



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, MAY 4, 2015
7:00 p.m.

AGENDA

CALL TO ORDER 7:00 p.m.

1. AGENDA APPROVAL

2. MINUTES

2.1. Minutes of the Regular Meeting of Council held April 20, 2015 1 - 9

2.2. Minutes of the Special Meeting of Council held April 27, 2015..... 10 - 14

3. FINANCIAL PLAN DELIBERATIONS – BYLAWS

3.1. Town of Ladysmith Financial Plan Bylaw 2015, No 1878 15 - 19

May be read a first, second and third time.

The purpose of Bylaw 1878 is to adopt a five-year financial plan for the Town, as required by the *Community Charter*.

3.2. Town of Ladysmith Tax Rates Bylaw 2015, No. 1879 20 - 21

May be read a first, second and third time.

The purpose of Bylaw 1879 is to set the property tax rates for 2015 in accordance with the Financial Plan for 2015.

3.3. Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2015, No. 1873 22 - 23

May be read a first, second and third time.

The purpose of Bylaw 1873 is to establish the water rates for 2015, to support ongoing operations of the water supply system.

3.4. Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2015, No. 1874 24- 25

May be read a first, second and third time.

The purpose of Bylaw 1874 is to establish the sewer rates for 2015, to support ongoing operations of the sanitary sewer (waste water treatment) system.

3.5. Public Input and Questions

4. COMMITTEE REPORTS

5.1. Mayor A. Stone

Cowichan Valley Regional District; Advisory Design Panel; Heritage Revitalization Advisory Commission; Stocking Lake Advisory Committee; Community Health Advisory Committee/Interagency Group

5.2. Councillor R. Hutchins

Liquid Waste Management Committee; Protective Services Committee; Stocking Lake Advisory Committee; Chamber of Commerce

5.3. Councillor C. Henderson

Community Health Advisory Committee/Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan – Affordable Housing Directorate; Youth Advisory Committee

5.4. Councillor D. Paterson

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

5.5. Councillor J. Friesenhan

Liquid Waste Management Committee; Parks, Recreation and Culture Commission

5.6. Councillor C. Fradin

Community Safety Advisory Commission; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association

5.7. Councillor S. Arnett

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

Municipal Services Committee Recommendation (Meeting of April 20, 2015) 26

The Committee recommends that Council Direct staff to enter into a two-year agreement with Ladysmith Family and Friends (LaFF) for the provision of a Family Resource Program using Town of Ladysmith facilities, with an option to renew for two years.

6. STAFF REPORTS

7. BYLAWS

7.1. Town of Ladysmith 2014 Audited Financial Statements Bylaw 2015, No. 1880 27

May be read a first, second and third time.

The purpose of Bylaw 1880 is to formally adopt the audited Financial Statements for the year 2014 in accordance with the *Local Government Act*.

8. CORRESPONDENCE

9. NEW BUSINESS

10. UNFINISHED BUSINESS

10.1. Councillor Henderson

Councillor Henderson previously served notice of the following motion:

That Council consider a bylaw to designate areas of land that may be subject to flooding, erosion or land slip as Tree Cutting Permit Areas as outlined in section 923 of the Local Government Act

11. 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.

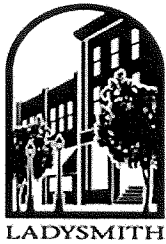
12. CLOSED MEETING

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

13. RISE AND REPORT

14. ADJOURNMENT



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, APRIL 20, 2015
COUNCIL CHAMBERS, CITY HALL
CALL TO ORDER 4:00 P.M.
CLOSED MEETING 4:01 P.M.
REGULAR OPEN MEETING 7:00 P.M.

COUNCIL MEMBERS PRESENT:

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

STAFF PRESENT:

Ruth Malli	Sandy Bowden (absent from April 21 st reconvened meeting)
Erin Anderson	Felicity Adams
John Manson	Clayton Postings
Joanna Winter	

CALL TO ORDER

Mayor Stone called this Special Council Meeting to order at 4:00 p.m.

CLOSED SESSION

CS 2015-127

Moved and seconded:

That Council retire into Closed Session at 4:01 p.m. in order to consider the following items:

- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment
- 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

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:50 p.m. without report.

REGULAR MEETING

Mayor Stone reconvened the Regular Meeting of Council at 7:00 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2015-128

Moved and seconded:

That the agenda for the Regular Council Meeting of April 20, 2015 be approved with the following amendments:

- Add "Ladysmith Ambassadors" under New Business
- Add "Municipal Services Committee Recommendation" under Reports
- Move Financial Plan Deliberations to the end of the agenda.

Motion carried.

MINUTES

CS 2015-129

Moved and seconded:

That the minutes of the Special Meeting of Council held April 13, 2015 be approved.

Motion carried.

DELEGATIONS

Judy Stafford, Cowichan Green Community 2014 Year in Review

Judy Stafford showed a video highlighting the programs, services and highlights of Cowichan Green Community in 2014. Council congratulated Ms. Stafford, and the staff and volunteers of the organization for their accomplishments in encouraging local food production, promoting environmental awareness and building a sustainable community.

Michael Lowry, Western Canada Marine Response Corp. Marine Oil Spill Response Strategies

Michael Lowry provided an overview of the work of the Western Canada Marine Response Corporation in responding to oil spills on the west coast of British Columbia, and responded to questions from Council.

Council thanked Mr. Lowry for his presentation.

Sheila Malcolmson Private Member's Bill C-638

S. Malcolmson thanked Council for all the previous support on the issue of derelict and abandoned vessels and expressed her shared concern at the lack of resources and response for resolving the issue. She urged Council to encourage Members of Parliament to support the Private Members Bill when it is debated on second reading in the House of Commons on April 28.

Council thanked Ms. Malcolmson for her dedication to resolving the issue of derelict and abandoned vessels on the British Columbia coast.

CS 2015-130

Moved and seconded:

That members of Council telephone individual members of parliament before April 28 to encourage their support of Bill C-638 on second reading in the House of Commons.

Motion carried.

PROCLAMATION

Mayor Stone proclaimed the month of May as Child Find's Green Ribbon of Hope Month and May 25th as National Missing Children's Day in the Town of Ladysmith, to promote awareness of the problem of missing children, and as a reminder to remain vigilant in our common desire to protect and nurture the youth of our province.

**DEVELOPMENT
APPLICATIONS**

**Development Variance Permit Application – Marrington
Lot 7, Block 73, District Lot 56, Oyster District, Plan 703A (325
Gatacre Street)**

Moved and seconded:

CS 2015-131

That Council direct staff to proceed with statutory notice for Development Variance Permit application 3090-15-01 for Lot 7, Block 73, District Lot 56, Oyster District, Plan 703A (325 Gatacre Street.)

Motion carried.

REPORTS

**Municipal Services Committee Recommendations (Meeting Held
March 16, 2015)**

Moved and seconded:

CS 2015-132

That Council establish a \$2,500 fund within the Grants-in-Aid budget for waiving fees to rent Town facilities, and delegate the authority to manage this fund to the Director of Parks, Recreation and Culture.

Motion carried.

Moved and seconded:

CS 2015-133

That Council require that representatives of the Ladysmith Resources Centre Association appear before Council annually in order to report out on the use of Town grants-in-aid.

Motion carried.

Moved and seconded:

CS 2015-134

That Council authorize the following 2015 grant-in-aid allocations:

Waiving of Fees for Renal of Town Facilities	2,500
Ladysmith Striders Running Group	0
Arts Council of Ladysmith & District	1,000
Arts Council of Ladysmith & District (Disability access)	2,500
Arts on the Avenue	1,000
Ladysmith Show & Shine	500
Ladysmith Celebrations Society	8,000
Old English Car Club Central Island Branch	0
Vancouver Island Crisis Society	500
Ladysmith Downtown Business Association	1,000
St John the Evangelist Anglican Church	500
Cowichan Therapeutic Riding Association	1,000
Ladysmith Maritime Society Festival Events (incl Heritage 2015)	1,500
Ladysmith & District Historical Society Archives	15,000
Ladysmith Community Gardens Society	1,000
Festival of Lights Society	12,000
Ladysmith Fire Rescue Santa Parade	1,000
Ladysmith Primary School PAC	0

Ladysmith Kinsmen	0
Ladysmith Ambassador Program	1,000
Ladysmith Search & Rescue Society	5,000
Ladysmith Family and Friends (LAFF)	2,500
Ladysmith & District Marine Rescue Society	2,000
Gordon's Peacock Society	1,500
Ladysmith Citizens on Patrol	1,500
Mid Isle Soccer Club	0
Ladysmith & District Historical Society Museum	10,000
Ladysmith Secondary School - Frank Jameson	
Bursary	1,500

Motion carried.

Moved and seconded:

CS 2015-135

That Council approve the following grant-in-aid allocations for the Ladysmith Resources Centre Association, subject to resolution of Council questions about administration costs.

Ladysmith Resources Centre Association	- 11,000
Victim Services	
Ladysmith Resources Centre Association	8,000
Seniors	
Volunteer Counselling	
Soup Kitchen	
Dad's Drop-In	
Berry Mania	
Adventures in Early Literacy	
Mother Goose	
Ladysmith Resources Centre Association – Youth at Risk	8,000
Ladysmith Resources Centre Association – Family Support	8,000

Motion carried.

Moved and seconded:

CS 2015-136

That Council request the Provincial Government to review and consider changes to the Cremation, Interment and Funeral Services Act to enable municipalities to access additional funds for improvements to municipal cemeteries.

Motion carried.

Municipal Services Committee Meeting Recommendation (meeting held April 20, 2015)

Moved and seconded:

CS 2015-137

That Council refer the draft "Appropriate Behaviour Policy and Code of Conduct" to the Parks, Recreation and Culture Commission for review and comments.

Motion carried.

Dogs in Town of Ladysmith Parks

Moved and seconded:

CS 2015-138 That Council direct staff to include in the 2015 to 2019 Financial Plan \$14,000 in capital reserves toward the construction of a fenced dog park.

Motion carried.

Moved and seconded:

CS 2015-139 That Council approve a fenced dog park on the site of the BC Hydro property at 6th Avenue and Methuen Street, and direct staff to negotiate a lease for the property from BC Hydro.

Motion carried.

Approval to Proceed with Gatacre Street Water Main and Storm Water Main Replacement

Moved and seconded:

CS 2015-140 That Council authorize approval for the Gatacre Street water main and storm water main replacement project, at a cost of \$317,000 from the 2015 to 2019 Financial Plan, with funding to be allocated as follows:

Water Fund	\$117,000
General Taxation	\$168,009
Prior Year:	\$ 31,991

And that the portion of funds coming from general taxation be reduced if development cost charges are available to support the project.

Motion carried.

BYLAWS

Town of Ladysmith Water Parcel Tax Bylaw 2015, No. 1876

Moved and seconded:

CS 2015-141 That Town of Ladysmith Water Parcel Tax Bylaw 2015, No. 1876, be adopted.

Motion carried.

Town of Ladysmith Sewer Parcel Tax Bylaw 2015, No. 1877

Moved and seconded:

CS 2015-142 That Town of Ladysmith Sewer Parcel Tax Bylaw 2015, No. 1877 be adopted.

Motion carried.

CORRESPONDENCE

**Harry Blackstaff, Industrial Heritage Preservation Committee
Preservation of Locomotive #11**

Moved and seconded:

CS 2015-143 That Council approve a plan by the Industrial Heritage Preservation Committee to move Locomotive #11 and the Humdergin into the Machine Shop in order to prevent further deterioration and vandalism, and invite a representative of the Industrial Heritage

Preservation Committee to join the Machine Shop Advisory Group.

AMENDMENT:

Moved and seconded:

CS 2015-144

That resolution CS2015-143 be amended as follows:

That Council approve a plan by the Industrial Heritage Preservation Committee to move Locomotive #11 and the Humdergin into the Machine Shop in order to prevent further deterioration and vandalism *with the approval of the Machine Shop Advisory Group*, and invite a representative of the Industrial Heritage Preservation Committee to join the Machine Shop Advisory Group

Amendment carried.

Motion as amended carried.

**Norm Lipinski, RCMP "E" Division Headquarters
Integration of Operational Communication Centres in Nanaimo and Courtenay**

Moved and seconded:

CS 2015-145

That Council receive the correspondence from Norm Lipinski, RCMP "E" Division Headquarters dated March 13, 2015, regarding the integration of Operational Communication Centres located in Nanaimo and Courtenay.

Motion carried.

NEW BUSINESS

Request for Letter of Support for Cowichan Region Bid to Host National Aboriginal Hockey Championships

Moved and seconded:

CS 2015-146

That Council write a letter of support for the Cowichan Region bid to host the 2017 National Aboriginal Hockey Championships.

Motion carried.

Ladysmith Ambassadors Program Liability Insurance Coverage

Moved and seconded:

CS 2015-147

That Council authorize the execution of a Service Provider Agreement between the Town of Ladysmith and the Ladysmith Ambassadors Program for the provision of promotional services at public events, and that the Ladysmith Ambassadors Program be required to pay the \$250 annual fee for the additional liability coverage provided by the Municipal Insurance Association of BC.

Motion carried.

Moved and seconded:

CS 2015-148

That Council write letters of appreciation to the outgoing Ladysmith Ambassadors and the Ladysmith Ambassador Program volunteers.

Motion carried.

Grant Applications for Funding Relating To Replacement of Aggie Playground Equipment

Moved and seconded:

CS 2015-149

That Council direct Staff to partner with Ladysmith Family and Friends (LaFF) to apply for the following grant funding opportunities for the replacement of the playground equipment at Aggie in 2016:

1. Up to \$50,000 from the Employment and Social Development Canada Enabling Accessibility in Communities Fund Program.

2. Up to \$20,000 from the Co-Op Community Spaces Program.

Motion carried.

NEW BUSINESS

Moved and seconded:

CS 2015-150

That Mayor Stone personally deliver greetings to Mr. Keith Turner on behalf of Council, on the occasion of his 108th birthday.

Motion carried.

**2015 – 2019
FINANCIAL PLAN
DELIBERATIONS**

A member of the public expressed concern about further tax increases, and urged Council to be innovative and find ways to keep any tax increase to a lower amount than in previous years.

The Director of Financial Services reviewed Council's decisions and direction to date on the 2015 to 2019 Financial Plan, reported on the significant changes to the operational budget compared to the 2014 budget, and presented the proposed capital plan.

Council commenced a review of proposed capital projects outlined in the 2015 to 2019 Financial Plan

Moved and seconded:

CS 2015-151

That this meeting of Council recess at 10:50 p.m., and that it resume at 6:00 p.m. on Tuesday, April 21, 2015 in Council Chambers at City Hall.

Motion carried.

Mayor Stone reconvened this Regular Meeting of Council at 6:05 p.m. on Tuesday, April 21, 2015 and acknowledged the traditional territory of the Stz'uminus First Nation.

**FINANCIAL PLAN
DELIBERATIONS**

The Director of Financial Services reviewed Council's direction to date regarding the 2015 to 2019 Financial Plan together with the proposed Operations and Capital budgets. Staff presented options for allocating property tax increases among the classes of properties.

Moved and seconded:

CS 2015-152

That Council direct staff to allocate an additional five per cent of the prior year's municipal tax levy for capital projects in the 2015 to 2019 Financial Plan.

Motion carried.

CS 2015-153 *Moved and seconded:*
That Council direct staff to allocate an additional five per cent of the prior year's municipal tax levy for a Capital Reserve.
MOTION POSTPONED

CS 2015-154 *Moved and seconded:*
That consideration of Resolution CS 2015-153 be postponed until later in the meeting, following Council's consideration of other matters related to the Financial Plan.
Motion carried.

Council discussed options for allocating the proposed tax increase across property classes.

CS 2015-155 *Moved and seconded:*
That Council allocate \$100,000 from the Tax Contingency Reserve to reduce the property tax increase across all classes in 2015.
Motion carried.

CS 2015-156 *Moved and seconded:*
That Council reopen debate on Resolution CS 2015-153, that Council direct staff to allocate an additional five per cent of the prior year's municipal tax levy for a Capital Reserve.
Motion carried.

Resolution CS 2015-153 carried.

CS 2015-157 *Moved and seconded:*
That Council authorize an increase of \$25,000 in the municipal tax levy on Class 4 (major industry).
Motion carried.
OPPOSED: Councillor Arnett

CS 2015-158 *Moved and seconded:*
That Council authorize an increase of \$50,000 in the municipal tax levy on Class 6 (business/other).
Motion carried.

CS 2015-159 *Moved and seconded:*
That Council direct staff to report back on revenues and expenses related to operating the fitness studio at the Frank Jameson Community Centre and options to increase revenues by \$50,000.
MOTION WITHDRAWN

ADJOURNMENT

CS 2015-160

Moved and seconded:

That this meeting of Council adjourn at 9:13 p.m. on Tuesday, April 21.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)

Subject to Adoption



TOWN OF LADYSMITH
MINUTES OF A SPECIAL OF COUNCIL
MONDAY, APRIL 27, 2015
LADYSMITH EAGLES HALL

CALL TO ORDER 6:00 P.M.

RECESS 6:30 P.M.

PUBLIC HEARING AND COUNCIL MEETING (PART TWO) 7:00 P.M.

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone

Councillor Carol Henderson

Councillor Cal Fradin

Councillor Rob Hutchins

Councillor Joe Friesenhan

Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Steve Arnett

STAFF PRESENT:

Ruth Malli

Felicity Adams

Clayton Postings (entered 7:00 p.m.)

Sandy Bowden

John Manson

Erin Anderson

Joanna Winter

CALL TO ORDER

Mayor Stone called this Special Council Meeting to order at 6:01 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2015-161

Moved and seconded:

That the agenda for the Special Council Meeting of April 27, 2015 be approved with the following amendments:

- Add "High Street Crosswalk" under New Business
- Add "Notice of Motion" under New Business

Motion carried.

DELEGATIONS

Cory Vanderhorst, MNP

Presentation of 2014 Audited Financial Statements

Cory Vanderhorst presented the audited financial statements for the Town of Ladysmith for the year ended December 31, 2014, and responded to questions from Council.

Moved and seconded:

CS 2015-162

That Council approve the 2014 Town of Ladysmith Audited Financial Statements.

Motion carried.

Council thanked Mr. Vanderhorst for his presentation.

RECESS

Moved and seconded:

CS 2015-163

That this Special Council Meeting recess at 6:18 p.m. and that it

reconvene at 7:00 p.m.

Motion carried.

Mayor Stone reconvened this Special Meeting of Council at 7:00 p.m.

PUBLIC HEARING

Town of Ladysmith Zoning Bylaw 1860, Amendment Bylaw (No. 1), 2015, No. 1875

Public Attendance: 41

Applicant – Town of Ladysmith

A Public Hearing for Bylaw 1875 was held at the Ladysmith Eagles Hall, 921 First Avenue, Ladysmith, B.C. on Monday, April 27, 2015 at 7:00 p.m.

Mayor Stone welcomed the members of the public and outlined the process for the Public Hearing. He stated that the Public Hearing is for Bylaw 1875 which would amend the R-3-A zone in the Town of Ladysmith Zoning Bylaw 2014, No. 1860 by adding new site specific regulations for the subject properties to permit Townhouse Dwelling Use and Two Unit Dwelling Use to a total combined maximum of 15 units. Mayor Stone advised the public that following the close of the Public Hearing, no further submissions or comments from the public or interested persons can be accepted by members of Council.

Mayor Stone reminded those present that the purpose of the Public Hearing was not the Development Permit application for 606 Farrell Road but the Rezoning Bylaw 1875.

Felicity Adams, Director of Development Services, introduced the Public Hearing and stated that the subject of the Public Hearing was Town of Ladysmith Zoning Bylaw 1860, Amendment Bylaw (No. 1), 2015, No. 1875.

The following properties are the subject of the Zoning Bylaw amendment.

606 Farrell Road, legally described as:

- Lot A, District Lot 41, Oyster District, Plan VIP84543 except part in Strata Plan VIS6497 (Phase 1);
- Strata Lot 1, District Lot 41, Oyster District, Strata Plan VIS6497 together with an interest in the Common Property in the Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V;
- Strata Lot 2, District Lot 41, Oyster District, Strata Plan VIS6497 together with an interest in the Common Property in the Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V;
- Strata Lot 3, District Lot 41, Oyster District, Strata Plan VIS6497 together with an interest in the Common Property in the Proportion to the Unit Entitlement of the Strata Lot as Shown on

- Form V; and
- Common Property Strata Plan VIS6497.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on April 14, 2015 and April 21, 2015 and posted on community notice boards throughout Town, as well as on the Town's website. The Notice was mailed and delivered to the subject properties and all properties located within 60 metres of the subject property.

Copies of the Notice, the proposed Bylaw and background information considered by Council were made available at the front counter of City Hall for the Notice period. Staff in the Development Services office were available to respond to questions prior to the public hearing.

Written submissions from the following individuals received prior to the Agenda deadline were included in the Public Hearing agenda package:

Cleve Carleton, 606 Farrell Road
Gerald Stasiuk, #6, 626 Farrell Road
James Russell, #13, 626 Farrell Road on behalf of the owners of 'The Gales' at 626 Farrell Road
Liliane and Varner Nickle, #15, 626 Farrell Road

Mayor Stone called for written submissions to Council. Two written submissions were received:

Saviour C. Hockey and E. Ann Hockey, 713 Stirling Drive
James Russell, 626 Farrell Road

Mayor Stone called for comments to Council.

Sharon Haynes, 626 Farrell Road – Spoke in support of Bylaw 1875 and provided concerns about tree removal and drainage, traffic egress, and the character of new development being complimentary to the existing neighbourhood character.

James Russell, 626 Farrell Road – Spoke in support of Bylaw 1875 on behalf of 15 neighbouring residents as listed in his written submission.

Cleve Carleton, 606 Farrell Road – Spoke in support of Bylaw 1875.

Lynne McDermott, 606 Farrell Road – Commented on property taxes.

The Corporate Officer read the written submission from Saviour Hockey and E. Ann Hockey expressing support of Bylaw 1875 and asking questions related to the development.

The Corporate Officer read the up-dated written submission from James Russell, endorsed by 15 neighbouring property owners, expressing support for Bylaw 1875.

Mayor Stone called for any further comments about the bylaw amendment. Hearing no further comments, Mayor Stone declared the Public Hearing for Bylaw 1875 closed.

**DEVELOPMENT
APPLICATIONS**

Councillor Paterson declared a conflict of interest with the following agenda item and excused himself from the meeting.

Industrial Development Permit Application – 1146 Rocky Creek Road (Harley)

Lot C, District Lot 38, Oyster District, Plan EPP36585

Moved and seconded:

CS 2015-164

That Council

1. Direct staff to remove Development Permit 3060-00-08 (EP96966), 3060-07-3 (FB78787), and 3060-08-18 (FB219990) from the Certificate of Title of Lot C, District Lot 38, Oyster District, Plan EPP36585 (1146 Rocky Creek Road) as these permits are no longer relevant for the property;
2. Issue Development Permit 3060-10-05 for a light industrial development at Lot C, District Lot 38, Oyster District, Plan EPP36585 (1146 Rocky Creek Road), subject to the submission of a landscape bond in the amount of 100 per cent of the onsite landscaping.
3. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Councillor Paterson returned to the meeting.

**BYLAWS –
OCP/ZONING**

Town of Ladysmith Zoning Bylaw 1860, Amendment Bylaw (No. 1), 2015, No. 1875

Moved and seconded:

CS 2015-165

That Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 1) 2015, No. 1875 be read a third time and adopted.

Motion carried.

**2015 – 2019
FINANCIAL PLAN
DELIBERATIONS**

Financial Plan Overview

The Director of Financial Services gave a presentation summarizing Council's previous directions with respect to the 2015 to 2019 Financial Plan, and reviewed proposed property tax rates by class.

Moved and seconded:

CS 2015-166

That Council direct staff to prepare the 2015 to 2019 Financial Plan Bylaw, 2015 Property Tax Bylaw and 2015 Water and Sewer Rates Bylaws.

Motion carried.

NEW BUSINESS

Appointment of Director and Alternate Director to Cowichan Valley Regional District Board

CS 2015-167

Moved and seconded:

That Council appoint Mayor Aaron Stone to serve as Director representing the Town of Ladysmith on the Cowichan Valley Regional District Board, effective immediately.

Motion carried.

CS 2015-168

Moved and seconded:

That Council appoint Councillor Rob Hutchins to serve as Alternate Director representing the Town of Ladysmith on the Cowichan Valley Regional District Board until December 2015.

Motion carried.

Request for Crosswalk at Second Avenue and High Street

Staff provided Council with an update on previous direction to investigate the feasibility of installing a crosswalk across High Street at Second Avenue. Staff have consulted with the Insurance corporation of British Columbia (ICBC), who have recommended installing a crosswalk with lights to ensure better visibility at that site.

Council requested that staff continue to seek funding to support this project and report back to Council.

Notice of Motion

Councillor Henderson provided notice of her intent to bring the following motion forward for consideration at the next Regular Meeting of Council:

That Council consider a bylaw to designate areas of land that may be subject to flooding, erosion or land slip as Tree Cutting Permit Areas as outlined in section 923 of the Local Government Act.

ADJOURNMENT

CS 2015-169

Moved and seconded:

That this meeting of Council adjourn at 9:13 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1878

A bylaw establishing the Financial Plan for the years 2015-2019

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

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

- (1) Schedule "A" attached hereto and made part of the bylaw is hereby adopted and shall be the Financial Plan for the Town of Ladysmith for the five years ending the 31st of December, 2019.
- (2) Schedule "B" attached hereto and made part of the bylaw is hereby adopted and shall be the statement of objectives and policies for the Town of Ladysmith for the five years ending the 31st of December 2019.
- (3) This bylaw may be cited for all purposes as: "*Town of Ladysmith Financial Plan Bylaw 2015, No. 1878*".
- (4) "Town of Ladysmith Financial Plan Bylaw 2014, No. 1853" is hereby repealed.

READ A FIRST TIME on the day of ,

READ A SECOND TIME on the day of ,

READ A THIRD TIME on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (S. Bowden)

Schedule 'A' of Bylaw 1878

2015 – 2019 Financial Plan

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
REVENUES:					
Revenue From Property Tax Values	7,458,863	8,039,580	8,238,947	8,986,331	9,255,744
Revenue From Grants In Lieu	164,115	165,752	167,413	169,086	170,778
Revenue From Parcel Taxes	1,539,493	1,657,355	2,045,738	2,165,054	2,284,768
Revenue From Fees & Charges	3,291,022	3,430,656	3,558,830	3,694,450	3,838,027
Revenue From Other Sources	4,687,219	1,711,405	1,427,629	1,111,672	2,613,736
	<u>17,140,712</u>	<u>15,004,748</u>	<u>15,438,557</u>	<u>16,126,593</u>	<u>18,163,053</u>
EXPENSES:					
General Operating Expense	9,086,713	9,476,716	9,661,710	9,850,409	10,042,892
Sanitary Sewer Operating Expenses	743,073	921,935	939,114	956,635	974,508
Water Operating Expenses	623,455	726,723	741,258	756,083	771,205
Interest Payments	566,252	641,993	811,993	1,289,905	1,289,905
Amortization	2,485,372	2,535,079	2,585,780	2,637,496	2,690,247
Annual Surplus/Deficit	3,635,847	702,302	698,702	636,065	2,394,296
Add back:					
Amortization	2,485,372	2,535,079	2,585,780	2,637,496	2,690,247
Capital Expenditures					
General Capital	2,190,137	3,182,690	10,802,256	2,292,143	3,614,030
Sanitary Sewer Capital	13,514,818	1,855,702	840,000	427,000	434,199
Water Capital	1,743,448	5,070,442	6,360,000	6,465,000	2,860,000
Proceeds from New Debt	(9,800,000)	(5,935,000)	(14,963,356)	(5,459,875)	(2,550,000)
Principal Payments	477,120	520,899	640,960	1,124,904	1,124,904
Transfers from DCC's & Reserves	(863,475)	(671,520)	(308,400)	(1,093,125)	(150,000)
Transfer to/from Own Funds	(1,140,829)	(785,832)	(86,978)	(482,486)	(248,590)
Financial Plan Balance	-	-	-	-	-

Schedule 'B' of Bylaw No. 1878

**Town of Ladysmith 2015 – 2019 Financial Plan
Statement of Objectives and Policies**

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

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

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2015. Council currently has no specific policy surrounding the proportion of total revenue to come from each funding source. Property taxes form the greatest proportion of revenue. As a revenue source, property taxation offers a number of advantages, for example, it is simple to administer and it is fairly easy for residents to understand. It offers a stable and reliable source of revenue for services that are difficult or undesirable to fund on a user-pay basis. These include services such as general administration, fire protection, police services, bylaw enforcement and street lighting.

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

Objective

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

Policies

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

Table 1: Sources of Revenue

Revenue Source	2015	% total
Property Taxes	\$ 7,458,863	25.27%
Grants in Lieu	164,115	0.56%
Parcel Taxes	1,539,493	5.22%
User fees & Charges	3,291,022	11.15%
Other Sources	356,700	1.21%
Borrowing	9,800,000	33.20%
Government Grants	4,330,519	14.67%
DCC's, Reserves & Gas Tax	863,475	2.93%
Own Funds	1,709,520	5.79%

Distribution of Property Tax Rates

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

Objectives

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

Policies

- Supplement, where possible, revenues from user fees and charges to help to offset the burden on the entire property tax base.
- For 2015, increase the reliance on the major industry (Class 4) by \$25,000. Increase the reliance on the business/other (Class 6) by \$50,000. All other classes to absorb the remainder.
- Continue to maintain and encourage economic development initiatives designed to attract more light industry, retail and commercial businesses to invest in the community. Align the distribution of tax rates among the property classes with the social and economic goals of the community, particularly to encourage economic and environmental sustainability opportunities.
- Regularly review and compare the Town's distributions of tax burden relative to other municipalities in British Columbia.

Table 2: Distribution of 2015 Property Tax Rates

Property Class	2015
	% of Total Property Taxation
Residential (1)	71.46%
Utilities (2)	0.44%
Supportive Housing (3)	0.00%
Major Industry (4)	12.45%
Light Industry (5)	0.80%
Business and Other (6)	14.56%
Managed Forest Land (7)	0.00%
Recreation/Non-profit (8)	0.28%
Farmland (9)	0.01%
Total	100%

Permissive Tax Exemptions

The Town provides permissive tax exemptions. The Permissive Tax Exemption Bylaw 2014, No. 1867, adopted on October 6, 2014, contains a list of property exempt from taxation for 2015. Some of the eligibility criteria for permissive tax exemptions include the following:

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

Objective

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

Policies

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

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

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

Source	% of Total	Dollar Value
Amenity Fund	0%	\$ 10,000
Development Cost Charges	4%	108,075
Gas Tax Funds	29%	755,400
Surplus	66%	1,699,520
Total		\$2,572,995

TOWN OF LADYSMITH

BYLAW NO. 1879

A bylaw for the levying of rates for Municipal, Hospital and Regional District purposes for the year 2015.

WHEREAS the Council of the Town of Ladysmith shall, pursuant to Section 197 of the *Community Charter*, in each year, adopt a bylaw to impose rates on taxable land and improvements according to their assessed value to provide the money required for purposes specified in the Charter;

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

The following rates are hereby imposed:

1. (a) For all lawful general purposes of the municipality on the assessed value of the land and improvements taxable for general municipal purposes, rates appearing in column "A" of the Schedule "A" attached hereto and forming part of this bylaw.
 - (b) For the purposes of the Cowichan Valley Regional District on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "B" of the Schedule "A" attached hereto and forming part of this bylaw.
 - (c) For hospital purposes on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "C" of the Schedule "A" for the Cowichan Valley Regional Hospital District attached hereto and forming part of this bylaw.
2. This bylaw may be cited as the "Town of Ladysmith Tax Rates Bylaw 2015, No. 1879".

READ A FIRST TIME day of

READ A SECOND TIME day of

READ A THIRD TIME day of

ADOPTED day of

Mayor (A. Stone)

Corporate Officer (S. Bowden)

**Town of Ladysmith Tax Rates Bylaw 2015, No.1879
Schedule "A"**

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

PROPERTY CLASS		A Municipal	B Cowichan Valley Regional District	C Cowichan Valley Regional Hospital District
1	Residential	5.4902	0.8958	0.5457
2	Utilities	39.2699	3.1353	1.9100
3	Supportive Housing	5.4902	0.8958	0.5457
4	Major Industry	106.0721	3.0457	1.8553
5	Light Industry	18.0070	3.0457	1.8553
6	Business/Other	15.7080	2.1947	1.3370
7	Managed Forest	43.3333	2.6874	1.6371
8	Rec Non Profit	2.6421	0.8958	0.5457
9	Farm	33.3357	0.8958	0.5457

TOWN OF LADYSMITH

BYLAW NO. 1873

A bylaw to amend the Water Services Rates Bylaw 1999, No. 1298 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. 1863" is hereby replaced with the attached Schedule A.
2. The provisions of this bylaw shall become effective and be in force as of July 1, 2015.

Citation

3. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2015, No. 1873".

READ A FIRST TIME day of

READ A SECOND TIME day of

READ A THIRD TIME day of

ADOPTED day of

Mayor (A. Stone)

Corporate Officer (S. Bowden)

SCHEDULE "A"

TOWN OF LADYSMITH

Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2015, No. 1873

1 METERED SINGLE UNIT DWELLING

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 24.50	
Next 26 m ³ to 50 m ³	\$ 0.605	Per m ³
Next 51 m ³ to 75 m ³	\$ 0.715	Per m ³
Next 76 m ³ to 100 m ³	\$ 0.880	Per m ³
Next 101 m ³ to 125 m ³	\$ 1.155	Per m ³
Over 125 m ³	\$ 1.540	Per m ³

2 METERED SERVICE - all other users

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 24.50	
Over 25 m ³	\$ 0.550	Per m ³

3 NON-METER SERVICE

Per billing quarter: \$ 42.60 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 no 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 July 1, 2015.

TOWN OF LADYSMITH

BYLAW NO. 1874

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, Amendment Bylaw 2014, No. 1864" is hereby replaced with the attached Schedule "A".
2. The provisions of this bylaw shall become effective and be in force as of July 1, 2015.

Citation

3. This bylaw may be cited as "Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2015, No. 1874".

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (S. Bowden)

SCHEDULE "A"

TOWN OF LADYSMITH

Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2015, No. 1874

SCHEDULE OF RATES

CLASSIFICATION		Sewer Charge Per Month
Residences or Apartments:	For each Dwelling Unit	\$ 16.00 per unit
Motels & Auto Courts:	Premises of owner or operator	\$16.00
	For each rental unit	\$ 2.45
Mobile Home Parks:	Public rest rooms and/or service rooms	\$16.00
	For each mobile home with sewer connection	\$16.00
Hotels:	Owners or managers quarters	\$16.00
	Per apartment for rent	\$16.00
	Per room for rent	\$ 2.45
Beer Parlours, Pubs, Licenced Cabarets & Lounges:	For each separately licenced area	\$33.35
Cafes, Restaurants & Dining Rooms:		\$33.35
Offices, Shops and Stores:	Per office, store & store unit not otherwise specified	\$16.00
Store(s) and Suites(s) combined:	Per store unit	\$16.00
	Per suite	\$16.00
Stores(s) and Office(s) combined:	Per store unit	\$16.00
	per office unit	\$16.00
Office Building:	per office unit	\$16.00
Laundry or Laundromat:		\$53.00
Services Stations and Garages:	Without car wash	\$16.00
	With car wash	\$35.65
Public or Social Club with licenced bar:		\$33.35
Church Hall, Public Hall or Lodge Room		\$12.40
Hospitals & Nursing Homes	per bed	\$ 7.45
Schools	per classroom, auditorium or office	\$16.00

Effective July 1, 2015.



Town of Ladysmith

COMMITTEE REPORT

To: Mayor and Council
From: Councillor Steve Arnett
Chair, Municipal Services Committee
Date: April 22, 2015
File No:

Re: **MUNICIPAL SERVICES COMMITTEE RECOMMENDATIONS**

At its April 20, 2015 meeting, the Municipal Services Committee recommended that Council:

1. Direct staff to enter into a two-year agreement with Ladysmith Family and Friends (LaFF) for the provision of a Family Resource Program using Town of Ladysmith facilities, with an option to renew for two years.

TOWN OF LADYSMITH

BYLAW NO. 1880

A bylaw of the Town of Ladysmith to approve the 2014 Audited Financial Statements as authorized expenditures for 2014.

WHEREAS the Council of the Town of Ladysmith deems it appropriate to approve the 2014 Audited Financial Statements.

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

- (1) The 2014 Audited Financial Statements for the Town of Ladysmith, attached hereto as Schedule A, are hereby considered to be authorized expenditures for 2014.
- (2) This bylaw may be cited for all purposes as "*Town of Ladysmith 2014 Audited Financial Statements Bylaw 2015, No. 1880.*"

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Director of Corporate Services (S. Bowden)