or on any boulevard, driveway, roadway, path, trail or parking area or any other place within any park, greenbelt or publicly owned scenic area, any tent, trailer, mobile home, building shelter, pavilion or other construction;

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w) play or practice golf.

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PAGE 3

- 2.3 Any person receiving such permission shall at all times be subject to the conditions imposed, and the onus shall at all times be on the person receiving such permission to duly carry out all conditions thereby imposed, and every such person shall save harmless and indemnify the Town of Ladysmith from and against any and all claims, demands, suits or compensation of whatsoever kind arising either directly or indirectly out of the permission thereby granted, and shall likewise be subject to such further conditions, regulations and orders as may be imposed by the Town of Ladysmith.
- 2.4 Transfer Beach Park and its roadways shall be closed from 8:00 p.m. to 6:00 a.m. from November 1st to March 31st and from 10:00 p.m. to 6:00 a.m. April 1st to October 31st annually, except as may be approved by the Director of Parks, Recreation and Culture. Appropriate signs and gates may be installed under the direction of Council.
- 2.5 All motor vehicles are prohibited from operating in all parks, except for licensed motor vehicles on roads constructed for such purpose, subject to section 2.4 of this bylaw. For the purposes of this bylaw, motor vehicle means a vehicle that is designed to be self-propelled and includes dirt bikes, motorcycles and all-terrain vehicles.

No person shall operate a motor vehicle upon any park within the municipality except:

- (a) for the purpose of carrying out work on such property first authorized by the Director of Public Works, or
- (b) upon a roadway constructed upon the park or other property for the purpose of carrying motor vehicles or providing for the parking of motor vehicles.
- 2.6 <u>Playgrounds and Courts</u>

The following regulations shall apply to all playground and courts within the park:

- (a) the playing of any games on any court within any park or playground may be restricted with one week's notice;
- (b) no person shall willfully, maliciously or carelessly damage or destroy the utility of any court or playground, or in any way interfere with or obstruct the free use thereof by those lawfully entitled to the use of same.
- 2.7 Beaches

The following regulations shall apply to all beaches within the jurisdiction of the Town of Ladysmith:

- (a) no person shall use any boat, motor boat, sea sled or other contrivance or thing within 25 metres of any beach or other area restricted by the Ministry of Transport that will endanger, disturb or otherwise interfere with the free use of the water for bathing and swimming purposes;
- (b) no person shall drive any vehicle on the beach area except with the permission from the Council of the Town of Ladysmith;
- (c) a person must have care, control and on a leash, any dog on any dock, pier or other waterfront apparatus.

PART THREE - SPECIAL USE PERMITS

3.1 Any special use permits will be recommended by the Director of Parks, Recreation and Culture for approval by the Council of the Town of Ladysmith.

PART FOUR - PENALTIES

BYLAW 1158

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4.1 Any person who violates the provisions of this bylaw is liable to the maximum penalties as set out in the <u>Offence Act</u>. Each day that such violation is caused or permitted to continue constitutes a separate offence.

PART FIVE - REPEAL OF PREVIOUS BYLAWS

5.1 "Parks Usage Bylaw 1987, No. 886" and all amendments thereto is hereby repealed.

PART SIX - CITATION

6.1 This bylaw may be cited as the "Parks Usage Bylaw 1995, No. 1158".

READ A FIRST TIME on the	15th	day of	MAY	, 1995
READ A SECOND TIME on the	15th	day of	MAY	, 1995
READ A THIRD TIME on the	5th	day of	JUNE	, 1 9 95
ADOPTED on the	19th	day of	JUNE	, 1995.

alits 1 Mayor

Clerk

I hereby certify the above to be a true and correct copy of "Parks Usage Bylaw 1995, No. 1158".

Clerk

TOWN of LADYSMITH BYLAW NO. 1396

A bylaw to amend the Parks Usage Bylaw

WHEREAS pursuant to the *Municipal Act*, the Council may by bylaw make rules and regulations governing the management, maintenance, improvements, operation, control and use of property held for pleasure, recreation or community uses of the public;

AND WHEREAS it is deemed advisable to amend "Parks Usage Bylaw 1995, No. 1158";

- NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled enacts as follows:
- 1. Section 2.2 (o) and (p) of Part Two Basic Provisions are deleted and the following substituted therefor:
 - (o) No Dogs Allowed: Transfer Beach Park (below deKoninck Way, Amphitheatre, Beach Front, Playground areas), Kinsmen Park (former Brown Drive Park), High Street Park, Lions Park, Holland Creek Ball Park (field), Harbourview Park, Little League Ball Park (field), Bob Stuart Park, Root Street Park, Aggie Fields, Aggie Playground and area.

Dogs Allowed on Leash: Arboretum, Holland Creek Ball Park (spectator stands and area), Aggie Field (spectator stands), Davis Road Park, Little League Ball park (spectator stands and area), Queens park, Municipal Boulevards, Stonewall Park.

Dogs Allowed in Control Off Leash: Transfer Beach Park (above deKoninck Way - seasonal October 1-March 31, Arbutus Ridge Trail, Gourlay-Janes Park, Mackie Park, Holland Creek Trail.

Removal of Pet Feces: That in those municipal parks and boulevards where animals are allowed, owners be required to remove their pet's feces and dispose of in an acceptable manner.

and subsequent sections (p) to (w) are re-lettered (p) to (v)

2. This bylaw may be cited for all purposes as "Parks Usage Bylaw 1995, No. 1158. Amendment Bylaw 2000, No. 1396".

READ A FIRST TIME on the	17th day of	JULY, 2000
READ A SECOND TIME on the	17th day of	JULY, 2000
READ A THIRD TIME on the	17th day of	JULY, 2000
ADOPTED on the	21st day of	AUGUST, 2000

Manager of Corporate Services (P. Durban)

I hereby certify this to be a true and correct copy of "Parks Usage Bylaw 1995, No. 1158, Amendment Bylaw 2000, No. 1396,"

 α Manager of Corporate Services

TOWN OF LADYSMITH

BYLAW NO. 1862

A Bylaw to provide for the indemnification of municipal officials

WHEREAS the Local Government Act, section 287.2 authorizes the Town of Ladysmith to enact a bylaw to provide indemnity to municipal officers, employees and elected officials acting reasonably and in good faith in performing the duties and functions of their positions with the Town of Ladysmith;

NOW THEREFORE the Council of the Town of Ladysmith in open meeting assembled ENACTS AS FOLLOWS:

<u>Citation</u>

1. This Bylaw may be cited as the "Town of Ladysmith Indemnification Bylaw 2014, No. 1862".

Interpretation

2. In this bylaw

"indemnify" means to pay the amounts required or incurred

- (a) to defend an action or prosecution brought against a person in connection with the exercise or intended exercise of the person's powers or the performance or intended performance of the person's duties or functions;
- (b) to satisfy a judgment, award or penalty imposed in an action or prosecution referred to in paragraph (a); or
- (c) in relation to an inquiry under the Public Inquiry Act, or to another proceeding, that involves the administration of the Town of Ladysmith or the conduct of Town of Ladysmith business,

but does not extend to a fine that is imposed as a result of a conviction for an offence, other than a strict or absolute liability offence;

"municipal official" means

- (a) a current or former member of Council of the Town of Ladysmith;
- (b) a current or former employee or officer of the Town of Ladysmith; or
- (c) a person who is or was a person referred to in section 287 (1) of the Local Government Act,

but only in relation to the exercise of powers or performance of duties or functions for or on behalf of the Town of Ladysmith, but does not include an independent service provider, professional advisor or contractor engaged by the Town of Ladysmith from time to time on a fee for service basis; and

"willful misconduct" in relation to a municipal official, includes, without limitation, willfully acting contrary to the terms and conditions of his or her employment or to a lawful direction or order of a superior.

Indemnification

- 3. The Town of Ladysmith will indemnify every municipal official against an action or prosecution brought against the municipal official, including, for certainty, reasonable legal costs incurred in relation to the proceeding, if the person to be indemnified:
 - (a) promptly, after being served with a document initiating an action or prosecution, delivers a copy of same to the Town of Ladysmith's corporate officer;

- (b) does not admit or assume liability, enter into a settlement, or enter a guilty plea except with the approval of Council;
- (c) consents in writing to the Town of Ladysmith having sole discretion to appoint and instruct legal counsel, conduct all necessary investigations, to negotiate and settle the action or prosecution, provided that if the person believes they have an interest that is in conflict with the interest of the Town of Ladysmith the person is entitled to independent legal counsel; and
- (d) assists in providing and securing information, evidence, and witnesses, and cooperates with the Town of Ladysmith and their legal counsel in the defence of the action or prosecution.

Exceptions

4. The Council will not seek indemnity against a municipal official in respect of any action of the municipal official which results in a claim for damages against the Town of Ladysmith, except where a court of competent jurisdiction makes a finding that the person has been guilty of dishonesty, gross negligence, or malicious or willful misconduct.

Repeal

5. "Ladysmith Officers and Employees Indemnification Bylaw 1981 No 721" is hereby repealed.

READ A FIRST TIME on the	day of ,	20
READ A SECOND TIME on the	day of ,	20
READ A THIRD TIME on the	day of ,	20
ADOPTED on the	day of ,	20

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1851

A bylaw to establish a Property Tax Prepayment Plan.

WHEREAS it is desirable to encourage the prepayment of property taxes and implement a monthly payment system for the convenience of taxpayers;

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 the "Property Tax Prepayment Plan Bylaw 2014, No. 1851".
- 2. For the purpose of this or other bylaws pertaining to the Property Tax Prepayment Plan, unless the context otherwise requires, the following terms will have the meanings hereinafter assigned to them:
 - a) "Town" means the Town of Ladysmith, or the area contained within the boundaries of the said Town:
 - b) "Collector" means any person given authority by the Town to collect monies for property taxes on behalf of the Town.
 - c) "Tax Due Date" is the date that the assessed property taxes must be paid by each year in accordance with Section 234 of the *Community Charter*.
- 3. Property owners may prepay their property taxes for the following year by making monthly payments, in accordance with the provisions of this bylaw.
- Property owners wishing to pay their property taxes under the Property Tax Prepayment Plan must, no later than fifteen (15) days before their 1st payment,
 - (a) pay all their outstanding property taxes, and
 - (b) give the Collector a void cheque and written authorization, in the manner the Collector requires, to automatically withdraw monthly tax payments from the property owner's bank account.
- 5. The amount of the equal payments that will be withdrawn on the 1st of each month (except June and July) from the property owner's bank account by the Town will be calculated by dividing the previous year's gross taxes, less the Provincial Homeowner grant, if claimed, by ten (10). The monthly payment will be recalculated every year. Minimum monthly withdrawals will be \$10.00.
- 6. If the amount of property taxes paid exceeds the amount of property taxes owed (on the parcel of real property for which the prepayment has been made), the Collector will apply the excess amount towards the property taxes for the following year, unless the property owners requests a refund in writing to the Collector.
- 7. A property owner may discontinue the property tax prepayment plan arrangement by providing the Collector with written notice no less than fifteen (15) days before the next payment is scheduled.
- 8. Interest will be paid on prepayment monies received by the Collector. Interest will be calculated at a rate of three percent (3%) below the prime rate of the Town's principal bank. For payments made from August 1st to Dec 31st, the rate established on December 31st will be used. For payments made from January 1st to May 1st, the rate established on April 30th will be used and will be calculated to June 30th. Interest will be credited to the owner's property tax account.
- 9. If in the property tax prepayment year a property owner's bank account does not contain sufficient funds to cover the amount of the two (2) monthly payments, the Collector may immediately disqualify the property owner from the property tax prepayment plan arrangement. All returned payments will be subject to a service charge as set out by the Town of Ladysmith's Fees and Charges Bylaw.
- 10. It is the property owner's responsibility to ensure the correct information is provided to the Town for the purposes of processing payments.
- 11. The Collector shall indicate on the annual Property Tax notice, to all participating taxpayers, the total of all payments received plus interest earned and show the property tax amount required to be

paid by the tax due date of that year. It is still the owner's responsibility to pay any remaining amounts and claim their homeowner grant, if eligible, before the due date to avoid the penalty levy.

- 12. Property owners are required to keep their property tax account balance up to date. Payments must be applied as set out in Section 244 of the *Community Charter*. In the event that there are property taxes in delinquent or arrears on the property in question, the Collector may immediately disqualify the property owner from the property tax prepayment plan arrangement.
- 13. In the event of a sale or transfer of the property, property tax prepayments are to stay on the property tax account and the responsibility for the adjustment shall be between the vendor and purchaser. It is the responsibility of the property owner to notify the Collector, in writing no less than fifteen (15) days, prior to the sale if they wish to withdraw from the property tax prepayment plan to ensure payments do not continue after the sale.
- 14. This bylaw maybe cited as "Property Tax Prepayment Plan Bylaw 2014, No. 1851".

READ A FIRST TIME	on the	8^{th}	day of	May, 2014
READ A SECOND TIME	on the	8^{th}	day of	May, 2014
READ A THIRD TIME	on the	8 th	day of	May, 2014
ADOPTED	on the		day of	

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN of LADYSMITH

BYLAW NO. 1853

A bylaw establishing the Financial Plan for the years 2014-2018.

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:
- (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, 2018.
- (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 2018.
- (3) This bylaw may be cited for all purposes as: "Town of Ladysmith Financial Plan Bylaw 2014, No. 1853".
- (4) "Town of Ladysmith Financial Plan Bylaw 2013, No. 1827" is hereby repealed.

READ A FIRST TIME	on the	8 th	day of	May, 2014
READ A SECOND TIME	on the	8 th	day of	May, 2014
READ A THIRD TIME	on the	8 th	day of	May, 2014

on the

ADOPTED

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Schedule 'A' of Bylaw 1853

Town of Ladysmith 2014-2018

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
REVENUES:					
Revenue From Property Tax Values	\$7,022,170	\$7,437,599	\$7,757,704	\$8,045,744	\$8,354,270
Revenue From Grants In Lieu	165,163	168,465	171,836	175,272	178,777
Revenue From Parcel Taxes	1,427,384	1,509,243	1,588,543	1,706,553	1,784,753
Revenue From Fees & Charges	3,084,936	3,215,780	3,324,562	3,429,351	3,541,960
Revenue From Other Sources	5,804,199	2,110,627	1,680,627	1,885,627	8,585,627
	17,503,852	14,441,714	14,523,272	15,242,547	22,445,387
EXPENSES:					
General Operating Expense	8,852,806	9,027,116	9,226,832	9,418,382	9,691,983
Sanitary Sewer Operating Expenses	646,069	660,105	824,854	841,335	857,821
Water Operating Expenses	568,306	571,512	583,700	596,026	611,379
Interest Payments	568,514	809,972	724,494	1,029,895	1,035,416
Amortization	2,399,736	2,447,730	2,496,684	2,546,619	2,597,551
Annual Surplus/Deficit	4,468,421	925,279	666,708	810,290	7,651,237
Add back:					
Amortization	2,399,736	2,447,730	2,496,684	2,546,619	2,597,551
Capital Expenditures					
General Capital	2,102,550	1,567,350	1,042,500	5,104,500	3,191,505
Sanitary Sewer Capital	9,006,900	8,374,506	720,000	270,000	250,000
Water Capital	982,240	1,285,000	5,125,000	5,760,000	10,735,000
Proceeds from New Debt	(4,060,000)	(7,774,506)	(4,000,000)	(7,425,000)	(2,050,000)
Principal Payments	471,851	586,941	514,608	714,899	722,434
Transfers from DCC's & Reserves	(361,625)	(564,575)	(245,558)	(375,200)	(1,977,455)
Transfer to/from Own Funds	(1,273,759)	(101,707)	6,842	(692,290)	(622,696)
Financial Plan Balance	-	-		-	

Schedule 'B' of Bylaw No. 1853

Town of Ladysmith 2014 - 2018 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;
 - The distribution of property taxes among the property classes, and 2.
 - 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 2014. Council currently has no specific policy surround 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 by at least 3 percent over the current levels.

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.

Table 1: Sources of Revenue				
Revenue Source	<u>2014</u>	<u>% total</u>		
Property Taxes	\$7,022,170	29.72%		
Grants in Lieu	165,163	0.70%		
Parcel Taxes	1,427,384	6.04%		
User fees & Charges	3,084,936	13.05%		
Other Sources	484,422	2.05%		
Borrowing	4,060,000	17.18%		
Government Grants	5,319,777	22.51%		
DCC's & Reserves	361,625	1.53%		
Own Funds	1,704,990	7.22%		

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

- In 2014, maintain the Major Industry (Class 4) tax dollar levy. Over 2015-2018, reduce the share of property tax paid by Class 4 by at least 2 percent.
- In 2014, Council directed the Residential Class (Class 1) tax increase to be no more than 5% after new construction figures and that the Business/Other Class (Class 6) increase be no more than half of the Residential (Class 1) increase. Over 2015-2018, maintain the Class 6 tax levy increase to be no more than half of the Class 1 tax levy increase.
- Increase the reliance on Class 8 (Recreation/Non-profit) by the amount of the assessment increase.

Policies

Supplement, where possible, revenues from user fees and charges to help to offset the burden on the entire property tax base as a result of the reducing in the tax share paid by major industry (Class 4).

Bylaw No. 1853

• Continue to maintain and encourage economic development initiatives designed to attract more light industry, retail and commercial businesses to invest in the community. New investment from these areas will help offset the reduction to major industry (Class 4) while providing more revenue for the Town.

- 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.

Property Class	% of Total Property Taxation
Residential (1)	70.76%
Utilities (2)	0.47
Supportive Housing (3)	0.00
Major Industry (4)	12.87
Light Industry (5)	0.83
Business and Other (6)	14.77
Managed Forest Land (7)	0.00
Recreation/Non-profit (8)	0.28
Farmland (9)	0.02
Total	100%

Table 2: Distribution of 2014 Property Tax Rates

Permissive Tax Exemptions

The Town provides permissive tax exemptions. The Permissive Tax Exemption Bylaw 2013, No.1837, adopted on October 30, 2013, contains of list of property exempt from taxation for 2014. 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.

Source	% of Total	Dollar Value
Parking Reserve	0%	\$3,550
Development Cost Charges	5%	108,075
Gas Tax Funds	12%	250,000
Surplus	83%	1,704,990
Total		\$2,066,615

.....

1 able 5:	Utilization	of Reserve	s, Deve	lopment	Cost	Charges	and Sur	plus
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TOWN OF LADYSMITH

BYLAW NO. 1854

A bylaw for the levying of rates for Municipal, Hospital and Regional District purposes for the year 2014.

- **WHEREAS** the Council of the Town of Ladysmith shall, pursuant to Section 197 of 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:

The following rates are hereby imposed:

- 1. (a) For all lawful general purposes of the municipality on the assessed value of the land and improvements taxable for general municipal purposes, rates appearing in column "A" of the Schedule "A" attached hereto and forming part of this bylaw.
 - (b) For the purposes of the Cowichan Valley Regional District on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "B" of the Schedule "A" attached hereto and forming part of this bylaw.
 - (c) For hospital purposes on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "C" of the Schedule "A" for the Cowichan Valley Regional Hospital District attached hereto and forming part of this bylaw.
- 2. This bylaw may be cited as the "Town of Ladysmith Tax Rates Bylaw 2014, No. 1854".

READ A FIRST TIME	8^{th}	day of	May, 2014
READ A SECOND TIME	8^{th}	day of	May, 2014
READ A THIRD TIME	8 th	day of	May, 2014

ADOPTED

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Town of Ladysmith Tax Rates Bylaw 2014, No.1854 Schedule "A"

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

	· · · · · · · · · · · · · · · · · · ·	Δ	<u>B</u>	<u>c</u>
	PROPERTY CLASS	Municipal	Cowichan Valley Regional District	Cowichan Valley Regional Hospital District
1	Residential	5.1197	0.8024	0.5066
2	Utilities	37.8129	2.8084	1.7731
3	Supportive Housing	5.1197	0.8024	0.5066
4	Major Industry	100.2588	2.7282	1.7223
5	Light Industry	21.7608	2.7282	1.7223
6	Business/Other	15.1244	1.9659	1.2412
7	Managed Forest	43.8462	2.4072	1.5198
8	Rec Non Profit	2.8383	0.8024	0.5066
9	Farm	29.2453	0.8024	0.5066

Page 2

TOWN OF LADYSMITH BYLAW NO. 1855

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 Section 200 of 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:
- 1. In this Bylaw, unless the context otherwise requires,

"**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 2014 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.

- 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 One Hundred and Thirty Dollars (\$130.00) 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. The water parcel tax shall have the same rights and remedies as other real property taxes.
- 5. 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*.
- 6. The provisions of this Bylaw shall become effective and be in force as of the 1st day of January for the year 2014.
- 7. **<u>Repeal</u>** "Water Parcel Tax Bylaw, 2013, No. 1823" is hereby repealed.
- 8. <u>Citation</u> This bylaw may be cited as "Water Parcel Tax Bylaw 2014, No. 1855".

on the

READ A FIRST TIME	on the	8 th	day of	May, 2014
READ A SECOND TIME	on the	8 th	day of	May, 2014
READ A THIRD TIME	on the	8 th	day of	May, 2014

ADOPTED

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH BYLAW NO. 1856

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 by Section 200 of 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:
- 1. In this bylaw, unless the context otherwise requires,

"**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 2014 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;

- 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 Sixty-nine Dollars (\$269.00) 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. The sewer parcel tax shall have the same rights and remedies as other real property taxes.
- 5. 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*.

6. Repeal

"Sewer Parcel Tax Bylaw 2013, No. 1824" is hereby repealed.

7. The provisions of this bylaw shall become effective and be in force as of the 1st day of January for the year 2014.

9. Citation

This bylaw may be cited as "Sewer Parcel Tax Bylaw 2014, No. 1856".

READ A FIRST TIME	on the	8 th	day of	May, 2014
READ A SECOND TIME	on the	8 th	day of	May, 2014
READ A THIRD TIME	on the	8 th	day of	May, 2014

ADOPTED

on the

Mayor (R. Hutchins)

<u>62</u>

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1857

A bylaw of the Town of Ladysmith to approve the 2013 Audited Financial Statements as authorized expenditures for 2013.

WHEREAS the Council of the Town of Ladysmith deems it appropriate to approve the 2013 Audited Financial Statements.

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

- (1) The 2013 Audited Financial Statements for the Town of Ladysmith, attached hereto as Schedule A, are hereby considered to be authorized expenditures for 2013.
- (2) This bylaw may be cited for all purposes as "Town of Ladysmith 2013 Audited Financial Statements Bylaw 2014, No. 1857."

READ A FIRST TIME on the	8 th	day of	May, 2014
READ A SECOND TIME on the	8 th	day of	May, 2014
READ A THIRD TIME on the	8 th	day of	May, 2014

ADOPTED on the

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)

Town of Ladysmith 2013 Financial Statements Bylaw 2014, No. 1857 "Schedule A" Not Attached

Considered at the Council Meeting of May 8, 2014 and available on request



175 Ingram Street Duncan, BC V9L 1N8 www.cvrd.bc.ca Office: 250.746.2500 Fax: 250.746.2513 Toll Free: 1.800.665.3955

File No: EDCG

March 31, 2014

APR 04 2014

Town of Ladysmith PO Box 220 Ladysmith BC V9G 1A2

Dear Mayor Hutchins & Council:

Re: BC Ocean Boating Tourism Association

Over the past three years, the Cowichan Region has been directly involved in the creation of the new BC Ocean Boating Tourism Association (BCOBTA). The organization will be promoting BC's boating experiences, spectacular coastline and world class marine and boating infrastructure. This coordinated, collaborative effort will enable us to better leverage the increased boater visitations, raise destination awareness and benefit the many businesses in our region that support the boating industry.

As Economic Development Manager, I have been on the formation steering committee, participating in planning meetings and strategic planning sessions led by the Ministry of Jobs Tourism and Skills Training. I'm pleased to inform you that the Society has now been formed, a Board of Directors has been put in place and I am on the new Board representing the Cowichan Region, the CVRD and our member municipalities in this exciting new program.

The attached letter from Association Chair David Mailloux from Nanaimo gives a more detailed explanation of the background plus the funding plan, including grant applications to Island Coastal Economic Trust, among others. BCOBTA is requesting letters of support from local governments throughout the BC Coast Regions and I respectfully ask that you consider supporting this endeavor with a letter of support from the Town of Ladysmith.

Yours truly,

Geoff Millar, Manager Economic Development Division Planning & Development Department

GM:jm

Attachment

COWICHAN VALLEY REGIONAL DISTRICT



BCOBTA

February 24, 2014

Dear Mayor and Council:

RE: Letter of support for BC Ocean Boating Tourism Association

I am pleased to inform you that after three years of planning, the goal of creating a marine tourism marketing and product development organization for BC's spectacular coastal waters is in sight. The BC Ocean Boating Tourism Association (BCOBTA) is a new, non-profit Society with a Board of Directors representing Coastal regions and key stakeholders in marine tourism. We have embarked on fundraising. We need letters of support from local governments to support our fundraising applications. I would be very grateful if your community could provide a letter.

In order to assist you, I provide information that you may use in your letter of support.

History

Formation of the BC Ocean Boating Tourism Association¹ is supported by the Ministry of Jobs, Tourism and Skills Training, under its Experiences BC tourism sector development program. A Steering Committee - composed of 20 key stakeholders in the marine tourism industry – was formed to create a marine tourism marketing and product development strategy.

In 2012, five sub-regional meetings were held to gather input from marine tourism industry members and community organizations. This input guided the vision and development of a Sector Development Strategy by the Steering Committee at a series of workshops in 2012 and 2013.

The Sector Development Strategy² has a three-year implementation schedule. The BC Ocean Boating Tourism Association (BCOBTA) will require funding, in decreasing amounts, for all three years of the plan.³ Experience BC will provide \$50,000 annually. In year four, the Association will be funded by Experiences BC, membership fees, advertising and sponsorships.

Goals

The goals of the Ocean Boating Tourism initiative are to increase the number of domestic and international boaters in BC coastal waters, the length of their visits and the amount of money they spend while here. From every standpoint, coastal BC offers an internationally competitive boating experience. As the *Sector Development Strategy* documents, in order for BC to make the most of its advantages, it needs to establish a compelling brand in the international market place, actively market a BC marine experience and unite coastal harbours and marinas in the provision of an experience that is seamless and unforgettable.

Benefits

There are approximately 200 marinas in BC coastal waters, including Small Craft Harbours. Marine tourists are potentially big contributors to a range of tourism, recreation and services sectors. BC

³ Year one \$153,000; year two \$102,000; year three \$50,000

phone: 250 753-4146 #251

email: dmailloux@npa.ca

¹ The initiative may be better know as the BC Marine Highway.

² The Executive Summary from the Sector Development Strategy accompanies this letter.

BCOBTA

Coastal communities have invested many millions of dollars in marina expansion over the past five years. The BCOBTA initiative adds value to those investments by drawing users.

A top quality marketing effort will attract more boaters. A reservation process, sailing and on-shore itineraries, and elevated service standards will keep visitors here longer. A primary competitive goal is to provide services that make it easier and more enjoyable to explore BC's coastal waters than any other place in the world. Themed itineraries and seasonal highlights will encourage boaters to extent the sail and cruise season.

Our product development strategy is expressly aimed at increasing expenditures by marine tourists and widening the range of businesses that profit. Our website will enable marine tourists to plan activities during the length of their holiday. We will extend their experience to include on-shore activities. Once on-shore, revenues will flow to a many communities, regions and commercial sectors.

There are no provincial data on the value of the BC marine tourism industry. We know that the sector is important to many coastal communities. Communities invested in this economy have realized many benefits; we can definitely do much better working together as a Coastal Industry, sharing resources and efforts with a coordinated business plan supported at many levels. We predict that the BCOBTA initiative will increase the number of vessels in BC waters by 10% and the amount of revenue generated by 15% within ten years. This estimate is based on the experience of Sail Scotland, which created a similar initiative in 2006.

Our Request

We respectfully request a letter of support be sent via email and addressed to:

David Mailloux Chair, BC Ocean Boating Tourism Association 4836 Black Bear Ridge, Nanaimo, BC V9T 5E2 dmailloux@npa.ca

Your letter will accompany applications for funding to Island Coastal Economic Trust, Coast Sustainability Trust and other funding organizations. In your letter please state that you support creation of a marketing and product development association because marine tourism is important to your community's economy. Identify recent or planned additions to marinas and harbours in your area.

Later in 2014, we will ask communities to provide information about events and activities for posting on the OBTA website. We anticipate making a small request to coastal communities for funds to build the Association's stakeholder base in year two (2015) of our implementation plan.

On behalf of the Directors of BCOBTA, I thank you for writing a letter of support for BC's coastal marine tourism initiative. We look forward to announcing completion of milestones in the implementation of our strategy and to an invigorated marine tourism industry.

Yours truly,

David Maillouk Chair, BCOBTA

phone: 250 753-4146 #251

email: dmailloux@npa.ca



LADYSMITH DOWNTOWN BUSINESS ASSOCIATION

April 8, 2014

Request for Trolley donation

Mayor and Council Town of Ladysmith

Dear Mayor and Council,

The Ladysmith Downtown Business Association is requesting the donation of the use of the trolley and a driver for our 3rd annual Old Tyme Christmas and Candlelight Walk being held on December 5, 2014. The event is held from 5-8pm so we are requesting the use of the trolley from 5-8:30pm.

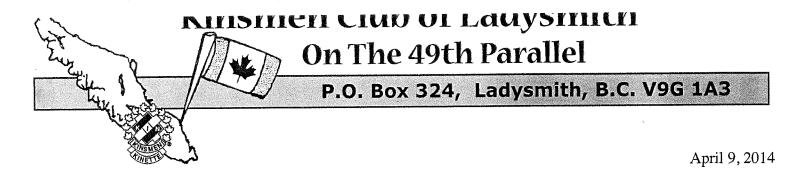
As most of you are aware, this community event has become quite popular and the trolley has been well used in the two years that we have organized the night.

Thank you for your consideration. If you have any questions, please contact Lesley Parent at 250-245-1200.

Sincerely,

Resley Parent

Lesley Parent President, Ladysmith Downtown Business Association



Clayton Postings Director of Parks, Recreation Town of Ladysmith P.O. Box 220 Ladysmith, B.C. APR 1.0.2014

Dear Clayton

The members of the Ladysmith Kinsmen Club are interested in putting the "finishing touches" to the playground that we recently conststructed at Brown Dr/Kin Park. Believe it or not.... it was actually an oversight on our part and we missed putting in a sidewalk along the north side of the playground.

The reasoning for this ... is that our intent on portions of the playground were to be accessible by children/ people with handicaps but without the sidewalk it makes it very difficult for wheelchairs to get to the various stages of the playground. It is also very hard for parents pushing strollers to get from one phase to the other as well.

The Kinsmen are asking for permission to construct the sidewalk and we will work closely with the Town's building inspector. We have briefly talked with Tom Skarvig for his input. We have 3 professional builders in our club and the sidewalk will meet all standards.

The club is hoping that once the sidewalk is done the Town could possibly "finish" the grass area of the park by putting down some of it's new topsoil and planting grass on the north side. Right now the area looks basically like a bit of a gravel pit but with new grass sit would really spruce up the park and actually make that area more of a "picnic" area as there are tables and benches there.

As well... giving you a bit of heads up... the Kinsmen have also tentatively decided to take on the replacement of the playground at Transfer Beach as a project ... similar to what we did at the Brown Dr/Kin Park playground. We anticipate it being a two year program as it will take quite a while to fundraise. At this time we have an estimate from Henderson Playgrounds (same company that did the other playground) and it is running around \$122,000... but this does not include other costs such as ground cover, etc.

The Kinsmen are hoping that the Town will also see the advantage of this, as we believe that the life expectancy of the Transfer Beach playground is only two more years, and will put some dollars towards the project. The Brown Dr/Kin Park playground the Town did put funds in their budget over 2 years (which we believe was \$60,000).

Hopefully this all meets with your approval. If you have any questions please get in touch with me at any time. My cell is 250-246-0637. We want to thank you for your time and consideration of our request.

Yours in Kin

Duck Paterson Project Chair Ladysmith Kinsmen Club

cc: R. Hutchins, Mayor Steve Dinsmore, club president

68



P.O. Box 598 411B First Avenue, Ladysmith, B.C. V9G 1A4

T 250 245 2112 F 250 245 2124 E info@ladysmithcofc.com www.ladysmithcofc.com

Ladysmith Chamber of Commerce 411 B 1st Avenue Ladysmith, B.C.

April 15, 2014

Town of Ladysmith Mayor & Council

Please accept this request for a hole sponsorship at our upcoming Ladysmith Chamber of Commerce Golf tournament and fundraiser, coming up June 20, 2014 at Cottonwood. The cost is \$200.00.

Any donation would be gratefully appreciated, and of course we always need more participants to golf as well!

Regards,

Cyndi Beaulieu Ladysmith Chamber of Commerce



MEDIA SPONSOR:

<u>Chronicle</u>



7th Annual Golf Tournament Cottonwood Golf Club, Friday, June 20th, 2014 Registration 12:00 noon

SPONSOR PACKAGES

GOLD-\$3,000

- Exclusivity (ex. only one grocery store)
- Sign in banquet room
- 4 Golfers and Dinner
- Hole and Tee Sponsorship
- Set a Kiosk up at your tee to promote your business
- Signage on 2 golf Carts
- · Recognition in the golf program, and awards ceremony
- Post-event recognition thank you in the newspaper
- · First right of refusal for the following year
- · Logo on all advertising, poster, and entry forms if notified before publication

SILVER-\$2,000

- Exclusivity (ex. only one grocery store)
- 4 Golfers and Dinner
- Hole and Tee Sponsorship
- · Set a Kiosk up at your tee to promote your business
- Recognition in the golf program, and awards ceremony
- Post-event recognition thank you in the news paper

BRONZE-\$1,000

- 2 Golfers and Dinner
- Hole and Tee Sponsorship
- Set a Kiosk up at your tee to promote your business
- Recognition in the golf program, and awards ceremony
- Post-event recognition thank you in the news paper

71



7th Annual Golf Tournament Cottonwood Golf Club, Friday, June 20th, 2014 Registration 12:00 noon



Golf & Dinner \$135 +GST

Golf & Dinner package includes 18 holes of golf, cart, and a buffet dinner. This amount also includes your bottle of wine for the wine draw. Extra dinners available for \$40 per person (golf not included).



Early Bird Special \$440 +GST

Sign up your 4 person team by May 30, 2014, and save \$100 per team



Hole Sponsorship - \$200 +GST

Provides the sponsor with signage at Tee & Green of the chosen or assigned hole. You will also receive recognition in the golfer's program, during the awards banquet and in the Chamber newsletter. We are encouraging sponsors to pick a theme and promote your business at the hole. Set up your own Kiosk or tent. (No golf or dinner included).



Cart Sponsorship - \$50 +GST

Provides the sponsor with signage on a golf cart - this new sponsorship is offered to give our small businesses the chance to participate in sponsorship at a reasonable price



Prize Sponsorship/Live Auction

You will receive recognition for your prize donation both in the program for the day and at the awards banquet in the evening. You can also donate cash for the purchase of a prize on your behalf.

email:

Company	Name:
---------	-------

Contact Name:

Position:

Address:

Method of Payment	Credit Card Information	
Cheque Enclosed	Card #:	
Visa	Expiry Date:	
MasterCard	Name:	
Invoice	Signature:	

Mail or Fax Your Entry to: Ladysmith Chamber of Commerce

PO Box 598 - 1st Avenue, Ladysmith - Phone 250-245-2112, Fax 250-245-2124 - www.ladysmithcofc.com



7th Annual Golf Tournament Cottonwood Golf Club Friday, June 20th, 2014

Rules:

- The first (and most important) rule of golf is to leave the course in as good a condition as you found it. Please replace divots, repair ball marks on the greens, and rake sand traps.
- Please consider the other golfers on the course.
- Play without delay; be sure to keep up to the group ahead of you.
- All power carts must obey the 90-degree rule and pull carts must remain 20 feet from tee's and greens.
- No coolers.

18 HOLE SCRAMBLE RULES

- 1. Tees ladies / red, men / white
- 2. All players tee off, pick the best ball of the four and play from that spot. All players hit again, pick the best ball and continue procedure until the ball is holed out.
- 3. Each player must use: A MINIMUM OF Three TEE SHOTS.
- 4. Each player must putt out at least one hole.
- 5. Events on the course to watch for:
 - Ladies Longest drive #3
 - Men's Longest drive # 16
 - Ladies Closest to the Pin # 11
 - Men's Closest to the Pin # 8

The itinerary for the day is as follows:

12:00 to 1:30 pm – Registration and Putting Contest

Tee Off at 1:30 pm – Shotgun Start

Dinner to follow around 5:45 pm / Tournament prizes after dinner





LaFF Box 1830 Ladysmith, BC Canada V9G 1B4

March 24th 2014

Hi Rob Hope you will join in for an afternoon of pun with a team... or just pop in for dinner after. You have options i sor: Vove facquetie Dear potential sponsor:

On Sunday May 25th, 2014, Cottonwood Golf Course is hosting the **1st Annual LaFFing Links** Charity Golf Tournament. Together with your generous donation, we are raising funds to aid continued Family Resource programming, through Ladysmith Family and Friends (LaFF). LaFF is a local non-profit society offering a supportive, enriching, and safe play based learning environment for families and caregivers with children newborn to age 6. All monies raised will be

donated to LaFF, to aid in the continuation of their commitment to quality programming.

With our goal of a full field of 64+ participants (16+ teams), we are searching for 9 individual hole sponsors, cart sponsors, and a putting contest sponsor, as well as gift donations and items for use in a silent auction. Your donation will go a long way to help fund our local and well-loved program and will create an opportunity to connect in a fun way that will support a program that supports approximately 500 families.

We have 4 levels of donation/sponsorships

- 1. Donation of merchandise, gift certificates or memorabilia for Silent Auction and Prizes
- 2. Hole Sponsorship for \$150.00
- 3. Putting Contest Sponsorship for \$300.00
- 4. Golf Cart Sponsorship for \$400.00

There are further details regarding individual / team registration costs and dinner only options on the supporting documents.

For more information, or help registering, please contact:

Kirsten Carlos laffeventcoordinator@hotmail.com

Sch	nedu	le of E	vents
2 pm	na	Reais	tration /

- Registration / Warm up Shotgun start
 - Gourmet **Burger BBQ**
- Prizes / Silent Auction

(250) 210-0870

laffexecutivedirector@shaw.ca www.familyandfriends.ca

LdFU Sunday, Ma	ink Golf Tournament ay 25 th , 2014 n / Donation Form
Contribution Type: I would like to donate an item to be used as a Player Prize or Siler	at Auction item:
Production of the second sec	
item:	
Value:	
I would like to be a a Hole Sponsor for \$150	
I would like to sponsor the Putting Contest for \$300	ATA
I would like to be the Golf Cart Sponsor for \$400	Cottonwood
I would like to play and / or enter a team or single player (s): # Team(s) @ \$250 per team	Golf/Course
# Single(s) @ \$65 per player	
Main Contact:	Email:
Team Info: Player 1:	·
Player 2:	
Player 3:	
Player 4:	
# Rental clubs needed for any players @ \$15	Right or Left handed
# Additional Guests for Dinner @ \$20 per p	erson
	\mathcal{O}
Contact Info:	
Name: Company:	
Email:	
Phone:	
Payment Info:	SO.
Method: VISA / MC / Cheque / Cash (Please	e Circle One)
Credit Card #:	Exp: /
Amount Auth: \$	gnature:

E-mail: Laffeventcoordinator@hotmail.com Mail: LaFF, Box 1830, Ladysmith, BC V9G 1B4

From: Cliff Fisher
Sent: May 5, 2014 4:48 PM
To: Town of Ladysmith
Cc: Duck Paterson; Sarah Morden; Greg Edwards
Subject: Municiple Partner for Festival of Lights

Hello Erin.

Sarah Morden has an opportunity to apply for a grant with the FCC AgriSpirit Fund on behalf of the Festival of Lights Society, but it would require us partnering with the Town of Ladysmith who would be managing the awarded funds received to be paid toward the project.

The Festival of Lights has been actively searching for additional funds to build new decoration base pad, similar to air conditioning pads, but modified to hold new and current decorations each year. These bases are necessary for the survival of the Festival of Lights program as many new, and existing roofs in bad repair, are refusing the FOL to place decorations on them, without this new trade approved base in use. We require funding to allow us to build over 100 of these bases within a short span of years to continue the program.

With the Towns' approval to partner with us, we would then feel confident to apply for this grant opportunity. Our deadline for application is June 12, 2014 and if awarded, a process will be set up with the FCC AgriSpirit Fund and the Town before the funds are released.

We look forward to your support on this, so we can quickly move into the application stage.

Thank you

Cliff Fisher

President

Ladysmith Festival of Lights Society