



***TOWN OF LADYSMITH***

# **SOUTH LADYSMITH AREA PLAN**

**SCHEDULE "D"**

CONSOLIDATED FOR CONVENIENCE ONLY

The amendment bylaws which are included in this consolidated version of the 'South Ladysmith Area Plan - Schedule D of Bylaw No. 1488' are:

1694, 1736, and 1859

As on August 18, 2014

This consolidation of the 'Town of Ladysmith Community Plan' and amendments has been prepared exclusively for the use of the Town of Ladysmith for convenience only.

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

# South Ladysmith Area Plan

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## **Part One: Introduction**

The South Ladysmith area has been identified as a location for future growth and a new employment centre for industrial and agricultural uses in the Town of Ladysmith. The area also provides for additional residential growth to the south of an existing neighbourhood, as well as continued commercial uses associated with the Trans-Canada Highway frontage. The process to prepare a plan for this area is a result of the inclusion of these lands within the Town of Ladysmith boundary on June 21, 2002. (Map 1)

### **1. Purpose of the Area Plan**

South Ladysmith Area Plan sets out direction for the future development of the plan area within the context of Ladysmith Official Community Plan. The Local Government Act [Part 26: Section 875 (1) ] describes the purposes of an official community plan:

An official community plan is a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government.

South Ladysmith Area Plan identifies the future policy directions regarding proposed land use, transportation and servicing for the Plan Area by:

- Identifying planning principles for the overall structure of the Area;
- Designating the location, type and density of land uses;
- Identifying the broad servicing strategy for sanitary sewer, water, and storm drainage infrastructure;
- Designing a future transportation network;
- Identifying an approach for plan implementation.

The South Ladysmith Area Plan, as an amendment, complements the broad policies of the Official Community Plan and provides more specific direction for management of development in this portion of the Town of Ladysmith.

## **2. Process**

South Ladysmith has been viewed as a potential location for a future employment centre in the region for a number of years. Review of this potential has been ongoing and efforts have been jointly shared by the representatives of Town of Ladysmith, Electoral Area 'G', and in the past few years, the Province and a major landowner in the area - Land and Water BC Inc. (LWBC) - formerly BC Assets and Land Corporation (BCAL). The review efforts leading up to the preparation of this plan included a series of studies, landowner and public consultation, and finally, conceptual plans were completed. In June 2002, the plan area was included within the Town of Ladysmith boundary, which allowed for the preparation of this South Ladysmith Area Plan. There were three phases to the planning process.

### **2.1 First Phase**

The initial or background phase of the process included conducting studies regarding environmental analysis, topographic (slope), land use and development, transportation, market review, and servicing issues. A Provincial Agency representative group was formed in late 2000 to provide input and review of work completed in this initial process. A working team of partners including the Town of Ladysmith, Electoral Area 'G', and LWBC, together with a consulting team, conducted a series of workshops to address analysis and conceptual planning issues. Consultation efforts in this phase included inviting the property owners in the study area to an introduction and review of the conceptual planning work. Subsequently, the Town hosted a Public Open House to review and provide input to the draft Conceptual Development Plan and related studies on Environment, Transportation, Market, and Servicing. Reports prepared as part of this background phase include:

- Environmental Assessment (Terrestrial Logic Consulting May 2001& February 2002)
- Marketing Opportunity Study (G.P.Rollo & Associates April 2001)
- Concept Development Plan (Urban Systems Limited May 2001)
- Conceptual Site Servicing Study (Herold Engineering Limited May 2001)
- Peerless Road Area Study (GMK2000 Transportation Planning and Engineering Ltd. May 2001)

## **2.2 Second Phase**

The Provincial Agency group, Electoral Area 'G', and the Town of Ladysmith gave the approval in the Fall of 2001 to proceed with the formal boundary extension application to include the south area in the Town. The review process for the application commenced and the Town concurrently began the preparatory work for the drafting of the Area Plan. This second phase included updating of information for the south area, introduction of the process for draft plan preparation to the Advisory Planning Commission (APC), confirmation of the preferred land use option and transportation system, and then commencing preparation of the first Draft South Ladysmith Area Plan. The Draft Plan was presented to the APC for review and subsequent recommendation to hold a Public Open House to review the Draft Plan with members of the community.

## **2.3 Third Phase**

The formal OCP amendment process was undertaken in accordance with the Local Government Act. A Public Hearing was held December 9, 2002 and final adoption considered by Council for the amending bylaw.

## **3. Plan Context**

The Plan Area is located at the southern extent of the Town of Ladysmith, generally bounded by the Trans Canada Highway on the east, the Hydro Transmission Corridor to the west, and the District of North Cowichan boundary in the south. The area comprises approximately 370 hectares of land and extends about 3 kilometres in length (north-south) and an average of 1 kilometre wide (east-west). Existing roads include Farrell Road and

Westdowne Road as service roads parallel to the highway. Primary access to the area is from the signalized intersection of Peerless Road and the Trans Canada Highway. Thicke Road and South Watts Road provide local access to the mid-south area properties from this intersection. The lands within the Plan Area vary widely in terms of topographic slope gradients (from 2% - 40%), but the general slope aspect is east west and down toward the ocean. The moderate slope areas (less than 10%) are generally found in the southern portion of the site. Stocking Creek is a significant natural watercourse which bisects the Plan Area, and several of its' tributaries run in a northeast-southwest alignment, further dividing the area. Forest vegetation covers a majority of the site, ranging from recently harvested areas to 81-100 year growth areas. Apart from the majority of lands being vacant (Crown Provincial owned), existing land uses in the Plan Area include rural residential (individual single family dwellings on larger parcels and a mobile home park) and commercial/industrial along the highway. Other industrial uses are located further into the site - west and south of the signalized highway intersection. (Figure 1)

#### **4. Plan Description**

The South Ladysmith Area Plan is organized into the following main components:

- **Part One: Introduction**

This section of the plan presents introductory information about the purpose of the Area Plan, the process for its preparation and adoption as an amendment to the Official Community Plan, as well as the context and the description of the plan components.

- **Part Two: Area Plan Policies**

This section of the plan describes the overall plan structure and the planning principles, which form the basis for objectives and policies regarding land use (industrial, commercial, residential, agricultural and open space), transportation, and servicing for the Plan Area.

- **Part Three: Implementation**

This section of the plan sets out issues and approaches to implementation, including the OCP amendment, the Zoning Bylaw, and issues related to financing, servicing and phasing of development.

## **Part Two: Area Plan Policies**

### **1. Overall Plan Structure**

The overall form of the South Ladysmith area is anticipated to reflect a balance of a natural setting with an addition of urban uses to the existing rural uses of land. A future industrial park set within identified developable areas (as defined by the natural watercourses and steeper topography) in the center of the Plan Area is intended as the primary urban land use for this portion of Town. Commercial uses along the highway and oriented toward the entrance of the industrial park, as well as agricultural uses in the southern portion of the Plan Area, would complement the industrial park. Residential uses located in the northeast part of the Plan Area would represent an extension to the currently developing residential neighbourhood south of Davis Road. A business park (together with protected watercourse and topographic natural features) located between the industrial park and the residential neighbourhood offers a transition between these land uses. A recreation trail system is proposed along the riparian corridors of Stocking Creek and the hydro/gas corridor. A transportation system is proposed which serves the industrial park with an internal collector road and directs access to/from the highway, offers a service connection to Davis Road and the rest of the Town, and contains a series of local roads for internal traffic service within the Plan Area.

#### **1.1 Planning Principles**

A number of planning principles have been identified for the South Ladysmith Area Plan. These planning principles offer general guidance for the policies of this plan and the future development of the area.

- The South Ladysmith Plan Area is proposed as a future employment centre for the region, comprising industrial, agricultural, commercial and residential, and recreational land uses.
- Development in the Plan Area will proceed in the context of a natural environment framework, protecting and preserving environmentally sensitive areas and steeply sloping topographic areas.



- Provide an efficient transportation system suited to the varying land use types (urban and rural) and to traffic demands, providing multiple access points and a hierarchy of roads, and integrating the various modes.
- Provide for a range of servicing levels for different land use types and to allow staging of development over time. Flexible servicing options for short and long term requirements are contemplated by this plan.
- An open space system, primarily for environment protection and for complementary recreation use (trails), is to be centered on the Stocking Creek riparian corridor and extended to its' tributary riparian corridors, as well as to wetlands, significant vegetation areas and steep slope areas.

## **2. Land Use**

Policies respecting land use for the Plan Area reflect the overall plan structure and planning principles set out in the above section of this plan. Land use and development is expected to occur within the framework of the protection of environmentally sensitive areas (watercourses, wetlands, mature forests, steep slope and rock outcrop areas). For the Plan area, approximately 80 hectares are delineated as ESA, and together with utility/steep slope areas the remaining developable area is approximately 200 hectares. Of the developable area, the Agricultural Land Reserve (ALR) covers about 93 hectares. The Plan Area may be considered for a range of land uses, including industrial, commercial, residential, open space, and agricultural uses. Policies for land use are outlined in the following sections of the Area Plan.

### **2.1 Open Space**

The natural environment of the South Ladysmith area provides the framework to define the location and performance standards for future development land uses. The Plan Area is comprised of a series of ecosystems – wetland, riparian, and terrestrial. Vegetation is varied, from pasture to recently logged forest, to old growth (81-100 year) forests. Terrain of the area is also varied, with steep slope areas (greater than 30%) representing limits to potential development.

The environmentally sensitive area (ESA) of Stocking Creek and several tributaries is the dominant natural feature of the Plan Area. Preservation and protection from development of these ESA's is provided in the plan through designation as Open Space. The Stocking Creek corridor is shown as an open space linear feature and to provide for future recreational (trail) opportunities. The Open Space system is applied throughout the Plan Area for the natural watercourse areas, steep slope areas, and a rock outcrop feature identified in the northern portion of the Plan Area.

### **Objectives**

- Preserve and protect environmentally sensitive areas, steep slopes and rock outcrop areas from development.
- Provide for a system of trails, including a continuous linear trail along Stocking Creek linking to the Town's perimeter trail system along the hydro corridor.
- Integrate natural areas within the Plan Area to define land use areas and provide transition buffers between land uses.

### **Policies**

- 2.1.1 Provide for open space uses within the Plan Area to serve the community by preserving and developing the natural open space system as shown on Map 2 – Land Use & Transportation.
- 2.1.2 An Open Space designation shown on Map 2 for the Stocking Creek riparian corridor is intended to both allow for preservation and protection, as well as for limited recreational uses related to trail development.
- 2.1.3 A continuous linear trail system will be established to serve the Plan Area and to connect to the perimeter trail as shown on Map 2.
- 2.1.4 Areas within the Open Space designation area to be retained in their natural state to allow for preservation and protection of environmentally sensitive areas and to avoid potentially hazardous development conditions in steep slope areas.

Bylaw 1736

2.1.5 Fish bearing and non-fish bearing riparian areas in the South Ladysmith Plan Area will be protected in accordance with Development Permit Area 6 – Riparian Development Permit Area.

## **2.2 Industrial**

The proposed industrial park in South Ladysmith locates a future employment centre in the Town and acknowledges the locational benefits and historic land uses in this part of the Plan Area. The industrial area is intended to provide larger land parcels with reasonable costs to attract value-added forest sector uses, as well as other industrial businesses. The industrial area provides for an extension of industrial uses in the area behind those currently located west of the highway intersection at Peerless Road. The primary road access for the industrial park is at the highway intersection.

### **Objectives**

- Ensure adequate lands are provided for industrial development and for the future employment needs of the region.
- To encourage development of a portion of the Plan Area as an industrial park.

### **Policies**

2.2.1 Permit industrial development in the area designated Industrial and light industrial/office development in the area designated Business Park on Map 2 – Land Use & Transportation.

2.2.2 Industrial uses are intended to permit the range of uses anticipated for an industrial park, including land-extensive heavy industry associated with the forest sector, primary processing, manufacturing, warehousing, wholesaling and storage, product assembly and service, transportation and distribution uses. The maximum floor space ratio for Industrial development is 0.4 f.s.r. and buildings are not to exceed a maximum height of three storeys.

2.2.3 Business Park uses are intended to permit light industrial and office uses associated with small-scale manufacturing, technology-based industries, wholesaling and storage, and product assembly and

service. The maximum floor space ratio for Business Park development is 0.5 f.s.r. and buildings are not to exceed a maximum height of three storeys.

2.2.4 New development in the Industrial designation on parcels of a minimum 2.0 hectares and uses with minimal water supply and sewage flow demands can be serviced with municipal or private well water and a private sanitary system. Parcels less than 2.0 hectares are required to be on municipal services.

2.2.5 New development in the Business Park designation is required to be on municipal services.

2.2.6 Industrial development is subject to the Development Permit Guidelines of the Official Community Plan.

### **2.3 Commercial**

The location along the highway and centered on the signalized intersection has developed as a commercial and rural industrial area. The future of this area is anticipated to represent an urban service commercial area, with a continued orientation to the highway. The demand for additional highway and service commercial needs is expected to be medium-long term for the Town. The intent is to continue to limit the extent of highway commercial areas to minimize visual impact for travelers and residents of the community.

#### **Objectives**

- To provide a future highway and service commercial focus in the south Ladysmith area for travelers and residents of the community.
- Ensure an attractive and functional commercial entrance to the industrial park area.

## **Policies**

- 2.3.1 To permit highway and service commercial development in the areas designated Highway Commercial on Map 1 – Land Use & Transportation.
- 2.3.2 Highway Commercial uses are intended to permit highway-oriented and service commercial uses, including nurseries, automobile serving uses, building and supply stores, retail sales, restaurants, and other commercial uses oriented to the motoring public.
- 2.3.3 The maximum floor space ratio for Highway Commercial development is 0.5 f.s.r. with the maximum floor area of a commercial use not to exceed 2,000 square metres and a maximum height of two storeys.
- 2.3.4 New development in the Highway Commercial designation on parcels of a minimum 2.0 hectares and uses with minimal water supply and sewage flow demands can be serviced with municipal or private well water and a private sanitary system. Parcels less than 2.0 hectares are required to be on municipal services.
- 2.3.5 Highway Commercial development is subject to the Development Permit Guidelines of the Official Community Plan.

## **2.4 Residential**

Residential development in the Plan Area represents an addition to the existing neighborhood centered on Russell Road. The principal form of new housing in this area is expected to be conventional single family, with estate single-family development as an alternative. Opportunities may also exist for multi-family housing forms suited to a hillside setting. The residential development in this area will be serviced and accessed from South Davis Road. Road access connections are also desirable west to connect to collector roads in the existing neighbourhood. The Plan recognizes the existing mobile home park as a residential land use.

## **Objectives**

- To provide for an extension of the existing residential neighbourhood to the north of the Plan Area.
- To allow an appropriate mix of housing types and density of development to include the existing mobile home park, conventional single family and estate single family, and multi-family development.

## **Policies**

- 2.4.1 Permit residential development in the areas designated Residential and Mobile Home Park Residential on Map 2 – Land Use & Transportation.
- 2.4.2 Areas designated Residential are intended primarily for single-family residential development to a maximum density of 10 units per hectare.
- 2.4.3 Areas designated Mobile Home Park Residential are intended for mobile and manufactured home uses contained in a mobile home park. The maximum density for development is 15 units per hectare.
- 2.4.4 Multi-family residential development may be considered in appropriate locations and in the form of townhouse development at a maximum density of 37 units per hectare, subject to an amendment to this Area Plan.
- 2.4.5 Estate single family residential development may be considered in appropriate locations at a minimum lot size of 0.2 hectares and maximum lot size of 0.8 hectares, subject to an amendment to this Area Plan.
- 2.4.6 New parcels for residential development are required to be on municipal services.

## 2.5 Agricultural

The south portion of the Plan Area is contained within the Agricultural Land Reserve. Agricultural production on land in this area has been limited to date. Future agricultural uses anticipate the development of an agricultural centre to service the mid-island and to provide a range of agriculture-related uses. The Plan contemplates continued agricultural use and rural levels of servicing for this area in the medium term. Longer-term use may see demand for other land uses to accommodate the growth and employment needs of the community.

### Objectives

- Maintain agricultural uses as the land use for areas within the Provincial Agricultural Land Reserve (ALR).
- Preserve the agricultural portion of the Plan Area for a range of agricultural production and agriculture-related and supportive uses, including an Agricultural Centre located adjacent the industrial park.
- Support future consideration of redesignation of lands currently within the ALR for long-term expansion of the industrial park.

### Policies

2.5.1 Permit the existing agricultural land uses in the areas designated Agricultural on Map 2 – Land Use & Transportation.

2.5.2 The range of land uses as permitted in the Land Commission Act for lands within the ALR are supported for areas designated as Agricultural in this Area Plan.

2.5.3 Agricultural uses are contemplated to include food production, nurseries, livestock auction, fairgrounds, and an agricultural centre.

### **3. Transportation**

The Plan Area is directly adjacent the Trans Canada Highway and is currently served with all-direction signalized access at the Peerless Road intersection and an egress only to Westdowne Road at the mid-point. The egress is a southbound right turn slip from the highway and does not allow for any other traffic movement. An additional access opportunity to connect to the current Town/Highway road system includes a frontage road link to South Davis Road at the north end of the Plan Area.

The Peerless Road intersection with the Highway is signalized and has plenty of spare capacity. Three roads currently merge into the intersection area (Thicke, Westdowne, South Watts) as well as one driveway (Peerless Waste Transfer Station). The proposed collector road for the area enters parallel to Thicke Road. The proposed entrance road will improve traffic operations by better aligning the major road with the highway. When traffic volumes increase through future development of the Plan Area, an all-way stop should be considered at the Thicke/ Westdowne intersection. The Westdowne egress access is acceptable for the time being. Once Westdowne Road is connected with South Davis road this egress should be eliminated.

The road network proposed is based on the land uses and associated vehicle traffic being primarily highway oriented. Users will want reasonably direct and efficient access to the highway. The proposed road network recognizes this with two access locations - the connection of Westdowne Road to Farrell Road at South Davis Road, and at the proposed Peerless Road intersection with the highway. The extension of Thicke Road would serve as the major collector road for the Plan Area, extending into the industrial park and then loop onto Westdowne Road. Off this collector road will be local access and cul-de-sac roads. The location of local access and cul-de-sac roads for the Plan Area is necessarily flexible to acknowledge the larger parcel requirements of the industrial and agricultural uses.

A trail system for pedestrian and bicycle use is contemplated for the Plan Area. The trail connections are will access areas west of the hydro corridor for recreational use as well as providing access for potential employees and users from the residential areas to the industrial park. A trail along the Stocking Creek corridor and linking the hydro corridor and a future trail link to the ocean along the creek is also proposed in the Plan.



The road standards for this area plan reflect the intended use of the area. Both urban standards for the residential and commercial portion of the Plan Area, and rural standards for larger scale industrial and agricultural uses are envisioned. The roads will be of sufficient width to accommodate large trucks (where required), periodic parking demands, as well as pedestrian and cycling users. The network and road cross-section can easily accommodate transit.

### **3.1 Transportation System**

#### **Objectives**

- Provide an efficient access and circulation system by developing a suitable transportation network for the Plan Area.
- Minimize detrimental environmental effects of road location and development.
- Promote road standards that embrace the planning principles, reflect the Town's standards, complement the economic development potential of the area, and provide for all modes of travel.

#### **Policies**

- 3.1.1 Develop the transportation network for South Ladysmith as shown on Map 1 – Land Use & Transportation to provide safe and efficient circulation of vehicles, pedestrians, and cyclists.
- 3.1.2 Road Access will be provided at the existing Peerless Road intersection, at South Davis Road and Farrell Road, and in the interim, egress at the existing Westdowne slip road.
- 3.1.3 Street layouts will avoid crossing steep slopes as much as possible, but will encourage street layouts that parallel slopes.
- 3.1.4 Road standards will provide for cyclists, pedestrians and casual on street parking.

- 3.1.5 Collector Streets will function as a primary connection to the Highway and South Davis Road and be constructed in accordance with the Town's Engineering Standards. Rural/Industrial Collector road standards will apply to the industrial and agricultural areas. Urban Collector road standards will apply to the commercial and residential areas.
- 3.1.6 Local Streets will function as primary access to individual parcels of land and be constructed in accordance with the Town's Engineering Standards. Rural/Industrial Local road standards will apply to the industrial and agricultural areas. Urban Local road standards will apply to the commercial and residential areas.
- 3.1.7 Local Cul-de-sac roads will function as primary access to individual parcels and connect to Local Streets. Cul-de-sac roads will be constructed in accordance with the Town's Engineering Standards. Rural/Industrial Cul-de-sac road standards will apply to the industrial and agricultural areas. Urban Cul-de-sac road standards will apply to the commercial and residential areas.

#### **4. Servicing**

Development of the South Ladysmith area to meet the planned future growth will necessitate extension and improvements to the current infrastructure. Given the present rural nature of land use in the area, the existing service levels for the sanitary and water system are limited and would require upgrading for ultimate development.

The Sanitary Sewer service to the area can be provided by connection to the Sewage Treatment Plant on the waterfront through an existing trunk sewer main (250mm) located at the intersection of the Highway and South Davis Road. The northeast portion of the Plan Area can be serviced with gravity sewers, while the remaining areas require gravity sewers to a pump station and then a force main sewer to connect to the existing trunk sewer. The Sewage Treatment Plant (STP) would need to be upgraded to provide capacity for development in the Plan Area. An upgrade is planned.

Currently there is no piped Town water to the area. Water license limits will require upgrades to the water supply, storage and distribution system to allow ultimate development of the Plan Area. The Saltair water system currently provides limited service to some lands in the Plan Area, and has the potential to be extended subject to availability and capacity.

Storm drainage for the area consists of flows directed to natural drainage courses that are conveyed to Stocking Creek and then the ocean. Lands fronting along the Highway drain to the highway ditch. For future development, surface water within the road right-of-ways is proposed to be collected in the road side ditch, conveyed to storm detention ponds and then released to the natural drainage courses. Land parcels will also direct surface drainage to the road or rear parcel ditches and then be conveyed in a similar manner.

## **4.1 Servicing System**

### **Objectives**

- To provide for adequate municipal servicing infrastructure to allow for the future development of the Plan Area, while allowing an interim period of rural service levels for portions of the area.
- Integrate the Plan Area into the overall water supply infrastructure in order to provide sufficient water supply and fire flow protection for water service delivery to the area, while maintaining adequate service to remaining areas of Ladysmith.
- Continue improvements to the sanitary sewer system in order to ensure sanitary sewer service is available for future development of the Plan Area.
- Provide storm water management, which prevents increased flooding and erosion and mitigates the negative impacts of future development on the environment.

**Policies**

- 4.1.1 New development in the South Ladysmith Plan Area to ultimately be serviced by municipal sanitary sewer, water, and storm drainage systems.
- 4.1.2 Interim servicing standards are permitted for industrial, commercial and agricultural uses with parcel areas above 2.0 hectares and requiring minimal water supply and sewage flows. Sanitary service can be provided through private septic systems subject to Health Act regulations. Water service can be provided by connection to municipal water or private well.
- 4.1.3 The sewer system upgrading program will be completed to ensure the Sewage Treatment Plant will meet the anticipated sewage flow capacity demand of the plan area.
- 4.1.4 The municipal sanitary sewer system and water system will be extended for new development in the Plan Area as shown on Map 4 – Servicing Plan.
- 4.1.5 The existing municipal water supply will be upgraded to ensure adequate capacity is available to service development in the local area. Interim use of the Saltair Water System will be reviewed.
- 4.1.6 New development in the Plan Area will be designed and constructed to include the necessary water system infrastructure for proposed new developments, including connections to the upgraded municipal water system, new water mains and water distribution lines within this South Ladysmith area in order to deliver adequate supply and fire flow protection.
- 4.1.7 Storm water management will be addressed for new development in the Plan Area, including surface water collection to a series of storm detention ponds and then discharge into the natural drainage courses as shown on Map 4 – Servicing Plan.
- 4.1.8 Storm water management shall address the potential impact of post-development storm water runoff on Stocking Creek and tributaries,

recognizing the sensitivities and downstream capacities of the Stocking Creek system.

4.1.9 The Storm Water Management Plan shall also show that both storm water quality control and groundwater recharge opportunities are being maximized, wherever practical. The Plan must also be developed within both the Provincial and Federal fish habitat protection regulations.

4.1.10 Utility services for the Plan Area will include gas, hydro, telephone and cable distribution systems. All utility services to be underground, with the exception of the industrial park and agricultural areas.

## **Part Three: Implementation**

The South Ladysmith Area Plan provides a framework for the future development of the Plan Area, including principles, objectives and policies. Objectives and policies will be implemented through steps and methods identified in this part of the Area Plan. This Section identifies the legislative framework, approach and costs of servicing development, and phasing.

### **1. Amendment to the Official Community Plan**

South Ladysmith Area Plan should be adopted by the Town of Ladysmith as a Local Area Plan amendment to the Town of Ladysmith “Official Community Plan Bylaw 1993, No. 1100” in accordance with the Local Government Act. Adoption of the South Ladysmith Area Plan will permit the Area Plan policies to direct future land use, transportation and servicing for the area.

### **2. Zoning Bylaw**

The “Town of Ladysmith Zoning Bylaw No. 1160,” as amended, is a key implementation tool for the South Ladysmith Area Plan. Zones contained in the Zoning Bylaw will regulate land use and density of development in the Plan Area. On an interim basis, it is anticipated the CVRD Zoning Bylaw will remain applicable to lands until application for amendment (and inclusion in to the Town of Ladysmith Zoning Bylaw) is requested by the landowner.

### **3. Servicing Cost Estimates**

The development of the South Ladysmith area will require upgrades to the Water System and Sewage Treatment Plant. For the Plan Area, extension of Town of Ladysmith water mains and a trunk sanitary sewer (gravity and force main) will be necessary. Distribution systems will be provided within the area for road, water, sanitary sewer, storm drainage, and utilities. (See Map 4 – Servicing Plan)

Preliminary cost estimates to provide the major components of municipal infrastructure services have been prepared. More detailed engineering design is necessary to confirm infrastructure works and design parameters prior to development. The current cost estimates for municipal off-site and on-site services are estimated at \$5.8 million (2001 dollars). The cost breakdown for each major system is as follows:

- Water                   \$2,000,000
- Sanitary               \$1,800,000
- Storm                   \$2,000,000

#### **4. Financing**

Municipal services and facilities will need to be provided for the Plan Area. Capital costs associated with infrastructure services (roads, waste water, water, and storm drainage) will be financed by the landowner/developer through mechanisms of developer construct, latecomer agreements, and, for certain infrastructure services, development cost charges. Municipal sources and joint ventures may be considered to ensure municipal services are provided.

The Town intends to avoid financial risk to the municipality and general tax payer by requiring that future servicing costs associated with the development of the South Ladysmith Plan Area will be borne by the proponent, while ensuring that the costs of development are not so excessive as to prevent development occurring in a timely manner. As much as possible, the costs of services should be allocated to the beneficiaries of those services.

There are number of mechanisms available for addressing the financing and recovery of the services.

#### **4.1 Municipal Sources**

The Town of Ladysmith can make use of several sources to fund municipal services required for the implementation of South Ladysmith Area Plan. These sources include the use of current revenues, borrowing, reserve funds, and taxation to pay for capital projects. Increasing taxation in Ladysmith to provide for development of the Plan Area on full municipal services will not likely be considered an appropriate means of financing implementation. For those items for which the developer is not expected to pay, the Town may consider use of current revenues or borrowing as a means of financing such items. Reserve funds represent an alternative form of financing services.

#### **4.2 Development Cost Charges**

The Town of Ladysmith has implemented bylaws to collect development cost charges (DCC's) to finance infrastructure and services for new growth. Projects for which DCC's can be applied include roads as part of a major road network, water, sanitary sewer, storm drainage systems, and parkland acquisitions and improvements.

#### **4.3 Developer Construct**

The Town of Ladysmith can impose subdivision servicing requirements as established under Section 938 of the Local Government Act. Section 938 places the responsibility of constructing municipal services directly on the developer as a condition of subdividing land. This approach reduces the financial burden to the Town, because the developer finances development costs. This approach would allow development to proceed without impacting current taxpayers.

#### **4.4 Latecomer Payments**

Latecomer payments occur when a developer or landowner provides services such as roads, water, waste water or storm drainage. Under a latecomer policy, the developer would provide the excess or extended service and the Town later impose connection charges to other owners that hook up to the services, up to a period of a maximum of 10 years. The funds collected by the Town are passed back to the initial developer. This approach



complements the developer construct approach, and reduces the risk to the municipality.

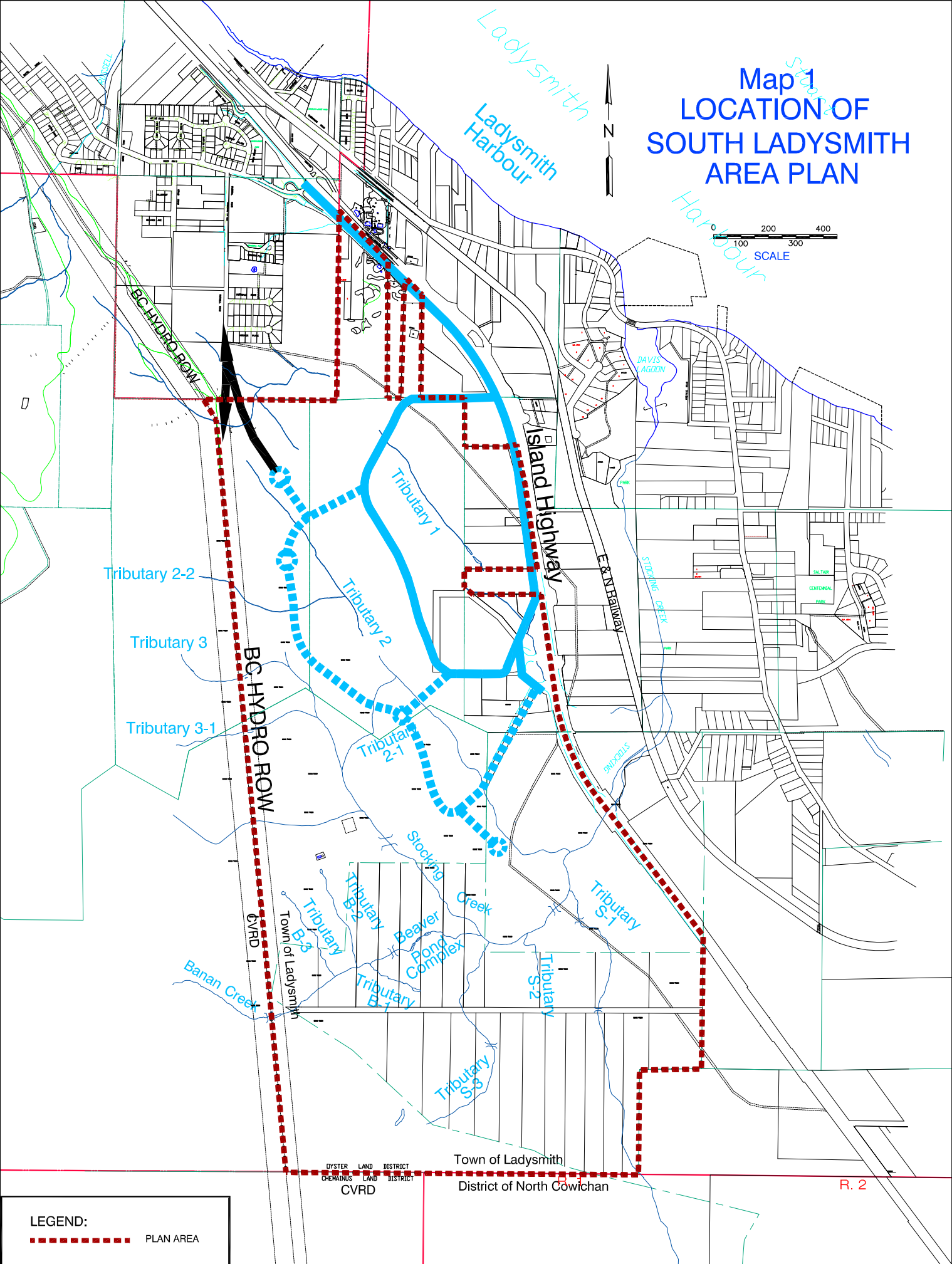
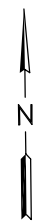
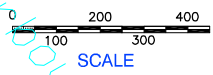
#### **4.5 Open Space Covenant / Licence**

The Open Space designation will be the dominant form for protecting Environmentally Sensitive Areas and/or steep slopes. Land designated as Open Space will register a covenant under Section 215 of the Local Government Act to allow the Town to restrict land use. A License of Occupation can also be granted by the Crown for recreational trail purposes.

### **5. Phasing of Development**

The South Ladysmith Plan Area will be developed over time and in separate phases. For servicing purposes, the anticipated phasing of development is shown on Map 3 – Phasing Plan. Development and the provision of municipal services are expected to be in two phases – commencing in the north portion of the Plan Area as an extension of the current built-up area, and subsequently in the south portion as defined by the ALR limits.

# Map 1 LOCATION OF SOUTH LADYSMITH AREA PLAN



**LEGEND:**

----- PLAN AREA

R. 2

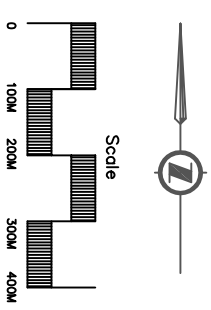
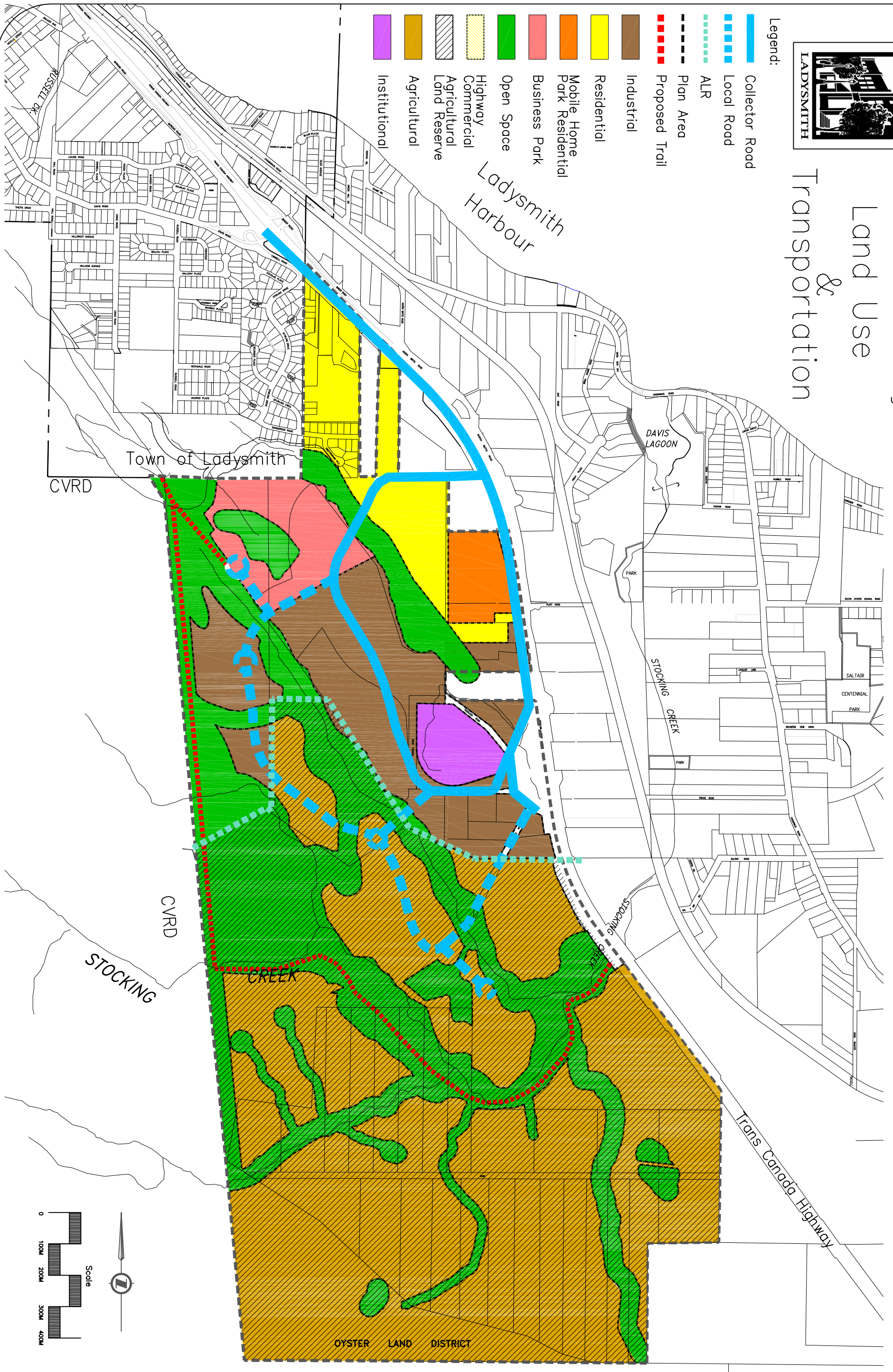


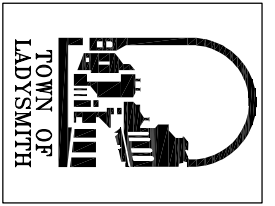
# South Ladysmith Area Plan Land Use & Transportation

Map 2

Legend:

- Collector Road
- Local Road
- ALR
- Plan Area
- Proposed Trail
- Industrial
- Residential
- Mobile Home Park Residential
- Business Park
- Open Space
- Highway Commercial
- Agricultural Land Reserve
- Agricultural
- Institutional









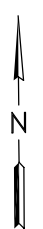
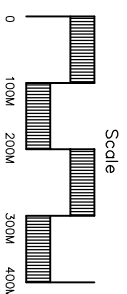
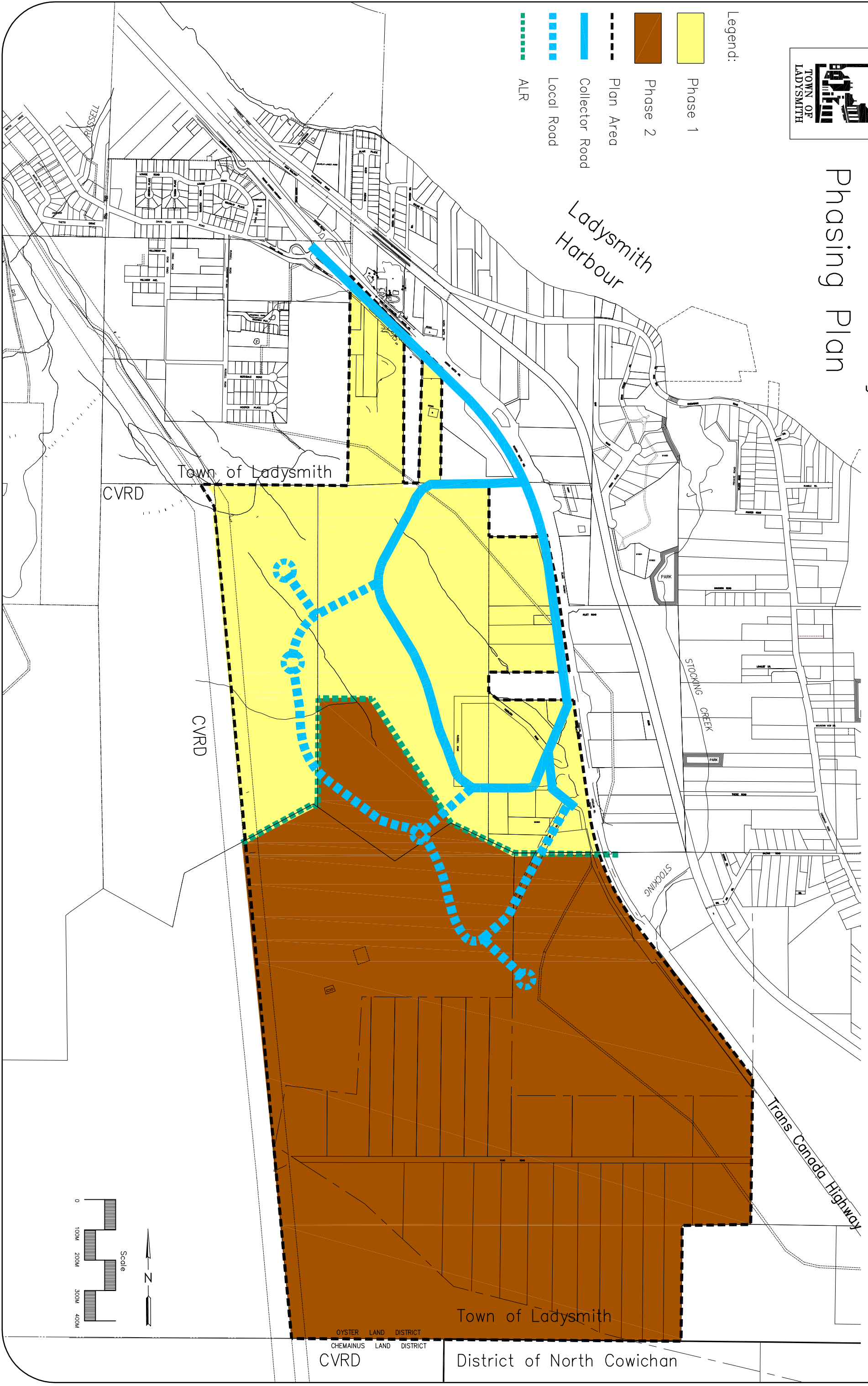


# South Ladysmith Area Plan Phasing Plan

Map 3

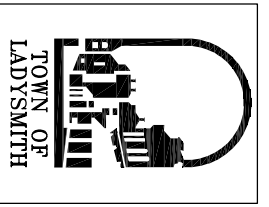
Legend:

-  Phase 1
-  Phase 2
-  Plan Area
-  Collector Road
-  Local Road
-  ALR



OYSTER LAND DISTRICT  
CHEMAINUS LAND DISTRICT  
CVRD

Town of Ladysmith  
District of North Cowichan

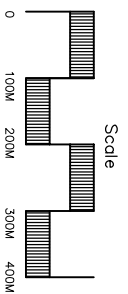
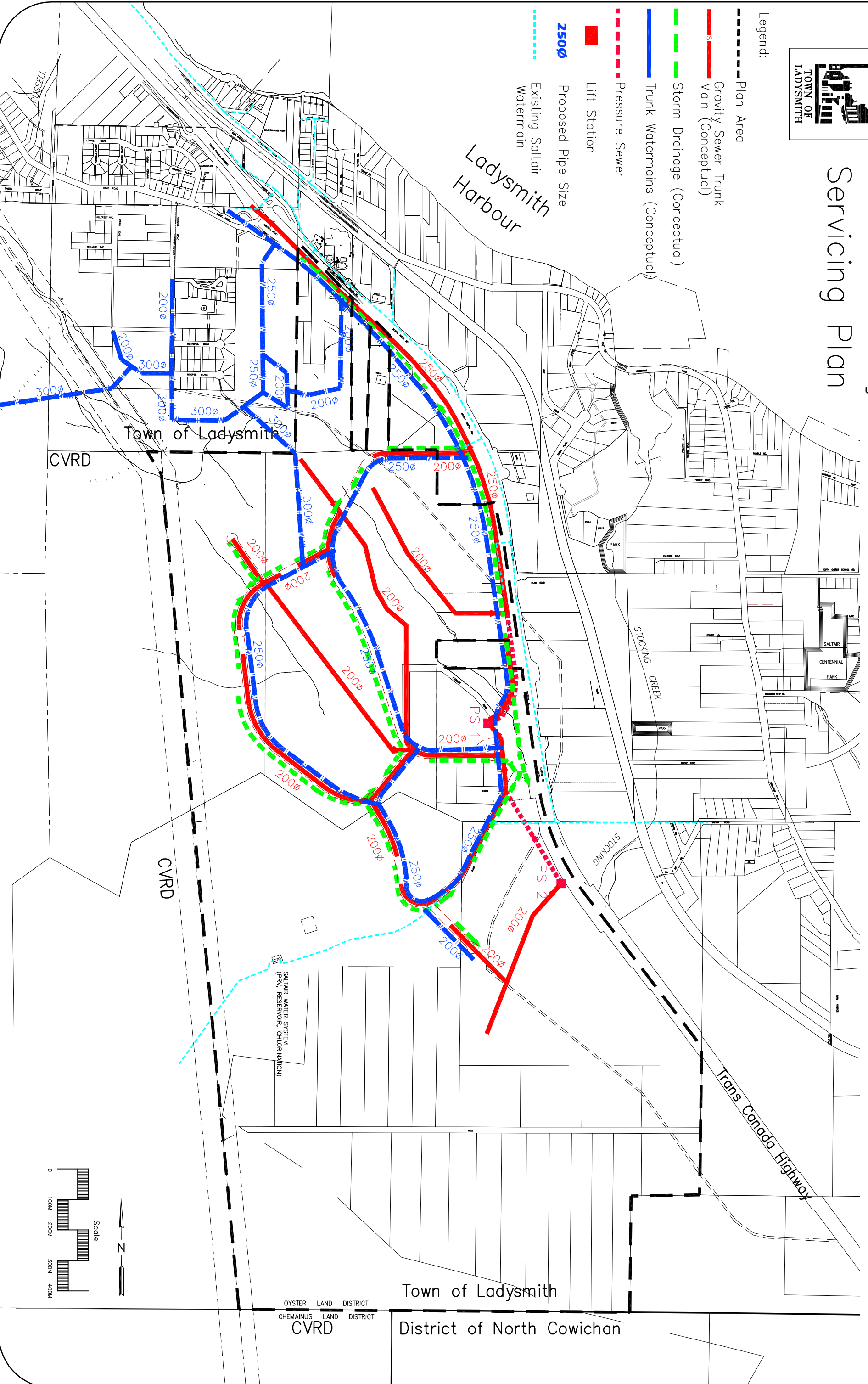


# South Ladysmith Area Plan Servicing Plan

Map 4

Legend:

- Plan Area
- Gravity Sewer Trunk Main (Conceptual)
- Storm Drainage (Conceptual)
- Trunk Watermains (Conceptual)
- Pressure Sewer
- Lift Station
- Proposed Pipe Size
- Existing Saltair Watermain



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