



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, JUNE 16, 2014

Call to Order 6:15 p.m.
Closed Meeting 6:16 p.m.
Regular Meeting 7:00 p.m.

A G E N D A

CALL TO ORDER 6:15 P.M. in order to retire immediately into Closed Meeting

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:

- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

2. RISE AND REPORT

3. AGENDA APPROVAL

4. MINUTES

4.1. Minutes of the Regular Meeting of Council held June 2, 2014.....1 - 6

5. PUBLIC HEARING – None

6. DELEGATIONS

6.1. John de Leeuw, Ladysmith and District Credit Union
Presentation of Gift

6.2. Ron Dale, Kim Judson
Random Acts of Kindness Project

7. PROCLAMATIONS – None

8. DEVELOPMENT APPLICATIONS – None

9. REPORTS

9.1. New and Updated Zoning Bylaw7 - 12

9.2. Amendment to Water and Sewer Rates Bylaws 13 - 14

9.3. Parks, Recreation and Culture Fees and Charges Annual Review..... 15 - 30

9.4. Roadway Directional Signage for Forrest Field and Frank Jameson
Community Centre 31 - 34

10. BYLAWS

10.1. Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298,
Amendment Bylaw 2014, No. 1863..... 35 - 36
May be read a first, second and third time

Bylaw 1863 is the subject of a staff report under agenda item 9.2. The purpose of Bylaw 1863 is to authorize an increase in water rates to support planned capital upgrades to the water supply system.

10.2. Town of Ladysmith Sanitary Sewer Rates Bylaw 1999 No. 1299,
Amendment Bylaw 2014, No. 1864..... 37 - 38
May be read a first, second and third time

Bylaw 1864 is the subject of a staff report under agenda item 9.2. The purpose of Bylaw 1864 is to authorize an increase in sewer rates to support planned capital upgrades to the sanitary sewer (waste water treatment) system.

11. CORRESPONDENCE

11.1. Rita Balboni, Ladysmith Community Gardens Society..... 39
Proposed Change to Zoning Bylaw in Order to Permit Beehives in the Town
of Ladysmith

Council is advised that the "keeping of bees" has been included in the definition of Urban Agriculture in the draft new and updated Zoning Bylaw.

Staff Recommendation

To permit "the keeping of bees" at the High Street community gardens, it is recommended that Council consider directing staff to include "the keeping of bees" in the definition of Community Garden in the draft new and updated Zoning Bylaw and that Council also consider referring the letter from Rita Balboni of the Ladysmith Community Gardens Society to staff to review and bring forward recommended amendments that may be required to other Town bylaws.

11.2. Katie and Moses Heffring.....40
Safety Concerns at North Davis Road and TransCanada Highway

Staff Recommendation

That Council consider referring the correspondence from Katie and Moses Heffring regarding pedestrian safety at the intersection of North Davis Road and the TransCanada Highway to staff for investigation and to develop a recommendation.

11.3. Joe Barry, Cowichan Valley Regional District 41 - 44
CVRD Bylaw No. 3816 – Cowichan Valley Hospice Society

Staff Recommendation

That Council consider passing a resolution that the Town of Ladysmith consents to the adoption of CVRD Bylaw No. 3816 – Cowichan Valley Hospice Society Annual Financial Contribution Service Establishment Bylaw, 2014.

Gretchen Hartley of the Cowichan Valley Hospice Society is scheduled to appear as a delegation before the Municipal Services Committee on June 16 to provide information about this matter.

11.4. Rhona Martin, Union of British Columbia Municipalities..... 45 - 68
Community Works Fund Agreement

Staff Recommendation

That Council approve the execution of the Community Works Fund Agreement for 2014 to 2024 with the Union of British Columbia Municipalities and that the Mayor and Corporate Officer be authorized to sign the agreement.

11.5. Adam and Margaret Seymour 69 - 70
Request for Town Sponsorship of the Stz’uminus Canoe Festival for 2014

Council will recall that it provided a grant-in-aid of \$1,000 for this event in 2012. Council approved the same amount for the 2013 canoe festival, however that event was cancelled.

Staff Recommendation

That Council consider whether it wishes to provide a grant-in-aid to the 2014 Stz’uminus Canoe Festival, and determine the amount it may wish to contribute.

12. NEW BUSINESS

12.1. Appointment of Town of Ladysmith Representative to Cowichan Valley Regional District Emergency Management Committee

Staff Recommendation

That Council consider whether it wishes to appoint a member of Council to represent the Town of Ladysmith on the Cowichan Valley Regional District Emergency Management Committee.

13. UNFINISHED BUSINESS

14. 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.

15. ADJOURNMENT



**TOWN OF LADYSMITH
MINUTES OF A MEETING OF COUNCIL
MONDAY, JUNE 2, 2014
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 5:30 P.M.
CLOSED MEETING 5:31 P.M.
REGULAR MEETING 7:00 P.M.**

COUNCIL MEMBERS PRESENT:

Councillor Steve Arnett
Councillor Gord Horth

Councillor Jillian Dashwood
Councillor Duck Paterson

Councillor Bill Drysdale
Councillor Glenda Patterson

COUNCIL MEMBERS ABSENT:

Mayor Rob Hutchins

STAFF PRESENT:

Ruth Malli
John Manson

Joanna Winter

Erin Anderson

CALL TO ORDER

Deputy Mayor Arnett called this Regular Meeting of Council to order at 5:37 p.m.

CLOSED SESSION

CS 2014-198

Moved and seconded at 5:38 p.m.:

That Council retire into Closed Session in order to consider the following items:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality

Motion carried.

RISE AND REPORT

Council rose from Closed Meeting at 6:37 p.m. with report on the following item:

- Council appointed Rod Smith to serve on the Board of Directors of DL 2016 Holdings Corporation.

REGULAR OPEN MEETING

Deputy Mayor Arnett called the Regular Meeting of Council to order at 7:00 p.m.

AGENDA APPROVAL

CS 2014-199

Moved and seconded:

That the agenda for the Regular Council Meeting of June 2, 2014 be approved as amended by the following additions:

- 11.1 – Trolley Rental Waiver Request
- 11.2 – Grant-in-Aid Request for Aboriginal Day

- 12.1 - Amendment to Minutes of April 28, 2014
- 12.2 - Water Chlorination System 2014 Budget Recommendation

Motion carried.

MINUTES

CS 2014-200

Moved and seconded:

That the minutes of the Special Meeting of Council held Thursday, May 8, 2014 be approved.

Motion carried.

CS 2014-201

Moved and seconded:

That the minutes of the Regular Meeting of Council held Monday, May 12, 2014 be approved.

Motion carried.

CS 2014-202

Moved and seconded:

That the minutes of the Special Meeting of Council held Monday, May 26, 2014 be approved.

Motion carried.

PRESENTATIONS

Jacob Ellis, Cowichan Valley Regional District Funding for Cowichan Sportsplex

Jacob Ellis gave a presentation about a proposed regional funding model for the Cowichan Sportsplex, and asked Council and audience members to respond to five questions using *i-clickers*. The results of this survey and others being carried out throughout the region will be provided to the Board of the Cowichan Valley Regional District to assist in determining an appropriate funding model for the Cowichan Sportsplex.

Good Neighbour Awards

Deputy Mayor Arnett presented the Good Neighbour Award to the following individuals who go above and beyond to help their neighbours throughout the year:

- Lyle & Susan McChesney - nominated by Ryan & Cathleen McMahon
- John & Debbie Baker - nominated by Cindy LaFleur
- Ken Sutherland - nominated by Sue McMurtrie
- Jack Judson - nominated by Joe & Maureen Mulder

Deputy Mayor Arnett congratulated the Good Neighbour Award winners and thanked the nominators for showing their appreciation to their neighbours.

DELEGATIONS

Russel Barling, Forward Road Resident Suspected Hydrocarbon Contamination

Russel Barling, on behalf of residents of Forward Road, addressed Council about concerns and frustration over health and environmental effects of hydrocarbon contamination in the area

surrounding the former Dalby gas station.

The Director of Infrastructure Services reviewed actions taken by the Town since the issue was first brought to the Town's attention in 2005.

Council advised that, although this matter is under provincial jurisdiction, the Town intends to pursue the matter with the provincial government and encouraged the residents to do the same.

Moved and seconded:

CS 2014-203

That Council write an urgent and strongly worded letter to the Minister of Environment, with copies to MLAs Doug Routley and Bill Routley and Government Caucus Chair Michelle Stillwell, insisting that the government take immediate action to address the issue of hydrocarbon contamination in the vicinity of Forward Road; and further that Council follow up with a request for a meeting with the Minister of Environment, to which a representative of the Forward Road residents would also be invited.

Motion carried.

PROCLAMATIONS

Mayor Hutchins proclaimed June 14th and 15th, 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.

BYLAWS

Town of Ladysmith Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2014, No. 1852

Moved and seconded:

CS 2014-204

That Town of Ladysmith Dog Licencing, Control and Pound Bylaw 1995, No. 1155, Amendment Bylaw 2014, No. 1852 be adopted.

Motion carried.

Town of Ladysmith Indemnification Bylaw 2014, No. 1862

CS 2014-205

Moved and seconded:

That Town of Ladysmith Indemnification Bylaw 2014, No. 1862 be adopted.

Motion carried.

CORRESPONDENCE

Phil Turin, School District 68

Request for Input Regarding Proposal to Reduce the Size of the Board of School Trustees

Moved and seconded:

CS 2014-206

That Council advise the Board of School Trustees of School District 68 that it supports the proposal to reduce the size of the Board

from nine Trustees to seven, as outlined in the correspondence from the School District dated May 7, 2014.

Motion carried.

Councillor Drysdale declared a conflict of interest with the following item due to his employment, and excused himself from the meeting.

**Cliff Fisher, Ladysmith Festival of Lights Society
Municipal Partner for Festival of Lights**

Moved and seconded:

CS 2014-207

That Council advise the Festival of Lights Society that it supports a proposed partnership between the Town of Ladysmith and the Festival of Lights as outlined in the correspondence from the Festival of Lights dated May 22, 2014, for the sole purpose of securing grant funding through the Nanaimo Foundation 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 work with the Society to establish the details of this arrangement.

Motion carried.

Councillor Drysdale returned to the meeting.

Councillor D. Paterson declared a conflict of interest with the following agenda item due to his role as project chair, and excused himself from the meeting.

**Duck Paterson, Kinsmen Club of Ladysmith
Request for Joint Application for AgriSpirit Funding**

Moved and seconded:

CS 2014-208

That Council advise the Kinsmen Club of Ladysmith that it supports a proposed partnership between the Town of Ladysmith and the Kinsmen Club as outlined in the correspondence from the Club dated May 31, 2014, for the sole purpose of securing grant funding through the FCC AgriSpirit Fun to replace the playground structure at Transfer Beach; and further, that Council direct staff to work with the Society to establish the details of this arrangement.

Motion carried.

Councillor D. Paterson returned to the meeting.

NEW BUSINESS

**Kira Mauriks
Request for Waiver of Trolley Rental Fee**

Moved and seconded:

CS 2014-209

That Council support a reduction of \$100 in the trolley rental fee as requested by Kira Mauriks on behalf of a group of students wishing to rent the Ladysmith Trolley for their prom on June 7, 2014.

Motion withdrawn.

CS 2014-210

Moved and seconded:

That Council not support the request for a reduction or full waiver of the trolley rental fee as requested by Kira Mauriks on behalf of a group of students wishing to rent the Ladysmith Trolley for their prom on June 7, 2014, and the rental reduction policy applies only to not-for-profit organizations.

Motion carried.

**J. Melissa Daniels, Stz'uminus First Nation Health Services
Aboriginal Day Celebration Request for Funding**

CS 2014-211

Moved and seconded:

That Council provide a grant-in-aid of \$750 to Stz'uminus First Nation Health Services in support of Aboriginal Day celebrations, as requested in the correspondence from Melissa Daniels dated May 29, 2014, and that the Financial Plan be amended accordingly.

Motion carried.

UNFINISHED BUSINESS

Amendment to Minutes of April 28, 2014 Special Council Meeting

CS 2014-212

Moved and seconded:

That the minutes of the Special Meeting of Council held April 28, 2014 be amended to add the following under financial Plan Deliberations:

Staff advised that they had received confirmation from the Ladysmith Soup Kitchen that their 2014 Grant-in-Aid request is for \$2,000 and that this amount has been included in the final budget recommendation before Council later in the meeting.

Motion carried.

Budget Recommendation

CS 2014-213

Moved and seconded:

That Council approve a transfer of \$200,000 from existing water capital projects to fund additional work for the Water Chlorination Facility Project (currently phased in future years), and that the Financial Plan be amended accordingly.

Motion carried.

Artwork in Council Chambers

Council expressed their appreciation to Councillor D. Paterson for generously providing his artwork by Roy Henry Vickers to be displayed in Council Chambers.

QUESTION PERIOD

Staff confirmed that Council would be advised in advance of considering a grant-in-aid request if there were no funds available to support the request.

Council advised that the results of a report concerning water flows in the proposed Couverdon expansion lands have not yet been received.

A staff report concerning the new and updated Zoning Bylaw will come before Council at the June 16, 2014 meeting while a Public Hearing on the Zoning Bylaw will be held later in the summer. Members of the public are encouraged to continue providing comments on the proposed changes to the Zoning Bylaw.

The Town's collection program for recyclable materials does not apply at this time to commercial establishments.

ADJOURNMENT

CS 2014-214

Moved and seconded:

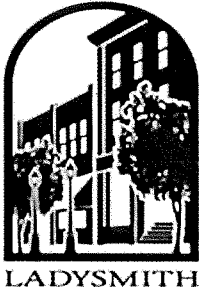
That this meeting of Council adjourn at 9:29 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: June 16, 2014
File No: 3900-03 Zoning Bylaw

Re: **NEW AND UPDATED ZONING BYLAW**

RECOMMENDATION(S):

1. That Council provide any additional direction to staff for the Draft Zoning Bylaw and Draft Development Permit Area Guidelines.
2. That Council direct staff to refer OCP amendment Bylaws 1859 and 1861 to Stz'uminus First Nation and OCP amendment Bylaw 1859 to Nanaimo-Ladysmith School District #68 pursuant to s. 879 of the Local Government Act.
3. That depending on the extent of any additional direction to staff provided from recommendation 1 above:
That Council consider directing staff to schedule a public hearing for the new and updated Zoning Bylaw and Development Permit Area guidelines, including Bylaws 1858, 1859, 1860 and 1861, on July 14, 2014, assuming Council's consideration of these Bylaws for first and second reading prior to July 2, 2014.

PURPOSE:

The purpose of this staff report is to follow-up to the Council and public input received at the special Council meeting held on May 26, 2014, and to seek further direction from Council.

INTRODUCTION/BACKGROUND:

A special Council meeting was held on May 26, 2014 to present the draft new and updated Zoning Bylaw, Development Permit Area Guidelines and related amending bylaws – Bylaws 1858, 1859, 1860 and 1861. Approximately 40 members of the public, including members of the Zoning Bylaw project stakeholder committee, were in attendance. Mayor Hutchins explained that participants' comments and suggestions would be reviewed and, as appropriate, incorporated into the new and updated Zoning Bylaw.



Council direction has been provided previously regarding various land use matters. Direction for coach house use and drive-through service access from December 16, 2013 is provided below.

It was moved, seconded and carried that the Zoning Bylaw update include amendments to permit coach houses in phases with coach houses first permitted in and around the downtown in the current R-2 and R-2-A zones as follows:

- With a minimum parcel size of 668 sq. m. where a lane or other secondary access exists (e.g. corner lot)
- With a minimum parcel size of 780 sq. m. where a lane does not exist;

And that coach houses also be permitted on larger rural parcels (proposed RU-1, A-1, A-RR zones);

And that the maximum floor space of a coach house be 60 sq. m. to support Official Community Plan policy.

It was moved, seconded and carried that the Zoning Bylaw update include amendments to implement a Town-wide restriction on Big Box retailers with the proposed definition of a Big Box retailer as a single retail store with a gross floor area exceeding 2,090 sq. m.;

And that the amended Zoning Bylaw incorporate a means to permit expansion of existing grocery stores.

It was moved, seconded and carried that the Zoning Bylaw update include amendments to implement a Town-wide prohibition on new drive-through operations of all types.

SCOPE OF WORK:

The current stage of the Zoning Bylaw Project is to confirm Council direction on coach house regulations and to provide an update on changes as a result of recent Council and public feedback at the May 26, 2014 Council meeting.

Comments and suggestions were received on the following matters:	Edits included in draft Zoning Bylaw:
<ul style="list-style-type: none"> • Produce Stand and Urban Agriculture – clarify restrictions or requirements for products to be sold 	<ul style="list-style-type: none"> • Clarified that for urban agriculture use all produce sold is to be grown on the site.
<ul style="list-style-type: none"> • Retaining Walls – clarify setback requirements, definition, hard and soft landscaping 	<ul style="list-style-type: none"> • Clarified that retaining wall not a structure for setback purposes • Added definition



Comments and suggestions were received on the following matters:	Edits included in draft Zoning Bylaw:
	<ul style="list-style-type: none"> Added hard-landscaping
<ul style="list-style-type: none"> Accessory Buildings – consider permitting basements 	<ul style="list-style-type: none"> Deleted clause prohibiting basement
<ul style="list-style-type: none"> Coach House – consider increasing size and height, relating size to a percentage of the main building or lot coverage, 	<ul style="list-style-type: none"> Draft Bylaw is consistent with Council’s direction of December 16, 2013. Amended DPA guidelines to address lane/none-lane situations.
<ul style="list-style-type: none"> Solar Energy Devices – consider visual impact of hot water collectors 	<ul style="list-style-type: none"> Added requirement in residential and commercial zones that device be vertical to building envelope to reduce potential visual impact.
<ul style="list-style-type: none"> Wind Energy Devices – consider impact on view and noise generated, particularly in residential areas 	<ul style="list-style-type: none"> Limited to P-2 Zone for 10kw Added Agriculture Zones and P-4 for 20kw Increased setback requirement
<ul style="list-style-type: none"> Kennel– consider in south part of Ladysmith 	<ul style="list-style-type: none"> Permit in ALR (south Ladysmith).
<ul style="list-style-type: none"> Slaughterhouse – consider adding to industrial area in south Ladysmith 	<ul style="list-style-type: none"> Recognized Provincial regulations for processing farm products for lands in ALR (south Ladysmith)
<ul style="list-style-type: none"> Bed and Breakfast – consider whether accommodation for international students should be included 	<ul style="list-style-type: none"> No change as secondary suite use already permitted on lots of a certain size. Option to use a guest room for other personal use and not Bed & Breakfast.
<ul style="list-style-type: none"> Sprinklers –consider adding to the Building Bylaw sprinklers in homes with secondary suites 	<ul style="list-style-type: none"> Not a Zoning Bylaw issue.
<ul style="list-style-type: none"> Shade and Buffers (landscaping) – consider requiring a buffer between multi-unit residential buildings 	<ul style="list-style-type: none"> Clarified that buffer is applicable between multiple unit developments and added language to DPA guidelines.
<ul style="list-style-type: none"> Single Family Zone – consider a zone strictly designated for single family homes 	<ul style="list-style-type: none"> No change proposed.



Comments and suggestions were received on the following matters:	Edits included in draft Zoning Bylaw:
<ul style="list-style-type: none"> • Drive-through Establishments – consider permitting drive-through establishments in the Highway Service Commercial Zone 	<ul style="list-style-type: none"> • Draft Bylaw is consistent with Council’s direction of December 16, 2013.
<ul style="list-style-type: none"> • Recreational Vehicle and Camping – clarify whether there will be zoning for recreational vehicles or camping 	<ul style="list-style-type: none"> • No change proposed. Note that short-term RV camping is permitted for special events at Transfer Beach.
<ul style="list-style-type: none"> • Tourist accommodation – clarify definition for cottages 	<ul style="list-style-type: none"> • Definition clarified.
<ul style="list-style-type: none"> • Woods Island – consider designating Woods Island as a reserve, not a park, to preserve ecologically sensitive areas 	<ul style="list-style-type: none"> • No change proposed. • CVRD would manage as regional park for low impact use.
<ul style="list-style-type: none"> • Trees – consider including guidelines for preservation of rare or old-growth trees 	<ul style="list-style-type: none"> • Strengthened guidelines to relevant DPAs for consideration of existing vegetation on the site.
<ul style="list-style-type: none"> • Laneways – consider adding to the Subdivision Bylaw a requirement for laneways in new developments 	<ul style="list-style-type: none"> • Not a Zoning Bylaw issue.
<ul style="list-style-type: none"> • Signage – add guideline to relevant Development Permit Area guidelines. 	<ul style="list-style-type: none"> • Added to relevant guidelines.

ALTERNATIVES:

That Council defer formal consideration and provide further direction to staff regarding the proposed Zoning Bylaw and related amendment Bylaws.

FINANCIAL IMPLICATIONS:

The Zoning Bylaw project has been funded by a grant. The current agreement is that grant funding for the project will be completed by June 30, 2014. It is anticipated that the grant will be fully spent by that date.

LEGAL IMPLICATIONS:

A Public Hearing is required to be held. The public hearing is the statutory opportunity for anyone who considers their interest in property to be affected by the proposed Bylaws 1858, 1859, 1860 and 1861 to be given reasonable opportunity to be heard in person or by written submission respecting matters contained in the Bylaws. The public hearing provides the opportunity for input directly to Council regarding support or non-support for the proposed bylaws.



In addition to holding a public hearing on the proposed OCP Amendment Bylaws 1859 and 1861, Council must:

1. Consider whether 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 the RDN
 - (ii) the council of a municipality adjacent to Ladysmith
 - (iii) First Nations
 - (iv) the school district, great boards or improvement district boards, and
 - (v) the provincial or federal government and their agencies.

It is recommended to refer the OCP Amendment Bylaws 1859 and 1861 to the Stz'uminus First Nation and refer Bylaw 1859 to Nanaimo-Ladysmith School District #68.

Prior to third reading of the Zoning Bylaw it will be required to be approved by the Minister of Transportation and Infrastructure as it affects land and improvements located within 800 metres of a controlled access highway.

Final legal review of the Zoning Bylaw is underway and it is anticipated that any final edits from this review will be completed prior to Council's consideration of first and second reading.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The community's vision, as outlined in the Official Community Plan and the report from the Community Visioning Initiative, and Council's direction has been considered in the development of the proposed Zoning Bylaw.

In addition, there have been several opportunities for public input and feedback during the development of the Zoning Bylaw, including with the general public, residents and property-owners, Advisory Planning Commission and the Stakeholders group in 2012, 2013 and 2014. A dedicated website has been used to post materials and reports from the community consultation processes. Feedback from these sessions has been considered in the development of the proposed Zoning Bylaw. The Advisory Design Panel provided input into the revised DPAs.

In addition to access on the Town's website, a two-week drop-in opportunity is a planned at the Development Services Office and Frank Jameson Community Centre for the public to review the Zoning Bylaw prior to the Public Hearing.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Staff in the Infrastructure Services Department, including the Building Inspector, has been involved in the development of the proposed Zoning Bylaw.



RESOURCE IMPLICATIONS:

The development of the Zoning Bylaw, related bylaws and the holding of the public hearing is within the current work program of the Development Services department, as supported by consulting resources.

It is anticipated that there could be fine tuning of the new Zoning Bylaw following its adoption. It has been the experience of other communities that the adoption of a comprehensive new bylaw can require tweaking or correction once it is used by staff, property owners and the development community.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The Town has invested a tremendous amount of time and resources into the development of several overarching, sustainability-focused planning documents, including a new Official Community Plan (OCP) in 2003, a national award-winning Community Vision and Sustainability Strategy in 2008, a Community Energy Plan in 2009, and the Sustainability Action Plan in 2013. This comprehensive review and update of the Zoning Bylaw is a Council priority to implement the visions, values and goals of these overarching municipal plans.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The completion of the update of the Zoning Bylaw is one of Council's strategic priorities.

SUMMARY:

The development of the Zoning Bylaw has taken place over the past two years. There have been many opportunities for the public and property-owners to be engaged. Current plans and policies and public input have helped to develop the Zoning Bylaw.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None.





Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: June 9, 2014
File No:

Re: Amendment to Water & Sewer Rates Bylaws

RECOMMENDATION:

That Council receive this report and, later in the agenda, give first three readings to Sewer Rates Bylaw 1999, No.1299, Amendment Bylaw 2014, No. 1864 and Waterworks Regulation Bylaw 1999, No.1298, Amendment Bylaw 2014, No. 1863.

PURPOSE:

To update the Water and the Sewer bylaw rates in accordance to direction set by Council during the 2014-2018 Financial Plan deliberations.

INTRODUCTION/BACKGROUND:

Council may recall that, during the 2014-2018 Financial Plan deliberations, staff made a presentation regarding future capital projects needed in the Water and Sewer Utilities. An additional presentation was made discussing the funding of these projects along with a recommendation to increase the sewer and water rates, effective for the third quarter billing of 2014.

Council approved an increase in the monthly sewer fee to \$15 per month for most classifications and an increase in the water rates base charge of \$1.05 per quarter to \$23.50 and an increase of five cents to each water consumption billing step.

Staff are also recommending some housekeeping amendments to the bylaws to remove sections related to penalties. As there is a separate bylaw relating to penalties, the references in these related water and sewer bylaws are redundant.

ALTERNATIVES:

Council could decide not to amend the rates which will have budgetary implications.

FINANCIAL IMPLICATIONS:

The increase in rates is included in the 2014-2018 Financial Plan.

LEGAL IMPLICATIONS:

Not applicable.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

If approved, information regarding the fee changes could be included in the Utility insert for

the second quarter billing. It will also be important to make citizens aware that these rate increases are intended to support needed capital improvements in the sewer and water systems.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Not applicable.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

No applicable.


ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategy A – Wise Financial Management.

SUMMARY:

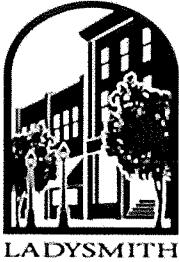
During the 2014-2018 Financial Plan deliberations, Council directed staff to prepare bylaws for increasing the water and sewer utility rates in order to fund future capital projects in the respective utilities. On tonight's agenda are two bylaws, Sewer Rates Bylaw 1999, No.1299, Amendment Bylaw 2014, No. 1864 and Waterworks Regulation Bylaw 1999, No.1298, Amendment Bylaw 2014, No. 1863. It is recommended that Council give these bylaws first three readings later in the agenda.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Clayton Postings, Director of Parks, Recreation & Culture
Date: June 10, 2014
File No:

RE: PARKS, RECREATION AND CULTURE - ANNUAL FEES AND CHARGES REVIEW

RECOMMENDATIONS:

- 1) THAT Council consider referring the following proposed amendments to Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2013, No. 1835, to the Parks, Recreation & Culture Commission meeting scheduled for June 18th, 2014 for review and comment:
 - Increase Admission and Pass fees by three percent effective September 1, 2014 for Adult, Youth, Child, Family and Senior (continue no charge for children under three or seniors over eighty);
 - Increase Facility Rental fees by four percent effective September 1, 2014;
 - Increase Sport Field light rates by nine percent September 1, 2014;
 - Add Aggie and FJCC sport field lighting to fees and charges schedule at half the rate of Forrest Field lights;
 - Establish fees for adult use of the sports fields;
 - Add a special event & park permit fee for the non-facility areas of the parks;
 - Standardize facility room rental rates to ensure consistency of like facilities;

- 2) THAT Council consider directing staff to update the Fees & Charges policy to include replace the existing User Classifications to Adult, Youth, Child, Senior and Family and the update age ranges.

INTRODUCTION/BACKGROUND:

In August 2013, Council authorized a three percent increase in Admission and Pass fees for adult, youth and senior admissions (child rates did not increase). Seniors over 80 were designated as free and the family rate was adjusted to be two adult admissions, with a family pass option added to the schedule.

Council directed staff to report back with recommendations for a plan to make Town of Ladysmith Parks & Recreation fees and charges consistent with neighbouring communities along with outlining a two to three year plan for fees and charges. Council also requested that staff review current practices relating to usage of Transfer Beach areas such as the parking lot, and non-facility areas.

Staff have conducted a comprehensive review of existing Fees & Charges and has based the recommendations on the existing Fees & Charges policy, which includes market analysis,

inflationary costs, and consideration to ensure fees are neither too high to prohibit participation, nor too low to ignore the principle of the user pay for service and minimize the cost to the taxpayer.

Facility Fees & Charges

The last facility rental fee increase was 2 per cent in January 2013. In determining appropriate rental rates staff analyzed the marketplace, which included a comparison of neighbouring communities and similar facilities such as school district facilities. Due to various facility sizes, amenities offered and rental requirements, an overall average was used for rental fee comparison. This comparison indicates that Ladysmith fees for facility rentals are comparatively low in the region and in most cases the lowest on Vancouver Island.

In addition, existing Ladysmith rental fees have only moderately reflected increased costs associated with the delivery of services. Many increases relating to wages, utilities, contracted services, equipment and building repairs have seen increases of two to five percent over the past year, with others such as hydro increasing more than fifteen percent over the next 2 years. Increasing facility rental fees by four percent, and establishing adult fees for sports fields will ensure the operation maintains budgeted recovery percentages.

Admissions and Passes:

Similar to the facility rental fees, Admission and Pass fees have been reviewed in the context of the costs required to offer services, cost recovery targets established in the departmental annual budget along with marketplace comparison for like services, programs and amenities within the region. The proposed increase of three percent is consistent with the market and is not expected to impact users of the facilities.

Special Event / Park Permit

Staff have assessed the current process for booking and using various areas of Transfer Beach for events and functions. Currently individual, non-profit and commercial groups using the park do so at no cost.

The department recognizes the benefits of special events in enhancing our community and in providing a positive economic impact. During the review it was determined that a park permit system could complement existing practices and improve existing usage. By implementing a permit system the Town is better able to ensure events are in line with the Town's strategic objectives; ensure all events, no matter what size, are successfully and safely managed. Also potential conflict of use issues within our parks will be better managed.

With ever increasing demand and added events using the parks system the park permit system would allow some recovery of additional expenses which are not currently recovered at this time.

ALTERNATIVES:

- 1) Council may choose to maintain the current fees structure recognizing the possible negative budgetary impact on future operations.
- 2) Council may choose to change the proposed fees and charges to another percentage increase.

FINANCIAL IMPLICATIONS:

The financial impact resulting from the proposed three percent increase effective September 1, 2014 to August 31, 2015 for passes and admissions is anticipated to increase revenues by approximately \$8,000. While facility rental fee increases for the same period would result in a projected revenue gain of approximately \$4,000.

Included in the 2014-2018 Financial Plan is the following 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.

Recommended increases are consistent with this objective.

Staff will endeavour to complete a comprehensive review of all Parks, Recreation and Culture fees and charges in order to be incorporated into the 2015-2019 Financial Plan, which will consider an equipment replacement plan, life cycle of facilities and operational expenses.

Staff will continue to identify opportunities for increased revenue and/or initiatives to deliver services at an affordable cost to enable increased participation and rental activity.

LEGAL IMPLICATIONS:

There is no legal implication identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Staff anticipate that the proposed fee increase will have minimal impact on user participation. Staff have minimized fee adjustments for programs and services where participation could be negatively affected by the proposed fee increases.

In addition, Ladysmith residents who have a limited income may apply for a Leisure Access Pass, which provides a fifty percent discount for admissions. As well many user groups and community organizations are considered not-for-profit and therefore are entitled to a fifty percent reduction on most rental fees.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services will assist with processing the amendment to the Fees & Charges Bylaw.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

This aligns with Sustainability Pillar #7, a Healthy Community.


ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Direction A, Wise Financial Management.

SUMMARY:

User fees and rental fees are required to maintain, or reduce where possible, the current level of subsidy by the taxpayer. It is important to ensure that user fees allow for the recovery of costs associated with the delivery of services and programs, and for the ongoing maintenance of the facilities and equipment. Staff review these user fees on a regular basis to ensure rates continue to be reasonable and affordable while also being competitive and allowing defined service levels to be maintained.

I concur with the recommendation



Ruth Malli, City Manager

ATTACHMENTS:

- Appendix A – Proposed Admission Rates (September 2014-August 2015)
- Appendix B – Regional Single Admission Comparison
- Appendix C – Current Pass Comparison
- Appendix D – Proposed Rental Rates
- Appendix E – Current Rental Comparison
- Appendix F – Regional Aquatic Rental Comparison
- Appendix G – Fees & Charges Policy – Dept. Parks, Recreation & Culture

Appendix A

Three Percent Increase

Single Admissions		
Type	Current	2014/15
Child 0-3 yrs	Free	
Child 3-12 yrs	2.60	2.70
Youth 13-18 yrs	3.55	3.70
Adult 19-59 yrs	5.10	5.25
Senior 60-79 yrs	3.55	3.70
Senior 80 & up	Free	
Family	10.20	10.50

1-Month Pass		
Type	Current	2014/15
Child 0-3 yrs	Free	
Child 3-12 yrs	N/A	
Youth 13-18 yrs	36.00	37.10
Adult 19-59 yrs	45.05	46.40
Senior 60-79 yrs	36.00	37.10
Senior 80 & up	Free	
Family	90.10	92.80

10 X Pass		
Type	Current	2014
Child 0-3 yrs	Free	
Child 3-12 yrs	22.00	22.65
Youth 13-18 yrs	30.40	31.30
Adult 19-59 yrs	43.05	44.35
Senior 60-79 yrs	30.40	31.30
Senior 80 & up	Free	
Family	86.10	88.70

3-Month Pass		
Type	Current	2014
Child 0-3 yrs	Free	
Child 3-12 yrs	N/A	
Youth 13-18 yrs	97.35	100.25
Adult 19-59 yrs	121.70	125.35
Senior 60-79 yrs	97.35	100.25
Senior 80 & up	Free	
Family	243.40	250.70

30 X Pass		
Type	Current	2014
Child 0-3 yrs	Free	
Child 3-12 yrs	N/A	
Youth 13-18 yrs	80.55	83.00
Adult 19-59 yrs	113.35	116.75
Senior 60-79 yrs	80.55	83.00
Senior 80 & up	Free	
Family	226.70	233.45

6-Month Pass		
Type	Current	2014
Child 0-3 yrs	Free	
Child 3-12 yrs	N/A	
Youth 13-18 yrs	183.85	189.35
Adult 19-59 yrs	229.85	236.75
Senior 60-79 yrs	183.85	189.35
Senior 80 & up	Free	
Family	459.70	473.50

Fees do not include applicable taxes

Residents with a limited income have the opportunity to apply for a Leisure Access Card, which entitles card holders to a 50-percent discount for all admissions and passes.

12-Month Pass		
Type	Current	2014
Child 0-3 yrs	Free	
Child 3-12 yrs	N/A	
Youth 13-18 yrs	348.75	359.20
Adult 19-59 yrs	438.40	451.55
Senior 60-79 yrs	348.75	359.20
Senior 80 & up	Free	
Family	874.50	900.75

Appendix B

Regional Single Admission Comparison (current fees - no increases)

COMMUNITY	CHILDREN	TEENS	SENIORS	ADULTS	FAMILY
Campbell River	3.00	4.00	4.25	5.75	11.50
Comox Valley Sports Centre (SC)	3.00	3.55	4.65	5.55	11.80
Comox Valley Aquatic Centre (AC)	3.00	3.55	4.65	5.55	11.80
Cowichan Aquatic Centre (2 tiered)	2.75	4.25	4.25	5.75	12.00
	5.50	8.50	8.50	11.50	24.00
Esquimalt	2.75	3.00	4.25	5.75	11.50
Gold River	3.25	3.60	3.70	4.75	10.20
Ladysmith	under 3 free	3.55	over 80 free	5.10	10.20
	2.60		3.55		
Lake Cowichan	2.50	3.25	4.00	4.00	10.00
Mill Bay (Kerry Park)	2.50	3.50	3.50	4.50	10.00
Nanaimo	3.50	5.00	5.00	6.75	13.50
Oak Bay	3.40	5.25	5.25	6.75	13.50
RDN (Ravensong Aquatic Centre)	2.98	3.98	4.44	5.68	11.53
Port Alberni	under 5 - free	3.00	3.00	5.00	12.00
	over 80 - free	4.75	4.75	8.25	18.00
Port Hardy	3.00	3.60	3.00	4.70	10.20
Port McNeill	2.50	3.00	3.00	4.00	9.00
Powell River	3.20	4.35	4.90	5.75	11.55
Sidney/North & Central/Saanich	3.50	3.50	5.50	6.75	13.50
Saanich/Commonwealth Place	under 5 free		over 90 free		
	3.25	5.25	5.25	6.25	12.50
City of Victoria (Crystal Pool & Fitness)	2.93	3.41	4.39	5.61	11.23
Sunshine Coast	4.00	5.00	5.75	6.75	13.50
Westshore Parks and Rec	3.15	4.50	4.50	6.25	12.50
AVERAGE	2.76	3.67	4.00	5.26	10.98

Appendix C
Regional Pass Comparison (current fees - no increase)

	Nanaimo	RDN	North Cow	CVRD	Ladysmith
10 X Pass					
Child (0-36 mos)*	Under 2 Free	0-47 mos Free	38.00	2-6yrs 19.00	Free
Child (3-12yrs)*	28.00	26.88	52.20	26.10	23.10
Youth (13-18yrs)	40.00	35.81	80.80	40.40	31.90
Adult (19-59yrs)	54.00	51.14	109.20	54.60	45.20
Senior	40.00	40.01	80.80	40.40	*31.90
Family	N/A	103.74		N/A	92.10
30 X Pass					
Child (0-36 mos)*					N/A
Child (3-12yrs)*					
Youth (13-18yrs)					84.60
Adult (19-59yrs)					119.10
Senior					*84.60
Family					238.20
1 Month Pass					
Child (0-36 mos)*	N/A	N/A	48.00	2-6yrs 24.00	N/A
Child (3-12yrs)*			66.00	33.00	
Youth (13-18yrs)			102.00	51.00	37.80
Adult (19-59yrs)			138.00	69.00	47.30
Senior			102.00	51.00	*37.80
Family			N/A	N/A	94.60
3 Month Pass					
Child (0-36 mos)*	Under 2 Free	Free	144.00	2-6 yrs 72.00	N/A
Child (3-12yrs)*	95.50	77.53	198.00	99.00	
Youth (13-18yrs)	135.00	103.47	306.00	153.00	102.20
Adult (19-59yrs)	182.25	147.69	414.00	207.00	127.80
Senior	135.00	115.48	306.00	153.00	*102.20
Family	364.50	299.75	N/A	N/A	255.60
6 Month Pass					
Child (0-36 mos)*	Under 2 Free	Free	240.00	2-6 yrs 120.00	N/A
Child (3-12yrs)*	168.00	139.56	330.00	165.00	
Youth (13-18yrs)	240.00	186.24	510.00	255.00	193.05
Adult (19-59yrs)	324.00	265.85	690.00	345.00	241.35
Senior	240.00	207.86	510.00	255.00	*193.05
Family	648.00	539.55	N/A	N/A	482.70
12 Month Pass					
Child (0-36 mos)*	Under 2 Free	N/A	480.00	2-6 yrs 240.00	N/A
Child (3-12yrs)*	252.00	209.34	660.00	330.00	
Youth (13-18yrs)	360.00	279.36	1,020.00	510.00	366.20
Adult (19-59yrs)	486.00	398.78	1,380.00	690.00	459.10
Senior	360.00	311.79	1,020.00	510.00	*366.20
Family	972.00	809.33	N/A	N/A	918.20

* Seniors aged 80 and over have free use

Appendix D

Proposed Facility Rental Fees - 4% Increase

Facility	Current	2014/15
Frank Jameson Community Centre		
Meeting Room Hourly Rate	20.75	21.60
Meeting Room Hourly with Pool	19.15	19.90
Meeting Room Daily Rate	144.74	86.30
Gymnasium Hourly Rate	37.40	38.90
Gymnasium Daily Rate	322.32	335.20
Lower Program Room Hourly Rate	36.87	38.35
Lower Program Room with Pool	19.15	19.90
Lower Program Room Daily Rate	126.39	153.40
One Pool	69.72	72.50
Two Pools	102.41	106.50
Aggie Hall		
Aggie Hall Hourly Rate (no kitchen)	37.40	38.90
Aggie Hall Hourly Rate (with kitchen)	63.19	65.70
Aggie Hall Daily Rate (includes kitchen)	172.38	179.30
Aggie Hall Receptions Party, Dance	338.89	352.45
Transfer Beach		
Transfer Beach Kin Shelter per Day	46.37	48.20
Transfer Beach Amphitheatre – Full Day Private Family Function	85.32	88.75
Transfer Beach Amphitheatre – Half Day Private Family Function	48.75	50.70
Transfer Beach Amphitheatre – Full Day Public Special Event	329.18	342.35
Transfer Beach Amphitheatre – Performances per Hour	23.32	24.25
Park Permit (parking lot, upper beach, or lower beach) Full Day	-	88.75
Park Permit (parking lot, upper beach, or lower beach) Half Day	-	50.70
Park Permit (parking lot, upper beach, or lower beach) per Hour	-	24.25
Sports Fields		
Aggie Ball Diamonds per hour Youth	-	-
Aggie Ball Diamonds per hour Adult		2.50
Aggie Ball Diamonds Tournament per Day	121.45	126.30
High Street Little League Diamonds	-	
High Street Little League Diamonds Tournament per Day	121.45	126.30
Holland Creek Ball Diamonds	-	
Holland Creek Ball Diamonds Tournament per Day	121.45	126.30
Forrest Field per Hour – Youth	6.24	6.50
Forrest Field per Hour – Adult	22.37	23.25
Forrest Field per Day – Youth	40.58	42.20
Forrest Field per Day – Adult	150.86	156.90
Miscellaneous		
Chairs (25)	19.77	20.55
Forrest Field Half Lights per Hour	10.00	10.90
Forrest Field Full Lights per Hour	13.00	14.15
Aggie Field Lights	6.00	6.55
FJCC Field Lights	6.00	6.55

*Non-profit groups receive 50% discount except for Forrest Field and lights/power
Commercial groups receive a 20% surcharge

Appendix E

Regional Facility Rental Fees Comparison

Facility Type	Ladysmith	Nanaimo	CVRD N Cowichan	SD68	RDN		
Halls & Meeting/Multi-Purpose Rooms							
Fair or trade show/day	322.97	475.75	400	N/A	5.70		
Large meeting room or program space/day	126.39	N/A	133.31				
Meeting room/hour	20.75	28.34	20.53				
Large hall/day	172.38	318.10	183.75				
Reception dance party/event	338.89	475.75	360.50				
Outdoor Park Facilities							
Amphitheatre public event/day	329.18	25.00	N/A	N/A	N/A		
Amphitheatre private events all day	85.32	N/A					
Amphitheatre family half (up to 4 hours)	48.75	100.00					
Picnic shelter/up to eight hours	46.37	96.00					
Picnic shelter/up to four hours	46.37	58.00					
Public event at large park	-	150.00					
Camping Permit/night/group	-	25.00					
Sports Fields							
Ball field/tournament adult	121.45	78.00	N/A (hourly rate)	N/A	N/A		
Ball field/tournament youth	-	32.00					
Ball diamond adult/hour	-	12.00	16.50				
Ball diamond youth/hour	-	2.50	10.01				
Grass youth/day	-	78.00					
Grass youth/hour	-	32.00	2.25				
Grass adult/day	-	12.00					
Grass adult/hour	-	2.50	11.5				
Turf adult/day	150.86	189.00	30.00				
Turf adult/hour	22.37	30.00	13.00				
Turf youth/day	40.58	93.00	93.00				
Turf youth/hour	6.24	13.00	189.00				
Lights full	13.00	16.00	16.00				
Lights half	10.00	13.00	13.00				
Gymnasiums & Equipment							
Gymnasium/hour youth	18.70	19.08	N/A			12.13	N/A
Gymnasium/hour	37.40	58.30				23.65	
Aquatic Centres							
Small therapy pool/hour	69.72	82.62	N/A	N/A	95.95		
Main pool/hour	69.72	119.34	151.33		191.89		
All pools/hour	102.41	N/A	N/A		9		
Swim Club Youth (4 lanes)	44.53	59.67	87.54		76.99		
Per lane	11.13	19.89	19.46		31.98		
Hydro		25.00					

Appendix F
Regional Aquatic Rental Comparison

COMMUNITY	RATES		NEXT REVIEW DATE	SWIM MEET RATE PER HOUR 2014	FULL POOL RATE PER HOUR 2014	PER LANE PER HOUR 2014
	EFFECTIVE (MM/DD/YR)					
Campbell River	09/01/13		Sept 2014	133.88	161.70	10.50
Comox Valley Sports Centre (SC)	09/01/13		Jan 1, 2015	119.20	74.97	12.50
Comox Valley Aquatic Centre (AC)	09/01/13		Jan 1, 2015	158.93	99.96	12.50
Cowichan Aquatic Centre	09/01/13		May 2014	129.71	113.50	14.59
Esquimalt			2015	113.00	165.00	13.75/non profit-21.75/commercial
Ladysmith	09/01/13		June 2014	46.76	107.53	11.70
Nanaimo	09/01/14		2016	Private/Adult = 21.30 Youth=10.66	NAC=829.14 Beban=409.66	Private/Adult = 21.30 Youth=10.66
Port Alberni	09/01/13		Sept 1, 2014	6 lanes - 81.90	156.45	13.65
Sidney/North & Centre Saanich	Sept to Aug		April 2014	Youth 112.88	Youth 112.88	Youth 14.39
Gold River	09/01/13		08/31/14	51.45	117.55	19.32
Saanich Commonwealth Place	04/01/14		Sept 2014	non profit 14.44/lane	Leisure Lap Pools Only 128.89 After Hours 150.94	27.04
Saanich (Gordon Head)	04/10/13		04/01/14	non profit 14.44/lane	186.11	27.04
Ravensong (Parks/Qualicum)	09/01/13		June 2014	127.37	84.88	13.72 / 20.20
Powell River	08/01/13		07/01/14	63.21	101.43	10.61
Sooke						
Port Hardy	Till July 31, 2014		August 2014		75.00	18.40
Port McNeill						
Oak Bay	09/01/14		09/30/14	n/a	n/a	13.92
City of Victoria - Crystal Pool	09/01/14		May 2015			8.54/25 meters minor; 12.82/50 meter minor; 10.68/25 meter adult; 16.03/50 meters adult
Sunshine Coast	09/01/13			133.50	266.75	18.75
Westshore Parks & Rec.	09/01/14		April 2015	n/a	94.50 205.80	11.81 25.72

TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

TOPIC:	FEES & CHARGES – Dept. Parks Recreation & Culture		
APPROVED BY:	Council	DATE:	Oct. 07, 2002
RESOLUTION #:	02-344		
<i>(Amended from)</i>			
<p><u>Criteria to Use When Considering Grant Requests</u> 1 (low) through 5 (high)</p> <ul style="list-style-type: none"> — Indirect benefit to residents of the community. i.e. Youth Event. Proactive approach to policing / social services Event designed to encourage positive behaviour amongst youth. — Socially worthwhile i.e. Contributes to sense of community — Immediate Economic impact within the community — Long term economic impact / exposure to the community — Contributes to the quality of life experience for all residents <p>* Minimum score of 15 to be advanced for resolution.</p> <p style="text-align: center;">FEES AND CHARGES POLICY</p> <p>The following policy pertains to the Department’s three major service areas of pre-registered programs, general admissions and facility rentals. This policy is consistent with, and derived from, the preceding Fees and Charges principles and Leisure Services justification. It will provide the guidelines for the development of the additional policy, which may be necessary to address specific and at times, changing community needs. e.g. employee wellness, economically disadvantaged, etc.</p> <p>Fees and charges policy development, implementation and evaluation is a dynamic process. Regular policy review and adjustment will occur to ensure that the policy addresses current community needs.</p> <p>A. PRE-REGISTERED PROGRAMS</p> <p><i>Principles:</i> Fees for programs sponsored directly by the Department will be based on the following principles:</p> <ul style="list-style-type: none"> • The fees will be partially based on recovery of direct cost. • The fees will encourage maximum public participation and at the same time, minimize, within reason, the tax subsidy. • Users will be responsible for financially contributing to their recreation activity. 			

Direct Cost Recovery:

Registered programs are to recover the direct costs of the program. Direct program costs include:

- **Materials:** Includes all items necessary to ensure the program meets recognized standards. This includes items such as arts and crafts supplies, balls and nets, camping equipment, vehicle and equipment rental, tools and parts, stationary and printing, program cards and badges, candidate fees, etc.
- **Leadership:** Includes all persons directly involved in the teaching, coaching and immediate supervision of a program or activity. This category refers to all leaders, instructors and activity supervisors, whether paid by wage, honorarium (and/or contract).
- **Transportation:** Includes vehicle lease, rentals, tolls, fuel and labour costs.
- **Facilities:** Includes admission rates or rentals of non-district recreation facilities.
- **Administrative Surcharge:** A 10% surcharge, (15% for aquatic programs) based on the total amount of all other direct program costs, will be included as part of the Direct Program Cost. The surcharge is to compensate for other indirect costs associated with the program production, e.g. administration / supervision, facility fixed charges, advertising, etc.

Pricing for programs will reflect fees based on staff and material costs and contribute a portion to administrative services.

Target margin:

<u>Dryland Programs</u>	<u>Aquatic Programs</u>
Preschool programs – 5%	Beginners – 15%
Youth programs – 10%	Advanced – 25%
Adult programs – 20%	

Fees will be determined through a program cost analysis to be reviewed annually.

Factors for Consideration:

Other factors which may be taken into account when establishing program fees are:

- Program fees charged by other agencies and municipalities for similar services.
- **Grants:** If the Department is successful in obtaining provincial or federal grant funding or funding from corporate sponsors, the standard program fees may be decreased in order to encourage greater participation, e.g. summer playgrounds, community special events, special interest programs, etc.
- **Developmental Programs:** May not initially recover costs but are continued at a loss in order to encourage and promote interest. It is expected however, that over a period of time, these programs will break even.
- “Loss Leader” or “Service” programs are programs which provide service to

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patrons of other functions within the operation. These "Loss Leaders" are considered necessary for the success of other "profitable" operations within the facility, e.g. child minding, free introductory sessions, etc.

B. GENERAL ADMISSION PROGRAMS

The Town of Ladysmith is one of several leisure delivery agencies operating within the geographic region of the CVRD. If one organization is not price consistent with other agencies providing comparable service, the demand for their service will vary accordingly.

Consistent with the principle outlined in this policy, general admission fees should not be so high as to prohibit the participation of the majority of the public, but not so low as to ignore the obligation of the user to pay for service and minimize the cost to the taxpayer.

In consideration of the above, and within the principles and rational of the Fees and Charges policy, the following General Admission pricing policy will apply.

User Classifications:

Adult	-	People 19 years of age or older
Senior Citizens	-	People 60 years of age or older
Children	-	Boy and Girls 5 to 12 years of age
Students	-	Youth between 13 and 18 years of age
Pre-school	-	Less than 5 years of age

Family – Parent(s) or guardian(s) with dependent children aged 18 or under.

*Family rate pays for one or both parents/guardians plus up to four (4) children, whether related or not, or all the children in the same family even if there are more than four.

General Admission Programs will include but not necessarily be limited to: swimming, aerobics and recreational sports. A base rate for all General Admission Programs which will be equal to the adult admission rate and will be determined by:

- a) a market analysis of comparable services in the CVRD and
- b) consideration of inflationary costs providing the service.

Degree of Subsidy:

The fee structure as a percentage of the base rate for the respective user classification will be as follows:

0% Adult

25%	Seniors	→
50%	Children	
25%	Students	
100%	Pre-school Families	The rate equal to 2 adults

Strip or multiple admission tickets may be available for up to 20% off applicable single rates for multiple admissions.

Other passes may be developed where appropriate to facilitate long term use. e.g. three to twelve month passes may be available at 24 and 75 times their respective single admission rates.

The Director of Parks, Recreation and Culture will have the authority to waive or reduce set fees for programs and services not identified in the Fees and Charges scheduled to provide for unusual, promotional and /or experimental purposes.

C. FACILITY RENTALS

Principles:

Fees for facilities run by the Department will be consistent with the rational and principles described in this policy and with specific consideration given to:

- CVRD market rate for facility services of same or similar nature.
- Users contribution to the voluntary provision of recreation opportunities for the Ladysmith community.
- Users ability to pay
- The encouragement of responsible and efficient use of facilities.
- Maximize revenue potential to recover maintenance, capital and labour costs and minimize financial burden to the taxpayer.
- Ensure fee equity to facilities of same or similar size and quality.

The base rate for all facility rentals will be established and be consistent with the rate of same or comparable facilities in the CVRD market. Variations of the base rate in consideration of the aforementioned principles will be designated to various categories of use. The categories are as follows:

User Categories:

- 1.) Official Town functions and special status groups/events sanctioned by the Town of Ladysmith.
- 2.) Registered non-profit volunteer groups that use facilities for the provision of leisure oriented activities that are open to all citizens or the neighbourhood and/or community.
- 3.) Private, educational, religious, labour, government, political and social service agencies, social/sports clubs, groups, and/or individuals.
- 4.) Commercial / Business

Degree of Subsidy:

Facility subsidy will increase with the degree to which the user group generally supports and/or contributes to the Municipality's mandate of providing public leisure services and are as follows (figures shown reflect percentage subsidy of regular rate):

	Users	Percentage of Subsidy
1	Town	100
2	Registered non-profit volunteer community leisure groups/service clubs	50
3	Private, Religious, Political, Government	0
4	Commercial/Business	(20)

The above subsidies apply to the rental fees only of general purpose program spaces within the Department's Community Recreation Facilities. Additional direct costs such as materials, custodial services, etc., will be born 100% by the renter. The subsidies do not apply to major specialized facilities such as the pools. Subsidies for those facilities may be considered on an individual basis and in the context of the CVRD market and the principles provided in this policy. Reductions in fees may be made for groups and low priority times to facilitate maximum use of facilities in conjunction with other section managers.

Requests for Waiving of Fees:

The Department cannot waive fees but it can work cooperatively with organizations on joint programs where there is clear proof of benefit. All requests for joint initiatives will be addressed to the Director of Parks, Recreation & Culture and forwarded to the Parks and Recreation Commission for their consideration.

Council will not waive the fee but will provide a grant to the group to cover all, or a portion of the fee.

The following items should be considered in recommending whether Council provides a grant:

- a) Parks, Recreation & Culture Dept. recommendation
- b) grants will be limited to fund raising events
- c) grants will only be considered for Ladysmith based non-profit organizations.
- d) only one grant per organization will be considered in one calendar year and
- e) rating form.

NOTE* Volunteer non-profit groups will be provided space at no charge for public service functions such as registrations, equipment swaps, etc. Each group would be limited to three per year and provided only on availability of the facility.



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Clayton Postings, Director of Parks, Recreation & Culture
Date: June 9, 2014
File No:

Re: Roadway Directional Signage for Forrest Field and Frank Jameson Community Centre

RECOMMENDATION:

That Council direct staff to transfer \$4,200 from appropriated equity for roadway directional signage for Forrest Field and Frank Jameson Community Centre, and amend the 2014-2018 Financial Plan.

INTRODUCTION/BACKGROUND:

Council may recall that at the meeting held August 6, 2013, Council approved the construction of an overflow parking area at Forrest Field along with directional signage to be added to Town of Ladysmith roadways leading to Forrest Field and Frank Jameson Community Centre. At that time the Financial Plan had been amended to allocate \$14,000 toward this project.

The parking lot upgrades were successfully completed in 2013, while the signage project took additional time to ensure the signs would meet the Town's signage plan along with a review of other signage initiatives was in progress. The funds not used at that time were allocated to the appropriate equity to be used when the signs were ready.

Now, as the signage is ready, an amendment to the Financial Plan is necessary to add this project cost with the associate reserved funding.

ALTERNATIVES:

Council may decide not to complete the signage part of the project.

FINANCIAL IMPLICATIONS:

The proposed budget for the signage part of this project including labour and materials is currently in appropriated equity.

LEGAL IMPLICATIONS:

There is no legal implication identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that the public is in favour of the placement of directional signage to assist citizens in finding these popular recreational facilities.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Due to Public Works familiarity of local road ways and expertise in roadway signage, PW was consulted and provided recommendations relating to sign locations and design. PW will also be involved in installing the signage.

If approved, Financial Services will make the necessary changes to the 2014-2018 Financial Plan.

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; and continuing to work to get youth involved in the Town and planning through facilities, a youth council and others.
- Strategy 8 – Local, Diverse Economy: Promoting tourism and sustainable tourism practices such as eco-tourism

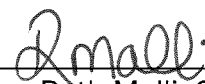
ALIGNMENT WITH STRATEGIC PRIORITIES:

- Priority B - Effective Land Use Planning and Community Design
- Priority F - Safe and Healthy Community

SUMMARY:

Currently there are no direction signs to Forrest Field and the Frank Jameson Community Centre. The addition of these directional signs will assist the community and visitors in finding these popular recreational facilities. Funding for this project was allocated to an appropriated equity reserve to be used to complete the project.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

- Sample directional sign
- Sample map of sign locations

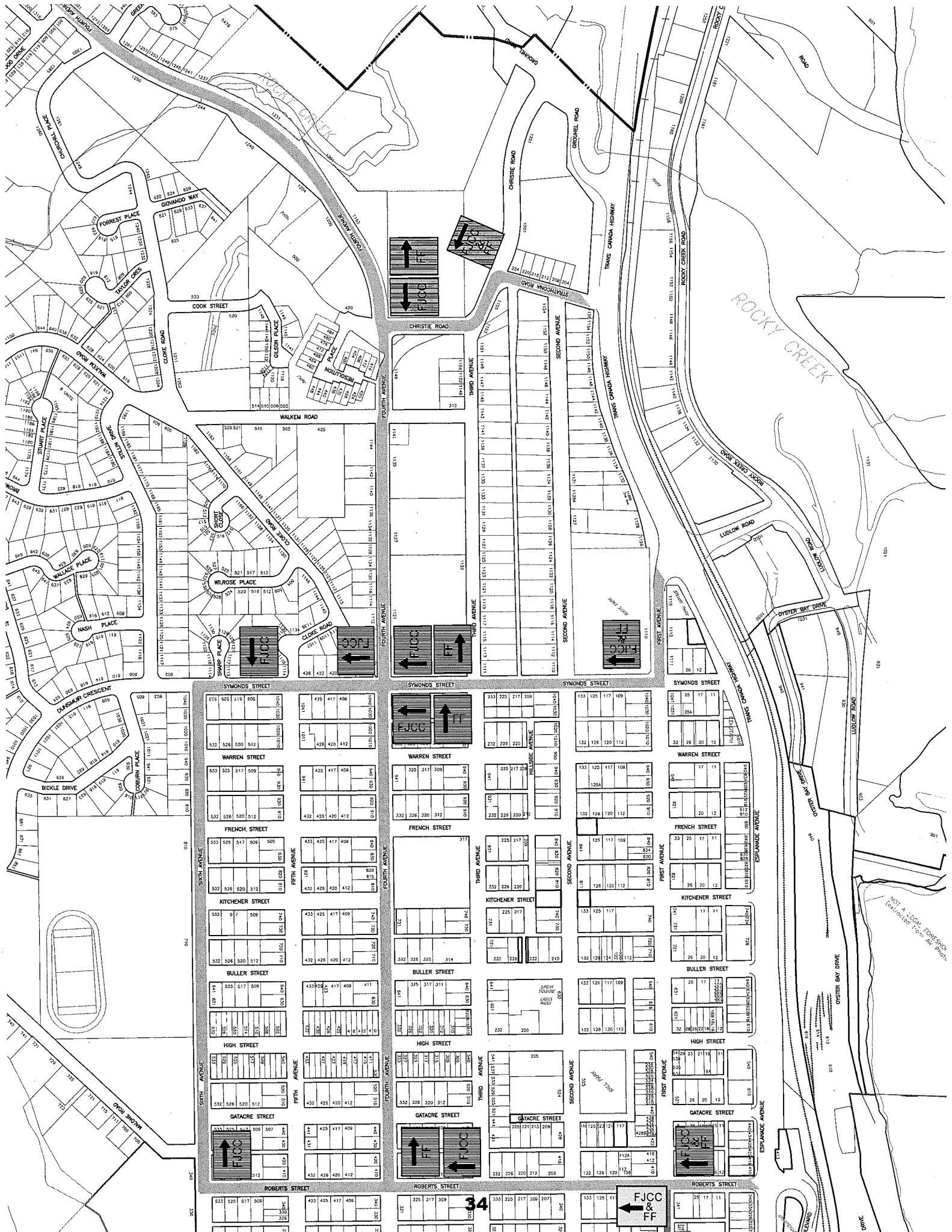
Appendix A Sign Sample



Dimensions:
24 X 18
Inches



Dimensions:
24 X 18
Inches



NOT A LEGAL INSTRUMENT
(Withdrawn from All Plans)

TOWN OF LADYSMITH

BYLAW NO. 1863

A bylaw to amend the Water Services Rates of the Town of Ladysmith.

WHEREAS pursuant to the *Community Charter*, The Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

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

Amendment

1. Schedule "A" of "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2014, No. 1821 is hereby replaced with the attached Schedule A.
2. The provisions of this bylaw shall become effective for the third quarter billing of 2014.
3. Remove section 32 (1) and 32 (2) Penalties & Enforcement and add Fines to Schedule "A".
4. Amend section 36 (2) (a) with the following:
"For the billing period for which no reading is taken, be calculated on the consumption for the same billing period of the previous years."

Citation

4. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2014, No. 1863".

READ A FIRST TIME on the

READ A SECOND TIME on the

READ A THIRD TIME on the

ADOPTED on the

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)

Schedule "A"

TOWN OF LADYSMITH

Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2014, No. 1863

1 METERED SINGLE UNIT DWELLING

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 23.50	
Next 26 m ³ to 50 m ³	\$ 0.55	Per m ³
Next 51 m ³ to 75 m ³	\$ 0.65	Per m ³
Next 76 m ³ to 100 m ³	\$ 0.80	Per m ³
Next 101 m ³ to 125 m ³	\$ 1.05	Per m ³
Over 126 m ³	\$ 1.40	Per m ³

2 METERED SERVICE - all other users

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 23.50	
Over 26 m ³	\$ 0.50	Per m ³

3 NON-METER SERVICE

Per billing quarter: \$ 41.60 Per unit

4 SERVICE CONNECTION RATES

Where a service connection has not been previously provided to a parcel but where the Public Waterworks system front or abuts the parcel:

(A) 19 mm (3/4") service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances: \$2,400 per connection

(B) Larger than 19 mm (3/4") shall be at cost, but not less than: \$2,400 per connection

Where a service connection has been previously provided to a parcel:

(C) service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances and is the requested size: \$ 100 per connection

(D) upgrading of that service is size including installation of a water meter, meter box, meter setter, check valves, shut-off valve and any other related appurtenances shall be at cost, but not less than: \$2,400 per connection

5 FINES

Every person who violates any provision of this bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine or to imprisonment for not more than 6 months, or both. Each day that a violation of the provisions of this bylaw occurs, exist or is permitted to occur or exists, shall constitute a separate offense. \$ 2,000 per offence

Effective for the third quarter billing of 2014.

TOWN OF LADYSMITH

BYLAW NO. 1864

A bylaw to amend the Sanitary Sewer Rates Bylaw 1999, No. 1299 of the Town of Ladysmith.

WHEREAS pursuant to the *Community Charter*, The Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

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

Amendment

1. Schedule "A" of "Sanitary Sewer Rates Bylaw 1999, No. 1299" is hereby replaced with the attached Schedule "A".
2. Remove Section 5 Penalty.
3. The provisions of this bylaw shall become effective and be in force for the third quarter billing of 2014.

Citation

4. This bylaw may be cited as "Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2014, No. 1864".

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)

SCHEDULE "A"

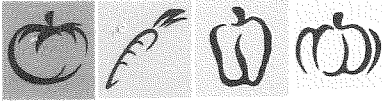
TOWN OF LADYSMITH

Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2014, No. 1864

SCHEDULE OF RATES

CLASSIFICATION		Sewer Charge Per Month
Residences or Apartments:	For each Dwelling Unit	\$ 15.00 per unit
Motels & Auto Courts:	Premises of owner or operator	\$15.00
	For each rental unit	\$2.30
Mobile Home Parks:	Public rest rooms and/or service rooms	\$15.00
	For each mobile home with sewer connection	\$15.00
Hotels:	Owners or managers quarters	\$15.00
	Per apartment for rent	\$15.00
	Per room for rent	\$2.30
Beer Parlours, Pubs, Licenced Cabarets & Lounges:	For each separately licenced area	\$32.35
Cafes, Restaurants & Dining Rooms:		\$32.35
Offices, Shops and Stores:	Per office, store & store unit not otherwise specified	\$15.00
Store(s) and Suites(s) combined:	Per store unit	\$15.00
	Per suite	\$15.00
Stores(s) and Office(s) combined:	Per store unit	\$15.00
	per office unit	\$15.00
Office Building:	per office unit	\$15.00
Laundry or Laundromat:		\$52.00
Services Stations and Garages:	Without car wash	\$15.00
	With car wash	\$34.65
Public or Social Club with licenced bar:		\$32.35
Church Hall, Public Hall or Lodge Room		\$11.60
Hospitals & Nursing Homes	per bed	\$7.00
Schools	per classroom, auditorium or office	\$15.00

Effective for the third quarter billing of 2014.



LADYSMITH COMMUNITY

Gardens

SOCIETY

525 Second Avenue,
Box 1653,
Ladysmith, BC
V9G 1B2

250-245-0070

info@ladysmithcommunitygarden.com
www.ladysmithcommunitygarden.com

Town of Ladysmith
410 Esplanade, PO Box 220
Ladysmith, British Columbia
V9G 1A2

RECEIVED
MAY 30 2014

May 26, 2014

Dear Mayor Hutchins,

On behalf of the Ladysmith Community Gardens Society, we are asking that the Town of Ladysmith consider changing the bylaw that prohibits the usage of beehives.

Many communities including Nanaimo and Victoria benefit from the having beehives in their cities. Mr. Theo Fredrich from Fredrich's Honey Farms is a local producer who supplies beehives to the Empress Hotel in Victoria.

We [LCGS] have asked Fredrich Honey Farms to supply the Community Gardens with a beehive.

Mr. Fredrich has agreed to maintain and teach us about bees and their hives. One fact that he passed on was that a bee can travel up to 5km to pollinate and collect honey.

As a Community Gardens we are trying to continuously enhance our growing techniques naturally so that we can grow better food for our families and communities. By changing this bylaw we are allowing all of our community to benefit from bees and their hives, not just ourselves.

We appreciate the time it takes to make bylaws but as time changes so do the bylaws.
Thank you

Rita Balboni

Mrs. Rita Balboni
President of the Ladysmith Community Gardens Society
PO Box 1653
Ladysmith, BC
V9G-1B5

cc. Mr. Theo Fredrich
Fredrich Honey Farms
2798 Cedar Rd
Nanaimo BC

"As all moms who are currently on mat leave, I love taking my little one out for a walk. Not only does it help my baby sleep, but it's great to get out of the house and enjoy the beautiful island that we live on. Unfortunately, for me to go into town, I need to cross the highway from Chemainus Road at the Davis Road intersection near Coronation Mall. Whenever I cross at this intersection, I am always overly cautious because highway vehicles are moving at 90km/hr, the left turning light is at the same time as the pedestrian light (which is very short), and the pedestrian crossing in the merge lane adjacent to the mall has a blindspot. I am writing to you because the other day while crossing, a driver turning left from Davis Road onto the highway almost hit my little one and me. Now I cross with a neon safety jacket draped over my stroller, but this intersection is unsafe. I don't think being forced to avoid this intersection as a pedestrian is the reasonable solution because if it's not me, it's someone else especially with the Cowichan Valley Trail (part of the TransCanada Trail) connecting through that intersection. The answer is to have a 15-20 second headstart for pedestrians where cars on all sides wait. The answer is to put 70 km/hr speed signs on the highway around both sides of this intersection as the other Ladysmith highway crossings do. And the answer is to move the pedestrian crossing in the merge lane on the Coronation Mall side so there are no blindspots."

Yours Truly,

Katie and Moses Heffring

JUN 04 2014



175 Ingram Street
Duncan, BC V9L 1N8
www.cvrld.bc.ca

Office: 250.746.2500
Fax: 250.746.2513
Toll Free: 1.800.665.3955

May 23, 2014

File No: Bylaw No. 3816

MAY 28 2014

Town of Ladysmith
PO Box 220, Stn Main
LADYSMITH BC V9G 1A2

Dear Mayor Hutchins and Council:

**Re: "CVRD Bylaw No. 3816 – Cowichan Valley Hospice Society
Annual Financial Contribution Service Establishment Bylaw, 2014"**

The Cowichan Valley Regional District has provided a regional grant-in-aid to the Cowichan Valley Hospice Society for the past three years. The Society received \$3,000 in 2012, \$50,000 in 2013 and \$48,555 in 2014. The CVRD's Grants-in-Aid subcommittee has reviewed the issue of organizations receiving a regional grant-in-aid in multiple years and considered making some recommendations.

At the May 14, 2014 Board meeting, Director Lefebure provided a report from the Grants-In-Aid subcommittee and recommended that an annual financial contribution service be established for the Cowichan Valley Hospice Society. The Board subsequently passed the following resolution: "that an Annual Financial Contribution Service be established, over the whole of the Cowichan Valley Regional District, for the Cowichan Valley Hospice Society, with a maximum annual requisition limit of \$62,500".

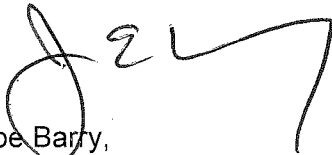
As a result of the Board's resolution, "CVRD Bylaw No. 3816 – Cowichan Valley Hospice Society Annual Financial Contribution Service Establishment Bylaw, 2014" has been drafted and a copy is attached. All 13 jurisdictions in the CVRD would be partners in the new service and, based on current assessments, the cost per residential property would be \$0.41 per \$100,000 assessment. The new service would provide an annual financial contribution to assist the Cowichan Valley Hospice Society with costs associated with providing hospice palliative care.

In order to submit CVRD Bylaw No. 3816 to the province for approval, written consent from the service participants must be obtained. Accordingly, it is requested that the following resolution be considered and adopted by Council at its earliest convenience.

That the Town of Ladysmith consents to the adoption of "CVRD Bylaw No. 3816 – Cowichan Valley Hospice Society Annual Financial Contribution Service Establishment Bylaw, 2014".

Following the receipt of provincial approval, public approval for adoption of this bylaw will be required. Please contact this office should you have any questions regarding this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Barry', with a stylized flourish extending to the right.

Joe Barry,
Corporate Secretary

Attachment



COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3816

A Bylaw to Establish a Service to Provide an Annual Financial Contribution to the Cowichan Valley Hospice Society

WHEREAS pursuant to Sections 796 and 800 of the *Local Government Act*, a Regional District may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish a service for the purpose of assisting with costs associated with providing hospice palliative care;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District, in open meeting assembled, enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "CVRD Bylaw No. 3816 – Cowichan Valley Hospice Society Annual Financial Contribution Service Establishment Bylaw, 2014".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to assist the Cowichan Valley Hospice Society with costs associated with providing hospice palliative care. The service shall be known as the "Cowichan Valley Hospice Society Annual Financial Contribution Service".

3. **SERVICE AREA BOUNDARIES**

The boundaries of the service area are the boundaries of the whole of the Cowichan Valley Regional District.

4. **PARTICIPATING AREA**

The participating area for this service is the whole of the Cowichan Valley Regional District comprised of the City of Duncan; District Municipality of North Cowichan; Town of Lake Cowichan; Town of Ladysmith; and Electoral Areas: A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; F –

Cowichan Lake South/Skutz Falls; G – Saltair/Gulf Islands; H – North Oyster/Diamond; and I – Youbou/Meade Creek.

5. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by one or more of the following:

- a) property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area;
- b) revenues raised by other means authorized by the *Local Government Act*, or any other Act.

6. MAXIMUM REQUISITION

The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$62,500 or an amount equal to the amount that could be raised by a property value tax of \$0.00495 per \$1,000 of net taxable value of land and improvements within the service area.

READ A FIRST TIME this _____ day of _____, 2014.

READ A SECOND TIME this _____ day of _____, 2014.

READ A THIRD TIME this _____ day of _____, 2014.

I hereby certify this to be a true and correct copy of Bylaw No. 3816 as given Third Reading on the _____ day of _____, 2014.

Corporate Secretary

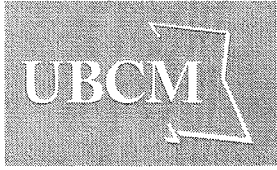
Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____ 2014.

ADOPTED this _____ day of _____, 2014.

Chairperson

Corporate Secretary



Administration provided
By UBCM

Funding provided by:
Government of Canada



In partnership with:
The Province of BC



Gas Tax Program
Services

Local Government House
525 Government St
Victoria BC V8V 0A8

Phone: 250-356-5134
Fax: 250-356-5119

Website:

www.ubcm.ca
under
Funding Programs

Renewed Gas Tax Fund

Gas Tax Program Services

...delivering the federal gas tax agreement funding in British Columbia

May 30, 2014

Mayor Robert Hutchins
Town of Ladysmith
PO Box 220
Ladysmith, BC V9G 1A2

MAY 06 2014

Dear Mayor Robert Hutchins:

Please find enclosed two (2) copies of your Community Works Fund (CWF) Agreement 2014-2024 under the Administrative Agreement on the Federal Gas Tax Fund in British Columbia (Gas Tax Agreement). This Agreement will replace your current 2005-2015 CWF Agreement.

If Council resolves to enter into the Agreement, the Mayor and the Corporate Officer should sign both copies and return both to UBCM, along with a certified Council resolution. Upon receipt, the Union of BC Municipalities (UBCM) will sign and date the Agreement and return one fully executed copy for your records. At that time, and provided UBCM has received your 2013 Gas Tax annual expenditure report, UBCM will release your first of two Community Works Fund payments for 2014 in the amount of \$184,116.32. Your second payment is expected to be released by December 2014 and payments will continue in a semi-annual basis over the term of the 2014-2024 CWF Agreement.

The CWF will continue to provide dedicated long-term predictable federal funding to local governments for investments in capital and capacity building projects. Local governments will continue to make local choice on which eligible projects to fund through this program.

UBCM will also be making an additional payment towards CWF funding from interest accumulated over the term of the first Gas Tax Agreement (2005 – present). It is expected that this payment will see an additional \$8 million allocated to BC Local Governments over the next two years of funding, and will coincide with your regular CWF payment starting July 2014.

Any CWF funding that you still have as unspent through CWF payments from 2005-2013 will be considered funds under your new CWF Agreement and any obligations outlined in the new Agreement will take effect for those funds upon completion of your 2013 Gas Tax annual expenditure report.

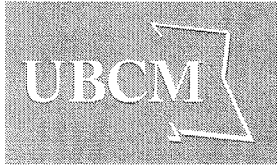
The renewed Gas Tax Agreement can be found on the UBCM website at www.ubcm.ca under the Funding Programs, Renewed Gas Tax Agreement tab.

Please feel free to contact Brant Felker, Gas Tax Policy & Program Manager if you have any questions about CWF or other programs under the Gas Tax Agreement. Brant can be reached by e-mail at bfelker@ubcm.ca or by phone at 250-356-0893.

Yours truly,

A handwritten signature in black ink, appearing to read "Rhona Martin". The signature is fluid and cursive, with the first name "Rhona" being more prominent than the last name "Martin".

Rhona Martin
UBCM President



Administration provided
By UBCM

Funding provided by:
Government of Canada



In partnership with:
The Province of BC



Gas Tax Program
Services

Local Government House
525 Government St
Victoria BC V8V 0A8

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May 30, 2014

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Town of Ladysmith
PO Box 220
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MAY 30 2014

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The renewed Gas Tax Agreement can be found on the UBCM website at www.ubcm.ca under the Funding Programs, Renewed Gas Tax Agreement tab.

Please feel free to contact Brant Felker, Gas Tax Policy & Program Manager if you have any questions about CWF or other programs under the Gas Tax Agreement. Brant can be reached by e-mail at bfelker@ubcm.ca or by phone at 250-356-0893.

Yours truly,

A handwritten signature in black ink, appearing to read "Rhona Martin". The signature is fluid and cursive, with the first name "Rhona" being more prominent than the last name "Martin".

Rhona Martin
UBCM President

Cc: Ruth Malli, City Manager

2014-2024 COMMUNITY WORKS FUND AGREEMENT
under the
ADMINISTRATIVE AGREEMENT
ON THE FEDERAL GAS TAX FUND IN BRITISH COLUMBIA

This Agreement made as of _____, 201__,

BETWEEN:

Town of Ladysmith (the Local Government)

AND

The **UNION OF BRITISH COLUMBIA MUNICIPALITIES (UBCM)** as continued by section 2 of the *Union of British Columbia Municipalities Act RSBC 2006, c.1*, as represented by the President

WHEREAS:

- A. Canada, British Columbia and UBCM wish to help communities build and revitalize their public infrastructure that supports national objectives of productivity and economic growth, a clean environment and strong cities and communities;
- B. Canada, British Columbia and UBCM have entered into the Agreement setting out the roles and responsibilities of the Parties for the administration of the Federal Gas Tax Fund (GTF) in British Columbia;
- C. The Agreement provides for delivery of funding that may be received by UBCM from Canada, including interest thereon, through three programs, one of which is Community Works Fund;
- D. The Agreement sets out the purpose, terms and conditions of the Community Works Fund, and requires that in order to receive Community Works Fund funding, a Local Government must sign a Funding Agreement with UBCM;

NOW THEREFORE, in consideration of the mutual promises herein, UBCM and the Local Government agree as follows:

1. PURPOSE

The purpose of this Community Works Fund Agreement is to set out the roles and responsibilities of the Local Government and UBCM related to any Community Works Fund funds that may be delivered to the Local Government by UBCM:

2. SCHEDULES

The following Schedules, originating in whole or part from the Agreement, are attached to and form part of this Community Works Fund Agreement:

- Schedule A - Definitions
- Schedule B - Eligible Project Categories
- Schedule C - Eligible and Ineligible Expenditures

Schedule D - Reporting and Audits
Schedule E - Communications Protocol

3. ROLE OF UBCM

- 3.1 UBCM has, pursuant to the Agreement, agreed with Canada and British Columbia to:
- A. receive GTF funding from Canada and allocate funds so received from Canada pursuant to the Agreement, including allocating Community Works Funds to the Local Government to be spent on Eligible Projects and Eligible Expenditures in accordance with the terms and conditions of this Community Works Fund Agreement;
 - B. report to Canada and British Columbia, including Annual Reports and Outcome Reports, as required by the Agreement; and
 - C. fulfill other roles and responsibilities as set out in the Agreement.

4. CONTRIBUTION PROVISIONS

- 4.1 Over the term of this Community Works Fund Agreement, UBCM will pay the Local Government its annual allocation within 30 days of receipt of such funds from Canada.
- 4.2 Payments under section 4.1 are subject to UBCM receiving sufficient GTF funds from Canada, and Local Government compliance with this Community Works Fund Agreement and any other Funding Agreement under the First Agreement.
- 4.3 Annual allocation is based on a formula set out in section 3.4 of Annex B of the Agreement. In the first year of this Community Works Fund Agreement, the Local Government will receive \$368,232.64, in two equal instalments which, subject to section 4.2, are expected to be delivered in the month following July 15 and November 15, 2014.
- 4.4 Annual allocation to the Local Government for all subsequent years under this Community Works Fund Agreement continue to be based on the funding formula set out in the Agreement, but are subject to change by UBCM from the amount set out in section 4.3 due to such circumstances as local government boundary changes and new Local Government incorporations, changes in Census populations and changes in amounts that may be received by UBCM from Canada.
- 4.5 Timing of payments in subsequent years under this Community Works Fund Agreement to the Local Government by UBCM are subject to change due to any changes in timing of payments to UBCM by Canada.

5. USE OF FUNDS BY LOCAL GOVERNMENT

- 5.1 Any GTF funding that may be received by the Local Government and any Unspent Funds, and any interest earned thereon held by the Local Government must be used by the Local Government in accordance with this Community Works Fund Agreement, including specifically Section 6. (Commitments of the Local Government).
- 5.2 Any GTF funding that may be received by the Local Government and any Unspent Funds, and any interest earned thereon held by the Local Government will be treated as federal funds with respect to other federal infrastructure programs.

6. COMMITMENTS OF THE LOCAL GOVERNMENT

- 6.1 The Local Government shall:

A. Ensure that any Unspent Funds and any GTF funding received from UBCM, as well as any interest earned thereon are expended and used in accordance with Schedule B (Eligible Project Categories) and Schedule C (Eligible and Ineligible Expenditures).

B. Treat any Unspent Funds and any GTF funding received from UBCM, as well as any interest earned thereon as federal funds with respect to other federal infrastructure programs.

C. Over the term of this Community Works Fund Agreement, ensure that any Unspent Funds and any GTF funding received from UBCM, as well as any interest earned thereon result in incremental spending as measured by the methodology, which will include a Base Amount, approved by the Partnership Committee.

D. Comply with all Ultimate Recipient requirements outlined in Schedule E (Communications Protocol).

E. During the term of this Community Works Fund Agreement work to strengthen Asset Management, in accordance with the Asset Management framework developed by the Partnership Committee.

F. Invest, in a distinct account, GTF funding received from UBCM in advance of paying Eligible Expenditures.

G. With respect to Contracts, award and manage all Contracts in accordance with the Local Government's relevant policies and procedures and, if applicable, in accordance with the Agreement on Internal Trade and applicable international trade agreements, and all other applicable laws.

H. Invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance or other disposal of an asset resulting from an Eligible Project where such disposal takes place within five (5) years of the date of completion of the Eligible Project.

I. Submit a report to UBCM, in a format acceptable to UBCM, by June 1 in each year, which includes:

- GTF transactions of the Local Government for the previous calendar year, in sufficient detail to allow UBCM to produce the Annual Report required by Schedule D (Reporting and Audits);
- a declaration from the Chief Financial Officer that the Local Government has complied with all Funding Agreements between it and UBCM; and

- any other information required by UBCM to fulfill its responsibilities under the Agreement, including, but not limited to project outcomes in relation to anticipated program benefits, expenditures made for tangible capital assets, and progress made towards Asset Management improvements.
- J. Allow Canada and UBCM reasonable and timely access to all of its documentation, records and accounts and those of their respective agents or Third Parties related to the use of any Unspent Funds and any GTF funding, as well as any interest earned thereon, and all other relevant information and documentation requested by Canada or UBCM or its designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Community Works Fund Agreement.
- K. Ensure that no current or former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from GTF funding, Unspent Funds and interest earned thereon, unless the provision or receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.
- L. Keep proper and accurate accounts and records in respect of all Eligible Projects for at least six (6) years after completion of the Eligible Project and, upon reasonable notice, make them available to Canada or UBCM.
- M. Ensure actions do not establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Canada, British Columbia, or UBCM and the Local Government, or between Canada, British Columbia, or UBCM and a Third Party.
- N. Ensure the Local Government does not represent themselves, including in any agreement with a Third Party, as a partner, employee or agent of Canada, British Columbia or UBCM.
- O. Ensure that the Local Government will not, at any time, hold the Government of Canada or British Columbia or any of their respective officers, servants, employees or agents responsible for any claims or losses of any kind that they, Third Parties or any other person or entity may suffer in relation to any matter related to GTF funding or an Eligible Project and that they will, at all times, compensate the Government of Canada or British Columbia and their respective officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to GTF funding or an Eligible Project, except to the extent to which such claims or losses relate to the negligence of an officer, employee, or agent of Canada in the performance of his or her duties.
- P. Ensure that the Local Government will not, at any time, hold UBCM or any of its officers, servants, employees or agents responsible for any claims or losses of any kind that they, Third Parties or any other person or entity may suffer in relation to any matter related to GTF funding or an Eligible Project and that they will, at all times, compensate UBCM and its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to GTF funding or an Eligible Project, except to the extent to which such claims or losses relate to the act of negligence of an officer, employee, or agent of UBCM in the performance of his or her duties.
- Q. Agree that the above requirements which, by their nature, should extend beyond the expiration or termination of this Agreement will extend beyond such expiration or termination.

7. TRANSITION

- 7.1 As of the effective date of this Community Works Fund Agreement, the First Community Works Fund Agreement is terminated.
- 7.2 Notwithstanding section 7.1, the Parties agree that prior to its termination, the First Community Works Fund Agreement is amended to add to section 6.2 of that agreement: Schedule A (Eligible Project Categories and Project Examples); Schedule B (Eligible Costs for Eligible Recipients) and Schedule E (Reporting and Audit).
- 7.3 Notwithstanding section 7.1, the Parties agree that the survival rights and obligations in Section 6.2 of the First Community Works Fund Agreement (including those added to that section by virtue of Section 7.2), and any other section of the First Community Works Fund Agreement that is required to give effect to that survival section, will continue to apply beyond the termination of the First Community Works Fund Agreement subject to the following:
- A. Regardless of any wording in the First Community Works Fund Agreement with another effect, Unspent Funds, including interest earned thereon, will, as of the effective date of this Community Works Fund Agreement, be subject to this Community Works Fund Agreement;
 - B. Unspent Funds that fall within the reporting period of the 2013 Annual Expenditure Report (as defined in the First Community Works Fund Agreement) will be reported by the Local Government to UBCM in accordance with the First Community Works Fund Agreement;
 - C. Unspent Funds that fall within the reporting period that includes January 1, 2014 to the effective date of this Community Works Fund Agreement will be reported by the Local Government to UBCM in accordance with this Community Works Fund Agreement;
 - D. The survival of the reporting obligations under Section 3.2 and section 1.1 of Schedule E (Reporting and Audits) of the First Community Works Fund Agreement extends only until these obligations are fulfilled by the Local Government for the 2013 reporting year, after which, the reporting obligations under Section 6.1(i) and Schedule D of this Community Works Fund Agreement will apply; and
 - E. Any matters that Section 3.1 (iv) and Schedule G of the First Community Works Fund Agreement would have applied to will be dealt with under Section 6.1(d) and Schedule E (Communications Protocol) of this Community Works Fund Agreement.

8. TERM

This Community Works Fund Agreement will be effective as of April 1, 2014 and will be in effect until March 31, 2024 unless the Parties agree to renew it. In the event where this Community Works Fund Agreement is not renewed, any GTF funding and Unspent Funds, and any interest earned thereon held by the Local Government, that have not been expended on Eligible Projects or other expenditures authorized by this Community Works Fund Agreement as of March 31, 2024 will nevertheless continue to be subject to this Community Works Fund Agreement until such time as may be determined by the Parties.

9. SURVIVAL

The rights and obligations, set out in Sections 5.1, 5.2 and 6.1 will survive the expiry or early termination of this Community Works Fund Agreement and any other section which is required to give effect to the termination or to its consequences shall survive the termination or early termination of this Community Works Fund Agreement.

10. AMENDMENT

The Local Government acknowledges that the Agreement may from time to time be amended by agreement of Canada, British Columbia and UBCM and if and whenever such amendments to the Agreement are made, the Local Government agrees that UBCM may require this Community Works Fund Agreement to be amended to reflect, at the sole discretion of UBCM, the amendments made to the Agreement. Where UBCM requires this Community Works Fund Agreement to be so amended, it will provide to the Local Government notice in writing of the amendments it requires. Such amendments shall form part of this Community Works Fund Agreement and be binding on the Local Government and UBCM thirty (30) days after such notice, unless before then the Local Government elects in writing to give written notice of termination of this Community Works Fund Agreement to UBCM.

11. WAIVER

No provision of this Community Works Fund Agreement shall be deemed to be waived by UBCM, unless waived in writing with express reference to the waived provisions and no excusing, condoning or earlier waiver of any default by the Local Government shall be operative as a waiver, or in any way limit the rights and remedies of UBCM or Canada.

12. NO ASSIGNMENT

This Community Works Fund Agreement is not assignable by the Local Government and the Local Government shall not assign, pledge, or otherwise transfer any entitlement to allocation of funds under this Community Works Fund Agreement to any person and shall upon receipt of any allocation of funds hereunder pay and expend such funds thereafter only in accordance with the terms of this Community Works Fund Agreement.

13. NOTICE

Any notice, information or document provided for under this Community Works Fund Agreement must be in writing and will be effectively given if delivered or sent by mail, postage or other charges prepaid, or by facsimile or email. Any notice that is delivered will have been received on delivery; and any notice mailed will be deemed to have been received eight (8) calendar days after being mailed.

Any notice to UBCM will be addressed to:

Executive Director
525 Government Street
Victoria, British Columbia
V8V 0A8
Facsimile: 250 356-5119
Email: ubcm@ubcm.ca

Any notice to the Local Government will be addressed to:

The Corporate Officer at the place designated as the Local Government office.

SIGNATURES

This Community Works Fund Agreement has been executed on behalf of the Local Government by those officers indicated below and each person signing the agreement represents and warrants that they are duly authorized and have the legal capacity to execute the agreement.

Town of Ladysmith

UNION OF BC MUNICIPALITIES

Original signed by:

Original signed by:

Mayor

Corporate Officer

Corporate Officer

General Manager, Victoria Operations

Signed by Town of Ladysmith on the _____ day of _____, 201__.

The Community Works Fund Agreement have been executed by UBCM on the _____ day of _____, 201__.

Schedule A – Definitions

“Agreement” means the Administrative Agreement on the Federal Gas Tax Fund in British Columbia.

“Annual Report” means the duly completed annual report to be prepared and delivered by UBCM to Canada and British Columbia, as described in Schedule D (Reporting and Audits).

“Asset Management” (AM) includes planning processes, approaches or plans that support integrated, lifecycle approaches to effective stewardship of infrastructure assets in order to maximize benefits and manage risk. AM is further described in Schedule F (Asset Management) of the Agreement, and can include:

- an inventory of assets;
- the condition of assets;
- level of service;
- risk assessment;
- a cost analysis;
- community priority setting;
- long-term financial planning.

“Base Amount” means an amount established over a time-period, reflecting non-federal investments in Infrastructure and against which GTF investments will be measured to ensure that GTF investments are incremental.

“Chief Financial Officer” means in the case of a municipality, the officer assigned financial administration responsibility under S. 149 of the *Community Charter*, and in the case of a Regional District, the officer assigned financial administration responsibility under S. 199 of the *Local Government Act*, R.S.B.C. 1996, c.323.

“Communications Protocol” means the protocol by which all communications activities related to GTF funding will be delivered as described in Schedule E (Communications Protocol).

“Community Works Fund” means the fund provided from the Federal gas tax revenues to be dispersed to local governments based on a percentage of the per capita allocation for local spending priorities in accordance with the terms and conditions set out in the Agreement.

“Community Works Fund Agreement” means this Agreement made between UBCM and Local Government.

“Contract” means an agreement between an Ultimate Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

“Eligible Expenditures” means those expenditures described as eligible in Schedule C (Eligible and Ineligible Expenditures).

“Eligible Projects” means projects as described in Schedule B (Eligible Project Categories).

“First Agreement” means the agreement for the transfer of federal gas tax revenues entered into on September 19, 2005 by the Government of Canada, British Columbia and UBCM, with an expiry date of March 31, 2019, as amended.

“First Community Works Fund Agreement” means the agreement entered between UBCM and Local Government in order to administer the Community Works Fund under the First Agreement.

“Funding Agreement” means an agreement between UBCM and an Ultimate Recipient setting out the terms and conditions of the GTF funding to be provided to the Ultimate Recipient as entered under the First Agreement or the Agreement.

“GTF” means the Gas Tax Fund, a program established by the Government of Canada setting out the terms and conditions for the administration of funding that may be provided by Canada to recipients under section 161 of the *Keeping Canada’s Economy and Jobs Growing Act*, S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33, or any other source of funding as determined by Canada.

“Ineligible Expenditures” means those expenditures described as ineligible in Schedule C (Eligible and Ineligible Expenditures).

“Infrastructure” means municipal or regional, publicly or privately owned tangible capital assets in British Columbia primarily for public use or benefit.

“Local Government” means a municipality as defined in the *Community Charter* [SBC 2003] Chapter 26, a regional district as defined in the *Local Government Act* [RSBC 1996] Chapter 323, and the City of Vancouver as continued under the *Vancouver Charter* [SBC 1953] Chapter 55.

“Outcomes Report” means the report to be delivered by March 31, 2018 and again by March 31, 2023 by UBCM to Canada and British Columbia which reports on how GTF investments are supporting progress towards achieving the program benefits, more specifically described in Schedule D (Reporting and Audits).

“Partnership Committee” means the Committee required to be established by the Agreement to govern the implementation of the Agreement and further described in Annex C of the Agreement.

“Party” means Canada, British Columbia or UBCM when referred to individually and collectively referred to as “Parties”.

“Third Party” means any person or legal entity, other than Canada, British Columbia, UBCM or an Ultimate Recipient, who participates in the implementation of an Eligible Project by means of a Contract.

“Ultimate Recipient” means a Local Government.

“Unspent Funds” means Funds (as defined by the First Agreement) that have not been spent towards an Eligible Project (as defined under the First Agreement) prior to the effective date of the Agreement.

Schedule B – Eligible Project Categories

Eligible Projects include investments in Infrastructure for its construction, renewal or material enhancement in each of the following categories:

- A. Local roads, bridges – roads, bridges and active transportation infrastructure (active transportation refers to investments that support active methods of travel. This can include: cycling lanes and paths, sidewalks, hiking and walking trails).
- B. Highways – highway infrastructure.
- C. Short-sea shipping – infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
- D. Short-line rail – railway related infrastructure for carriage of passengers or freight.
- E. Regional and local airports – airport-related infrastructure (excludes the National Airport System).
- F. Broadband connectivity – infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
- G. Public transit – infrastructure that supports a shared passenger transport system which is available for public use.
- H. Drinking water – infrastructure that supports drinking water conservation, collection, treatment and distribution systems.
- I. Wastewater – infrastructure that supports wastewater and storm water collection, treatment and management systems.
- J. Solid waste – infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage.
- K. Community energy systems – infrastructure that generates or increases the efficient usage of energy.
- L. Brownfield Redevelopment – remediation or decontamination and redevelopment of a brownfield site within Local Governments boundaries, where the redevelopment includes:
 - the construction of public infrastructure as identified in the context of any other eligible project category under the GTF, and/or;
 - the construction of Local Government public parks and publicly-owned social housing.
- M. Sport Infrastructure – amateur sport infrastructure (excludes facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League)).
- N. Recreational infrastructure – recreational facilities or networks.

O. Cultural infrastructure – infrastructure that supports arts, humanities, and heritage.

P. Tourism infrastructure – infrastructure that attract travelers for recreation, leisure, business or other purposes.

Q. Disaster mitigation – infrastructure that reduces or eliminates long-term impacts and risks associated with natural disasters.

Eligible Projects also include:

R. Capacity building – includes investments related to strengthening the ability of Local Governments to develop long-term planning practices.

Note: Investments in health infrastructure (hospitals, convalescent and senior centres) are not eligible.

Schedule C – Eligible and Ineligible Expenditures

1. ELIGIBLE EXPENDITURES

1.1 Eligible Expenditures of Ultimate Recipients will be limited to the following:

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

B. for capacity building category only, the expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, life-cycle cost assessments, and Asset Management Plans. The expenditures could include developing and implementing:

- studies, strategies, or systems related to asset management, which may include software acquisition and implementation;
- training directly related to asset management planning; and,
- long-term infrastructure plans.

C. the expenditures directly associated with joint communication activities and with federal project signage for GTF-funded projects.

1.2 Employee and Equipment Costs: The incremental costs of the Ultimate Recipient's employees or leasing of equipment may be included as Eligible Expenditures under the following conditions:

- the Ultimate Recipient is able to demonstrate that it is not economically feasible to tender a contract;
- the employee or equipment is engaged directly in respect of the work that would have been the subject of the contract; and
- the arrangement is approved in advance and in writing by UBCM.

1.3 Administration expenses of UBCM related to program delivery and implementation of this Agreement, in accordance with Section 9 (Use and Recording of Funds by UBCM) of Annex B (Terms and Conditions).

2. INELIGIBLE EXPENDITURES

The following are deemed Ineligible Expenditures:

- A. project expenditures incurred before April 1, 2005;
- B. project expenditures incurred before April 1, 2014 for the following investment categories:
 - highways;
 - regional and local airports;
 - short-line rail;
 - short-sea shipping;
 - disaster mitigation;
 - broadband connectivity;
 - brownfield redevelopment;
 - cultural infrastructure;
 - tourism infrastructure;
 - sport infrastructure; and
 - recreational infrastructure.
- C. the cost of leasing of equipment by the Ultimate Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Ultimate Recipient, its direct or indirect operating or administrative costs of Ultimate Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Expenditures above;
- D. taxes for which the Ultimate Recipient is eligible for a tax rebate and all other costs eligible for rebates;
- E. purchase of land or any interest therein, and related costs;
- F. legal fees; and
- G. routine repair and maintenance costs.

Schedule D –Reporting and Audits

1. REPORTING

Reporting requirements under the GTF will consist of an Annual Report and an Outcomes Report that will be submitted to Canada and British Columbia for review and acceptance. The reporting year is January 1st to December 31st.

1.1 ANNUAL REPORT

By September 30th of each year, UBCM will provide to Canada and British Columbia an Annual Report in an electronic format deemed acceptable by Canada consisting of the following in relation to the previous reporting year:

Financial Report Table: The financial report table will be submitted in accordance with the following template.

Annual Report Financial Table	Annual	Cumulative
	20xx - 20xx	2014 - 20xx
UBCM		
Opening Balance ¹⁵⁵	\$xxx	
Received from Canada	\$xxx	\$xxx
Interest Earned	\$xxx	\$xxx
Administrative Cost	(\$xxx)	(\$xxx)
Transferred to Ultimate Recipients	(\$xxx)	(\$xxx)
Closing Balance of unspent funds	\$xxx	
Ultimate Recipients in aggregate		
Opening Balance ¹⁵⁶	\$xxx	
Received from UBCM	\$xxx	\$xxx
Interest Earned	\$xxx	\$xxx
Spent on Eligible Expenditures	(\$xxx)	(\$xxx)
Closing Balance of unspent funds	\$xxx	

¹⁵⁵ For the 2014 Annual Report this means the amount reported as unspent by UBCM the 2013 Annual Expenditure Report (as defined under the First Agreement).

¹⁵⁶ For the 2014 Annual Report this means the amount reported as unspent by Eligible Recipients (as defined under the First Agreement) in the 2013 Annual Expenditure Report (as defined under the First Agreement).

Independent Audit or Audit Based Attestation:

UBCM will provide an independent audit opinion, or an attestation based on an independent audit and signed by a senior official designated in writing by British Columbia and UBCM, as to:

- A. the accuracy of the information submitted in the Financial Report Table; and
- B. that Funds were expended for the purposes intended.

Project List

UBCM will maintain, and provide to Canada and British Columbia a project list submitted in accordance with the following template.

Annual Report - GTF Project List Template

Project ID	Ultimate Recipient	Project Title	Project Description	Investment category	Total Project Cost	Funds (GTF) Spent	Completed

1.2 OUTCOMES REPORT

By March 31, 2018 and March 31, 2023, UBCM will provide to Canada and British Columbia and make publicly available, an Outcomes Report that will report in aggregate on the degree to which investments are supporting the progress in British Columbia towards achieving the following program benefits:

- A. Beneficial impacts on communities of completed Eligible Projects;
- B. Enhanced impact of GTF as a predictable source of funding including incremental spending; and
- C. Progress made on improving Local Government Asset Management.

The Outcomes Report will present performance data and a narrative on program benefits. The partnership committee will develop and approve a methodology for reporting on performance in respect of each of the program benefits

2. AUDITS

Canada may, at its expense, carry out any audit in relation to the Agreement, and for this purpose, reasonable and timely access to all documentation, records and accounts that are related to the Agreement and the use of GTF funding, and any interest earned thereon, and to all other relevant information and documentation requested by Canada or its designated representatives, will be provided to Canada and its designated representatives by:

- British Columbia and UBCM, as applicable, where these are held by British Columbia, UBCM, or their respective agents or Third Parties; and
- Ultimate Recipients where these are held by the Ultimate Recipient or a Third Party or their respective agents.

Canada may, at its expense, complete a periodic evaluation of the GTF to review the relevance and performance (i.e. effectiveness, efficiency and economy) of the GTF. British Columbia and UBCM will provide Canada with information on program performance and may be asked to participate in the evaluation process. The results of the evaluation will be made publicly available.

Schedule E – Communications Protocol

1. PURPOSE

1.1 The provisions of this Communications Protocol apply to all communications activities related to any GTF funding which may be delivered by Canada, including allocations, and Eligible Projects funded under this Agreement. Communications activities may include, but are not limited to, public or media events, news releases, reports, web articles, blogs, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, awards programs, and multi-media products.

1.2 Through collaboration, the Parties agree to work to ensure clarity and consistency in the communications activities meant for the public.

2. JOINT COMMUNICATIONS APPROACH

2.1 The Parties agree to work in collaboration to develop a joint communications approach that identifies guiding principles, including those related to the provision of upfront project information, project signage, and planned communications activities throughout the year. This joint communications approach will have the objective of ensuring that communications activities undertaken each calendar year communicate a mix of Eligible Project types from both large and small communities, span the full calendar year and use a wide range of communications mediums.

2.2 The Parties agree that the initial annual joint communications approach will be finalized and approved by the partnership committee within 60 working days following the inaugural meeting of the partnership committee.

2.3 The Parties agree that achievements under the joint communications approach will be reported to the partnership committee once a year, or more frequently as requested by the partnership committee.

2.4 The Parties agree to assess the effectiveness of the joint communications approach on an annual basis and, as required, update and propose modifications to the joint communications approach. Any modifications will be brought to the partnership committee for approval.

3. INFORM CANADA ON ALLOCATION AND INTENDED USE OF GTF FUNDING FOR COMMUNICATIONS PLANNING PURPOSES

3.1 UBCM agrees to provide to Canada upfront information on planned Eligible Projects and Eligible Projects in progress on an annual basis, prior to the construction season. The Parties will agree, in the joint communications approach, on the date this information will be provided. The information will include, at a minimum:

Ultimate Recipient name; Eligible Project name; Eligible Project category, a brief but meaningful Eligible Project description; amount of Funds being used toward the Eligible Project; and anticipated start date.

3.2 The Parties agree that the above information will be delivered to Canada in an electronic format deemed acceptable by Canada. This information will only be used for communications planning purposes and not for program reporting purposes.

3.3 The Parties agree that the joint communications approach will define a mechanism to ensure the most up-to-date Eligible Project information is available to Canada to support media events and announcements for Eligible Projects.

4. PROJECT SIGNAGE

4.1 The Parties and Ultimate Recipients may each have a sign recognizing their contribution to Eligible Projects.

4.2 At Canada's request, Ultimate Recipients will install a federal sign to recognize federal funding at Eligible Project site(s). Federal sign design, content, and installation guidelines will be provided by Canada and included in the joint communications approach.

4.3 Where British Columbia, UBCM or an Ultimate Recipient decides to install a permanent plaque or other suitable marker with respect to an Eligible Project, it must recognize the federal contribution to the Eligible Project(s) and be approved by Canada.

4.4 The Ultimate Recipient is responsible for the production and installation of Eligible Project signage, or as otherwise agreed upon.

4.5 British Columbia or UBCM agree to inform Canada of signage installations on a basis mutually agreed upon in the joint communications approach.

5. MEDIA EVENTS AND ANNOUNCEMENTS FOR ELIGIBLE PROJECTS

5.1 The Parties agree to have regular announcements of Eligible Projects that are benefiting from GTF funding that may be provided by Canada. Key milestones may be marked by public events, news releases and/or other mechanisms.

5.2 Media events include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.

5.3 A Party or an Ultimate Recipient may request a media event.

5.4 Media events related to Eligible Projects will not occur without the prior knowledge and agreement of the Parties and the Ultimate Recipient.

5.5 The Party or Ultimate Recipient requesting a media event will provide at least 15 working days' notice to the other Parties or Ultimate Recipient of their intention to undertake such an event. The event will take place at a mutually agreed date and location. The Parties and the Ultimate Recipient will have the opportunity to participate in such events through a designated representative. The Parties will each designate their own representative.

5.6 The conduct of all joint media events and products will follow the *Table of Precedence for Canada* as outlined at <http://www.pch.gc.ca/pgm/ceem-cced/prtcl/precedence-eng.cfm>.

5.7 All joint communications material related to media events must be approved by Canada and recognize the funding of the Parties.

5.8 All joint communications material must reflect Canada's policy on official languages and the federal identity program.

6. PROGRAM COMMUNICATIONS

6.1 The Parties and Ultimate Recipients may include messaging in their own communications products and activities with regard to the GTF.

6.2 The Party or Ultimate Recipient undertaking these activities will provide the opportunity for the other Parties and Ultimate Recipient to participate, where appropriate, and will recognize the funding of all contributors.

6.3 The Parties agree that they will not unreasonably restrict the other Parties or Ultimate Recipient from using, for their own purposes, public communications products related to the GTF prepared by a Party or Ultimate Recipients, or, if web-based, from linking to it.

6.4 Notwithstanding Section 5 (Communications Protocol), Canada retains the right to meet its obligations to communicate information to Canadians about the GTF and the use of funding through communications products and activities.

7. OPERATIONAL COMMUNICATIONS

7.1 The Ultimate Recipient is solely responsible for operational communications with respect to Eligible Projects, including but not limited to, calls for tender, construction, and public safety notices. Operational communications as described above are not subject to the federal official language policy.

7.2 Canada, British Columbia, UBCM or the Ultimate Recipient will share information promptly with the Parties should significant emerging media or stakeholder issues relating to an Eligible Project arise. The Parties will advise Ultimate Recipients, when appropriate, about media inquiries received concerning an Eligible Project.

8. COMMUNICATING SUCCESS STORIES

British Columbia and UBCM agree to facilitate communications between Canada and Ultimate Recipients for the purposes of collaborating on communications activities and products including but not limited to Eligible Project success stories, Eligible Project vignettes, and Eligible Project start-to-finish features.

9. ADVERTISING CAMPAIGNS

Recognizing that advertising can be an effective means of communicating with the public, a Party or an Ultimate Recipient may, at their own cost, organize an advertising or public information campaign related to the GTF or Eligible Projects. However, such a campaign must respect the provisions of this Agreement. In the event of such a campaign, the sponsoring Party or Ultimate Recipient agrees to inform the other Parties of its intention, and to inform them no less than 21 working days prior to the campaign launch.

Stz'uminus First Nation 2nd Annual Water Festival

Gordon's Peacock Society
P.O Box 1527 Ladysmith, BC
V9G-1B1
250-245-2960

June 10, 2014

Joanna Winter
Town of Ladysmith
410 Esplanade,
PO Box 220
Ladysmith, BC
V9G-1A2

JUN 10 2014

Dear; Ms. Winter

I am writing to inquire if Town of Ladysmith would consider a proposal on behalf of Gordon's Peacock Society certified as a non-profit society S-0061119 your donation is tax-deductible. We are in need to raise \$25,000 for this year's water festival for participants that travel from all over Vancouver Mainland, Washington State and Vancouver Island. All funds raised will help cover cost for this two day festival such as rentals, subsidy, prize money, gas, food, maintenance, ribbons, trophies, first aid staff, create a logo and shirts with event logo. This year's water festival is set for July 19th-20th 2014

Be a part of our positive meaningful change for our today's generation that join this Competitive water sport that are age 6 to 60 years old. Our water festival promotes excellent discipline to learn good sportsmanship, traditional teachings, leadership and healthy lifestyle. Historically, this sport provides a means to gather families to promote their pride of their own community and culture. Also, this encourages active living to develop socially and to ensure continuation of our heritage. Equally important, this benefits each individual's growth physically, mentally, emotionally, and spiritually.

Sponsors of this festival will be put in our canoe race schedule and acknowledgement will be announced by the emcee. To show our appreciation for your contribution we would like to offer Town of Ladysmith a picture of the canoes racing as a special gift.

Thank you in advance for considering our request. Your contribution towards this festival will help keep our First Nation communities together, healthy and strong as we strive to honor our traditional ways of living. If you have any questions or require additional information or if you'd like to see our budget plan for this water festival please do not hesitate to contact with the above number given we would be more than happy to set a meeting to go over our budget.

Traditionally yours,



Adam Seymour

Co-coordinators Stz'uminus Canoe festival



Margaret Seymour

Event Budget for Stz' uninus Water Festival

> Expenses

Site	Estimated	Actual	Estimated	Actual
Total Expenses	\$25,000.00	\$0.00	\$25,000.00	\$0.00

Site	Estimated	Actual	Refreshments	Estimated	Actual
emcee equipment	\$250.00		Food	\$1,200.00	
subcity x9 canoes	\$3,600.00		Drinks	\$200.00	
Yard Maintenance x7hours	\$595.00		Fruit	\$300.00	
Prize money	\$15,000.00		Total	\$1,700.00	\$0.00
Total	\$19,425.00	\$0.00			

Site	Estimated	Actual	1st place winner	Estimated	Actual
Gas for boats and lawnmower	\$350.00		shirts x 60	\$720.00	
First Aid	\$500.00				
Out houses x8	\$1,300.00				
Total	\$2,150.00	\$0.00			

Publicity	Estimated	Actual	Prizes	Estimated	Actual
Graphic Logo	\$400.00		Ribbons/Plaques/Trophies	\$430.00	
Photocopying/Printing x300	\$175.00		Gifts		
Total	\$575.00	\$0.00	Total	\$430.00	\$0.00

Miscellaneous	Estimated	Actual
	\$0.00	\$0.00