



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD ON
MONDAY, DECEMBER 21, 2015
7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

Call to Order 2:00 p.m.
Closed Meeting 2:01 p.m.
Ladysmith & District Credit Union (320 First Avenue)

Regular Open Meeting 7:00 p.m.
Council Chambers, City Hall

A G E N D A

1. CALL TO ORDER (2:00 P.M.)
2. CLOSED SESSION

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:

- discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [*annual municipal report*]
- labour relations or other employee relations
- 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

3. RISE AND REPORT

REGULAR MEETING (7:00 P.M.) – COUNCIL CHAMBERS, CITY HALL

4. AGENDA APPROVAL
5. MINUTES

5.1. Minutes of the Regular Meeting of Council held December 7, 2015.....1 - 10

6. DELEGATIONS

- 6.1. Kathy Holmes and Members, Arts Council of Ladysmith and District Waterfront Gallery Elevator Update and Thank You**

7. DEVELOPMENT APPLICATIONS

- 7.1. Development Permit Application – AYPQ Architecture – Ladysmith and District Credit Union 11 - 28**

Subject Properties:

- Parcel D (DD 29794N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (318 First Ave.);
- Parcel C (DD 29793N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (320 First Ave.);
- That Part of District Lot 56, Oyster District Shown as Closed Road on Plan EPP35319 (324 First Ave.); and
- Lot A (DD EG123265), Block 26, District Lot 56, Oyster District, Plan 703 (330 First Ave).

Staff Recommendation:

That Council

1. Issue Development Permit (DP) 3060-15-12 for:
 - Parcel D (DD 29794N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (318 First Ave.);
 - Parcel C (DD 29793N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (320 First Ave.);
 - That Part of District Lot 56, Oyster District Shown as Closed Road on Plan EPP35319 (324 First Ave.); and
 - Lot A (DD EG123265), Block 26, District Lot 56, Oyster District, Plan 703 (330 First Ave.),to permit a) façade improvements to the Ladysmith and District Credit Union (LDCU) building and the buildings at 318 and 320 First Ave.; b) a new Atrium building to connect the LDCU building to the building at 320 First Ave.; and c) improvements to the onsite parking areas and creating two public plazas, subject to the applicant submitting a landscape bond in the amount of 100% of the onsite landscaping and consolidation of the four lots into one lot.
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

8. REPORTS – None

9. BYLAWS

- 9.1. Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 3), 2015, No. 1897 29 - 30**

The purpose of Bylaw 1897 is to amend the Downtown Commercial (C-2) zone by permitting a site-specific use of ‘motor vehicle sale and

rental’ at 934 and 940 Esplanade Avenue. Council directed that a covenant be registered on title, requiring that if the lands are used for the purpose of motor vehicle sales or rentals, in any calendar month at least 20% of the motor vehicles displayed for sale or lease on the lands must be motor vehicles making use of low emission technology engines.

Staff Recommendation:

Subject to confirmation by staff that the required section 219 covenant has been registered in the Land Title Office, that Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No.3), 2015 No. 1897”.

- 9.2. Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891 31 - 34**
May be adopted.

The purpose of Bylaw 1891 is to amend the Official Community Plan to add new policies regarding subdivision approval, the Town’s Liquid Waste Management Plan, Temporary Use Permits, and to update the Development Permit Areas Map and Guidelines. Together with Bylaw 1886, Bylaw 1891 was the subject of a Public Hearing held December 7, 2015.

- 9.3. Town of Ladysmith Revenue Anticipation Bylaw 2015, No. 189835**
May be adopted.

The purpose of Bylaw 1898 is to authorize the Town of Ladysmith to borrow up to \$5,200,000 in 2016, to cover expenses incurred prior to receipt of 2016 property taxes.

10. NEW BUSINESS

- 10.1. Town of Ladysmith / Ladysmith Chamber of Commerce Services Agreement..... 36 - 37**

Staff Recommendation:

That Council approve the agreement between the Town and the Ladysmith Chamber of Commerce for the provision of visitor and business services for the period January 1 to December 31, 2016, and authorize the Mayor and Corporate Officer to execute the agreement.

11. UNFINISHED BUSINESS

12. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.

- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

ADJOURNMENT



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, DECEMBER 7, 2015
CALL TO ORDER 3:03 P.M. FOR CLOSED SESSION
CALL TO ORDER 7:00 P.M. FOR PUBLIC HEARING AND COUNCIL MEETING
LADYSMITH EAGLES HALL

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone
Councillor Cal Fradin
Councillor Carol Henderson
Councillor Duck Paterson

Councillor Steve Arnett
Councillor Joe Friesenhan
Councillor Rob Hutchins (entered 7:00)

STAFF PRESENT:

Ruth Malli
Felicity Adams
John Manson
Joanna Winter

Sandy Bowden
Erin Anderson
Clayton Postings

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 3:03 p.m. in order to retire immediately into Closed Session.

CLOSED MEETING

CS 2015-396

Moved and seconded:

That Council retire into Closed Session at 3:04 p.m. in order 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
- labour relations or other employee relations
- discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report]

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:37 p.m. without report.

REGULAR MEETING

Mayor Stone reconvened the Regular Meeting of Council at 7:00 p.m. at the Ladysmith Eagles Hall, 921 First Avenue, and recognized the traditional territory of the Stz'uminus First Nation.

AGENDA

CS 2015-397

Moved and seconded:

That Council approve the agenda for the Regular Council meeting of December 7, 2015 as circulated.

Motion carried.

MINUTES

CS 2015-398

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held November 16, 2015.

Motion carried.

CS 2015-399

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held November 23, 2015.

Motion carried.

CS 2015-400

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held November 30, 2015.

Motion carried.

PUBLIC HEARING

Public Hearing – Bylaws 1886 and 1891

Members of the Public Present: 19

Mayor Stone opened the public hearing and provided an outline of the public hearing process.

Mayor Stone called for written submissions and acknowledged that a written submission had been received from Greg Roberts, Ladysmith, after the December 1 agenda deadline, and had been circulated to Council and made available to the public.

Director of Development Services, Felicity Adams, introduced the bylaws and reviewed the statutory requirements.

The Bylaws that are the subject of the Public Hearing:

- Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 45) 2015, No. 1886; and
- Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891

Bylaws 1886 and 1891 apply generally to all lands within the Town of Ladysmith boundary.

The purpose of Bylaw 1886 is to designate in the Official Community Plan (OCP) lands within the Town as an area where Development Approval Information (DAI) may be required and under what circumstances. DAI provides information on the anticipated impact of the proposed activity on the community. DAI can include information regarding transportation patterns, local infrastructure, the natural environment, public facilities, community services, archaeology and heritage, form and character, as well as climate action.

The purpose of Bylaw 1891 is to:

- Add policy considerations for subdivision approvals.
- Add policies from the approved 2013 Liquid Waste Management

Plan (LWMP).

- Address changes to the *Local Government Act* by extending the term of a Temporary Use Permit (TUP) from two years to three years and by broadening the uses that are eligible for a TUP.
- Amend OCP Map 2 - Development Permit Areas by placing Development Permit Area 4 - Multi-Unit Residential (DPA 4) on the property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue).
- Amend Schedule A.1 'Town of Ladysmith Development Permit Areas' to clarify when a development permit is required and to add and clarify guidelines in the Downtown - DPA2; Commercial - DPA3; Industrial - DPA5; and Coach House Intensive Residential - DPA 10.

The Public Hearing notice was printed in the Chronicle newspaper on November 24, 2015 and December 1, 2015 and posted on community notice boards throughout the Town, as well as on the Town's website.

A copy of the bylaws and other related information considered by Council was made available at City Hall for the Notice period. Staff responded to questions prior to the public hearing.

No written submissions were received prior to the Agenda deadline.

Council referred the two bylaws to the Stz'uminus First Nation and the Advisory Planning Commission.

Both bylaws were reviewed at meetings of the Naut'sa Mawt Steering Committee and mailed to Stz'uminus First Nation. No comments were received from Stz'uminus First Nation.

The Advisory Planning Commission considered both bylaws at its meeting held October 15, 2015. The APC supported both bylaws and provided the following comments.

Bylaw 1886:

- The DAI Bylaw should apply to proposed new boundary extension areas.

Staff comment: Policy 16 addresses this comment.

- The DAI Bylaw should ensure that study costs are in scale with the value and complexity of the proposed development.

Staff comment: The companion Bylaw 1887 provides procedures and terms of reference that can be drawn on with the type and scale of the information matching the development proposal. Bylaw 1887 is not the subject of the public hearing.

- The DAI Bylaw should provide clarity for developers so the process can be smoother for both the Town and the developers without

being too cumbersome.

Staff comment: The process is provided in Bylaw 1887, the companion bylaw.

Bylaw 1891:

- The Official Community Plan (OCP) should be a policy document, thus the inclusion of commissioning studies, tasks and stating where primary and secondary solids should be sent may be inconsistent with the purpose of an OCP. (Section 3.3.3 (24) and 3.7.3 (10))

Staff comment: This policy approach is consistent with the current format of the OCP.

- Water conservation measures are improving and the OCP should support a broad range of water conservation solutions, including low flush toilets and equivalent, or better technology. (Section 3.7.3 (2))

Staff comment: This policy is consistent with the approved Liquid Waste Management Plan (LWMP).

- With regards to the proposed policies that recommend new programs, the costs of these programs should be carefully reviewed at budget time (Section 3.7.3 (5) and (11)).

Staff comment: This policy is consistent with the approved LWMP. By including such policies Council is not committed to proceed with the project. If Council does proceed with a project it must be consistent with the Official Community Plan policy. Council reviews projects during the Financial Planning process.

Mayor Stone called for verbal submissions.

Greg Roberts, Mackie Road, Ladysmith – spoke in favour of the bylaw amendments and made suggestions for additional changes.

Pam Fraser, 750 Colonia Drive, Ladysmith – suggested a size limit on balconies be included in Section 2.1. i) (ii) of Schedule 1 of Bylaw 1891.

Bill Drysdale, 816 Malone Road, Ladysmith – suggested a size limit on balconies be included in Section 2.1 i) (ii) of Schedule 1 of Bylaw 1891.

Mayor Stone called for written and verbal submissions a second and third time. Receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaws 1886 and 1891 closed.

Mayor Stone reminded those present that no further input, submissions or comments from the public or interested persons could be accepted by members of Council, and that Council may further

consider the bylaws later in the meeting agenda.

**BYLAWS (OFFICIAL
COMMUNITY PLAN
AND ZONING)**

CS 2015-401

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 45) 2015, No. 1886

Moved and seconded:

That Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 45) 2015, No. 1886 be read a third time and adopted.

Motion carried.

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891

Staff advised that Council has provided previous direction to include the maximum size of a coach house balcony in the Zoning Bylaw.

Moved and seconded:

CS 2015-402

That section 1 c) (iv) of Schedule 1 of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891 be amended by deleting 'Alternatively' and replacing it with 'In the interim'.

Motion carried.

Moved and seconded:

CS 2015-403

That Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891 be read a third time as amended.

Motion carried.

Development Approval Information Bylaw 2015, No. 1887

Moved and seconded:

CS 2015-404

That Town of Ladysmith Development Approval Information Bylaw 2015, No 1887, be adopted.

Motion carried.

**2016 COUNCIL
APPOINTMENTS**

Deputy Mayor

Mayor Stone made the following appointments for Deputy Mayor in 2016:

- December 1, 2015 to May 31, 2016: Councillor Rob Hutchins
- June 1 to November 30, 2016: Councillor Steve Arnett

Parcel Tax Review Panel

Moved and seconded:

CS 2015-405

That the following members be appointed to the 2016 Parcel Tax Review Panel:

Mayor Stone, Councillor Friesenhan and Councillor Hutchins.

Motion carried.

Cowichan Valley Regional District Director

Moved and seconded:

CS 2015-406

That Mayor Aaron Stone be appointed as Director to the Cowichan Valley Regional District Board.

Motion carried.

Cowichan Valley Regional District Alternate Director

Moved and seconded:

CS 2015-407

That Councillor Cal Fradin be appointed as Alternate Director to the Cowichan Valley Regional District Board for the period December 7, 2015 to May 31, 2016.

Motion carried.

Vancouver Island Regional Library Board Director

Moved and seconded:

CS 2015-408

That Councillor Steve Arnett be appointed as Town of Ladysmith representative to the Vancouver Island Regional Library Board.

Motion carried.

Vancouver Island Regional Library Board Alternate Director

Moved and seconded:

CS 2015-409

That Councillor Carol Henderson be appointed as Alternate Director to the Vancouver Island Regional Library Board.

Motion carried.

Community Safety Advisory Commission (Cowichan Valley Regional District)

Moved and seconded:

CS 2015-410

That Councillor Cal Fradin be appointed as representative of the Town of Ladysmith on the Cowichan Valley Regional District Community Safety Advisory Commission.

Motion carried.

Community Safety Advisory Commission (Cowichan Valley Regional District)

Moved and seconded:

CS 2015-411

That Councillor Rob Hutchins be appointed as alternate representative of the Town of Ladysmith on the Cowichan Valley Regional District Community Safety Advisory Commission.

Motion carried.

Standing and Community Committee Representatives

Mayor Stone made the following appointments to Council Advisory Commissions and Committees:

Municipal Services Committee (Committee of the Whole)

Chair: Councillor Steve Arnett

Vice Chair: Councillor Cal Fradin

Members: All members of Council

Advisory Planning Commission

Council Liaison: Councillor Cal Fradin

Alternate: Councillor Joe Friesenhan

Advisory Design Panel

Council Liaison: Mayor Aaron Stone

Alternate: Councillor Carol Henderson

Heritage Revitalization Advisory Commission

Council Liaison: Councillor Rob Hutchins

Alternate: Mayor Aaron Stone

Parks, Recreation and Culture Commission

Council Liaison: Councillor Duck Paterson

Council Liaison: Councillor Joe Friesenhan

Alternate: Councillor Steve Arnett

Protective Services Committee

Chair: Councillor Duck Paterson

Vice Chair: Councillor Rob Hutchins

Alternate: Councillor Cal Fradin

Liquid Waste Management Committee

Council Liaison: Councillor Joe Friesenhan

Council Liaison: Councillor Cal Fradin

Council Liaison: Councillor Rob Hutchins

Stocking Lake Advisory Committee

Chair: Councillor Rob Hutchins

Council Liaison: Councillor Steve Arnett

Mayor Stone made the following liaison appointments to community organizations:

Celebrations Committee

Council Liaison: Councillor Steve Arnett

Alternate: Councillor Duck Paterson

Ladysmith Chamber of Commerce

Council Liaison: Mayor Aaron Stone

Alternate: Councillor Joe Friesenhan

Ladysmith Community Health Advisory Committee

Council Liaison: Councillor Carol Henderson

Alternate: Mayor Aaron Stone

Ladysmith Festival of Lights

Council Liaison: Councillor Duck Paterson

Alternate: Councillor Joe Friesenhan

Ladysmith Downtown Business Association

Council Liaison: Councillor Cal Fradin
Alternate: Mayor Aaron Stone

Ladysmith Early Years Partnership
Council Liaison: Councillor Carol Henderson
Alternate: Councillor Rob Hutchins

Social Planning Cowichan Affordable Housing Directorate
Council Liaison: Councillor Carol Henderson
Alternate: Councillor Steve Arnett

Ladysmith Youth Advisory Committee
Council Liaison: Councillor Carol Henderson
Alternate: Councillor Rob Hutchins

Bank Signing Authority

Moved and seconded:

CS 2015-412

That all members of Council have bank signing authority for the Town of Ladysmith.
Motion carried.

COMMITTEE REPORTS

Moved and seconded:

CS 2015-413

That Council direct staff to investigate options for installing park hours signage at Transfer Beach Park.
Motion carried.

Moved and seconded:

CS 2015-414

That Council send a letter of congratulations and appreciation to the Festival of Lights Society for an exceptional 2015 Light Up celebration and Festival of Lights.
Motion carried.

Members of Council also expressed their appreciation to Town staff for their hard work and support of Light Up.

Moved and seconded:

CS 2015-415

That Council send a letter of congratulations to the Ladysmith Downtown Business Association for another successful Old Tyme Christmas event.
Motion carried.

STAFF REPORTS

2016 Council Meeting Schedule

Moved and seconded:

CS 2015-416

That Council confirm the following schedule of regular Council meetings for 2016 and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

January 4	April 4	July 4	November 7
January 18	April 18	July 18	November 21
February 1	May 2	August 15	December 5

February 15	May 16	September 19	December 19
March 7	June 6	October 3	
March 21	June 20	October 17	

Motion carried.

Parks, Recreation and Culture Master Plan Update

Moved and seconded:

CS 2015-417

That Council receive the staff report relating to the Town of Ladysmith Parks, Recreation and Culture Master Plan update project and the included community consultation process.

Motion carried.

Gatacre Street Improvements Project Update

Moved and seconded:

CS 2015-418

That Council receive the staff report on the Gatacre Street Improvements for information.

Motion carried.

Replacement of Town Garbage Cans

Moved and seconded:

CS 2015-419

That Council direct staff to report to the Municipal Services committee with options and recommendations for the replacement of garbage cans in the downtown area.

Motion carried.

Town of Ladysmith Pavement Management Plan

Moved and seconded:

CS 2015-420

That Council receive the Pavement Management Plan for the Town of Ladysmith.

Motion carried.

Orcas Swim Club Pool Usage Review

Moved and seconded:

CS 2015-421

That Council:

1. Approve a reduction of pool rental fees for the Orcas Swim Club at Frank Jameson Community Centre to \$35.00 per hour from January 1, 2016 to August 31, 2016, which includes the cost of a single lifeguard.
2. Direct staff to continue to work with the Orcas Swim Club to develop a plan to ensure long term viability of the Club and report back to Council regarding possible opportunities.

Motion carried.

BYLAWS

Town of Ladysmith Revenue Anticipation Bylaw 2015, No. 1898

Moved and seconded:

CS 2015-422

That Town of Ladysmith Revenue Anticipation Bylaw 2015, No. 1898 be read a first, second and third time.

Motion carried.

NEW BUSINESS
CS 2015-423

Video Streaming of Council Meetings

Moved and seconded:

That Council direct staff to obtain an estimate of costs associated with implementing the necessary hardware and software to enable live video streaming and archiving of Council meetings.

Motion carried.

UNFINISHED
BUSINESS

CS 2015-424

Moved and seconded:

That Council advise the Liquor Control and Licensing Branch that the proposed addition of patron participation entertainment endorsement to the Music Hall liquor licence at 18 Roberts Street is expected to have minimal impact to the community; and it is expected that the amendment will not result in the establishment being operated in a manner that is contrary to its primary purpose.

Motion carried.

QUESTION PERIOD

Members of the public expressed appreciation to Town staff for their assistance with the Festival of Lights, and enquired about garbage cans in downtown Ladysmith, and medical marijuana dispensaries.

ADJOURNMENT

CS 2015-425

Moved and seconded:

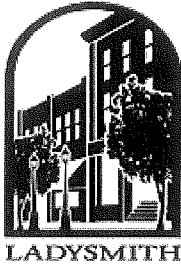
That this meeting of Council adjourn at 9:06 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: December 8, 2015
File No: 3060-15-12

Re: Development Permit Application – AYPQ Architecture – LDCU

Subject Properties:

Parcel D (DD 29794N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (318 First Ave.);
Parcel C (DD 29793N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (320 First Ave.);
That Part of District Lot 56, Oyster District Shown as Closed Road on Plan EPP35319 (324 First Ave.); and
Lot A (DD EG123265), Block 26, District Lot 56, Oyster District, Plan 703 (330 First Ave).

RECOMMENDATION(S):

That Council issue Development Permit (DP) 3060-15-12 for:

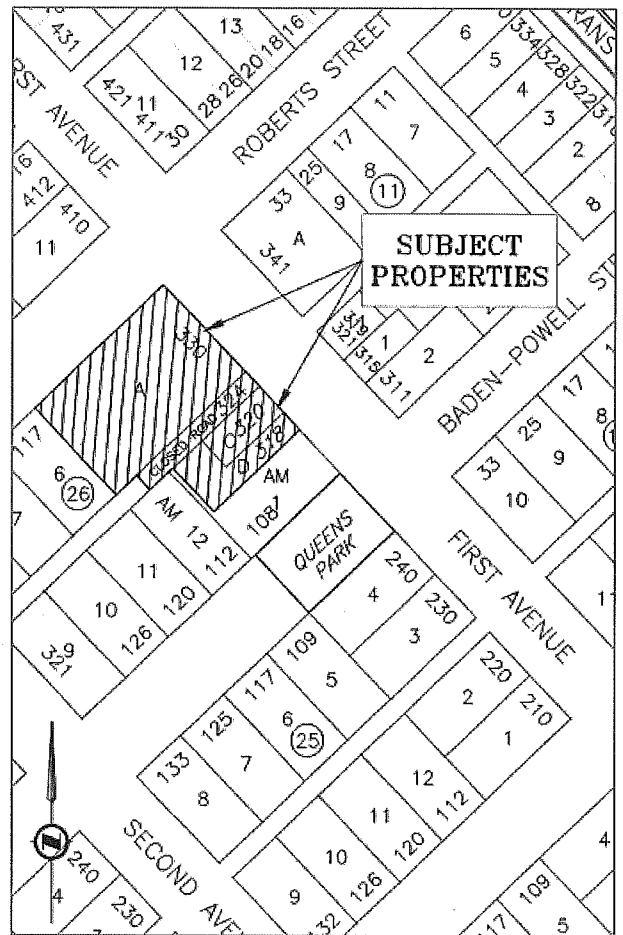
- Parcel D (DD 29794N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (318 First Ave.);
- Parcel C (DD 29793N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (320 First Ave.);
- That Part of District Lot 56, Oyster District Shown as Closed Road on Plan EPP35319 (324 First Ave.); and
- Lot A (DD EG123265), Block 26, District Lot 56, Oyster District, Plan 703 (330 First Ave),

to permit a) façade improvements to the Ladysmith and District Credit Union (LDCU) building and the buildings at 318 and 320 First Ave.; b) a new Atrium building to connect the LDCU building to the building at 320 First Ave.; and c) improvements to the onsite parking areas and creating two public plazas, subject to the applicant submitting a landscape bond in the amount of 100% of the onsite landscaping and consolidation of the four lots into one lot;

AND THAT the Mayor and Corporate Officer be authorized to sign the Development Permit.

PURPOSE:

The purpose of this staff report is to present for Council's consideration a Development Permit application from architect Angela Quek for the Ladysmith and District Credit Union



BC CLIMATE ACTION
COMMUNITY 2014



(LDCU). The application pertains to four properties (as shown in the subject properties map), 318, 320, 324, and 330 First Avenue.

INTRODUCTION/BACKGROUND:

The applicant has submitted a Development Permit application on behalf of the LDCU for:

- i) façade improvements to the LDCU building and the buildings at 318 and 320 First Ave.;
- ii) a new Atrium building to connect the LDCU building to the building at 320 First Ave.;
- iii) improvements to the onsite parking areas and creating two public plazas.

The total area of the four properties is 0.37 hectares. The four properties would need to be consolidated prior to the issuance of a development permit. The proposed total building gross floor area is 1194m² (12,849ft²). The project is proposed to be completed in phases. The two buildings at 318 and 320 First Avenue are included in the Heritage Inventory.

SCOPE OF WORK:

The subject properties are designated as 'Downtown Core' in the Official Community Plan (OCP) and fall within the Downtown Development Permit Area (DPA 2). The properties are zoned 'Downtown Commercial' C-2. The proposed design has been reviewed in relation to the DPA 2 guidelines and Zoning Bylaw.

DPA 2 and Zoning Bylaw Review

The objective of DPA 2 is to strengthen the historic Downtown as the Town's primary commercial area and to ensure that new development, as well as land, building, and façade improvements in the Downtown contributes to, and enhances, the historic, cultural, and architectural value of this area.

Building Design and Massing Guidelines

The Atrium is the only new building and is proposed to be constructed in the closed lane. The Atrium acts as a feature building and connects the existing buildings. The new Atrium is proposed to be setback 1.8 metres from the front lot line with a projecting metal canopy. The downtown building design guidelines require that new buildings are complimentary to the form, massing, and scale of established heritage buildings. Neo-traditional, Pacific Northwest, or eco-responsive designs are supported. The form, massing, and scale of new buildings should transition between heritage buildings and adjacent buildings and uses. Subtle variations in building height and massing are encouraged to provide a variety of building form within a relatively uniform street wall.

Building Siting and Frontage Design Guidelines

Corner buildings, such as the existing LDCU building, should provide scale, and serve as anchors for the rest of the block. The proposed designs include frontage and façade improvements, two landscaped plazas, with improved entries on both First Avenue and Roberts Street.

Roof Form, Windows, and Doors Guidelines

Façade improvements for 318 and 320 First Avenue will maintain the continuous cornice feature and the common elements of a base, storefront display, and sign band. The combination of the buildings offers variation in roof heights, with an Atrium roofline that provides visual interest. All of the building frontages contain large windows and doors that open to the street and offer pedestrian interest and options for entering the building. The

LDCU and Atrium building will have windows and doors with black aluminum frames. The buildings at 318 and 329 First Ave. will retain the wood windows and doors. The building facades provide the required transparency on first and second stories. The Atrium's glass front facade is recessed from the face of the adjacent buildings. The black aluminum adds a prominent window trim highlight. The primary entrances for customers are the at-grade double commercial style doors in the Atrium and LDCU building, other entrances will be generally intended for staff.

Materials, Colours, Signs, Canopies, Lighting Guidelines

The intent is that the exterior finishing materials and colours for all of the buildings will tie the buildings together as a cohesive unit. The primary colours to be used are beige, dark brown, grey and black. The wall finish for the LDCU building is proposed to be grey tile, with grey/brown tile for window trim, and brown stone for the base, with tile accents under the windows. The LDCU building will have dark brown wood crown moulding along the roof lines.

The smaller building at 318 First Avenue is proposed to be finished with beige stucco and beige hardiboard with dark brown trim and black tile at the base. The building at 320 First Ave. (Hall building) is proposed to be finished with beige wood siding and beige hardiboard siding, with trim in darker brown shades and a black and white tile base.

The three primary entrances for customers will contain a flat metal projecting canopy for weather protection. The signage will be individual metal black letters in Times New Roman font. The sign at 318 First Ave. is proposed to be a wood sign with a border and raised black wood letters. The signage is consistent with the DPA 2 guidelines and the 'Sign and Canopy' bylaw. Low level lighting with concealed light fixtures will be directed downward and will be provided at all door entries, within the landscaped plaza area, and in the parking areas.

Mechanical, Electrical & Security Equipment Guidelines

No change is proposed for the roof of the existing buildings. It is proposed that a heat pump be located on the flat roof of the Atrium building.

Accessibility, Connectivity and Parking Guidelines

There are three primary double-door entrances to the building, all of which have a smooth level entry from the sidewalk which will be accessible to all users. The site provides an interesting pedestrian network through the plaza areas which connects at various points to the public sidewalk.

On-site parking is provided at the rear of the site. New parking stalls are being added by extending the rear parking area to accommodate the new Atrium building parking. Pedestrian access to rear parking areas are provided at doors located at the rear of the buildings. A retaining wall will be created for expanding the rear parking area and will be constructed of redi-rock blocks with a textured finished. A metal or wood fence will be at the top of the new retaining wall for safety. The rear parking areas are designed to create a separation between existing residential uses and the downtown.

Landscape, Public Realm, and Crime Prevention Guidelines

The existing LDCU building is sited with a substantial setback from Roberts St. which provides an opportunity to create open spaces and gardens that will provide a more inviting entrance to First Avenue. The applicant states that the improved exterior spaces will be available as public spaces for events and activities; and that the landscape design is

intended to honour the intent of the existing Tour de Rock mural by creating a space for reflection or celebration.

The landscaped area will consist of a variety of 23 new deciduous trees, a variety of 180 evergreen shrubs, as well as grasses, ferns, hydrangeas, ground covers, perennials, and vines. Two 'plane' (platanus) trees will be retained. An irrigation system will be installed to maintain the plantings. The new courtyard surface will be a pacific slate granite blend and pacific slate granite concrete pavers. The courtyards will contain pedestrian paths, steps with railings, grass areas, planters and benches, as well as architectural concrete retaining walls. The landscaped courtyard areas will include pedestrian connections to the public sidewalk on First Avenue and Roberts Street. The turquoise Ladysmith heritage plaque will need to be relocated.

In general all the areas on the site are open with a clear purpose and function. The many windows located on the facades along First Avenue and Roberts Street provide surveillance. The plaza area is designed to permit open interactive activity nodes. Lighting will contribute to the safety of the rear parking areas. The existing rooftop patio for LDCU staff is intended to remain in use.

Water & Energy Conservation, and Rain Water Management Guidelines

A heatpump will be utilized for the new Atrium building. The majority of the plants selected for the site are drought tolerant. All hard areas will be sloped towards the landscaped areas in order to slow and filter runoff and add moisture to the planted areas. Where practical, the irrigation system will be a drip system, delivering water to individual plants. The trees will be on a separate zone to the rest of the plantings to ensure they receive enough water. Roof water will be directed into the gardens where feasible.

Recycling, Organics, & Solid Waste Management Guidelines

Two bins are located in the existing parking area and no change is proposed. Creating screened enclosures would add to the overall development.

Preservation, Rehabilitation, & Restoration of Heritage Buildings

The proposed overall LDCU project design is in keeping with the 'Standards and Guidelines for the Conservation of Historic Places in Canada' in the following ways:

- The heritage value of the existing buildings has been respected. No character defining elements will be lost (whether original or elements that have become character-defining elements in their own right over time).
- The Atrium building does not attempt to create a false sense of a historical building. The contemporary Atrium design is distinguishable from the historic buildings.

The two buildings at 318 and 320 First Avenue are included in the Ladysmith Heritage Inventory and are intended to be included on the Community Heritage Register in the future. Both buildings have undergone significant modification in the past and bear little resemblance to the original structures. However, previous renovations to both buildings are in keeping with heritage downtown Ladysmith.

The proposed façade alterations for 318 First Avenue respect the original heritage design in the following ways:

- Tile will be used at the base of the window,
- Wood windows and entry door will be utilized,

- The colour palette chosen is consistent with heritage colours,
- Wood crown moulding will decorate the roofline, and
- The applicant will consider utilizing the original building name 'Walkem Building'.

The proposed façade alterations for 320 First Avenue respect the original heritage design in the following ways:

- The vertical wood siding re-introduces an original element, as the building originally had vertical wood siding on the upper storey façade,
- The original 'Hall Building' name will be retained,
- Tile will be used at the base of the window,
- The canopy will be removed which is consistent with the original structure.
- Wood windows and entry doors will be utilized,
- The colour palette chosen is consistent with heritage colours, and
- Wood crown moulding will decorate the roofline.

ALTERNATIVES:

While the issuance of a Development Permit is not a completely discretionary decision of Council, Council may decide to not issue Development Permit 15-12 where the refusal is based upon a determination that the development permit application does not meet the Development Permit guidelines. If the Development Permit is refused then reasons must be given. The determination by Council must be in good faith and it must be reasonable, not arbitrary.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

A Development Permit is required prior to façade and site improvements and the issuance of a building permit for the Atrium building.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

At their meeting on September 14, 2015 the Advisory Design Panel passed the following motion:

It was moved, seconded and carried that the Advisory Design Panel recommends that Council support Development Permit application #3060-15-12 (318, 320, 324 & 330 First Avenue) with the following comments:

- *The representative of the Heritage Revitalization Advisory Commission (HRAC) feels that the Atrium Design is disruptive and does not enhance, protect or preserve the Heritage guidelines as required in the DPA 2 Guidelines.*
- *The Advisory Design Panel is in favour of a water feature in the plaza area.*
- *Attention should be paid to courtyard parking.*
- *Lots of handrails for pedestrian movement should be included.*
- *A green roof on the Atrium is encouraged.*

Staff reviewed the 'Standards and Guidelines for the Conservation of Historic Places in Canada' and has provided a heritage analysis in the 'DPA 2 Review' section of this staff report. In response to ADP comments the LDCU explored the possibility of a water feature and a green roof and responded that their project budget would not allow for these costly additions. In response to ADP comments the DP form attached includes requirements for courtyard parking and handrails.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposal was referred to the Infrastructure Services Department for review. They have stated that off-site improvements in sidewalk areas, landscaped boulevards, and roads will require review, engineered plans, and a permit. Possible upgrades to sanitary, water and stormwater connections may also be required.

At the time of lot consolidation it is recommended that the Approving Officer review access to 108 Baden-Powell Street as well as necessary servicing easements.

RESOURCE IMPLICATIONS:

Processing Development Permit application is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

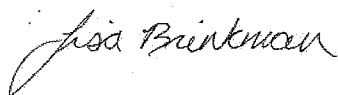
A sustainable development checklist was not submitted with the application, however the proposal is consistent with the Town's Vision as it contributes to a high quality public realm, integrates heritage buildings with newer development, and contributes to human scale street environments.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design are strategic Council directions.

SUMMARY:

The proposed LDCU development was reviewed in relation to the Zoning Bylaw and Development Permit Guidelines. It is recommended to support Development Permit 3060-15-12.

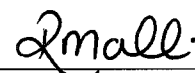


Report Author: Lisa Brinkman, Senior Planner

I concur with the recommendation:



Felicity Adams, Director of Development Services



Ruth Malli, City Manager

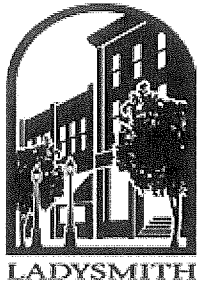
ATTACHMENT:

Development Permit 3060-15-12



BC CLIMATE ACTION
COMMUNITY 2014





**TOWN OF LADYSMITH
DEVELOPMENT PERMIT**
(Section 920 Local Government Act)

FILE NO: 3060-15-12

DATE: December 7, 2015

Name of Owner(s) of Land (Permittee): Ladysmith and District Credit Union, Inc. No. FI 103

Applicant: Angela Quek (AYPQ Architecture)

Subject Property (Civic Address): 318, 320, 324, and 330 First Avenue

These four
parcels will be
consolidated
into one parcel.

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

Parcel D (DD 29794N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (318 First Ave.) PID 008-551-049;

Parcel C (DD 29793N) of Lot 2, Block 26, District Lot 56, Oyster District, Plan 703 (320 First Ave.) PID 008-551-162;

That Part of District Lot 56, Oyster District Shown as Closed Road on Plan EPP35319 (324 First Ave.) PID 029-239-036; and

Lot A (DD EG123265), Block 26, District Lot 56, Oyster District, Plan 703 (330 First Ave.) PID 018-421-393;

(referred to as the "Land")
3. This Permit has the effect of authorizing:
 - (a) the issuance of a building permit for the construction of a building or structure on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit; and
 - (b) the alteration of land and buildings on land designated in the Official Community Plan under section 919.1(1)(d).

Subject to the conditions, requirements and standards imposed and agreed to in section 5 of this Permit.
4. This Permit does not have the effect of varying the use or density of the Land specified in Town of Ladysmith Zoning Bylaw 2014, No. 1860.

5. The Permittee, as a condition of the issuance of this Permit, agrees:
 - a) To develop the Land as shown in:
 - Schedule A - Site & Roof Plan - AYPQ Architecture
 - Schedule B - Building Elevations @ First Avenue - AYPQ Architecture;
 - Schedule C - Building Elevations @ Roberts Street - AYPQ Architecture;
 - Schedule D - Materials - AYPQ Architecture;
 - Schedule E - Landscape Design - Planting Plan - AYPQ Architecture;
 - Schedule F - Landscape Design - Specifications - AYPQ Architecture;
 - Schedule G - Signage - AYPQ Architecture;
 - Schedule H - Public Washroom - AYPQ Architecture
 - Schedule I - New Parking Layout - AYPQ Architecture
 - b) To improve safety and mobility include handrails where possible in pedestrian walkways (greater than is required by the B.C. Building Code); and
 - c) To ensure the lower courtyard area is primarily for pedestrian use and that parking spaces in this area be signed for persons with disabilities.
 - d) Onsite monitoring shall be undertaken by a landscape professional during landscape installation, and any release of a landscape security may require a report from the landscape professional.
6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of cash or an irrevocable Letter of Credit to guarantee the performance of the conditions in section 5 of this Permit respecting landscaping. The Letter of Credit shall be for a period of two years, shall be automatically extended, and shall be in the amount of \$25,133.00.
7. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping conditions at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
8. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
9. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.927 of the *Local Government Act*, and upon such filing, the terms of this Permit (3060-15-12) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
10. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
11. The plans and specifications attached to this Permit are an integral part of this Permit.
12. This Permit prevails over the provisions of the Bylaw in the event of conflict.

13. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

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

MAYOR

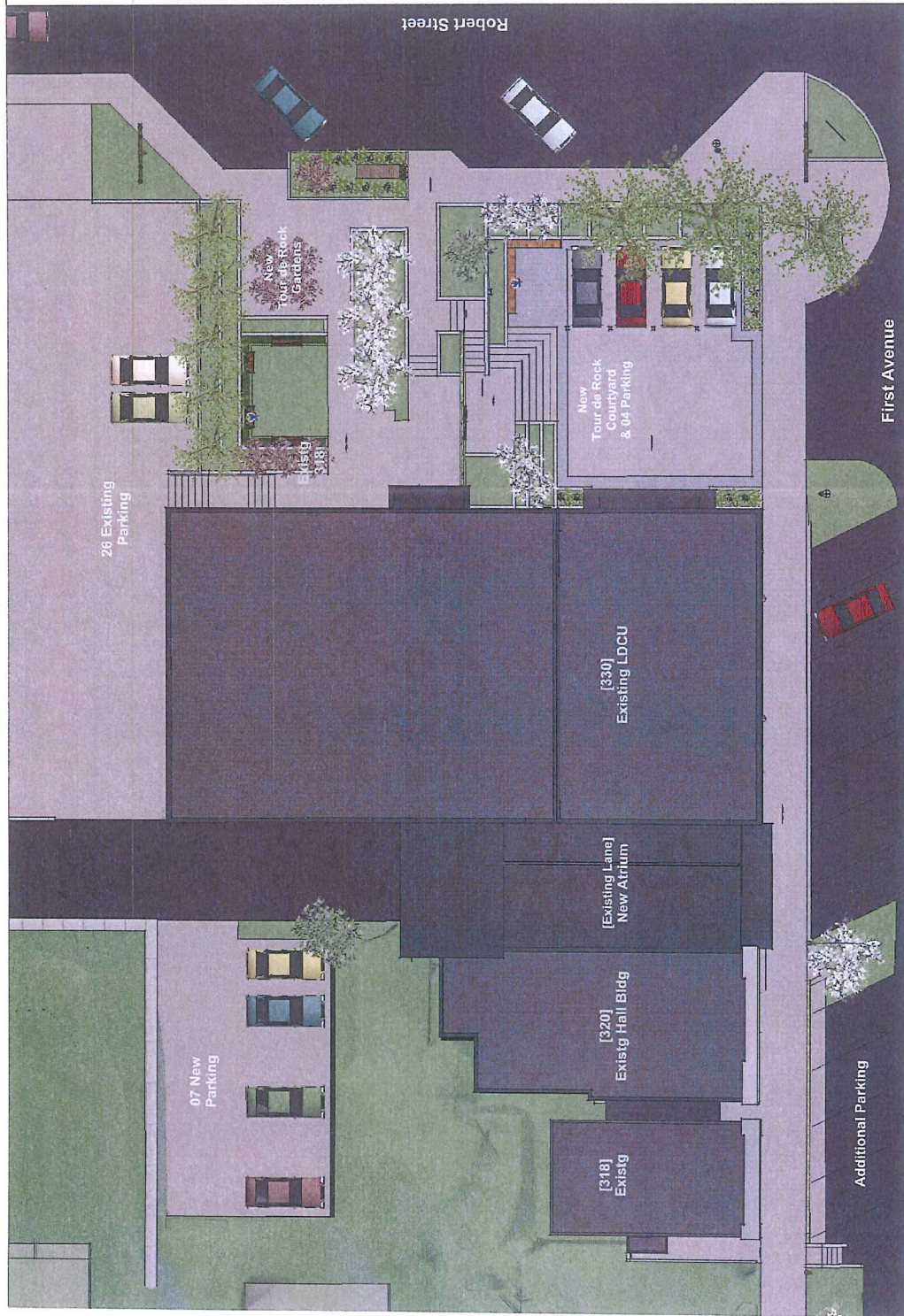
CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

OWNER

PLEASE PRINT NAME



PROJECT DETAILS

Owner:
Ladysmith & District Credit Union
330 First Avenue, Ladysmith BC

Site Area:
Proposed consolidation of
330, 320 & 318 First Avenue
Combined Site Area = 0.37ha

Building Footprint:
Existing LDCU 7017.6sf
Existing Hall Bldg 1750.0sf
Existing 318 Bldg 830.8sf
New Atrium Infill 1392.3sf
Total: 10990.7sf

Site Coverage: 28%

Building Height: max.30ft [9m]
also noted on topographical survey

No. of Storeys: max. 2 storeys
Exig Bldg 330 2 storeys
Exig Bldg 320 2 storeys
Exig Bldg 318 1 storeys
New Atrium 2 storeys

Parking:
Existing Hall & 318 Buildings:
Serviced by street parking and remains
unchanged.

LDCU & New Atrium Parking:
Total Gross Floor Area:
12849.3sf [1194.2sm]
Required Parking @ 1/30sm = 39 sp

Existing Street Pkg 09 spaces
Off-site parking 37 spaces
New street parking 09 spaces
Total : 55 spaces

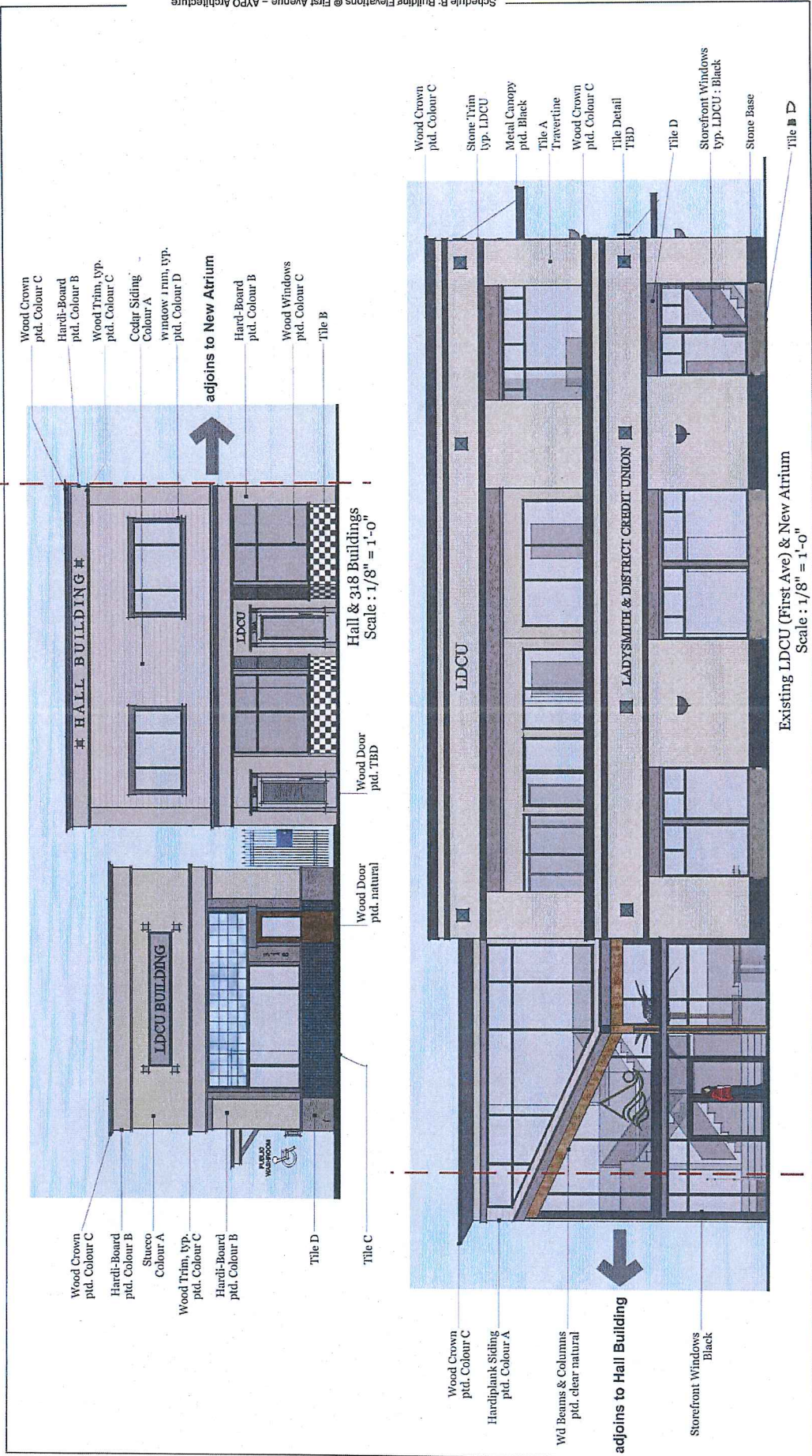
Scale : 1" = 20ft

Schedule A: Site & Roof Plan - AYPQ Architecture
DP 3060-15-12 - Angela Quek (AYPQ Architecture) - applicant
318, 320, 324 & 330 First Avenue - Ladysmith & District Credit Union

100	A
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Site & Roof Plan
LADYSMITH & DISTRICT CREDIT UNION - A Renovation / Addition

AYPQ Architecture
13270 Doole Road, Ladysmith BC V9G1G6
t. 250.245.7555 f. 7565 info@aypqarchitecture.com



DP Submission 130438
A 007

Building Elevations @ First Avenue
LADYSMITH & DISTRICT CREDIT UNION - A Renovation / Addition

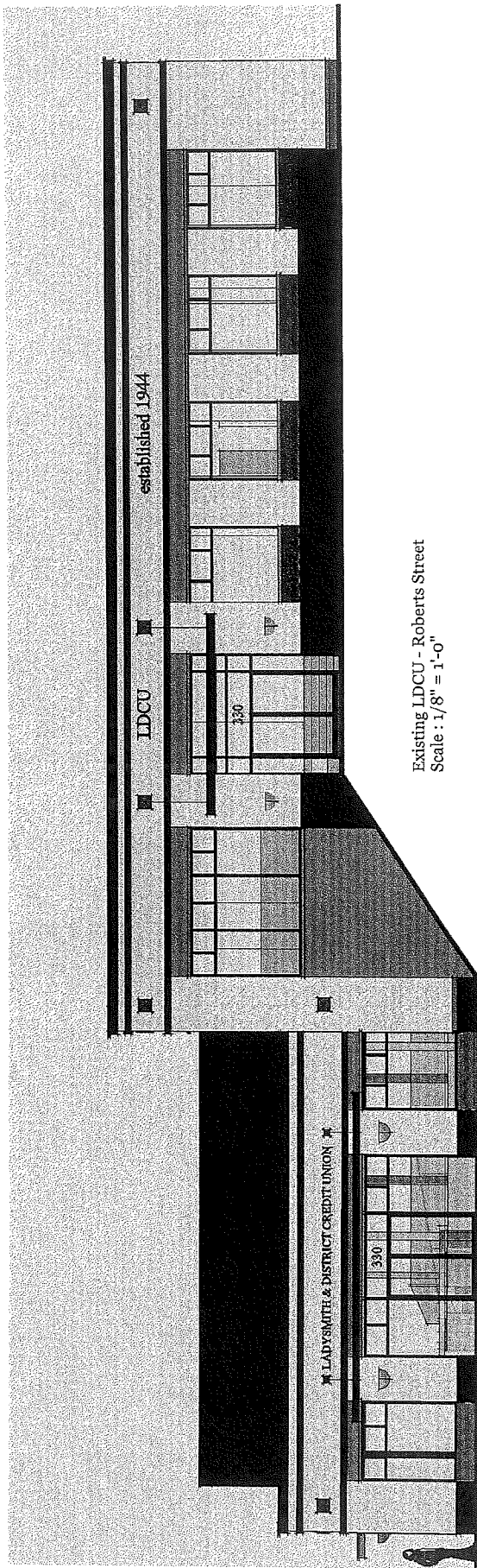
AYQO Architecture
13270 Doole Road, Ladysmith BC V9G1G6
t. 250 245 7555 f. 7565 info@ayqoarchitecture.com

Schedule B: Building Elevations @ First Avenue - AYQO Architecture
DP 3060-15-12 - Angela Quak (AYQO Architecture) - applicant
318, 320, 324 & 330 First Avenue - Ladysmith & District Credit Union

Building Elevation @ Robert Street

LADYSMITH & DISTRICT CREDIT UNION - A Renovation / Addition

APQ Architecture
 13270 Doole Road, Ladysmith BC V9G1G6
 t. 250 245 7555 f. 7565 info@apqarchitecture.com



Existing LDCU - Roberts Street
 Scale : 1/8" = 1'-0"

EXTERIOR WALL FINISH

LDCU Tile walls/details, stone bases, wall trims and painted wood crown @top of parapet
 New Atrium Hardiplank siding & wood trims
 Hall Building Hardiplank siding, wood trims & tile details
 3:18 Building Stucco & wood trims & tile details

WINDOWS & ENTRY DOORS

LDCU Aluminum Storefront [Black]
 New Atrium Aluminum Storefront [Black]
 Hall Building Wood [Ptd. Ext. & Natural Int.]
 3:18 Building Wood [Ptd. Ext. & Natural Int.]

PAINT



Color A
CL 2881W
Packing Nut



Color B
CL 2882M
Berg

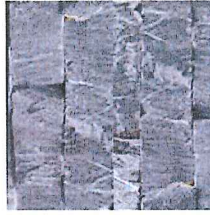


Color C
CL 2877N
Deisel

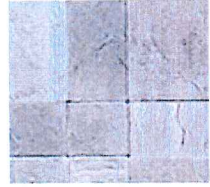


Color D
CL 2885A
Jack-in-the-Pulpit

Tour de Rock COURTYARD & GARDENS



Tour de Rock Wall
Stone Veneer
K2 Ocean Pearl Wall Stone

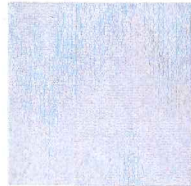


Courtyard surface
Concrete Broom finish &
Pacific Slate Unsealed Granite Conc. Pavers

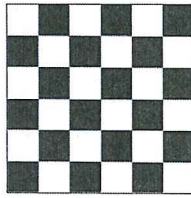


Retaining & Planter walls
Architectural Concrete

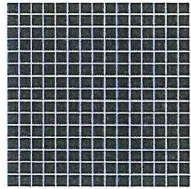
TILE & STONE



Tile A
Frontier Stone Travertine
Laguna-sorted even pattern



Tile B
Porcelain 6"x6"
Black & White



Tile C
Porcelain 3"x3"
Black



Tile D
Porcelain 12"x12"
2-IR30162 Dark

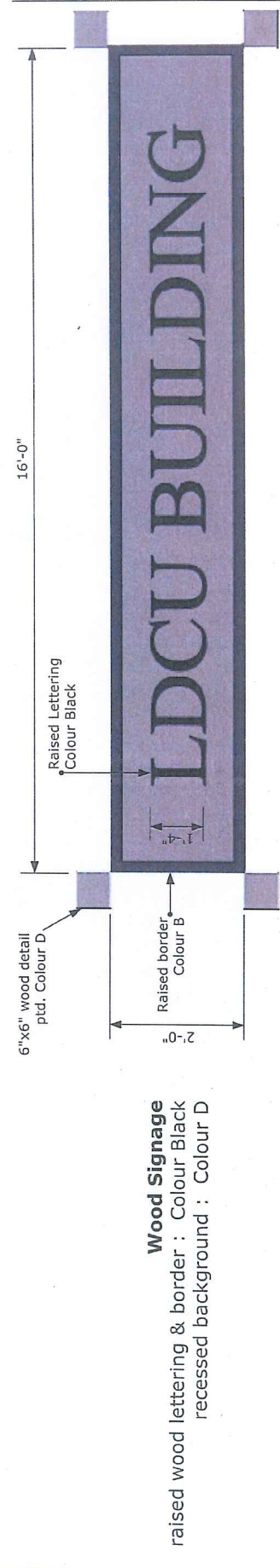
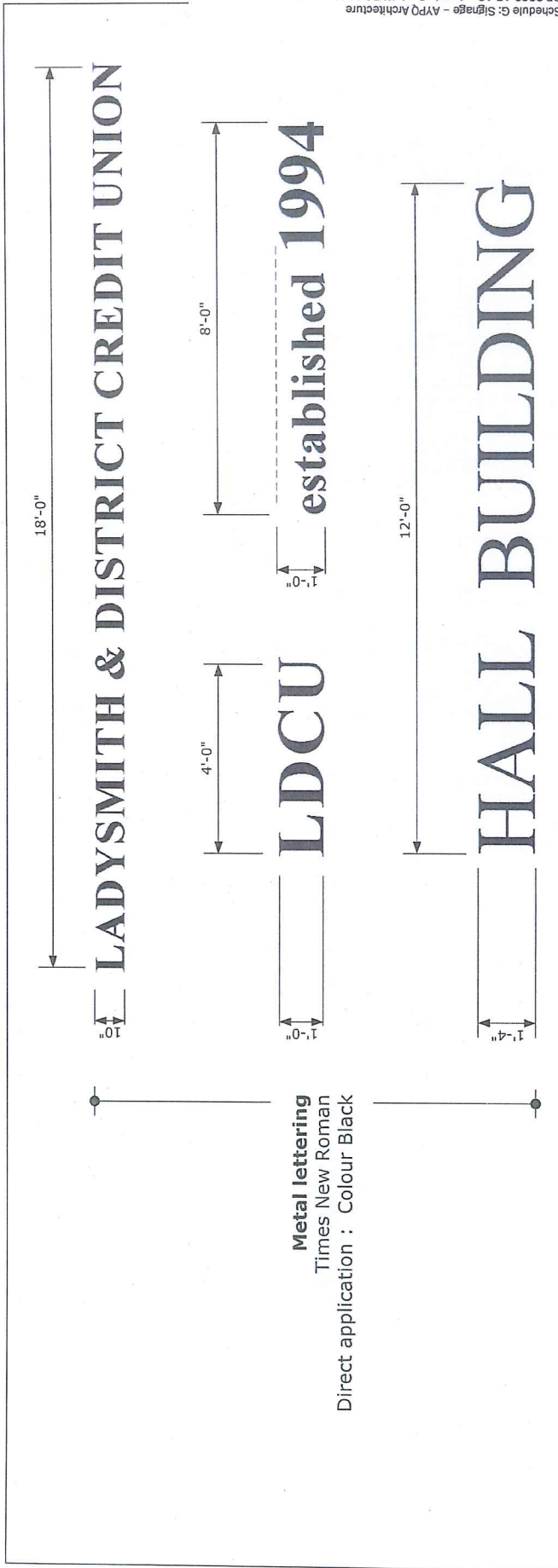


Stone
Adera Limestone
Broadstreet honed

Schedule D: Materials - AYPQ Architecture
 DP 3060-15-12 - Angela Quek (AYPQ Architecture) - applicant
 318, 320, 324 & 330 First Avenue - Ladysmith & District Credit Union

AYPQ Architecture
 13270 Doole Road, Ladysmith BC V9G 1G6
 t. 250 245 7555 f. 7565 info@aypqarchitecture.com

MATERIALS
 LADYSMITH & DISTRICT CREDIT UNION - A Renovation / Addition

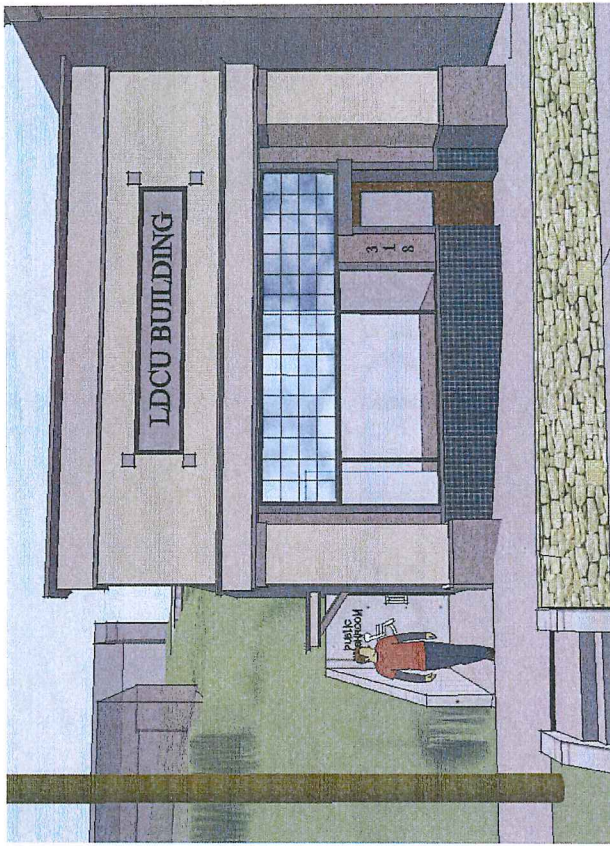


Schedule G: Signage - AYPQ Architecture
DP 3060-15-12 - Angela Quek (AYPQ Architecture) - applicant
318, 320, 324 & 330 First Avenue - Ladysmith & District Credit Union

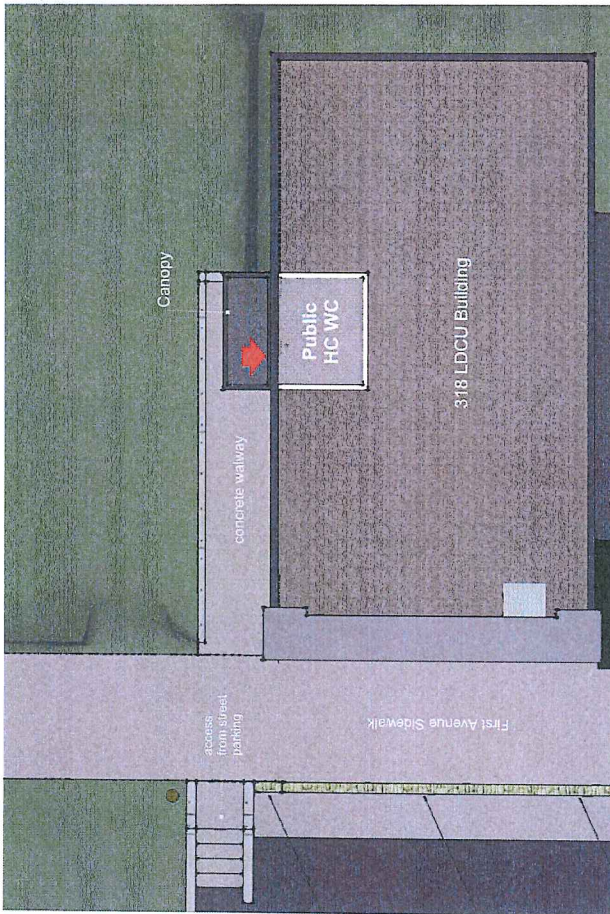
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Signage
LADYSMITH & DISTRICT CREDIT UNION - A Renovation / Addition

AYPQ Architecture
13270 Doole Road, Ladysmith BC V9G1G6
t. 250 245 7555 f. 7565 info@aypqarchitecture.com



Front View



Plan View

Schedule H Public Washroom - AYPQ Architecture
 DP 3060-15-12 - Angela Quek (AYPQ Architecture) - applicant
 318, 320, 324 & 330 First Avenue - Ladysmith & District Credit Union

A
 013
 1/1/2018 15:07:03

Public Washroom

LADYSMITH & DISTRICT CREDIT UNION - A Renovation / Addition

AYPQ Architecture
 13270 Doole Road, Ladysmith BC V9G 1G6
 t. 250 245 7555 f. 7565 info@aypqarchitecture.com

TOWN OF LADYSMITH

BYLAW NO. 1897

A bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

(1) Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) Section 11.2 Downtown Commercial (C-2) is amended by adding new site specific regulations to Section 11.2 (10) as follows:

(i) The following is added to the end of Section 11.2(10):

“(d) For the *Land* consisting of the *Parcels* legally described as:

Lot 5, Block 5, District Lot 24, Oyster District, Plan 703-A (934 Esplanade); and Lot 6, Block 5, District Lot 24, Oyster District, Plan 703-A (940 Esplanade)

Motor Vehicles Sales or Rental is a permitted *Principal Use* subject to the following conditions:

a) A maximum of fifteen vehicles is permitted for outdoor display; and

b) The outdoor display area may be located between the *Exterior Side* and *Front Parcel Line* and the front face of the *Principal Building or Structure*; and

c) The outdoor display area is subject to the requirements of DPA 2 ‘Downtown’ as well as the landscape guidelines in DPA 3 ‘Commercial’ to create an attractive, welcoming view from the Trans Canada Highway.”

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 3), 2015, No. 1897”.

READ A FIRST TIME on the 13th day of October, 2015

READ A SECOND TIME on the 13th day of October, 2015

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

on the 2nd day of November, 2015

READ A THIRD TIME on the 2nd day of November, 2015

APPROVED UNDER THE TRANSPORTATION ACT on the 17th day of November, 2015.

ADOPTED on the _____ day of _____,

Approved under the Transportation Act

this 17th day of Nov. 2015

D. O'Brien

**District Development Technician
Ministry of Transportation and Infrastructure**

Mayor (A. Stone)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1891

A Bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Official Community Plan Bylaw 2003, No. 1488".

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

1. Town of Ladysmith Official Community Plan is hereby amended as set out in Schedule 1 to this Bylaw.

CITATION

2. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 46) 2015, No. 1891".

READ A FIRST TIME on the 28th day of September, 2015

READ A SECOND TIME on the 28th day of September, 2015

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

on the 7th day of December, 2015

READ A THIRD TIME as amended on the 7th day of December, 2015

ADOPTED on the day of

Mayor (A. Stone)

Corporate Officer (S. Bowden)

Bylaw No. 1891 – Schedule 1

1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:
- a) Section 3.1.4 – Growth Management Policies is amended by adding two new policies, as follows:
- “17. The approval of infill or new subdivisions shall consider potential impacts on existing neighbours of the proposed development and new residents or users of the development.
18. The Approving Officer shall consider the Official Community Plan and Area Plans in the review of subdivision applications.”
- b) Section 3.3.3 - Environment Policies is amended by adding a new policy, as follows:
- “24. The Town will commission an Environmental Impact Study (Stage 2) after completion of the upgrades to the secondary treatment at the Waste Water Treatment Plant in order to evaluate the need for advanced treatment and/or extension of the outfall beyond the embayed area of Ladysmith Harbour.”
- c) Section 3.7.3 - Infrastructure Policies is amended, as follows:
- (i) Deleting Policy 2 in its entirety and replacing it with:
- “2. Water conservation measures to reduce demand on the Town’s water supply will include the adoption of a water use efficiency policy; education, awareness and incentive programs; a bylaw to require low-flush toilets for new construction; audits of large commercial/industrial/institutional water users; a program to retrofit low use water fixtures to existing buildings; and universal water metering.”*
- (ii) Deleting Policy 4 in its entirety and replacing it with:
- “4. The Town will upgrade the existing central wastewater treatment facilities to provide secondary treatment to conserve the Town’s investment in the existing sewer collection system.”*
- (iii) Adding to the end of Policy 5 “and prepare a storm drainage bylaw” so that the policy reads:
- “5. Incorporate a review of storm water retention / detention alternatives and erosion control practices for protection of fish-bearing watercourses, as well as reduction of property damage from rainfall events, into the Town’s engineering standards and prepare a storm drainage bylaw.”*
- (iv) Adding two new policies after Policy 9, as follows:
- “10. The preferred long-term approach for bio-solids management is to transport waste primary and secondary solids produced at the Waste Water Treatment Plant to a regional composting facility to be constructed by others. In the interim, the Town may construct its own composting facility.*
- 11. A sanitary sewer protection bylaw will be developed to prevent the discharge of harmful contaminants to the sanitary sewer and storm drainage systems, as well as conducting an inventory of industrial/ commercial/ institutional discharges, a public education program, and a monitoring and enforcement program for the sanitary sewer protection bylaw.”*
- d) Section 3.8.3 - Temporary Use Permits is deleted in its entirety and replaced with:
- “Temporary Use Permits are included in the Plan as an interim (short term) alternative for proposed new land uses that may not warrant a change to the land use designation or zoning of land. Temporary uses are typically of a trial/interim use nature, or are a seasonal/occasional use. Temporary use permits may be issued for new land uses on specific properties which are not otherwise allowed by a land use designation in this Plan or in a land use zone*

in the Zoning Bylaw. Conditions may be specified by Council respecting any required changes to the property to allow the temporary use, and any restoration to the property following expiration of the permit. A temporary use permit can be issued for a maximum of three years, with one renewal of the permit for up to an additional three years.

- e) Section 4.4 Implementation Tools is amended by adding to the end of the section:

*“Liquid Waste Management Plan (2013):
The Liquid Waste Management Plan (LWMP) provides the strategies for wastewater management and financial commitments and schedule for LWMP implementation over the next 20 to 30 years. The LWMP addresses existing and future development, including servicing of areas not yet connected to the central or other planned waste water collection systems, greenfield developments, and potential boundary expansions.”*
 - f) OCP Map 2 - Development Permit Areas is amended by placing “Development Permit Area 4 - Multi-Unit Residential (DPA 4)” on the property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue).
2. Schedule “A.1” – “Town of Ladysmith Development Permit Areas” is amended as follows:
- a) The Introduction is amended by deleting section (3) in its entirety and replacing it with:

“3. A development permit is required prior to the commencement of the following activities:

 - a) Subdivision of land in Riparian (DPA 6), Hazard Lands (DPA 7), and Malone Road Multi-Unit Residential (DPA 8);*
 - b) Construction of, addition to or alteration of a building or other structure in all Development Permit Areas; and*
 - c) Alteration of land, or removal, alteration, disruption or destruction of vegetation or disturbance of soils in Waterfront (DPA 1), Multi-Unit Residential (DPA 4), Riparian (DPA 6), Hazard Lands (DPA 7), and Malone Road Multi-Unit Residential (DPA 8).”*
 - b) Clarifying in Exemption (4)(a) that a coach house conversion requires a development permit, by adding the following to the end of clause (a):

“..., except that pursuant to section 3(b), the conversion of an accessory building for coach house dwelling use requires a development permit;”
 - c) Amending Exemption (4)(h) such that a development permit is required where the proposed activity constitutes an alteration of land in Multi-Unit Residential DPA 4 by deleting the following from clause (g):

“..., Multi-Unit Residential (DPA 4)”
 - d) Adding the following clauses to the list of development permit Exemptions in section (4):

*“j) removal of trees deemed to be hazardous by a qualified arborist;
k) landscape maintenance and improvements that do not change the character of the landscaping; and
l) demolition of buildings or structures.”*
 - e) Amending Development Permit Area 2 - Downtown by:
 - (i) Adding the following sentences about fence materials to Section 13 – Landscape after the first sentence in Guideline (c):

“Fence material should have a wrought iron appearance. Chain-link fencing is not an acceptable material, except for vinyl-wrapped fencing which may be considered for the interior fencing of outdoor storage areas. Solid masonry-style walls may be considered at a pedestrian friendly (low) scale for parking areas.”

- (ii) Adding the following sentence about the location of shade trees to Section 13 – Landscape at the end of Guideline (f):
“The location of shade trees shall consider the orientation of the parking area at peak sunshine hours and will maximize shade provided by the tree canopy to parking spaces.”
- f) Amending Development Permit Area 3 – Commercial by adding the following sentence about the location of shade trees to Section 13 – Landscape at the end of Guideline (h):
“The location of shade trees shall consider the orientation of the parking area at peak sunshine hours and will maximize shade provided by the tree canopy to parking spaces.”
- g) Amending Development Permit Area 4 - Multi-Unit Residential by:
- (i) Adding the following sentence to the end of the first paragraph:
“In DPA 4 a development permit is also required prior to the alteration of land or removal, alteration, disruption or destruction of vegetation or disturbance of soils.”
- (ii) Adding to Section 12 – Landscape the following sentence about the location of shade trees to the end of Guideline (k):
“The location of shade trees shall consider the orientation of the parking area at peak sunshine hours and will maximize shade provided by the tree canopy to parking spaces.”
- h) Amending Development Permit Area 5 – Industrial by:
- (i) Deleting the words “...Ladysmith’s residential neighbourhoods.” and replacing them with “ the industrial area.” in Guideline 2(c).
- (ii) Adding to Section 11 – Landscape the following sentence about the location of shade trees to the end of Guideline (f):
“The location of shade trees shall consider the orientation of the parking area at peak sunshine hours and will maximize shade provided by the tree canopy to parking spaces.”
- i) Amending Development Permit Area 10 - Coach House Intensive Residential by:
- (i) Adding the following sentence to the end of the first paragraph:
“In DPA 10 a development permit is also required prior to the conversion of an accessory building for coach house dwelling use.”
- (ii) Deleting Guideline (i) of Section 1 – Building Character and Design in its entirety and replacing it with the following:
“(i) Upper level balconies and decks shall be modest in size and not cause overlook. Juliet-style balconies are preferred. Flat roofs may not be used for roof deck areas.”

TOWN OF LADYSMITH

BYLAW NO. 1898

A Bylaw to Provide for the Borrowing of Money in Anticipation of Revenue

WHEREAS the Town of Ladysmith does not have sufficient money on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the *Community Charter* that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year

AND WHEREAS the total amount of liability that Council may incur is five million and three hundred thousand dollars (\$5,300,000);

AND WHEREAS there are no liabilities outstanding under Section 177;

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

1. This bylaw may be cited as "Revenue Anticipation Borrowing Bylaw No. 1898, 2015."
2. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the Town of Ladysmith an amount or amounts not exceeding the sum of five million three hundred thousand dollars (\$5,300,000).
3. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the authorized Signing Officers.
4. All unpaid taxes and the taxes of the current year when levied or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

READ A FIRST TIME on the 7th day of December, 2015

READ A SECOND TIME on the 7th day of December, 2015

READ A THIRD TIME on the 7th day of December, 2015

ADOPTED on the day of , 2015

Mayor
(A. Stone)

Director of Corporate Services
(S. Bowden)

THIS AGREEMENT made the _____ day of _____, 2015

BETWEEN: TOWN OF LADYSMITH
Box 220, 410 Esplanade, Ladysmith, British Columbia, V9G 1A2
(hereinafter called the "Town")

AND: LADYSMITH CHAMBER OF COMMERCE
Box 598 Ladysmith, British Columbia, V9G 1A4
(hereinafter called the "Chamber")

In consideration of the mutual promises hereinafter appearing, the parties hereto covenant and agree each with the other as follows:

1. The Chamber shall during all business hours, including weekends as appropriate, from January 1, 2016 to December 31, 2016 (the "Term") operate and maintain a Visitor Information Centre at 33 Roberts Street, Ladysmith, B.C., and provide therein visitor information on Ladysmith including without limitation:
 - a) Responding to drop-in, telephone and website inquiries as well as mailing out information as appropriate;
 - b) Maintaining an adequate supply of current, relevant information and publications for visitor information;
 - c) Ensuring that a community calendar of events is kept current on the Chamber's website, is easily linked to other community websites and is available for use by all groups in the community;
 - d) Reporting to the Town Council on a semi-annual basis, and from time to time as required by Town Council and staff;
 - e) Maintaining and cleaning the visitor information office, including a public washroom, to a standard reasonably required by the Town;

2. The Chamber shall, during the term of the contract, operate and maintain information and support services for local businesses including without limitation:
 - a) Hosting speakers at monthly meetings that will support small business capacity building in Ladysmith;
 - b) Provision of a Business Centre to support new and existing businesses in Ladysmith;
 - c) Working collaboratively with the Town and the Ladysmith Downtown Business Association to support existing and new businesses in Ladysmith. For 2016, there is agreement that there will be additional emphasis on this provision;
 - d) Liaising with the Town during filming to manage communications with the local business community;
 - e) Assisting, as and when requested, with the collection of business licences in Ladysmith and;
 - f) Co-ordinating workshops to support local business in Ladysmith.

3. In consideration for the Chamber supplying the aforementioned services, the Town shall pay to the Chamber an annual sum of \$35,000.00 (plus applicable taxes) paid in equal quarterly installments on the first business day following: January 1, April 1, July 1, October 1, 2016.
4. The Town agrees to pay \$700 (plus applicable taxes) towards the monthly lease payments for the premises occupied by the Visitor Information Centre. The lease for the premises shall be in the name of the Chamber of Commerce (the lessee) and the Town (the lessor).
5. The Town may terminate this Agreement if the Chamber is in breach of any obligations herein and does not remedy such breach within 15 days written notice by the Town to the Chamber in respect of such breach.
6. Provided neither party is in breach of any of the terms or conditions of this agreement, this agreement may be extended at the end of its term for a further period of one year on terms acceptable to both parties.
7. Time is of the essence with this Agreement. This Agreement constitutes the entire agreement between the parties hereto in respect of the Visitor Information Centre and the services described herein. This Agreement may not be amended by the parties hereto other than by written agreement mutually agreed to by both parties.

IN WITNESS WHEREOF each of the parties hereto has executed this Agreement under the hands of their proper officers duly authorized in that behalf.

LADYSMITH AND DISTRICT)
 CHAMBER OF COMMERCE)
)
)
)
 _____)
 Authorized Signatory)
)
)
 _____)
 Authorized Signatory)

THE TOWN OF LADYSMITH)
 seal was affixed in the presence of:)
)
)
 _____)
 Mayor)
)
)
 _____)
 Director of Corporate Services)