

**A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, SEPTEMBER 18, 2017
7:00 P.M.**

**Call to Order and Closed Meeting
5:00 p.m.
Regular Open Meeting
7:00 p.m.**

A G E N D A

CALL TO ORDER (5:00 P.M.)

1. CLOSED SESSION

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

- Various matters related to section 90(1)(e) -- 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 – Section 90 (1)(c)

REGULAR MEETING (7:00 P.M.)

2. AGENDA APPROVAL

3. RISE AND REPORT – Items from Closed Meeting

4. MINUTES

- 4.1. Minutes of the Regular Meeting of Council held August 21, 2017..... 1 - 8

5. DELEGATIONS

- 5.1. Gerry Yellowlees, Ladysmith Air Cadet Leader and Kae Griffin
Duke of Edinburgh Award – Air Cadets Bronze Award Certificate



6. PROCLAMATIONS

- 6.1. International Day of Older Persons 9**
Mayor Stone has proclaimed October 1 as International Day of Older Persons and encourages all citizens to recognize the crucial role played by older Canadians in our community.
- 6.2. United Way Month..... 10**
Mayor Stone has proclaimed the month of October as United Way Month, and encourages all citizens to remember that it takes every part of the community – individuals, businesses and organizations – to supply the passion, expertise and resources needed to create lasting change to improve lives and build stronger communities.

7. DEVELOPMENT APPLICATIONS

- 7.1. Official Community Plan (OCP) and Zoning Amendment Application
Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky
Creek Rd) 11 - 21**

Staff Recommendation:

That Council:

1. Consider the application to amend the Official Community Plan and Zoning Bylaw to permit light industrial use with coffee shop, limited retail sales, convenience store, and drive through services on the property legally described as Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky Creek Rd.).
2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to:
 - a) refer the OCP amendment application 3360-17-05 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding; and
 - b) refer application 3360-17-05 to the Advisory Planning Commission for review and comment.
3. Direct that staff work with the applicant to complete a Traffic Study, which complies with the Traffic Study terms of reference, pursuant to the Development Approval Information Bylaw No. 1887; and report the results to Council prior to staff commencing the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-17-05.

4. That staff work with the applicant (3360-17-05) to define the amenities offered and to replace Covenance FB234682.

8. BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING) - None

9. REPORTS

- 9.1. Bylaw 1932 Amending Subdivision and Development Servicing Bylaw No. 1834..... 22 - 24**

Staff Recommendation:

That Council proceed with first and second reading of “Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834, Amendment Bylaw 2017, No. 1932” (under the Bylaws section of the agenda).

- 9.2. Frank Jameson Community Centre Repairs..... 25 - 27**

Staff Recommendation:

That Council authorize:

1. Reallocating unspent Frank Jameson Community Centre dressing room and sauna heater funds to fund the water main valve project;
2. Additional funds up to \$39,000 to be funded from Parks, Recreation and Culture Appropriated Equity and Water Reserves for the additional repairs at Frank Jameson Community Centre, and;
3. Staff to amend the Financial Plan.

- 9.3. Biosolids Update..... 28 - 30**

Staff Recommendation:

That Council receive the information regarding the Bio-solids budget.

- 9.4. Recommendations from the Municipal Services Committee Meeting held August 14, 2017 31**

A recommendation from the August 14, 2017 Municipal Services meeting was missing from the August 21st Council agenda and has been included in this package for approval.

Recommendation:

That Council approve the amended purchasing policy. which includes a provision for Social Procurement.

9.5. Recommendations from the Municipal Services Committee Meeting held September 11, 2017 32 - 33

Recommendation:

That Council:

1. Direct staff to:
 - a) Provide a Permissive Tax Exemption to all properties currently on the 2017 Permissive Tax Exemptions Bylaw 2016, No. 1915 with the addition of the property at 314 Buller Street; and
 - b) Not include the fully exempt properties on the water parcel tax or the sewer parcel tax; and
 - c) Prepare the Permissive Tax Exemption Bylaw for 2018.

2. Approve the amended Travel Expense Policy.

3. Direct staff to:
 - A. Prepare a bylaw to amend the Town of Ladysmith Zoning Bylaw 2014, No. 1860 as follows:
 - In the Single Dwelling Residential – Holland Creek Area (R-1-HCA) zone:
 - i. amend the permitted parcel coverage from 33% to 35% for parcels 560 m² or less in size; and
 - ii. remove the finished floor area maximum.
 - In the Single Dwelling Residential – Small Lot B Zone (R-1-B) remove the maximum finished floor area requirement.
 - B. Refer the proposed zoning amendments to the Advisory Planning Commission for review.

4. Not support the Festival of Lights proposal for a light-up decoration on the Ladysmith 'Heritage by the Sea' gateway sign in Bob Stuart Park as the Ministry of Transportation and Infrastructure is concerned about safety and driver distraction at the intersection.

5. Direct staff to use the following terms of reference to guide the upcoming review of the Town of Ladysmith Commission and Committee Structure:
 - Analysis of best practices from other local governments
 - Discussions with Council and community members about the value of committee involvement
 - A review of current committees and commissions, their mandates and membership, the ongoing relevance and/or contribution of existing commissions/committees

- Means of recruiting community members
- A review of gaps or opportunities for community involvement (both through formal commissions/committees, Council liaison appointments, and/or other means)

6. Direct staff to develop recommendations for public awareness strategies and other measures to discourage illegal dumping of garbage.

9.6. Recommendations from the Heritage Revitalization Advisory Commission Meeting Held May 25, 2017 34

Recommendation:

That Council approach the Archdiocese about retaining any of the stained glass windows not being utilized from St. John’s Anglican Church, especially those with local significance, and in the event that the building is demolished, that Council seek the retention of the steeple and bell.

9.7. Recommendations from the Heritage Revitalization Advisory Commission Meeting Held July 19, 2017 35

Recommendation:

That Council support the exploration by the Heritage Revitalization Advisory Commission and Ladysmith and District Historical Society into heritage protection of the historical Machine Shop building, the surrounding buildings and site.

10. BYLAWS

10.1. Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834, Amendment Bylaw 2017, No. 1932 36 - 38

The purpose of Bylaw 1932 is to amend the Subdivision and Development Servicing Bylaw to allow for a reduction in the curb, sidewalk, and street tree standard for single family developments involving a single lot in existing neighbourhoods to match the existing standard of the neighbourhood.

Staff Recommendation:

That Council proceed with first and second readings of Town of Ladysmith Subdivision and Development Serving Bylaw 2013, No. 1834, Amendment Bylaw 2017, No. 1932.

10.2. Town of Ladysmith 2018 Permissive Tax Exemptions Bylaw 2017, No. 1935.. 39 - 48

The purpose of Bylaw 1935 is to exempt from taxation certain buildings, the lands on which the buildings stand and the lands surrounding certain buildings.

Council will recall that at the September 11th Municipal Services Meeting they passed the following resolution:

That the Committee recommend that Council direct staff to:

1. Provide a Permissive Tax Exemption to all properties currently on the 2017 Permissive Tax Exemptions Bylaw 2016, No. 1915 with the addition of the property at 314 Buller Street; and
2. Not include the fully exempt properties on the water parcel tax or the sewer parcel tax; and
3. Prepare the Permissive Tax Exemption Bylaw for 2018.

Staff Recommendation:

That Council proceed with first three readings of Town of Ladysmith 2018 Permissive Tax Exemption Bylaw 2017, No. 1935.

11. CORRESPONDENCE –none

12. NEW BUSINESS

12.1. MIABC Voting Delegation

Staff Recommendation:

That Council appoint Mayor Stone as the voting delegate and Councillors Friesenhan and Arnett as alternate voting delegates to attend the 30th Annual General Meeting of the Municipal Insurance Association of BC's (MIABC's) Subscribers on Tuesday, September 26th during the Union of British Columbia Municipalities Convention.

13. UNFINISHED BUSINESS

14. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during "Question Period" must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.

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

ADJOURNMENT

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, AUGUST 21, 2017
CALL TO ORDER 5:01 P.M.
COUNCIL CHAMBERS, CITY HALL**

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:

Guillermo Ferrero	Felicity Adams	Erin Anderson
Geoff Goodall	Clayton Postings	Joanna Winter
Sue Bouma		

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:01 p.m.

CLOSED SESSION

CS 2017-247

Moved and seconded:

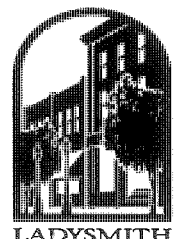
That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:01 p.m. in order to consider items related to the following:

- Various matters related to section 90(1)(e) -- 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;
- Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality – Section 90 (1)(a);
- Provision of a municipal service - Section 90 (1) (k)

Motion carried.

REGULAR MEETING

Mayor Stone called this regular meeting of Council to order at 7:04 p.m., recognizing the traditional territory of the Stz'uminus First Nation, acknowledging 5,500 years of history and stewardship and expressing gratitude to be here.



AGENDA APPROVAL

CS 2017-248

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council as amended by the following supplemental agenda items:

- Replace recommendation 1 of item 9.6., "Recommendations from the Municipal Services Committee Meeting held August 14, 2017" with the recommendations from item 9.6 on the supplemental agenda.
- Add item 13.3., "Purchase of a New Fire/Rescue Apparatus"
- Add item 13.4, "Water Filtration Plant - Grant Deadline Extension"

Motion carried.

MINUTES

CS 2017-249

Moved and seconded:

That Council approve the minutes for the following meetings:

- the July 17, 2017 Regular Meeting of Council
- the July 31, 2017 Special Meeting of Council
- the August 3rd Special Meeting of Council

Motion carried.

DEVELOPMENT APPLICATIONS

CS 2017-250

High Street Intensive Residential Development Permit

Moved and seconded:

That Council:

1. Issue Development Permit 3060-17-11 for four residential parcels on High Street (Lots 1, 2, 3 & 4, Block 124, District Lot 56, Oyster District, Plan 703A); and
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

Motion carried.

Zoning Bylaw and Official Community Plan Amendment Application

1142 Rocky Creek Rd. (Ladysmith & District Credit Union, J. de Leeuw)

Moved and seconded:

CS 2017-251

That Council:

1. Consider the application to amend the Official Community Plan (OCP) and Zoning Bylaw to permit light industrial use on the properties legally described as Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132-1142 Rocky Creek Rd.).
2. Having given consideration to s. 475 of the Local Government Act (consultation during OCP development) direct staff to:

- (a) refer the OCP amendment application 3360-17-03 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding; and
 - (b) refer application 3360-17-03 to the Advisory Planning Commission for review and comment.
3. Direct staff to work with the property owner of the adjacent property (1130 Rocky Creek Rd.) in order to develop a comprehensive zoning solution for all of the properties in the CD-1 Zone, and if a rezoning proceeds for 1130 Rocky Creek Rd. require that the applicants host a neighbourhood information meeting to advise the community of the proposed changes for all parcels in the CD-1 Zone.
 4. Direct staff to commence the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-17-03.
 5. Approve of the discharge of covenant FB234682 and development permit EP096966 from the title of Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132-1142 Rocky Creek Rd.) if the rezoning is approved; and authorize the Mayor and Corporate Officer to execute the discharge documents.

Motion carried.

REPORTS

CS 2017-252

Allocate Proceeds from Real Property Sales

Moved and seconded:

That Council:

- 1) Allocate a portion of the proceeds from the recent property sales to satisfy the remaining debt on the Buller Street properties; and
- 2) Direct staff to amend the Financial Plan accordingly.

Motion carried.

CS 2017-253

Water Treatment Plan – Membrane Award

Moved and seconded:

That Council award the water treatment plant membrane tender to GE Power & Water for a total contract price of \$1,450,000.

Motion carried.

CS 2017-254

Clarke Road Storm Water System

Moved and seconded:

That Council:

1. Approve spending up to \$50,000 for the replacement of the storm water system on lower Clarke Road with the funding to come from Gas Tax and any savings from the Rocky Creek Storm

Water Project;

2. Amend the Financial Plan accordingly.
3. Waive the purchasing policy and direct staff to award the design of the storm water system on Clarke Road to Newcastle Engineering for a cost estimated at \$10,000.
4. Direct staff to include the construction of the works in the developers' tendered works.

Motion carried.

Recommendations from the Municipal Services Committee Meeting held June 12, 2017

Moved and seconded:

That Council direct staff to:

CS 2017-255

1. Conduct a public consultation with Town residents on the desirability and possible content of an amendment to the "Animal and Poultry Bylaw 1994, No. 1136" to allow the keeping of hens on residentially zoned properties in the Town of Ladysmith.
2. Bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.
3. Work with School District 68 to explore options for daycare facilities in Ladysmith.
4. Explore options to establish a Child Development Centre in conjunction with provincial, school district and regional agencies.
5. Add to upcoming discussions with School District 68 options for increasing daycare space for children aged 0 to 6 years old.
6. Refer the role of the Finnish Community in Ladysmith's heritage to the Heritage Revitalization Advisory Commission to investigate ways to promote and celebrate that community.
7. Investigate and present options for design, cost and public consultation for a diversity square.
8. Paint the memorial benches at First Avenue and Gatacre Street in rainbow colours; and place a plaque of commemoration and appreciation for the Childs family on the bench, with funds of up to \$500 to come from the public relations budget.

Motion carried.

Recommendations from the Municipal Services Committee Meeting held July 10, 2017

Moved and seconded:

CS 2017-256

That Council request that Mayor Stone discuss the effects of closing First Avenue for Community festivals and events at an upcoming

meeting with the Ladysmith Chamber of Commerce and the Ladysmith Downtown Business Association for feedback.

AMENDMENT

Moved and seconded:

CS 2017-257

That Resolution CS 2017-257 be amended to read as follows:
That Council request that Mayor Stone discuss the effects of closing First Avenue for Community festivals and events with the Ladysmith Chamber of Commerce, the Ladysmith Downtown Business Association and the community organizations that put on events for feedback.

Amendment carried.

Motion as amended carried.

Moved and seconded:

CS 2017-258

That Council request that staff utilize Placespeak to seek community opinion regarding the effects of street closures for special events.

Motion carried.

Recommendations from the Municipal Services Committee Meeting held August 14, 2017

Moved and seconded:

CS 2017-259

That Council:

1. a) Update the Toilet Rebate Program to include a varying rebate depending on the water efficiency of the toilet, as:
 - single 6 litre flush rebate at minimum of \$75.00; or a
 - dual flush 4.1/6 litre rebate at a minimum of \$75.00.
- b) Confirm the lifetime maximum of 2 rebates per residence or business.
- c) Require proof of proper disposal of a 13L or greater toilet.
2. a) Direct staff to investigate the feasibility and recommend a phased approach for replacing current street lights with LED units; and
- b) Direct staff to investigate the feasibility of installing Town-owned streetlights instead of using BC Hydro poles; and
- c) Request that BC Hydro improve its response time for repairing burnt out streetlights.

Motion carried.

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

CS 2017-260

Moved and seconded:

That Council direct staff to investigate the Festival of Lights Society's proposal to build a permanent structure promoting Light Up above the "Ladysmith Heritage by the Sea" sign at the north end of Bob Stuart Park and advise Council.

Motion carried.

Councillor Paterson returned to the meeting.

CS 2017-261

Moved and seconded:

That Council:

1. Provide the 2017 BC Summer Games Cowichan Board with a letter confirming that the Town will host as part of the upcoming summer games in 2018, Baseball (Holland Creek), Field Lacrosse (Forrest Field) and Beach Volleyball (Transfer Beach) and that the Town will cover costs associated with preparing these sites for the games; and
2. Direct staff to update the 2017-2021 financial plan and provide early budget approval for the 2018 costs associated with the BC Summer Games venues.

Motion carried.

BYLAWS

Town of Ladysmith Parks Usage Bylaw 2016, No. 1933

Moved and seconded:

CS 2017-262

That Council adopt Town of Ladysmith Parks Usage Bylaw 2017, No. 1933.

Motion carried.

CORRESPONDENCE

Sheila Malcolmson, Member of Parliament

Request for Endorsement Letter for Derelict and Abandoned Vessels Private Members Bill C-352

Moved and seconded:

CS 2017-263

That Council provide an endorsement letter for Derelict and Abandoned Vessels Private Members Bill C-352, which would amend the Canada Shipping Act, 2001 and provide for the development of a national strategy for abandoned vessels, fix vessel registration, pilot a vessel turn-in program, create good green jobs by supporting local marine salvage businesses and vessel recycling, and make Coast Guard responsible for directing the removal of abandoned vessels.

Motion carried.

UNFINISHED

Sale of Closed Portion of Clarke Road

BUSINESS

CS 2017-264

Moved and seconded:

That Council approve the agreement for purchase and sale of the closed portion of Clarke Road to Robert and Nicolette MacCallum, and authorize the Mayor and Corporate Officer to execute the agreement and related documents.

Motion carried.

CS 2017-265

Town of Ladysmith 2016 Annual Report

Moved and seconded:

That Council approve the Town of Ladysmith 2016 Annual Report.

Motion carried.

CS 2017-266

Purchase of a New Fire/Rescue Apparatus

Moved and seconded:

That Council:

1. Rescind resolution CS 2017-202;
2. Confirm its intent to seek elector approval by Alternative Approval Process to borrow funds to acquire a new Fire/Rescue Apparatus;
3. Upon the receipt of elector approval, direct staff to award the contract for the purchase of a new Ladysmith Fire/Rescue Apparatus to Fort Garry Fire Trucks in the amount of \$637,581.00 plus applicable taxes.
4. Direct staff to amend the 2017 to 2021 Financial Plan to update the purchase price of the new Fire/Rescue Apparatus.

Motion carried.

CS 2017-267

Water Filtration Plant – Grant Deadline Extension

Moved and seconded:

That Council:

1. Approve the amendment to the Clean Water and Wastewater Fund Agreement granting an extension to the project completion date from March 31, 2018 to March 31, 2019;
2. Authorize the Mayor and Corporate Officer to execute the amendment; and
3. Amend the Financial Plan accordingly.

Motion carried.

QUESTION PERIOD

Members of the public enquired about surveying a portion of land near Transfer Beach Park, smoking bylaws in relation to marihuana, the allocation of the proceeds from the sale of 900 Russell Road, and the potential for booking conflicts at Transfer Beach during the BC Summer Games.

CLOSED SESSION
CS 2017-268

Moved and seconded:
That this meeting of Council recess at 8:16 p.m., and that it reconvene in closed session.
Motion carried.

RISE AND REPORT

Council rose from Closed Session at 8:43 p.m. with report on the following:
Council made the following appointments to Town Commissions and Committees for two-year terms ending June 30, 2019:

- **Advisory Design Panel - 3 vacancies**

Lorne Raymond Shaw	new application
Lacey McRae Williams	new application
Michelle Munro	new application

- **Advisory Planning Commission - 1 vacancy**

Duncan Brian McLaurin	existing member
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- **Heritage Revitalization Advisory Commission - 2 vacancies**

Marnie Craig	existing member
Bernardien Knol	new application

ADJOURNMENT

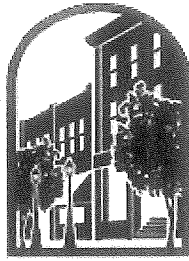
CS 2017-269

Moved and seconded:
That this Meeting of Council adjourn at 8:44 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



LADYSMITH

TOWN OF LADYSMITH

PROCLAMATION

INTERNATIONAL DAY OF OLDER PERSONS

WHEREAS: *On October 1, communities across Canada will join together to recognize International Day of Older Persons; and*

WHEREAS: *Seniors in Ladysmith are present in all aspects of our lives: they are our parents, our grandparents, our teachers, our volunteers, our mentors, our neighbours and our coworkers; and*

WHEREAS: *The International Day of Older Persons focuses not only on celebrating and recognizing the contributions made by seniors to better their communities, families and workplaces, but in enabling and expanding their contributions; and*

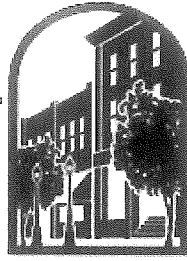
WHEREAS: *Every day, seniors right here in Ladysmith make a big difference, and we value what they are doing;*

THEREFORE, *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim October 1st, 2017, as International Day of Older Persons in the Town of Ladysmith, British Columbia. I urge my fellow citizens to recognize the crucial role played by older Canadians in our community.*



Mayor A. Stone

September 17, 2017



LADYSMITH

TOWN OF LADYSMITH

PROCLAMATION

UNITED WAY MONTH

WHEREAS: *The Town of Ladysmith hopes that all of its citizens enjoy healthy, meaningful lives; and*

WHEREAS: *the United Way advances the common good by creating opportunities for a better life for everyone; and*

WHEREAS: *the United Way provides leadership and promotes volunteerism in all segments of the community; and*

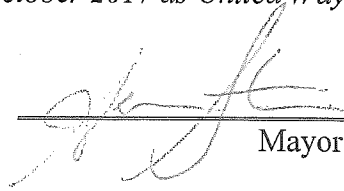
WHEREAS: *The United Way provides funding for local programs in our community; and*

WHEREAS: *These health and social programs help to improve the quality of life in our community; and*

WHEREAS: *It takes every part of the community – individuals, businesses and organizations – to supply the passion, expertise and resources needed to create lasting change to improve lives and build stronger communities; and*

WHEREAS: *the United Way kicks off its annual campaign every fall in order to support those efforts;*

THEREFORE, *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim the month of October 2017 as United Way Month.*



Mayor A. Stone

September 18, 2017

STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
Meeting Date: September 18, 2017
File No: 3360-17-05

RE: Official Community Plan (OCP) and Zoning Amendment Application
Subject Property: Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248
(1130 Rocky Creek Rd.)

RECOMMENDATION(S)

THAT Council:

1. Consider the application to amend the Official Community Plan and Zoning Bylaw to permit light industrial use with coffee shop, limited retail sales, convenience store, and drive through services on the property legally described as Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky Creek Rd.).
2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to:
 - a) refer the OCP amendment application 3360-17-05 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding; and
 - b) refer application 3360-17-05 to the Advisory Planning Commission for review and comment.
3. Direct that staff work with the applicant to complete a Traffic Study, which complies with the Traffic Study terms of reference, pursuant to the Development Approval Information Bylaw No. 1887; and report the results to Council prior to staff commencing the preparation of the Official Community Plan (OCP) amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-17-05.
4. That staff work with the applicant (3360-17-05) to define the amenities offered and to replace Covenant FB234682.

PURPOSE

The purpose of this staff report is to introduce an application to amend the Official Community Plan (OCP) and Zoning Bylaw to permit light industrial use with coffee shop, limited retail sales, convenience store, and drive through services at 1130 Rocky Creek Road and to seek direction from Council regarding consultation and next steps.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

Resolution	Meeting Date	Resolution Details
CS 2017-251	Aug-21-2017	Direct staff to work with the property owner of the adjacent property (1130 Rocky Creek Rd.) in order to develop a comprehensive zoning solution for all of the properties in the CD-1 Zone, and if a rezoning proceeds for 1130 Rocky Creek Rd. require that the applicant host a neighbourhood information meeting to advise the community of the proposed changes for all parcels in the CD-1 Zone.

INTRODUCTION/BACKGROUND

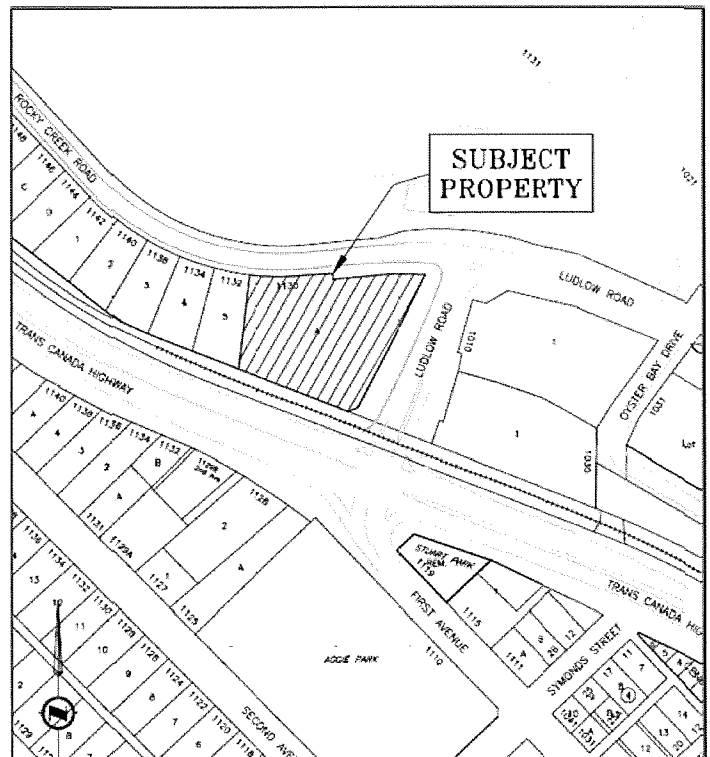
The corner parcel at 1130 Rocky Creek Rd. and the adjacent five properties (1132, 1134, 1138, 1140, and 1142 Rocky Creek Rd.) were rezoned from the Light Industrial Zone (I-1) to the Comprehensive Development Zone – Tourist Service (CD-1) Zone in 2008 to permit a comprehensive development comprising of a hotel and banquet facility, commercial and multi-unit residential development. The project did not proceed and the six parcels are vacant.

In August 2017 an application was presented to Council to amend the OCP and rezone to permit light industrial use on the adjacent five properties and this rezoning process is underway.

DISCUSSION

The applicant, Satwinder Toor - Root Management Ltd., is proposing to amend the Official Community Plan (OCP) and Zoning Bylaw to permit a development containing a gas bar, service station, oil and lube business, convenience store, retail sales, coffee shop and/or restaurant at 1130 Rocky Creek Road. The applicant is also requesting that the zoning accommodate and support two drive through services in the development. Attached to this staff report is a letter from the applicant, as well as a proposed site plan and renderings.

The subject property is 0.81 hectares in size and is located at the intersection of the Trans Canada Highway/Ludlow Road; and is bounded by Ludlow Road, Rocky Creek Road, Island Corridor Foundation land, and vacant parcels. The applicant is proposing two phases to the project, phase one proposes two buildings 274m²



(2,951ft²) and 459m² (4,945 ft²) in size. Phase two proposes another two buildings 137m² (1472ft²) and 522m² (5614ft²) in size. Vehicular access is proposed at Ludlow Road and Rocky Creek Road.

The property has sat vacant since it was rezoned from I-1 in 2008. Given its proximity to a controlled access intersection and the volume of traffic in this area, many inquiries have included a desire for drive through service. If Council is willing to consider the proposal, staff recommends limiting drive through service to this one property as a site specific amendment.

SCOPE OF WORK

The current stage of the application is to consider the proposal and to seek direction from Council to proceed with referrals, completion of a traffic study, and the drafting of amending bylaws.

As shown in Table 1, the application proposes to:

- Amend the Official Community Plan (OCP) by changing the designation from Mixed-Use Waterfront to Industrial; and by changing the Development Permit Area (DPA) from ‘DPA 1 Waterfront’ to ‘DPA 5 Industrial’.
- Amend the Zoning Bylaw by changing the zone from CD-1 to I-1 Light Industrial. Also by adding ‘Coffee Shop’, ‘Convenience Store’, ‘Retail Sales’ and drive-through services as a site specific permitted use at 1130 Rocky Creek Road. It is recommended to limit the retail sales to 500m². The I-1 Zone permits uses such as gas bar, service station, motor vehicle sales, boat repairs and sales, machinery sales, building supply sales, restaurant, manufacturing, welding shop, garden centre, trade contractor facilities, brewery, and warehousing.

Table 1: Proposed Changes to the OCP and Zoning Bylaw – 1130 Rocky Creek Rd.

	From	To
OCP Land Use	Mixed Use Waterfront	Industrial
Development Permit Area	DPA 1 Waterfront	DPA 5 Industrial
Area Plan	Waterfront	None
Zoning Bylaw	CD-1	I-1 Light Industrial <ul style="list-style-type: none"> • Adding ‘Coffee Shop’, ‘Convenience Store’ and ‘Retail Sales’ as a permitted site specific use at 1130 Rocky Creek Rd. and limiting retail sales to a maximum of 500m² (5382ft²).
	No uses with drive-through service.	<ul style="list-style-type: none"> • Permitting drive-through services as a site specific use at 1130 Rocky Creek Rd.

If the rezoning is successful, a development permit will be required prior to development of the property. At the time of development permit staff will utilize the DPA 5 guidelines to review building design, circulation and parking, grading, landscaping, and retaining walls.

As part of a rezoning application Council may consider 'Community Amenity Contributions' (CACs). As an amenity the applicant is proposing to offer an outdoor plaza, benches, bicycle parking, and a promotional visitor-tourism display. Staff will work with the applicant to further refine the details regarding the amenities offered. Covenant FB234682 was placed on the title of property at 1130 Rocky Creek Road when the land was rezoned to the CD-1 'Tourist Service' and requires green building and landscaping standards, a location for a historical artifact with public green space, and \$1000 per residential unit. The residential units were to be on the five adjacent parcels and the historical artifact and public green space were anticipated to be with the hotel at 1130 Rocky Creek Road. It is recommended that Council consider replacing this covenant with a covenant addressing the new site specific amenities and land use matters that arise for the rezoning of 1130 Rocky Creek Road.

Staff may consider Development Approval Information that may be required pursuant to Bylaw No. 1887, thus a Traffic Study will be provided to review on-site circulation and the driveway access points, as they are near to a major intersection and other commercial driveways.

ALTERNATIVES

That Council not proceed with rezoning application 3360-17-05.

FINANCIAL IMPLICATIONS

None at this time.

LEGAL IMPLICATIONS

The Local Government Act (S.475) provides that when considering OCP amendments Council must consider consultation with the following:

- The regional district board and Council of the adjacent municipalities
- First Nations (refer to the Stz'uminus First Nation pursuant to the MOU)
- The School District #68 board and relevant improvement districts
- Provincial and federal governments and their agencies
- Agricultural Land Commission if the bylaw applies to land in the ALR.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

- Council has already directed that applicant Satwinder Toor - Root Management Ltd. host a neighbourhood information meeting with the applicant for rezoning file 3360-17-03 (1132-1142 Rocky Creek Rd.).
- It is also recommended that Council direct that the subject application be referred to the Advisory Planning Commission for review and comment.
- If the application proceeds a public hearing will be required.

- During the development of the new Zoning Bylaw there was community support expressed for the consideration of drive through services on the east side of the Trans Canada Highway.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The Director of Infrastructure Services has reviewed the proposed development and supports that a Traffic Study be completed.

RESOURCE IMPLICATIONS

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

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

The applicant has completed a sustainable development checklist and indicates that:

- The proposed development will add jobs to the community; and
- Local industrial land will be enhanced.

ALIGNMENT WITH STRATEGIC PRIORITIES

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

SUMMARY

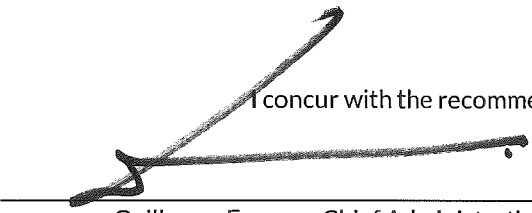
An application has been received to amend the OCP and rezone the property at 1130 Rocky Creek Road to permit light industrial use with coffee shop, limited retail sales, convenience store, and drive through services as site specific permitted uses. Council may consider the proposal, provide direction regarding consultation, and direct staff to work with the applicant regarding development approval information and community amenity contributions.

Reviewed By



Felicity Adams, Director of Development Services

September 13, 2017


I concur with the recommendation.

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S)

Letter from Root Management Ltd. "Rezoning and Development Application Memorandum"
(August 2017)

Overall Site Plan (2017-06-29)

Renderings (2017-06-20)

**REZONING AND DEVELOPMENT APPLICATION MEMORANDUM
1130 ROCKY CREEK ROAD, LADYSMITH, BC**



TO: Town of Ladysmith & Development Services Department
FROM: Root Management Ltd
SUBJECT: Rezoning and development application of 1130 Rocky Creek, Ladysmith, BC

PURPOSE:

The purpose of this memorandum is to provide preliminary information on the rezoning and development application for the planned development at 1130 Rocky Creek Road, Ladysmith, BC (the "Development") and to seek direction from Council regarding consultation.

INTRODUCTION / BACKGROUND:

Root Management Ltd. (the "Developer") is seeking to amend and rezone the Development from the current to the previous zoning, CD-1 to I-1. In addition to the I-1 zoning change an amendment is being requested to allow the zoning to accommodate and support drive thru on the Development. Please refer to the site plan for details.

SCOPE OF DEVELOPEMNT:

The Development design includes the build out of 4 separate buildings to be constructed in two separate phases and subject to leasing demand. The 4 separate buildings are defined as follows:

- Building A – approx. 2,951 square feet: national anchor coffee tenant (Phase 1)
- Building B – approx. 4,945 square feet: local / regional gas bar & service station tenant (Phase 1)
- Building C – approx. 1,472 square feet: local / regional oil & lube tenant (Phase 2)
- Building D – approx. 5,614 square feet: TBD, shown for illustrative purposes (Phase 2)

The Development is located at the intersection of Trans-Canada Highway and Ludlow Road, an all turn's signaled intersection. The Development is geared towards providing an urban design commercial service oriented site while meeting the following objectives as follows:

- To promote compatible development that fits well with, and improves, its existing or planned context
- To protect and enhance the character and quality of the districts and neighbourhoods where drive-thru facilities are located
- To enhance public streets and contribute to a high quality public space
- To create efficient stacking movements on site
- To create a safe and comfortable pedestrian environment on site
- To minimize impacts on adjacent land uses that could be caused by on-site activities

DEVELOPMENT DESIGN:

The Development site design has been created based on the feedback we have received from Form Retail Advisors ("Form") - a commercial leasing and marketing company and Urban Design Group Architects Ltd. ("Urban Design") - an architectural firm. A number of factors have gone into the design of the site layout which is discussed below as follows:

GRADING PLAN:

McElhanney Associates Land Survey Ltd has completed a topographic survey on the approx. 2 acre site. The results from the findings have determined that a significant grade change of approx. 36 feet exists from the top of Trans-Canada Highway to the bottom of Rocky Creek Road. To bring the grade level to the Trans-Canada Highway is challenging to the overall development as costs alone for this add an additional \$750,000 to the overall development budget. In addition, based on the advice of Urban Design, the grade can only be brought up to a certain degree before jeopardizing the distance required for accessibility between the two entrance points. The slope between the two access points needs to be as minimal as possible. This allows easier access on to and off the site for heavy duty maintenance vehicles and oil truck wheelers who supply the site for fuel or other services. This will also help reduce the requirement for retaining walls and keep the development costs lower making this a more feasible project. The Developers intention is to minimize the use of retaining walls as permitted while maintaining consistence between the adjacent parcels.

MARKET ASSESSMENT & TENANCY PROFILE:

Form has been engaged by the Developer since January 2017 and to date the feedback received from the available pool of commercial tenants has been limited but the few that have expressed interest have done so with a need to have a drive thru access. The tenants have communicated that in smaller markets drive thru facilities have proven to be very successful as they target the mobile and car oriented market, which in turns helps increase the viability of the business operations.

The site is located on one of only two controlled, all turns intersection accessing downtown. The feedback based on the market assessment was that the ideal tenancy would be for gas bar & service and quick service restaurant. The traffic count for the Trans-Canada Highway is approx. 22,803 VPD. The trade area accounts for a population of approx. 16,000+ in a 10km radius range with household incomes of approx. \$84,000.

IMPACT ON EXISTING BUSINESSES & LOCAL COMMUNITY:

The proposed tenancies (the "Tenants") for the Development are new entrants into the Ladysmith market and as such are not being pulled out of the local downtown area. The Tenants are only interested in a site location that is traffic controlled with highway exposure – a location best suited for their business operations.

The Development is filling an identified gap in the marketplace. There is a need for a highway commercial service oriented site geared towards the mobile and car oriented market driving along Trans-Canada highway from or to Nanaimo, BC and Duncan, BC or even Victoria, BC.

The Development would see tremendous benefits such as the following:

- Permanent employment
 - During construction: supporting local construction company (Island West Coast Developments Ltd.)
 - Upon completion: for a minimum of 10 – 15 more people
- Ancillary benefits including additional property tax base, green space development and additional commercial services
- Development of a high profile corner site that would show case the Town of Ladysmith being that this is one of the first major stops on a traffic controlled intersection

LANDSCAPE PLAN:

The landscaping plan will be to maintain consistency between the adjacent parcels and Town standards. Emphasis will be placed on green space development with plantation of natural habitation around the site (trees, shrubs etc). Please refer to the site rendering for an illustrative example.

TRAFFIC STUDY:

To be provided at a later time.

AMENITY:

An amenity area will form part of the Development which will include an outdoor plaza, benches, bicycle parking and promotional visitor display to attract tourists to downtown and the waterfront area. The common area will be located near or in lieu of Building D on the site plan.

VEHICLES & PARKING:

Vehicular access points to the site are away from street intersections and on secondary streets. The surface parking area and stacking lanes are at the side or rear of buildings. The stacking lanes are located away from adjacent sensitive uses, such as residential and outdoor amenity areas, to reduce the impacts of noise and pollution that could be caused by stacking cars on such uses. The use of landscaping and fencing will help buffer potential impacts.

DEVELOPMENT FEASIBILITY:

Based on the proposed site plan the development costs are estimated to be between \$4.5 million to \$5 million. A significant portion of the development costs are associated with the earth works, specifically the grading. The variance associated with the grading also contributes to the unknown factors associated with retaining walls, concrete and, paving. Relaxation or a middle ground approach is crucial for the Development outcome to be favorable. Irrespective of our intentions to move forward and bring the site to life, we believe the grading requirements will be an ongoing concern for any developer that chooses to move forward with the development.

Further to the above, even if some sort of relaxation is provided, the offset is that the site still has to be able to attract tenancies that have the ability to pay \$40 – \$50 per square foot in rent. Tenants that pay this kind of rental rate are generally, if not, always quick service restaurants ie. McDonalds, Burger King, Starbucks.

The request is to allow for two drive thru' services to help offset the development costs making this a more favorable project.

SUMMARY & RECOMMENDATION:

The proposal outlined by the Developer has been under due diligence for the past 9 months which has included ongoing consultation and meetings with Development Service of Town of Ladysmith, Form Retail Advisors, Island West Coast Developments Ltd, Urban Design Group Architects Ltd, and McElhanney Associates Land Survey Ltd.

While successful and popular, drive-through facilities present certain set of challenges that need to be addressed to fully get support from Council. The Developer believes that many of the urban design challenges have been considered, including respecting the urban context while designing prototypical drive-through facility sites and buildings; supporting a pedestrian friendly environment along public streets; using landscape areas effectively to improve the overall environmental and visual quality of the area; and designing efficient stacking movements on site. Please refer to the site plan and renderings

The Development will include an outdoor plaza, benches, bicycle parking and promotional visitor display to attract tourists to downtown and the waterfront area. It is highly probably that this common area will be located in lieu of Building D.

We are requesting for formal support to be granted to allow the I-1 zoning with a further amendment to allow for drive thru. We believe that this is the only way to offset the significant development costs and support the continued plan for development, as such without this, the development feasibility will not allow us to carry forward.

ATTACHMENTS:

- Site Plan
- Renderings
- Form Lease Brochure

STAFF REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
Meeting Date: September 18, 2017
File No: 3320-00

RE: Bylaw 1932 amending Subdivision and Development Servicing Bylaw No. 1834

RECOMMENDATION(S)
THAT Council:

1. Proceed with first and second reading of “Town of Ladysmith Subdivision and Development Serving Bylaw 2013, No. 1834, Amendment Bylaw 2017, No. 1932” (under the Bylaws section of tonight’s agenda).

PURPOSE

The purpose of this staff report is to present amending Bylaw 1932 for consideration of first and second reading. Bylaw 1932 proposes three housekeeping amendments to the *Subdivision and Development Servicing Bylaw 2013, No. 1834*.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

Resolution	Meeting Date	Resolution Details
CS 2015-290	Aug-17-2015	<i>That Council direct staff to amend the Subdivision and Development Servicing Bylaw to allow for a reduction in the curb, sidewalk, and street tree standard for single family developments involving a single lot in existing neighbourhoods to match the existing standard of the neighbourhood.</i>
CS 2015-280	Aug-17-2015	<i>That Council direct staff to:</i> <ol style="list-style-type: none"> a. <i>Review OCP amendment / rezoning application 3360-15-02 submitted by Glencar Consultants Inc. for Lot 1, Block 192, District Lot 103, Oyster District, Plan EPP44156, within the scope of the Town’s planning documents including the Official Community Plan, Holland Creek Area Plan, and the Visioning Report;</i> b. <i>Review the application in conjunction with the Financial Plan and the Liquid Waste Management Plan;</i> c. <i>Request G.P. Rollo and Associates to provide comments on the proposed commercial land use and to waive the Purchasing Policy in this regard; and</i> d. <i>Give priority to a comprehensive review of the transportation and servicing aspects for the new neighbourhood in the Holland Creek Development Area and provide recommendations to Council for the consideration of development phasing and financing, including potential modifications and amendments to the existing DCC Program.”</i>



At the August 17, 2015 meeting Council passed a motion directing that there be a comprehensive review of the transportation and servicing aspects for a new neighbourhood in the Holland Creek area. Staff have been reporting to Council on many transportation and serving matters for the Holland Creek area since August 2015. At the May 2, 2016 meeting Council heard a presentation from the Director of Infrastructure Services and Director of Development Services about highlights from the Transportation and Servicing Review. The presentation included a recommendation to amend the *Subdivision and Development Servicing Bylaw* to include a new road standard for an urban collector road (20 metres in width) that can be utilized in the Holland Creek Area.

INTRODUCTION/BACKGROUND

The *Subdivision and Development Servicing Bylaw* was adopted in 2013. This report outlines three recommended housekeeping amendments. Two amendments were previously directed by Council as outlined above, and the “half-road” amendment is a staff recommendation.

DISCUSSION

Bylaw 1932 is being presented to Council for consideration of first and second reading.

SCOPE OF WORK

Bylaw 1932 proposes to amend the *Subdivision and Development Servicing Bylaw* as follows:

1. In response to Council direction the proposed Bylaw 1932 states that the owner of a single family residential parcel may be exempt from providing curb, sidewalk and street trees on that portion of a street frontage immediately adjacent to the parcel at time of issuance of a Building Permit, if the Director of Infrastructure Services determines that the existing street infrastructure is already consistent with the neighbourhood standard.
2. Bylaw 1932 proposes to amend the *Subdivision and Development Servicing Bylaw* by adding a provision that will allow the Approving Officer, at their discretion, to approve a half road dedication, rather than dedication of the full road width. Typical full road width requirements in Ladysmith are 20 metres for an urban collector road and 15.5 metres for an urban local road. The Approving Officer may determine in rare situations that 10 metres of road width is sufficient until the remaining road width can be dedicated and constructed at the time of subdivision of the neighbouring parcel. Although this is referred to as a “half road”, the amending Bylaw proposes that the minimum “half road” dedication width be 10 metres with a minimum pavement width of 6 metres. This is to ensure that there is sufficient dedication to provide for two-way traffic and other services and infrastructure as needed within the right-of-way until such time that the full road dedication and construction can be completed.
3. Bylaw 1932 also proposes a new collector road standard for the primary collector road in the Holland Creek area. The new collector road contains a paved 3 metre wide multi-use path, 2.75 metre wide boulevard, with two 3.5 metre wide travel

lanes and a 2.6 metre wide area for parking or streets lights or hydrants as shown in Drawing No. R-2C attached to proposed Bylaw 1932.

ALTERNATIVES

To not support Bylaw 1932 as presented.

FINANCIAL IMPLICATIONS

none

LEGAL IMPLICATIONS

none

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Proposed Bylaw 1932 will allow the Director of Infrastructure Services/Approving Officer to have greater flexibility in determining infrastructure and servicing requirements, which will in turn allow for better solutions for both infill and new neighbourhood development in the Town.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The proposed Bylaw 1932 is supported by the Infrastructure Services Department and Development Services Department.

RESOURCE IMPLICATIONS

The Infrastructure Services Department and Development Services Department have worked together to draft Bylaw 1932.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

The amendments proposed in Bylaw 1932 are consistent with the Visioning Report.

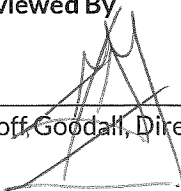
ALIGNMENT WITH STRATEGIC PRIORITIES

The amendments proposed in Bylaw 1932 will contribute to an enhanced standard of infrastructure.

SUMMARY

Bylaw 1932 proposes three amendments to the *Subdivision and Development Servicing Bylaw* and is presented to Council for consideration of first and second reading.

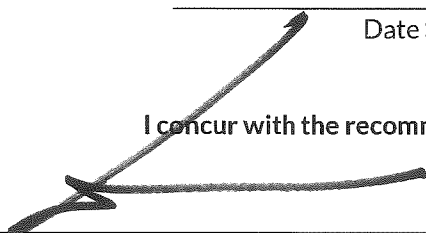
Reviewed By



Geoff Goodall, Director of Infrastructure Services

Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

none

STAFF REPORT TO COUNCIL

From: Clayton Postings, Director, Parks, Recreation and Culture
Meeting Date: September 13, 2017
File No:

RE: Frank Jameson Community Centre (FJCC) – repairs

RECOMMENDATION(S)

That Council authorize:

1. Reallocating unspent FJCC dressing room and sauna heater funds to fund the water main valve project;
2. Additional funds up to \$39,000 to be funded from PRC Appropriated Equity and Water Reserves for the additional repairs at FJCC, and;
3. Staff to amend the Financial Plan.

PURPOSE

To provide Council with an update regarding some recently identified issues at Frank Jameson Community Centre and seek authorization to adjust the capital plan at FJCC to address these priorities.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

N/A

INTRODUCTION/BACKGROUND

During the recent annual pool shutdown period, Staff and contractors were made aware of a few issues which require immediate attention.

Main Water Valve:

During the installation of the UV system the contractor was required to turn off the main water line into the building. This valve has been in place since the opening of the original building 30 plus years ago and it was determined at that time that there have been significant issues with the valve that would require it to be replaced.

Further investigation determined that the pipe connected to the valve was also in very poor condition and there was concern that work on the valve may result in further issues with the pipe. Unfortunately drawings for the building addition were not available and staff has been trying to determine the location of the main water pipe. It has taken some energy and time to determine that the main pipe is located under the building, which is not a desired location.

At this point if the valve or pipe was to fail it would be a major issue - the entire

mechanical room would be flooded, resulting in many of the building's mechanical components being damaged. With this potential issue, immediate action is required.

Staff and the retained engineer are looking at a solution which would install a new valve and repair the corroded pipes, while also installing a back flow preventer and water meter, both of which are not in place. The estimated cost of this project is \$40,000. Currently the engineer is finalizing recommendations relating to this repair and will be providing a report by September 15. A portion of this funding would come from the reallocation of the unspent funds in the dressing room project and sauna heater, as well as the PRC Appropriated Equity and Water Reserves.

Electrical deficiencies:

As part of the UV installation the Safety Authority was onsite inspecting the electrical for the project. While onsite the inspector identified that the existing electrical boxes and controls are located too close to the swimming pool mechanical plumbing and sump area. This is the original electrical setup which has been in place for 12 years since the expansion of the mechanical room. The Safety Authority is requiring this electrical to be moved to an area which is not in close proximity to water system. The cost to satisfy the safety authority is \$11,000. The funding for this project would come from the PRC Appropriated Equity.

Administration and Lobby Area Roof Top Air Handling Unit:

During the summer maintenance work on the roof top unit (which provides heat and air conditioning to the administration area and portions of the lobby) it was determined that the roof top unit had failed. This unit was part of the 5 year capital replacement plan and was scheduled to be replaced in 2018. The cost to replace this unit is \$10,000. The funding from this project would come from the Asset Replacement Reserve.

SCOPE OF WORK

The Town's facility maintenance staff along with water works staff is managing the repairs to the water main valve. There may be some limited disruptions in service when the main line is connected to the existing system.

Town of Ladysmith facility staff will be overseeing the replacement of the HVAC unit at FJCC and the required electrical upgrades.

ALTERNATIVES

No suitable alternatives are available.

FINANCIAL IMPLICATIONS

As discussed, reserves and reallocation of existing capital funds would be utilized to fund these projects. Reallocated funds will result in taxing for the same item in a future year.

LEGAL IMPLICATIONS

None identified

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

The work required relating to the main water line is critical to ensure the facility does not have a major failure and have to be closed for a period.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

None identified

RESOURCE IMPLICATIONS

Most of the 2017 capital projects are underway and a number of them are complete. These additional projects should not impact the remaining 2017 capital plan.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

- 5. Innovative Infrastructure
- 7. Healthy Community

ALIGNMENT WITH STRATEGIC PRIORITIES

Natural and Built Infrastructure

SUMMARY


A few issues were identified during the recent annual swimming pool closure. The water main line is a critical issue which needs addressing immediately. The Town is working on resolving these issues in a timely manner to ensure limited impact to the facility occurs.



Clayton Postings
Director of Parks, Recreation & Culture

September 13, 2017

Date Signed

I concur with the recommendation.


Guillermo Ferrero, City Manager

ATTACHMENT(S)

None

INFORMATION REPORT TO COUNCIL

From: Geoff Goodall, Director of Infrastructure Services
Meeting Date: September 18, 2017
File No:
RE: Bio-solids Budget update

RECOMMENDATION:

THAT Council receive the information regarding the Bio-solids budget.

PURPOSE:

The purpose of this report is to update Council on the ongoing construction costs of the bio-solids facility.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017-219	Jun-27-2017	That Council waive the Purchasing Policy and direct award concrete placement works for the Bio-solids Composting Facility to JLC Builders Ltd. for a total cost of 192,150.00 including GST.
CS 2017-203	Jun-19-2017	That Council authorize an additional \$200,000 in funding to complete the construction of the Composting Facility at Thicke Road with the additional funding to come from Sewer Operating Reserves, and amend the Financial Plan accordingly.
CE 2017-102	Jun 5-2017	That Council approve construction of a double channel enclosed bio-solids composting facility with bio-filter, for an estimated cost of \$1,871,459, subject to staff confirming costs based on receipt of actual plans.
CS 2016-351	Oct-17-2016	That Council authorize the submission of an application to the BC Rural Dividend Program for the Bio-solids Composting Use Business Case and that Council support this project through its duration.
CS 2016-057	Feb-15-2016	That Council: 1. Direct staff to continue to process bio-solids at the Public Works Yard for the immediate future. 2. Accept a proposal from Transform Compost Systems Ltd. as outlined in their letter dated January 25, 2016, to assist in the management of a capital upgrade project at Public Works to enclose the current bio-solids composting operation in a building. 3. Waive the Purchasing Policy in order to accept a proposal from Transform Compost Systems Ltd. dated January 25, 2016 to assist in the management of a capital upgrade project at the Public Works yard to enclose the bio-solids composting in a building.



Resolution	Meeting Date	Resolution Details
CS 2015-270	Jul-20-2015	That Council direct staff to execute the Ladysmith Bio-Solids Composting Facility grant funding agreement and authorize the Mayor and Corporate Officer to sign the agreement. That Council direct staff to execute the Ladysmith Bio-Solids Composting Facility grant funding agreement and authorize the Mayor and Corporate Officer to sign the agreement.

DISCUSSION:

The construction of the bio-solids composting facility is well underway. It is anticipated that the construction will complete by November 30, 2017.

CONSTRUCTION CONTRACT	Contract	Spent to August 31, 2017
Compost Turner	200,000	100,000
Carriage System	30,000	
Aeration & bio filter mechanical system package	288,867	
Electrical System Package	361,907	87,000
Spanmaster Building package	485,523	18,000
Spanmaster 3 corrosive resistant doors	46,575	
Performance Bond (Spanmaster)		
Drafting cost	5,000	
structural engineering	4,000	
site supervisor	15,000	
general labour	15,000	
equipment rental	15,000	
freight for mid valley systems	3,000	
project management	120,000	
2 year extra warranty	-	
Contingency		
	1,589,872	205,000
Site Prep Allowance		
Gravel for channels & bio filter field	8,000	
Wood chips, fabric & other materials	3,000	
Concrete Foundation	200,000	146,685
PVC Pipe & installation Bio-filter		
Bio-filter building	82,880	44,950
Concrete materials	50,000	
Footing materials	90,000	
Miscellaneous	20,587	9,959
Geotechnical Issues	12,000	5,897
Equipment Rental	30,000	16,415
Coordinating Engineer	30,000	25,367
Code Analysis	15,000	-
Electrical Permit	10,000	
	13,000	18,000
	564,467	267,273
Property Purchase		
	840,000	837,117
	2,994,339	1,309,390

This is funded through grant (\$570,224) and sewer reserves. Council has approved a total budget, of \$2,994,339 excluding taxes. Additional funding will be required to cover the anticipated overages plus applicable taxes.

Though the project is current on budget, it is estimated that the Town will possibly exceed budget by approximately \$61k. This is due to the unforeseen costs in the geotechnical work as well as additional work for the building code analysis and coordinating registered professional.

SUMMARY POINTS

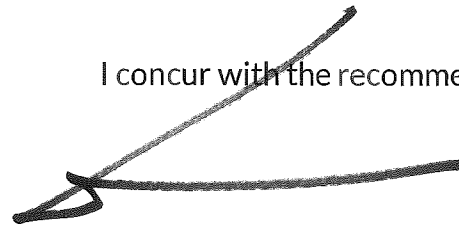
- Approximately 44% of the total budget has been spent, including the cost to purchase the land.
- Additional funding will be required to cover additional unforeseen costs as well as the applicable taxes.



Geoff Goodall, Director of Infrastructure Services

Septembr 13, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

COMMITTEE REPORT

To: Council
From: Municipal Services Committee
Date: September 18, 2017
File No: 0540-20

Re: **ADDITIONAL RECOMMENDATION FROM THE MUNICIPAL SERVICES COMMITTEE MEETING HELD AUGUST 14, 2017 (ITEM WAS NOT PRESENTED IN THE AUGUST 21ST COUNCIL AGENDA)**

RECOMMENDATION:

That Council approve the amended purchasing policy, which includes a provision for Social Procurement.



COMMITTEE REPORT

To: Council
 From: Municipal Services Committee
 Date: September 18, 2017
 File No: 0540-20

Re: **RECOMMENDATIONS FROM THE MUNICIPAL SERVICES COMMITTEE MEETING HELD SEPTEMBER 11, 2017**

RECOMMENDATION:

That Council:

1. Direct staff to:
 - a) Provide a Permissive Tax Exemption to all properties currently on the 2017 Permissive Tax Exemptions Bylaw 2016, No. 1915 with the addition of the property at 314 Buller Street; and
 - b) Not include the fully exempt properties on the water parcel tax or the sewer parcel tax; and
 - c) Prepare the Permissive Tax Exemption Bylaw for 2018.
2. Approve the amended Travel Expense Policy.
3. Direct staff to:
 - A. Prepare a bylaw to amend the Town of Ladysmith Zoning Bylaw 2014, No. 1860 as follows:
 - In the Single Dwelling Residential – Holland Creek Area (R-1-HCA) zone:
 - i. amend the permitted parcel coverage from 33% to 35% for parcels 560 m² or less in size; and
 - ii. remove the finished floor area maximum.
 - In the Single Dwelling Residential – Small Lot B Zone (R-1-B) remove the maximum finished floor area requirement.
 - B. Refer the proposed zoning amendments to the Advisory Planning Commission for review.
4. Not support the Festival of Lights proposal for a light-up decoration on the Ladysmith 'Heritage by the Sea' gateway sign in Bob Stuart Park as the Ministry

of Transportation and Infrastructure is concerned about safety and driver distraction at the intersection.

5. Direct staff to use the following terms of reference to guide the upcoming review of the Town of Ladysmith Commission and Committee Structure:
 - Analysis of best practices from other local governments
 - Discussions with Council and community members about the value of committee involvement
 - A review of current committees and commissions, their mandates and membership, the ongoing relevance and/or contribution of existing commissions/committees
 - Means of recruiting community members
 - A review of gaps or opportunities for community involvement (both through formal commissions/committees, Council liaison appointments, and/or other means)
6. Direct staff to develop recommendations for public awareness strategies and other measures to discourage illegal dumping of garbage.

COMMITTEE REPORT

To: Council
From: Heritage Revitalization Advisory Commission
Date: September 18, 2017
File No: 0540-20

Re: **RECOMMENDATIONS FROM THE HERITAGE REVITALIZATION ADVISORY COMMISSION MEETING HELD MAY 25, 2017**

RECOMMENDATION:

That Council approach the Archdiocese about retaining any of the stained glass windows not being utilized from St. John’s Anglican Church, especially those with local significance, and in the event that the building is demolished, that Council seek the retention of the steeple and bell.



COMMITTEE REPORT

To: Council
From: Heritage Revitalization Advisory Commission
Date: September 18, 2017
File No: 0540-20

Re: **RECOMMENDATIONS FROM THE HERITAGE REVITALIZATION ADVISORY COMMISSION MEETING HELD JULY 19, 2017**

RECOMMENDATION:

That Council support the exploration by the Heritage Revitalization Advisory Commission and Ladysmith and District Historical Society into heritage protection of the historical Machine Shop building, the surrounding buildings and site.



TOWN OF LADYSMITH

BYLAW NO. 1932

A bylaw to amend the Subdivision and Development Servicing Bylaw 2013, No.1834

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Town of Ladysmith Subdivision and Development Servicing Bylaw;

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

1. The Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No.1834 is hereby amended as follows:

i) Part II “Application, Administration and Enforcement” is amended by adding the following after section 2.04:

“2.04(i) Despite Section 2.04 the owner of a single family residential parcel may be exempt from providing curb, sidewalk and street trees on that portion of a highway immediately adjacent to the site at time of issuance of a Building Permit, if the Director of Infrastructure Services determines that the existing highway infrastructure adjacent to the site is consistent with the neighbourhood standard.”

ii) Schedule E “Engineering Standards and Specifications” is amended as follows:

a) Section 7A “Streets Design” is amended by adding the following after section 7A.17:

“7A.18 Half Road

7A.18.1 The Approving Officer may, at their discretion, allow the dedication and construction of a new half road provided that:

- i. The required minimum width of pavement for a half road is 6 metres, and the required minimum width of dedication is 10 metres;
- ii. There is sufficient dedication to provide for two-way traffic flow and other infrastructure and services as required, such as sidewalk, street lights, and drainage collection system;
- iii. All infrastructure and services must be contained within the 10 metre half road right-of-way.

b) By adding “Drawing No. R-2C” attached to and forming part of this bylaw, as a “Standard Drawing” in Section 7 “Streets Design and Installation”.

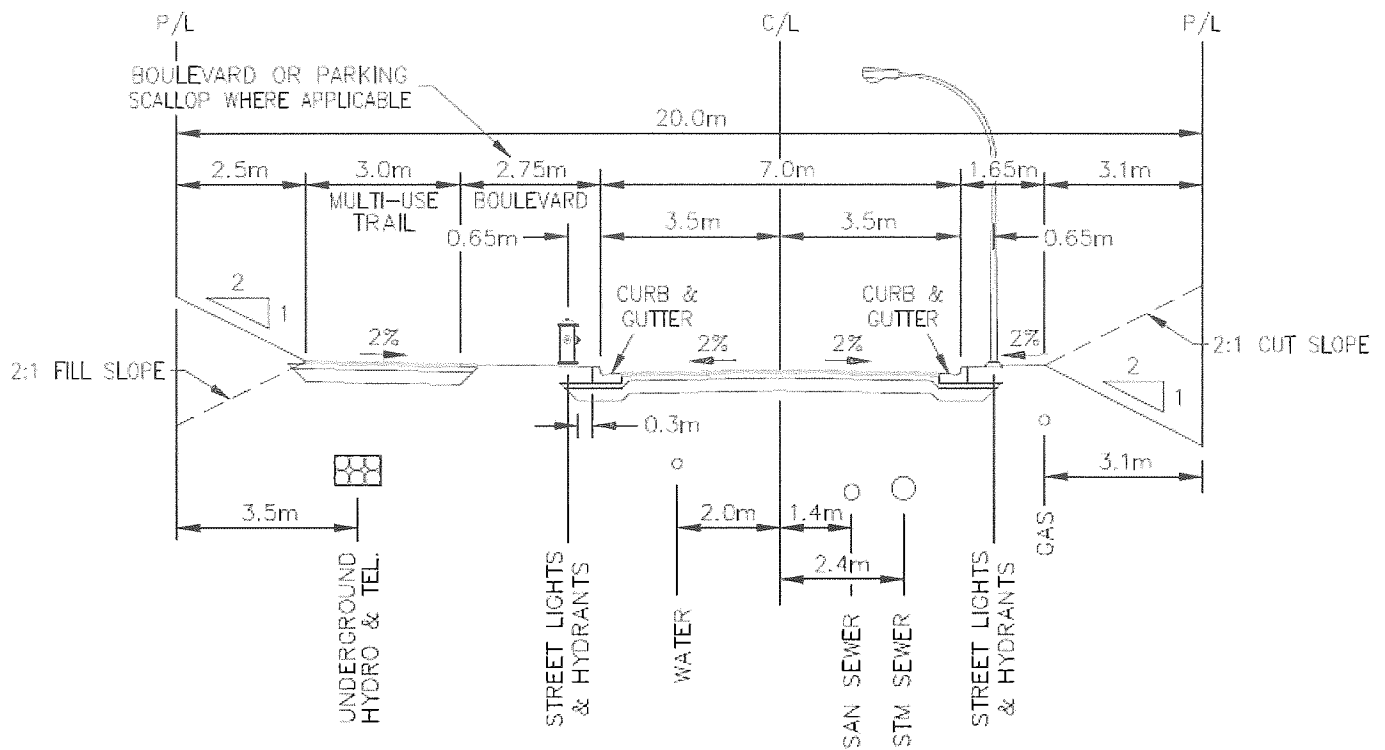
Citation

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No.1834, Amendment Bylaw 2017, No. 1932”.

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 (J. Winter)




NOTES:

ROAD:

1. PAVED SURFACE – 50mm ASPHALT (COMPACTED THICKNESS)
2. BASE – 100mm CRUSHED GRAVEL (20mm MINUS)
3. SUB-BASE 250mm PIT RUN GRAVEL (75mm MINUS)
4. NON – MOUNTABLE MONOLITHIC CURB and GUTTER IN ACCORDANCE WITH STANDARD DRAWING C2.
5. DEPTHS OF SURFACING AND BASE GRAVELS ARE MINIMUM AND IN SOME CASES WILL HAVE TO BE INCREASED AS DIRECTED BY THE RECOMMENDATION OF A GEOTECHNICAL ENGINEER.

MULTI-USE TRAIL:

1. PAVED SURFACE – 50mm ASPHALT (COMPACTED THICKNESS)
2. BASE – 50mm CRUSHED GRAVEL (20mm MINUS)
3. SUB-BASE – 150mm PIT RUN GRAVEL (75mm MINUS)

	<p>TOWN OF LADYSMITH ENGINEERING STANDARD</p>	<p>20.0m ROW URBAN COLLECTOR</p>	<p>DRAWING No. R-2C DATE: SEPTEMBER 2017</p>
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TOWN OF LADYSMITH

BYLAW NO. 1935

A bylaw to exempt from taxation certain lands and buildings for the year 2018.

WHEREAS Section 224 and 225 of the *Community Charter* permits Council, by by-law, to exempt from taxation certain buildings, the lands on which the buildings stand and the lands surrounding certain buildings;

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

Part 1 – Church Properties Tax Exemption

All church halls and lands within the legal boundaries of those properties listed under Part 1 of Schedule ‘A’ are hereby exempted from taxation for the year 2018.

Part 2 – Charitable, Not-for Profit and Recreational Tax Exemption

All lands and improvements within the legal boundaries of those properties listed under and to the extent described Part 2 of Schedule ‘A’ are hereby exempted from taxation for the year 2018.

Part 3 – Partnering Exemption Authority

All lands and improvements within the legal boundaries of those properties listed under and to the extent described in Part 3 of Schedule ‘A’ are hereby exempted from taxation for the year 2018.

Schedules A through H, inclusive, which are attached hereto, form a part of this bylaw.

This bylaw may be cited as "2018 Permissive Tax Exemptions Bylaw 2017, No. 1935."

READ A FIRST TIME on the	day of	, 2017
READ A SECOND TIME on the	day of	, 2017
READ A THIRD TIME on the	day of	, 2017
ADOPTED on the	day of	, 2017

Mayor (A. Stone)

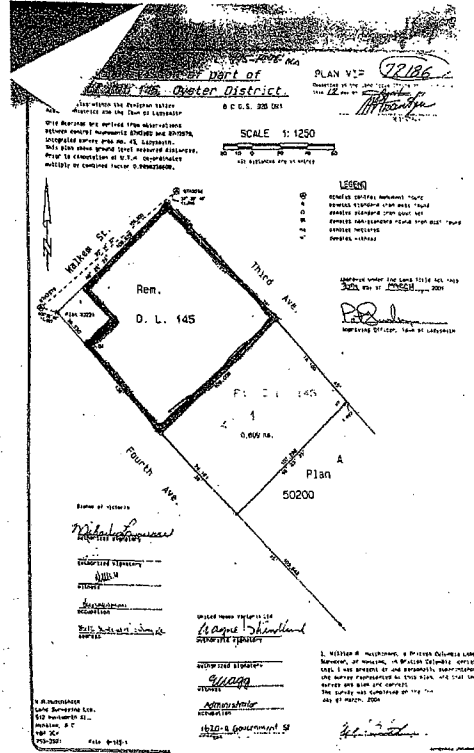
Corporate Officer (J. Winter)

This is Schedule "A" attached to and forming part of
Permissive Tax Exemption Bylaw 2017, No.1935

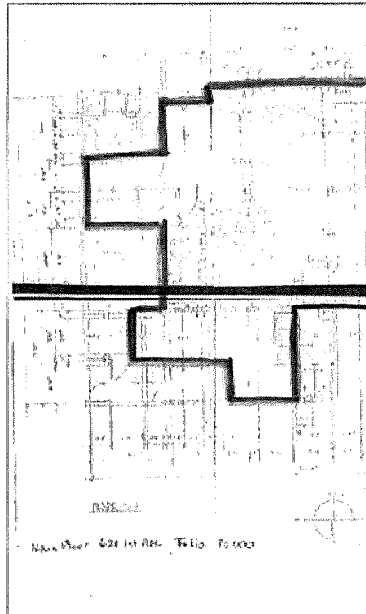
Part 1 224.2 (f) Building for Public Worship		
Organization	Address	Legal Description
United Church of Canada	232 High Street	Lot A, Plan VIP63119, District Lot 56, Oyster Land District
Ladysmith Fellowship Baptist Church	381 Davis Rd	Lot 1, Plan VIP43316, District Lot 43, Oyster Land District, Except Plan VIP66137
St. Mary's Catholic Church	1135 4th Ave	District Lot 145, Oyster Land District, Except Plan 33231 & VIP72186 (Specifically the area of land and buildings outlined in bold on Schedule 'B')
Pentecostal Assemblies of Canada	1149 4th Ave	Lot A, Plan VIP46331, District Lot 146, Oyster Land District (Specifically the area of land and buildings outlined in red on Schedule 'C')
Part 2 224.2 (a) Non-Profit		
Organization	Address	Legal Description
Ladysmith & District Historical Society	721 1st Ave	Lot 11, Block 7, Plan VIP703, Oyster Land District
Canadian Legion Branch #171	621 1st Ave	Lot A, Block 8, Plan VIP703, District Lot 56, Oyster Land District, Portion (DD 65840N), Except Plan SLY 64 FT (Except The Section Outline In Bold On Schedule 'D')
Ladysmith Health Care Auxiliary	910 1st Ave	Lot 1, Block 30, Plan VIP703a, District Lot 24, Oyster Land District
Ladysmith Resources Centre Association	314 Buller St	Lot A, Block 76, Plan VIP703a, District Lot 56, Oyster Land District, Portion (Dd 392367)
Ladysmith Golf Club Society	380 Davis Rd	District Lot 43, Oyster Land District, Except Plan 2478 4670 5873 7527 8922 12027 14051 15693 835r 34197 48247 & VIP57353, Exc E&N Rly R/W Pcl A (Dd 24403n) Pcl C (Dd 34443i), VIP65242
Ladysmith & District Historical Society	614 Oyster Bay Dr	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131 (PARENT FOLIO 445-1109-300) (Shown In Schedule E)
Ladysmith Maritime Society	616 Oyster Bay Dr	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131, That Part Included In Lease From Town Of Ladysmith - Car Shop (Parent Folio 445-1109-300)
Ladysmith Maritime Society	Unit C, I & M - 610 Oyster Bay Dr	Lot 4, Plan VIP45800, District Lot 85, 11G, 24, 56, Oyster Land District, Except Plan VIP64405 VIP71943, That Part Included In Lease From Town Of Ladysmith Unit C, I & M Ladysmith Maritime Society
Ladysmith & District Historical Society	612 Oyster Bay Dr	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131, That Part Included In Lease From Town Of Ladysmith
Arts Council of Ladysmith & District	Units J, K & L - 610 Oyster Bay Rd	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131, That Part Included In Lease From Town Of Ladysmith Unit J & K
Eco-Tourism Building	200 Capt Dekonick Way	Plan VIP36262, District Lot 56, Oyster Land District (Specifically The Area Of Land And Buildings Outline In Bold On Schedule 'F')
Ladysmith Senior Citizens Housing Society	207 Jamison Rd	Lot 1, Plan VIP21490, District Lot 56, Oyster Land District (Specifically The Area Of Land Surrounding The Building Footprint As Shown On Schedule G)
Ladysmith Senior Citizens Housing Society	101 1st Ave	Lot 1, Plan VIP31443, District Lot 56, Oyster Land District

Ladysmith & District Historical Society	1115A - 1st Ave	Strata Lot 1, Plan VIS5873, District Lot 118, Oyster Land District, Together With An Interest In The Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1 Or V, As Appropriate
Ladysmith Festival of Lights	1163 4th Ave	Lot A, Plan VIP34438, District Lot 146, Oyster Land District, Portion Part Of Fourth Ave
Ladysmith Maritime Society	611 Oyster Bay Dr	Block C, District Lot 2016, Cowichan Land District, Foreshore Lease For Commercial Marina Purposes; That Part Included In Area Leased From Town Of Ladysmith, Lease/Permit/Licence # 106431 (Shown On Schedule 'H', Including The Insert For The Visitors Centre
Part 3 <i>225.2(a) Partnering Agreement</i>		
Organization	Address	Legal Description
St John's Masonic Temple	26 Gatacre St	Lot 9, Block 9, Plan VIP703, Oyster Land District
Municipal Parking Lot (Jorjorian, Paul)	17 Roberts St	Lot 8, Block 11, Plan VIP703, District Lot 56, Oyster Land District
Municipal Parking Lot (Jorjorian, Paul)	25 Roberts St	Lot 9, Block 11, Plan VIP703, District Lot 56, Oyster Land District, Except Plan VIP52046

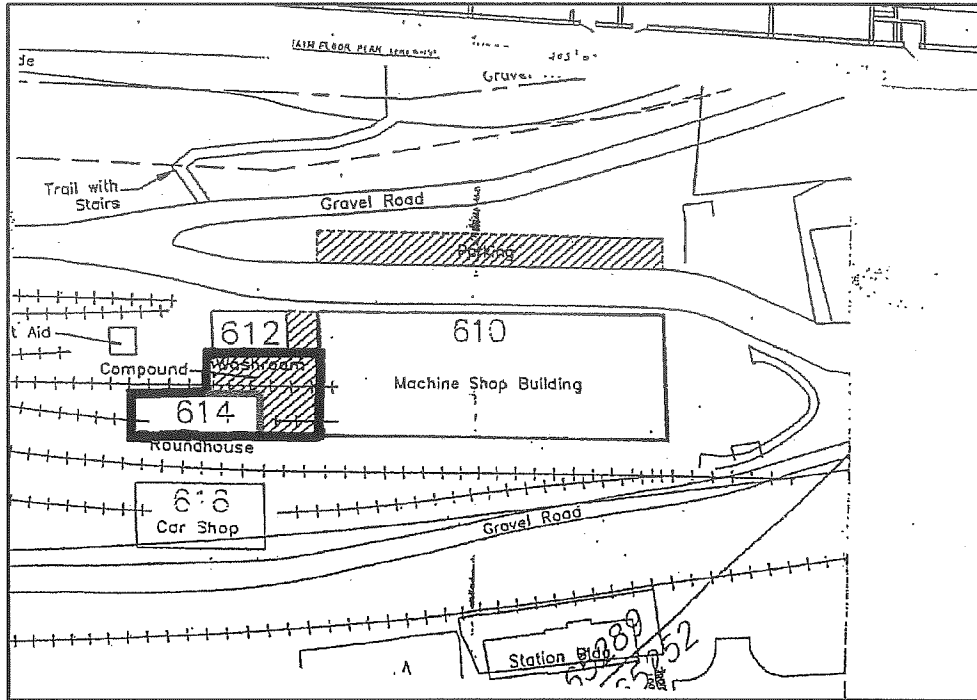
This is Schedule "B" attached to and forming part of
 Permissive Tax Exemption Bylaw 2017, No.1935



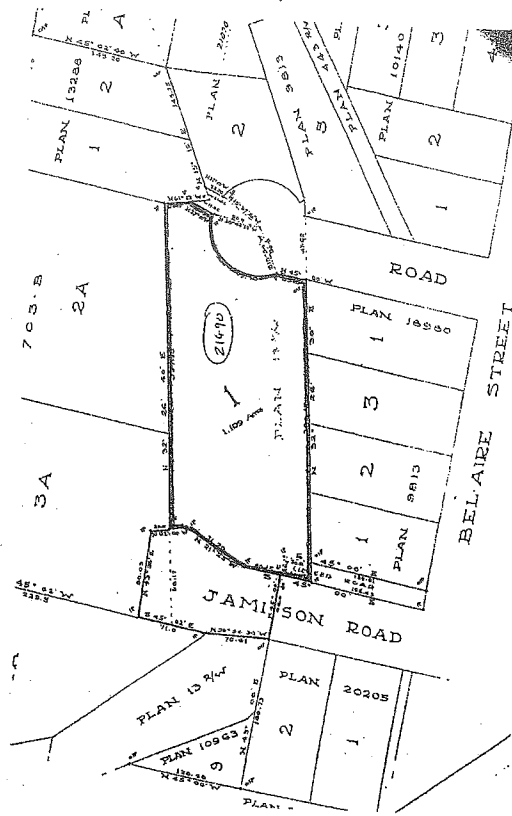
This is Schedule "D" attached to and forming part of
Permissive Tax Exemption Bylaw 2017, No.1935



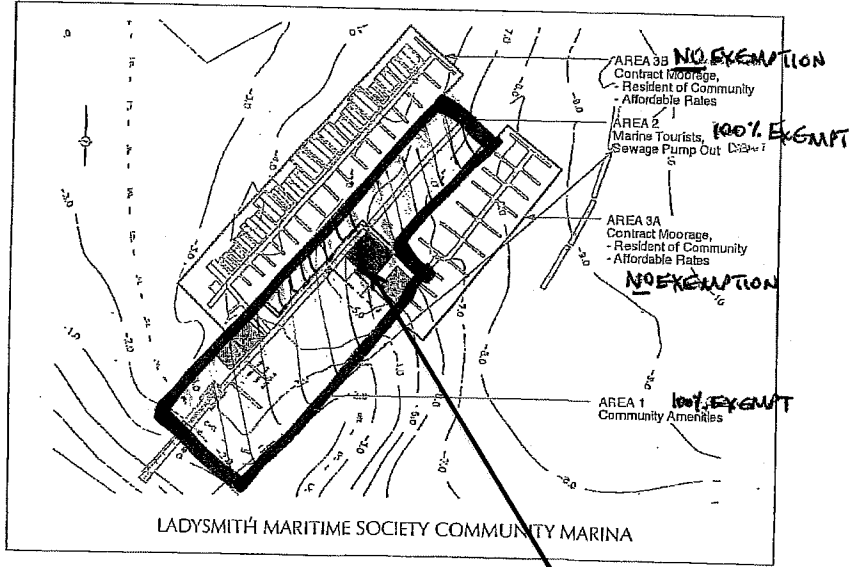
This is Schedule "E" attached to and forming part of
Permissive Tax Exemption Bylaw 2017, No.1935



This is Schedule "G" attached to and forming part of
Permissive Tax Exemption Bylaw 2017, No.1935



This is Schedule "H" attached to and forming part of
Permissive Tax Exemption Bylaw 2017, No.1935



See insert below

Insert:

