

**PUBLIC HEARING AND REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, NOVEMBER 6, 2017
7:00 P.M.**

AGENDA

CALL TO ORDER (7:00 P.M.)

- 1. AGENDA APPROVAL**
- 2. PUBLIC HEARING**

Outline of Public Hearing Process – Mayor Stone

**Part One - Official Community Plan Amendment and Zoning Bylaw Amendment
Bylaws 1937 and 1938 1 - 4**

**2.1. Introduction of Bylaws and Statutory Requirements – Director of
Development Services**

2.2. Submissions

Call for Submissions to Council (Three Times) – Mayor Stone

**2.3. Declaration that the Public Hearing for Bylaws 1937 and 1938 is Closed –
Mayor Stone**

**Part Two - Zoning Bylaw Amendment
Bylaw 1939..... 5**

**2.4. Introduction of Bylaw and Statutory Requirements – Director of
Development Services**

2.5. Submissions



Call for Submissions to Council (Three Times) – Mayor Stone

- 2.6. Declaration that the Public Hearing for Bylaw 1939 is Closed – Mayor Stone

3. BYLAWS (SUBJECT OF PUBLIC HEARING)

- 3.1. Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw #49, 2017, No. 1937 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #9, 2017, No. 1938
Subject Properties: Lots 1, 2, 3, 4, 5, District Lot 38, 1132 - 1140 Rocky Creek Road6 - 11

Staff Recommendation:

That subject to any additional matters raised at the public hearing, Council:

1. Receive for information the staff report from the Senior Planner regarding Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw #49, 2017, No. 1937 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 9, 2017, No. 1938.
2. Proceed with third reading and final reading of Bylaw 1937, cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw #49, 2017, No. 1937”; and
3. Proceed with third reading of Bylaw 1938, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #9, 2017, No. 1938”; and refer Bylaw 1938 to the Ministry of Transportation and Infrastructure.

- 3.2. Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939 12 - 14

Staff Recommendation:

That subject to any additional matters raised at the public hearing, Council:

1. Receive for information the staff report from the Senior Planner regarding Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939.
2. Proceed with third reading of Bylaw 1939, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939”; and
3. Refer Bylaw 1939 to the Ministry of Transportation and Infrastructure.

4. MINUTES

- 4.1. Minutes of the Regular Meeting of Council held October 16, 2017 15 - 22
- 4.2. Minutes of the Special Meeting of Council held October 17, 2017 23

5. DELEGATIONS – None

6. PROCLAMATIONS - None

7. COMMITTEE REPORTS

7.1. Mayor A. Stone

Cowichan Valley Regional District; Ladysmith Chamber of Commerce; Stocking Lake Advisory Committee; Waterfront Area Plan Leadership Committee

7.2. Councillor R. Hutchins

Municipal Services Committee; Heritage Revitalization Advisory Commission; 2017 Parcel Tax Review Panel; Waterfront Area Plan Leadership Committee..... 24

Recommendations from the Heritage Revitalization Advisory Commission

1. That Council refer a copy of the draft tree bylaw (2008) to the Heritage Revitalization Advisory Commission for review.
2. That Council consider enforcement of bylaws for façade improvements in response to concerns expressed by the Heritage Revitalization Advisory Commission regarding unauthorized façade improvements (e.g. paint colour).
3. That Council increase the 2018 training, seminar and travel budget for the Heritage Revitalization Advisory Commission by \$400.
4. That Council send a letter to the Ladysmith and District Historical Society requesting that the Society appoint a liaison to the Heritage Revitalization Advisory Commission in accordance with Bylaw 1760.

7.3. Councillor C. Henderson

Invasive Species Advisory Committee; Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan; Ladysmith Community Justice Program..... 25 - 26

Recommendations from the Invasive Species Advisory Committee:

That Council:

1. Approve using the CVRD invasive species management strategy as a basis for the Ladysmith plan, customizing as appropriate to apply to Ladysmith; and
2. Adopt a Ladysmith strategy when revised; then
3. Launch a public awareness campaign that piggybacks on the CVRD awareness strategies, using Coastal Invasive Species and garden club members/resources, public information sessions, and surveys.

- 7.4. Councillor D. Paterson**
Parks, Recreation and Culture Advisory Committee; Protective Services Committee; 2017 Parcel Tax Review Panel; Advisory Design Panel 27
- 7.5. Councillor J. Friesenhan**
Liquid Waste Management Committee; Ladysmith Downtown Business Association; Ladysmith Festival of Lights Committee; Waterfront Area Plan Leadership Committee..... 28 - 29
- 7.6. Councillor C. Fradin**
Community Safety Advisory Commission; Liquid Waste Management Committee; Protective Services Committee; Celebrations Committee..... 30 - 31
- 7.7. Councillor S. Arnett**
Vancouver Island Regional Library Board; Stocking Lake Advisory Committee; Liquid Waste Management Committee; 2017 Parcel Tax Review Panel; Advisory Planning Commission; Island Corridor Foundation

8. REPORTS

- 8.1. Fire Hall Bay Expansion – Tender 32 - 54**

Staff Recommendation:

That Council:

1. Increase the budget for the Fire Hall Bay Expansion project by \$74,500 with the funds to come from the Fire Hall Building Reserve and \$5,500 from Fire Hall operations; and
2. Award Tender #2017-PRC-06 Fire Hall Expansion to FMI Installations; and
3. Amend the 2017 to 2021 Financial Plan accordingly.

- 8.2. Water Treatment Plant Land Application 55 - 57**

Staff Recommendation:

That Council:

1. Endorse the Crown Land Tenure Application in order to secure additional lands to facilitate construction of the Town's Water Treatment Facility.
2. Appoint Koers Associates to act as the application agent for said application.

- 8.3. 2018 Council Meeting Schedule..... 58 - 59**

Staff Recommendation:

That Council confirm the following schedule of regular Council meetings and Municipal Services Committee meetings for 2018 and direct staff to advertise the schedule in accordance with Section 127 of the Community Charter.

Council Meetings

January 15	April 16	August 20	November 5
February 5	May 7	September 17	November 19
February 19	June 4	October 2 **	December 3
March 5	June 18	October 15	December 17
March 19	July 16		

**Tuesday, to accommodate Tour de Rock in Ladysmith

Municipal Services Committee Meetings

January 8	May 14	July 9	September 10
March 12	June 11	August 13	December 10
April 9			

8.4. Adjustments to Water Billing Accounts..... 60 - 62

Staff Recommendation:

That Council approve adjusting the water billing due to leaks for the following properties:

- 0479000 for \$4,257.01
- 1377200 for \$3,020.58
- 1421000 for \$5,010.01

9. BYLAWS

9.1. Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941..... 63 - 70

Staff Recommendation:

That Council:

1. Give first, second and third readings to Streets and Traffic Bylaw 1309, Amendment Bylaw #5, 2017. No. 1941; and
2. Direct staff to implement a public awareness campaign on the proposed changes to parking in the Town of Ladysmith.

10. CORRESPONDENCE

**10.1. Kathryn Weber
The Dog Park on Davis Road 71**

**10.2. Citizens for Safe Technology
Microcell Resolution and Notice of Wireless Harm..... 72 - 79**

Staff Recommendation:

That Council receive for information the Citizens for Safe Technology's document regarding Microcell Resolution and Notice of Wireless Harm.

**10.3. Jennifer Merilees
Managing Broker, Ladysmith Branch Royal LePage..... 80**

Staff Recommendation:

That Council provide a letter of support for the Ladysmith Branch of Royal LePage to accompany their application to the Defibrillation Program for a defibrillator.

11. NEW BUSINESS

12. UNFINISHED BUSINESS - None

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

BYLAW NO. 1937

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. Schedule "A" – "Town of Ladysmith Community Plan" of Bylaw 1488 is hereby amended as set out in Schedules I and II attached to and forming part of this Bylaw.

CITATION

2. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw # 49, 2017, No. 1937".

READ A FIRST TIME on the 3rd day of October, 2017

READ A SECOND TIME on the 3rd day of October, 2017

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

on the day of ,

READ A THIRD TIME on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1937 – Schedule I

1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:

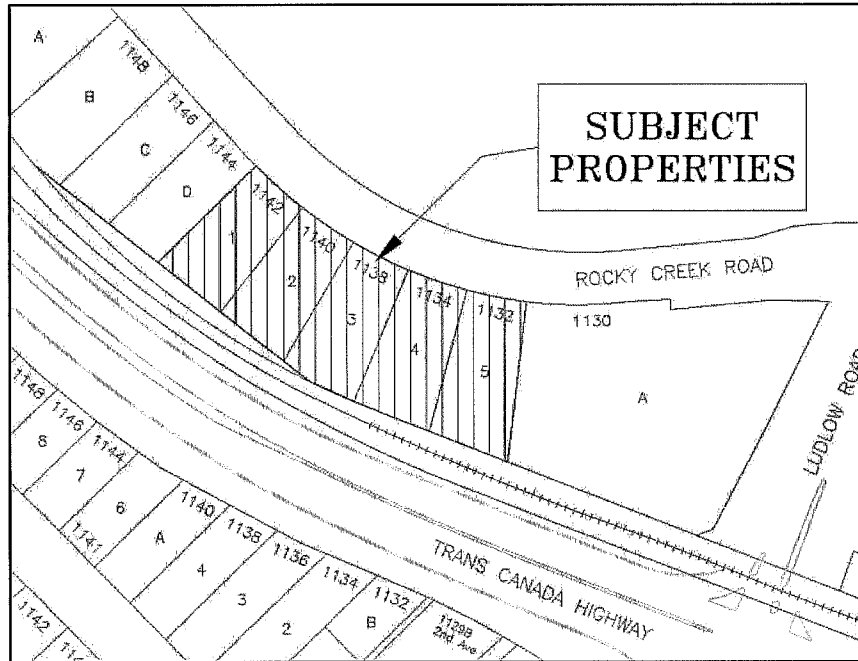
(a) “OCP Map 1 – Land Use” is amended as follows:

(i) Placing the Land Use Designation “Industrial” on the properties legally described as: Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132, 1134, 1138, 1140, and 1142 Rocky Creek Road) as shown on Schedule II.

(b) “OCP Map 2 – Development Permit Areas” is amended as follows:

(i) Placing ‘DPA 5 – Industrial’ on the properties legally described as Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132, 1134, 1138, 1140, and 1142 Rocky Creek Road) as shown on Schedule II.

Bylaw No. 1937 – Schedule II



TOWN OF LADYSMITH

BYLAW NO. 1938

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 B – Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) By placing "Light Industrial (I-1)" on the subject properties legally described as Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132, 1134, 1138, 1140, and 1142 Rocky Creek Road), as shown in 'Schedule 1' attached to and forming part of this Bylaw.

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 9, 2017, No. 1938".

READ A FIRST TIME on the 3rd day of , October, 2017

READ A SECOND TIME on the 3rd day of , October, 2017

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

on the day of ,

READ A THIRD TIME on the day of ,

APPROVED by the Minister pursuant to the provisions of the *Transportation Act*

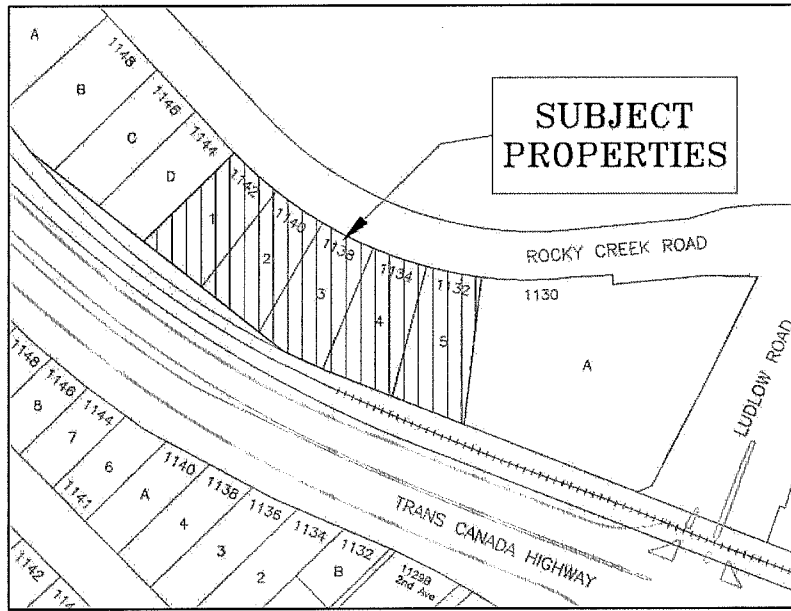
on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1938 - Schedule 1



TOWN OF LADYSMITH

BYLAW NO. 1939

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) Amending Section 10.4 Single Dwelling Residential – Small Lot B Zone (R-1-B) Zone as follows:
 - i. Section (4)(a) is deleted.
 - (b) Amending Section 10.13 Single Dwelling Residential – Holland Creek Area (R-1-HCA) Zone as follows:
 - i. Section (4)(b) and (4)(c) are deleted and the following is substituted:
 - “(b) No Buildings or Structures on a Parcel that is 560 square metres or less in size shall exceed a Parcel Coverage of 35.0 percent.
 - (c) No Buildings or Structures on a Parcel that is greater than 560 square metres in size shall exceed a Parcel Coverage of 33.0 percent.

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939".

READ A FIRST TIME on the 16th day of October, 2017

READ A SECOND TIME on the 16th day of October, 2017

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

on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

APPROVED by the Minister pursuant to the provisions of the *Transportation Act*

on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (J. Winter)

INFORMATION REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
Meeting Date: November 6, 2017
File No: 3360-17-03
RE: Bylaw 1937 and 1938

RECOMMENDATION:

That, subject to any additional matters raised at the public hearing, Council:

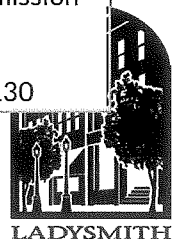
1. Proceed with third and final reading of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw # 49, 2017, No. 1937; and
2. Proceed with third reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #. 9, 2017, No. 1938;
3. Refer Bylaw 1938 to the Ministry of Transportation and Infrastructure.

PURPOSE:

The purpose of this report is to present Bylaws 1937 for consideration of third and final reading; and Bylaw 1938 for consideration of third reading following the public hearing.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017 293	Oct. 3 2017	That Council: <ol style="list-style-type: none"> 1. Give first and second reading to Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw # 49, 2017, No. 1937; and 2. Refer Bylaw 1937 to public hearing.
CS 2017 294	Oct. 3 2017	That Council: <ol style="list-style-type: none"> 1. Give first and second reading to Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 9, 2017, No. 1938 and; 2. Refer Bylaw 1937 to public hearing.
CS-2017-251	Aug. 21 2017	That Council: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> (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



Resolution	Meeting Date	Resolution Details
		<p>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.</p> <p>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.</p> <p>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.</p>

DISCUSSION:

The current stage of Bylaw 1937 and 1938 is to: 1) consider comments received or heard at the public hearing; 2) consider giving third and final reading to Bylaw 1937; and 3) consider giving third reading to Bylaw 1938.

Once the public hearing is closed, no further input from members of the public or interested persons can be accepted by Council.

SUMMARY POINTS

- That Council consider comments heard or received at the public hearing.
- That Council consider giving third and final reading to Bylaw 1937.
- That Council consider giving third reading to Bylaw 1938 and refer Bylaw 1938 to the Ministry of Transportation and Infrastructure for approval.

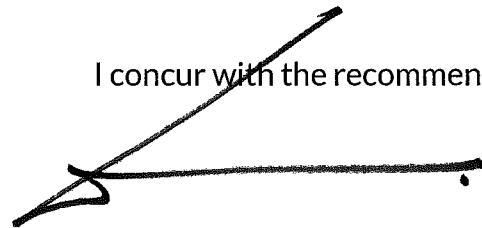
Reviewed by:



*Felicity Adams
Director of Development Services*

October 31, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

none

TOWN OF LADYSMITH

BYLAW NO. 1937

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. Schedule "A" – "Town of Ladysmith Community Plan" of Bylaw 1488 is hereby amended as set out in Schedules I and II attached to and forming part of this Bylaw.

CITATION

2. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw # 49, 2017, No. 1937".

READ A FIRST TIME on the 3rd day of October, 2017

READ A SECOND TIME on the 3rd day of October, 2017

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

on the _____ day of _____,

READ A THIRD TIME on the _____ day of _____,

ADOPTED on the _____ day of _____,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1937 – Schedule I

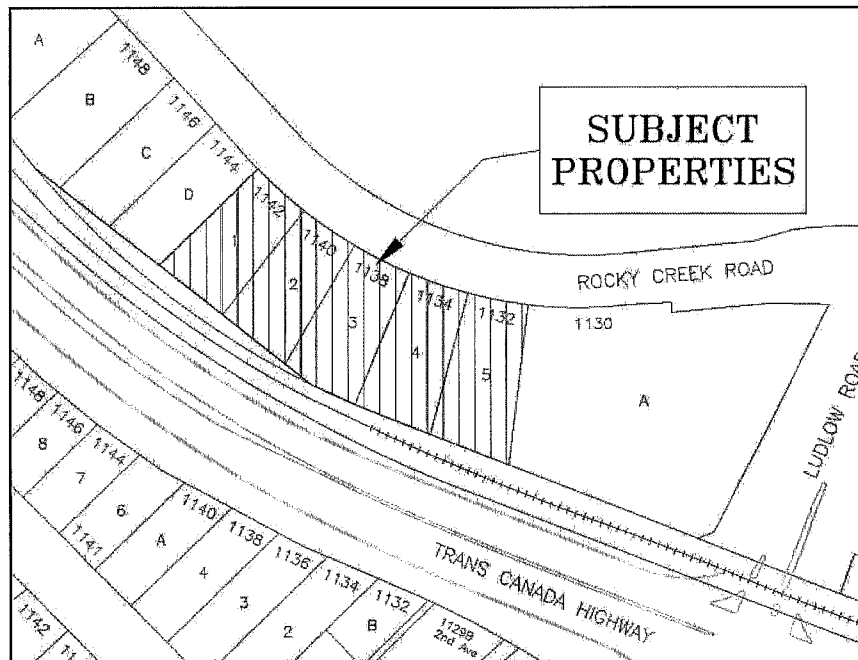
1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:

(a) “OCP Map 1 – Land Use” is amended as follows:

(i) Placing the Land Use Designation “Industrial” on the properties legally described as: Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132, 1134, 1138, 1140, and 1142 Rocky Creek Road) as shown on Schedule II.

(b) “OCP Map 2 – Development Permit Areas” is amended as follows:

(i) Placing ‘DPA 5 – Industrial’ on the properties legally described as Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132, 1134, 1138, 1140, and 1142 Rocky Creek Road) as shown on Schedule II.

Bylaw No. 1937 – Schedule II

TOWN OF LADYSMITH

BYLAW NO. 1938

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 B – Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) By placing "Light Industrial (I-1)" on the subject properties legally described as Lots 1, 2, 3, 4 and 5, District Lot 38, Oyster District, Plan VIP84189 (1132, 1134, 1138, 1140, and 1142 Rocky Creek Road), as shown in 'Schedule 1' attached to and forming part of this Bylaw.

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 9, 2017, No. 1938".

READ A FIRST TIME on the 3rd day of , October, 2017

READ A SECOND TIME on the 3rd day of , October, 2017

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

on the day of ,

READ A THIRD TIME on the day of ,

APPROVED by the Minister pursuant to the provisions of the *Transportation Act*

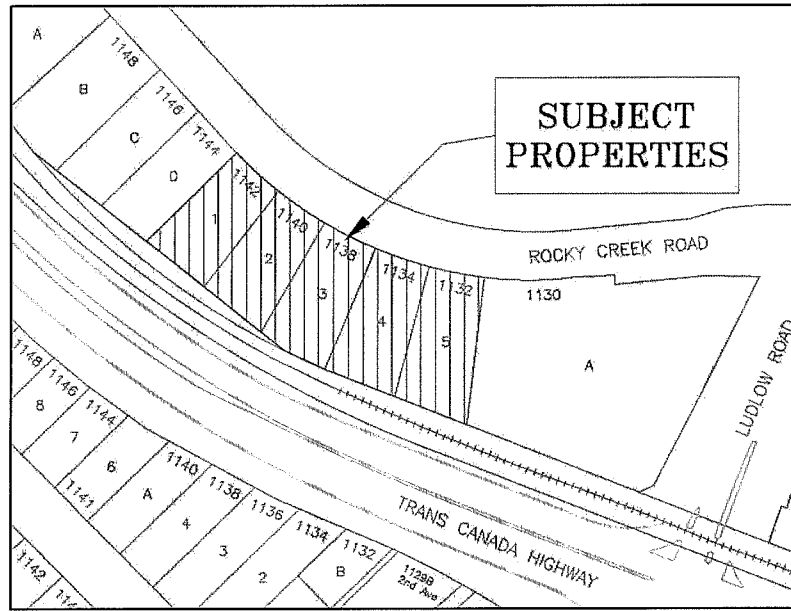
on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1938 - Schedule 1



INFORMATION REPORT TO COUNCIL

From: Lisa Brinkman, Senior Planner
Meeting Date: November 6, 2017
File No: 3360-17-02
RE: Bylaw 1939

RECOMMENDATION:

That, subject to any additional matters raised at the public hearing, Council:

1. Proceed with third reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 10, 2017, No. 1939;
2. Refer Bylaw 1939 to the Ministry of Transportation and Infrastructure.

PURPOSE:

The purpose of this report is to present Bylaw 1939 for consideration of third reading following the public hearing.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS-2017-295	Oct. 16 2017	That Council: <ol style="list-style-type: none"> 1. Give first and second readings to Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw # 10, 2017, No. 1939; and 2. Refer Bylaw 1939 to Public Hearing.
CS-2017-279	Sept. 18 2017	That Council: Direct staff to prepare a bylaw to amend the Town of Ladysmith Zoning Bylaw 2014, No. 1860 as follows: <ol style="list-style-type: none"> i) in the Single Dwelling Residential – Holland Creek Area (R-1-HCA) zone: <ol style="list-style-type: none"> a. amend the permitted parcel coverage from 33% to 35% for parcels 560m² or less in size; and b. remove the finished floor area maximum. ii) in the Single Dwelling Residential – Small Lot B Zone (R-1-B) remove the maximum finished floor area requirement. Refer the proposed zoning amendments to the Advisory Planning Commission for review.



DISCUSSION:

The stage of this Zoning Bylaw amendment is to consider matters heard or received at the public hearing, and to consider third reading of Bylaw 1939. Once the public hearing is closed, no further input from members of the public or interested persons can be accepted by Council.

SUMMARY POINTS

- That Council consider matters heard or received at the public hearing.
- That Council consider third reading of Bylaw 1939 and refer Bylaw 1939 to the Ministry of Transportation and Infrastructure for approval.

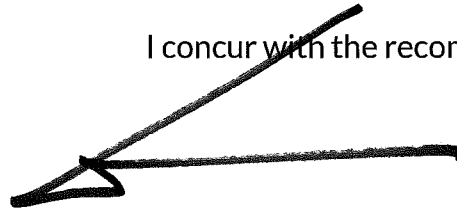
Reviewed by:



Felicity Adams
Director of Development Services

October 31, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

none

TOWN OF LADYSMITH

BYLAW NO. 1939

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) Amending Section 10.4 Single Dwelling Residential – Small Lot B Zone (R-1-B) Zone as follows:
 - i. Section (4)(a) is deleted.
 - (b) Amending Section 10.13 Single Dwelling Residential – Holland Creek Area (R-1-HCA) Zone as follows:
 - i. Section (4)(b) and (4)(c) are deleted and the following is substituted:
 - “(b) No Buildings or Structures on a Parcel that is 560 square metres or less in size shall exceed a Parcel Coverage of 35.0 percent.
 - (c) No Buildings or Structures on a Parcel that is greater than 560 square metres in size shall exceed a Parcel Coverage of 33.0 percent.

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw #10, 2017, No. 1939".

READ A FIRST TIME on the 16th day of October, 2017

READ A SECOND TIME on the 16th day of October, 2017

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

on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

APPROVED by the Minister pursuant to the provisions of the *Transportation Act*

on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (J. Winter)

**MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, OCTOBER 16, 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 2017-306

Moved and seconded:

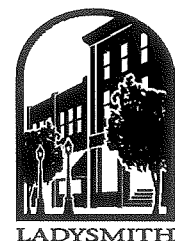
That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 5:02 p.m. in order to consider items related to the following:

- Potential lease of property – section 90(1)(e)
- Negotiations and related discussions respecting the proposed provision of a municipal service – section 90(1)(k)
- Strategic discussions regarding municipal objectives – section 90(1)(l)

Motion carried.

REGULAR MEETING

Mayor Stone called this regular meeting of Council to order at 7:00 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.



Mayor Stone also shared the news of the recent passing of former Councillor Glenda Patterson and offered members of Council the opportunity to express their thoughts. Council remembered her heart of gold, her symbolic singing of "Amazing Grace" at Remembrance Day Ceremonies, her ability to express her convictions with sweetness and grace, and her lifelong commitment to her community. All members expressed their condolences.

AGENDA APPROVAL

CS 2017-307

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council for October 16, 2017 as amended by the following:

- Add item 12.2, "Vancouver Island Economic Alliance Summit Attendance, October 25-26, 2017 in Nanaimo."

Motion carried.

MINUTES

CS 2017-308

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held October 3, 2017.

Motion carried.

DELEGATIONS

Dr. Shannon Waters, Island Health 2015 Local Health Area Profile for Ladysmith

Dr. Waters presented a report on the 2015 Local Health Area Profile for Ladysmith, summarizing the current issues and the role of local government in contributing to alleviate them.

Dr. Waters responded to questions from Council. Council thanked Dr. Waters for her informative presentation.

Jane Osborne, Christy Villiers, BC Community Response Networks Ladysmith Age-friendly Walkability/Accessibility Project

Ms. Osborne gave a brief overview of the delegation's intention and introduced Christy Villiers, of Social Planning Cowichan.

Ms. Villiers presented data from the Ladysmith Age-friendly Walkability/Accessibility project, and highlighted the roles that lighting, sidewalks, crosswalks, benches and transit play in making a community walkable.

Council thanked Ms. Osborne and Ms. Villiers for their work and

presentation.

PROCLAMATIONS

Foster Family Month

Mayor Stone proclaimed the month of October 2017 as Foster Family Month in the Town of Ladysmith, recognizing and celebrating the families who open their hearts and homes to our most vulnerable, and who play a vital role in helping children and families heal and reconnect.

DEVELOPMENT APPLICATIONS

CS 2017-309

Development Permit Application 3060-17-12 (Riparian) - Thetis Drive (Leahy, Drakensburg Development)

Moved and seconded:

That Council:

1. Issue Development Permit 3060-17-12 for Lot 3, District Lot 52, Oyster District, VIP86054 (Thetis Drive) to guide the protection of riparian areas during the development of a proposed residential subdivision; and
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-17-12 and remove DP 3060-00-06 and 3060-07-09 from the title for Lot 3, District Lot 52, Oyster District, VIP86054.

Motion carried.

CS 2017-310

Development Permit Application 3060-17-13 (Hazard Lands) - Thetis Drive (Leahy, Drakensburg Development)

Moved and seconded:

That Council:

1. Issue Development Permit 3060-17-13 for Lot 3, District Lot 52, Oyster District, VIP86054 (Thetis Drive) to establish geotechnical conditions for the development of a proposed residential subdivision; and
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-17-13.

Motion carried.

CS 2017-311

Zoning Bylaw Amendment Application 3360-17-04 618 Farrell Road (Schnurch, Turner Land Surveying Inc.)

Moved and seconded:

That Council:

1. Consider the application to amend the Zoning Bylaw to rezone the property legally described as Lot 1, District Lot 41, Oyster District, Plan 11706, except part in Plans 43985, VIP58153 and VIP79598 (618 Farrell Road) from the Rural Residential (RU-1) zone to the Single Dwelling Residential (R-1) zone;

2. Direct staff to work with the applicant on land use matters, including lot layout, tree retention, and the location and finished grade of the strata road and lots; and
3. Direct that the applicant host a neighborhood information meeting, with staff support, and that the meeting be held early in the rezoning process.

Motion carried.

**BYLAWS (OFFICIAL
COMMUNITY PLAN
AND ZONING)
CS 2017-312**

Bylaw No. 1939 to Amend Small Lot Zones R-1-B and R-1-HCA

Moved and seconded:

That Council receive the staff report from the Senior Planner regarding Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 10) 2017, No. 1939.

Motion carried.

CS 2017-313

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.10) 2017, No. 1939

Moved and seconded:

That Council:

1. Give first and second readings to Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 10) 2017, No. 1939; and
2. Refer Bylaw 1939 to Public Hearing.

Motion carried.

REPORTS

CS 2017-314

Operating and Capital Budgets – to August 2017

Moved and seconded:

That Council receive the Operating And Capital Budgets Financial Report for the period ending August 2017 for information purposes.

Motion carried.

Members of Council expressed appreciation for the clarity of the report.

CS 2017-315

Servicing Agreement with Ladysmith Resources Centre Association

Moved and seconded:

That Council:

1. Direct the Mayor and Corporate Officer to sign the Servicing Agreement between the Town and the Ladysmith Resources Centre Association for the provision of community services as specified in the agreement; and
2. Direct staff to issue the 2017 payment in the amount of \$40,500

from the Grant in Aid budget.
Motion carried.

BYLAWS

Town of Ladysmith 2018 Permissive Tax Exemptions Bylaw 2017, No. 1935

Moved and seconded:

CS 2017-316

That Council adopt Town of Ladysmith 2018 Permissive Tax Exemptions Bylaw 2017, No. 1935.

Motion carried.

CORRESPONDENCE

**Susan Chalmers, Community Energy Association
Climate Leadership Institute (CLI) November 1-3, 2017 in
Richmond, BC**

Moved and seconded:

CS 2017-317

That Council receive for information the Community Energy Association's invitation to Council regarding the Climate Leadership Institute held in Richmond, BC on November 1 -3, 2017.

Motion carried.

**Amy Melmock, Manager, Economic Development, Cowichan
Valley Regional District**

**Request for Letter of Support for the Ladysmith Economic
Development Plan Proposal Submitted to Island Coastal Economic
Trust**

Moved and seconded:

CS 2017-318

That Council:

1. Approve for submission to the Island Coastal Economic Trust a letter of support for the Town of Ladysmith Economic Development Plan Objectives;
2. Approve funding in the amount of \$5,250.00 as the Town's contribution to the initiative; and
3. Amend the financial plan accordingly.

Motion carried.

Mayor Stone commented that this initiative is a collaborative one, with participation by the Ladysmith and District chamber of commerce, Ladysmith Downtown Business Association, Nanaimo Airport and Stz'uminus First Nation.

NEW BUSINESS

Transport Canada Abandoned Boats Program Grant Application

Moved and seconded:

CS 2017-319

That Council direct staff to:

1. Apply to the Transport Canada Abandoned Boats Program for up to \$75,000 in grant funding for the removal and disposal of

derelict vessels in Ladysmith Harbour, with the Town's share of 25 per cent of the total to come from reserves; and
2. Amend the financial plan accordingly.
Motion carried.

Vancouver Island Economic Alliance Conference Attendance

Moved and seconded:

CS 2017-320

That Council:

1. Authorize Councillor Arnett to attend the Vancouver Island Economic Alliance 2017 Economic Summit in Nanaimo on October 25-26, 2017.
2. Direct staff to amend the financial plan accordingly

QUESTION PERIOD

Members of the public enquired about public input opportunities regarding the zoning bylaw amendment application for 618 Farrell Road, and the possibility of creating a committee to deal with abandoned boats.

**CLOSED SESSION
CS 2017-321**

Moved and seconded:

That this meeting of Council recess at 8:39 p.m., and that it reconvene in closed session.

Motion carried.

RISE AND REPORT

Council rose at 9:47 p.m. with report on the following:

- Resolution CE 2017-201

That Council authorize the Town of Ladysmith to enter into a five-year agreement with PerfectMind to provide recreation management software, with the understanding that funding will be allocated through the 2018 budget process.

- Resolution CE 2017-203

That Council refer the matter of Waterfront Area Plan implementation, including a higher level service request reporting to the CAO's office, to budget discussions for consideration of early approval.

- Resolution CE 2017-204 (Councillor Friesenhan opposed)

That Council endorse the following Development Services work plan recommendations:

Priority Item	Recommendation
Waterfront Area Plan	Director will continue on this project with public engagement scheduled for Oct & Nov, 2017. Statutory process Nov 2017 to March 2018.
Waterfront Area Plan land use approvals (OCP, Jewel rezoning, subdivision, studies, agreements)	Director will continue on this project with Jewel rezoning potentially by March 2018 and concurrent studies to support subdivision and comprehensive development covenant.
Building bylaw and processes	Director will continue with review of administrative matters to identify ways to streamline the application and inspection process by being clear on the steps in the process and the related requirements. The MIA core building bylaw is expected in November and new bylaws from other communities are being reviewed for best practices.
Forums with developers	Director to lead the project with assistance from Senior Planner and Executive Liaison. This project is scheduled for Q1, 2018.
DCC	The Director is part of the staff team working on this project.
Amendment to Streets and Traffic Bylaw & Ticket Bylaw, Bylaw Officer Bylaw and consequential amendments	The completion of two bylaw projects has been re-assigned to the Legislative Services Department (with the support of Bylaw Services as subject matter experts) by end of year Q4, 2017.
Boundary Extension in south Ladysmith	Director to complete the application to the Province by the end of year Q4, 2017.
Review of coach houses outside of the downtown	Senior Planner to lead the project. Budget for communication and graphic support included in DS operations budget for 2018. Communications and Engagement Specialist to assist.

		This project is scheduled for Q1-2, 2018.
Waterfront Area Plan partnership with Stz'uminus First Nation		Higher level service request for WAP implementation reporting to the CAO's office. New Position to focus on partnership, marketing, funding and other investments: <ul style="list-style-type: none"> resources in 2018 and future years - project manager / legal services /engineering/grant writer discussion with SFN Council and likely meetings of the NSC (or another joint committee) to work through the details.
Waterfront Area Plan storm drainage study		Included in higher level service request (WAP implementation).

ADJOURNMENT

CS 2017-322

Moved and seconded:
That this Meeting of Council adjourn at 9:48 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)

**MINUTES OF A SPECIAL MEETING OF COUNCIL
TUESDAY, OCTOBER 17, 2017
CALL TO ORDER 5:07 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 Joanna Winter

ALSO PRESENT:

Allison Habkirk, B.A., M.A., M.P.A., M.C.I.P.
Jerry Berry, Local Government Consultant

CALL TO ORDER Mayor Stone called this Meeting of Council to order at 5:07 p.m.

CLOSED SESSION *Moved and seconded:*
That, in accordance with section 90(1) of the *Community Charter*,
Council retire into closed session at 5:08 p.m. in order to consider items
related to the following
CS 2017-304
• Strategic discussions regarding municipal objectives – section
90(1)(l)
Motion carried.

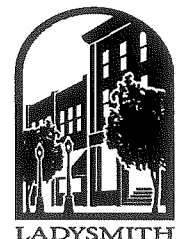
RISE AND REPORT Council rose from Closed Session at 9:06 p.m. without report.

ADJOURNMENT *Moved and seconded:*
That this Special Meeting of Council adjourn at 9:07 p.m.
CS 2017-305
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From (name): Rob Hutchins
Date: November 6, 2017
File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Committee / Organization Name: Heritage Revitalization Advisory Commission

Met on (date): September 28, 2017 Did not meet this month

Key Agenda Items:

- _____
- _____
- _____

Recommendation(s) for Council (leave blank if none)

- It was moved, seconded and carried that the Heritage Revitalization Advisory Commission recommend to Council that a copy of the draft tree bylaw (2008) be referred to the Heritage Revitalization Advisory Commission for review.
- It was moved, seconded and carried that the Heritage Revitalization Advisory Commission is concerned by unauthorized façade improvements (e.g. paint colour) and requests that Council consider enforcement of bylaws for façade improvements.

Committee / Organization Name: Heritage Revitalization Advisory Commission

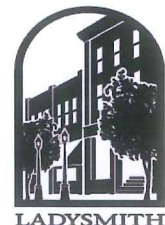
Met on (date): October 19, 2017 Did not meet this month

Agenda Items:

- _____
- _____
- _____

Recommendation(s) for Council (leave blank if none)

- It was moved, seconded and carried that HRAC recommend to Council that the 2018 training, seminar and travel budget be increased by \$400.
- It was moved, seconded and carried that HRAC recommend that Council request that the Ladysmith and District Historical Society appoint a liaison to the Commission in accordance with Bylaw 1760.



COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From: Carol Henderson
Date: November 6th, 2017
File No: 0550-04

Re: MONTHLY COUNCIL LIAISON REPORT

Ladysmith Early Years LEYP

Met on October 18th, 2017

A. Agenda Items:

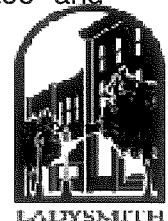
1. Make Children First Updates: (a)review of Early Development Instrument (EDI) scores and vulnerabilities. Anxiety and Aggression scoring high (b) Caregiver Network Gathering Nov. 6th LRCA (c)4th yr Nursing students update on community survey
2. Physical Literacy Program, Play Box and Activity Kits projects through PRC dept., Aggie Playground Update
3. Budget Update and Strategic Plan review
4. November 20th National Child Day..celebrations and info 9:30am -noon Aggie Hall

Ladysmith Community Justice Program

Met on October 20 & 21st, 2017

A. Agenda Items:

1. Training sessions held for new and experienced group members
2. Future meetings of Organization Committee, Facilitators Committee and Schools Committee scheduled



Invasive Species Advisory Committee

Met on October 25th, 2017

A. Agenda Items:

1. Review of Earth Day Event on April 22nd
2. Discussed the development a Town Invasive Plant Species Strategy based on the CVRD document and focused on priority species in Ladysmith
3. Develop education plan re: identification and disposal
4. Work on Public Consultation and Outreach

B. Recommendation(s) for Council That Council:

1. Approve using the CVRD invasive species management strategy as a basis for the Ladysmith plan, customizing as appropriate to apply to Ladysmith, and
2. Adopt a Ladysmith strategy when revised, then
3. Launch a public awareness campaign that piggybacks on the CVRD awareness strategies, using Coastal Invasive Species and garden club members/resources, public info sessions, and surveys

Interagency Group/EPIC

Met on October 12th, 2017

A. Agenda Items:

1. Caregiver Support and Circles of Support described with aim of keeping people out of hospital; long waits for home care
2. Transportation gaps greatest concern (LRCA down one vehicle)
3. Follow up meeting planned for group applying for a grant to pursue accessibility needs in Ladysmith

Social Planning Cowichan

Did not meet this month x

Respectfully submitted

Carol Henderson

COMMITTEE LIAISON REPORT TO COUNCIL

To: Council

From: Duck Paterson

Date: November 6, 2017

File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Canada 150**Agenda Items:**

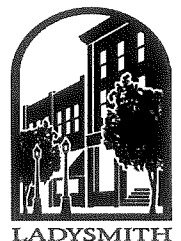
The Stz'uminus/Town of Ladysmith Canada 150 Canoe project is coming to completion. Manny Sampson and students from Stz'uminus carved the red cedar log, which the Town helped to bring out, into a 25 foot traditional Coast Salish canoe. It was taken to artist Ed Joe's in Duncan to have the art work painted on the sides (seal, killer whale, salmon, eagle and wolf) and then brought back to Manny's shed to have protective coating put on.

The Stz'uminus Community is hosting a free "Heritage Festival" on Wednesday, November 8th from 5pm to 8pm at their community centre. At that time the 150 Canoe will be "unveiled" and other ceremonies will take place, such as mask dance and the flag dance. Traditional food dishes will also be provided.

It is hoped that members of Ladysmith Council and staff attend, if possible, as this event is being extended to all citizens of Ladysmith and area.

Respectfully submitted

Duck Paterson



COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From: Joe Friesenhan
Date: October 31, 2017
File No: 0550-04

Re: **MONTHLY COUNCIL LIAISON REPORT**

Festival of Lights

Met on Thursday, October 19, 2017

A. Agenda Items:

1. President's Report – Marpole Trucking raised concerns about parade route on Ludlow as participants jumped off floats in unsafe manner. Duck to inform Kinsmen of concern.
2. Committee Reports –
 - Construction – crews working to get bases ready for decorations on rooftops.
 - Media – Chronicle to produce a 28 page magazine to cover new train and canoe decorations and their makers, the new Lit Up song and the creators, and the new History of Light Up.
 - Merchandise – Lance the Light Bulb T-shirts on sale at 49th Parallel, Pharmasave, and the Chamber Office.
 - Volunteers – Require 35 – 40 volunteers on Light Up night to man the barricades.
3. New Business –
 - Hometown Hockey to be broadcast at Cowichan Ice Arena on January 20th.
 - Festival asked if they could be included.

Ladysmith Downtown Business Association

Did not meet this month

Liquid Waste Management Committee

Did not meet this month

Waterfront Area Plan Project Leadership Committee

Next meeting December 12th.

Respectfully submitted

Joe Friesenhan

COMMITTEE LIAISON REPORT TO COUNCIL

To: Council
From: Cal Fradin
Date: October 31, 2017
File No: 0550-04

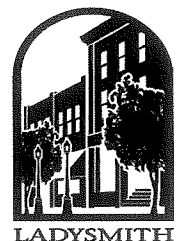
Re: **MONTHLY COUNCIL LIAISON REPORT**

Community Safety Advisory Commission

Met on October 5, 2017

A. Agenda Items:

1. Update on the Overdose Prevention Services site in the Cowichan Valley. The site opened September 12, 2017 at 715 Canada Avenue in Duncan and is receiving clients. The new overdose prevention site is a critically important service that will save lives of Cowichan residents who use illegal drugs, which are now widely contaminated. The service will be available 7 days a week and provides an overdose prevention place where people can use drugs and are safely monitored and treated immediately if they overdose. Onsite staff at the site are equipped with naloxone and trained for overdose response.
2. Presentation by Mr. Dave Street on the Island Health's Sharps Needle Pickup initiative which is led by Warmlands OPS Team. The Warmlands Sharps Pickup Team is a regional group that services the Cowichan area. Town of Ladysmith is reviewed every 3-weeks.
3. Cowichan Regional Safety Lens Document Re: Implementation and Updates to the current document and to conduct a review of local governments to see if planning departments are using the document when assessing community safety factors for proposed developments such as land uses, design of buildings, public areas etc. to enhance the safety and social wellbeing of the residents.
4. Report on Safe Youth Cowichan by Ms. Christy Villiers Project Co-coordinator



Safer Futures Cowichan. Topic Mental Health Issues and what youth are experiencing/encountering with respect to drug use, mental health issues etc. in their communities and how they are coping and reacting. Youth engagement sessions for the region to address this issue and a report to follow.

Respectfully submitted

Councillor Cal Fradin

STAFF REPORT TO COUNCIL

From: Clayton Postings, Director Parks, Recreation and Culture
Meeting Date: November 6, 2017
File No:
RE: FIRE HALL BAY EXPANSION PROJECT

RECOMMENDATION:

That Council:

1. Increase the budget for the Fire Hall Bay Expansion project by \$74,500 with the funds to come from the Fire Hall Building Reserve and \$5,500 from Fire Hall operations; and
2. Award Tender #2017-PRC-06 Fire Hall Expansion to FMI Installations; and
3. Amend the 2017 to 2021 Financial Plan accordingly.

PURPOSE:

The purpose of this report is to provide Council with an update on the tender received for the Fire Hall Apparatus Bay Expansion project and to seek authorization to award the project to FMI Installations and fund the project as required.

PREVIOUS COUNCIL DIRECTION

The Fire Hall Apparatus Bay Expansion project is included in the 2017-2021 Town of Ladysmith Financial Plan.

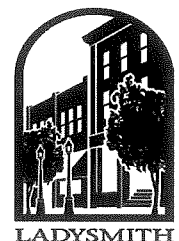
INTRODUCTION/BACKGROUND:

During the 2017-2021 Financial Plan deliberations, the Fire Hall Bay Expansion project was included with an estimated cost of \$100,000. The project has commenced with the engineering and survey work. To date, both of these components of the project have exceeded original estimates as the site had a number of complications due to the various properties which the fire hall currently covers.

The actual construction of the expansion work was tendered and closed on October 17, 2017. The Town only received two bids; one bid received was for \$149,636, while the second competing bid submitted was for \$259,979.

The Town is being advised by various contractors and consultants that the costs to these type of projects have increased significantly due to economic factors including construction services availability.

The remaining funds available for construction is \$80,000. The lowest bid for the work



was \$149,000.

In order for the expansion to be complete before the new truck arrives, the recommendation is to allocate an additional \$80,000 for completion of the project and contingency.

ALTERNATIVES

Council can choose to:

- Approve the financial plan amendment for 2017; or
- Direct staff to postpone the project and await for the 2018 Financial Plan discussions, or
- Not proceed with the project.

FINANCIAL IMPLICATIONS:

Over the last few years, \$60,000 in taxation funds were allocated towards the Fire Hall Building replacement. This was funded from the 5% capital replacement fund. Funding for the fire hall roof and bay expansion were funded out of this reserve, leaving a current balance of approximately \$9.5k. There is another \$60k earmarked at the end of the year to this reserve. Council could choose to use the full amount of the reserve, \$69.5k plus the saving from the Roof repair (\$5k) to fund the additional costs. The remaining amount, \$5.5k could come from the Fire Department operations savings; specifically from the debt payments budgeted for the new truck which will not be delivered until 2018.

LEGAL IMPLICATIONS:

Not Applicable

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Not applicable.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

PRC is leading this project. If approved, Finance will make the necessary adjustments to the Financial Plan.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input checked="" type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY:

The existing budget for the Fire Hall Bay Expansion project is not sufficient, based on the latest bids received. An additional \$80,000 is required to select the lowest bid of \$149k. Council could choose to use the entire Fire Hall Reserve to fund the additional costs or postpone the project until 2018.

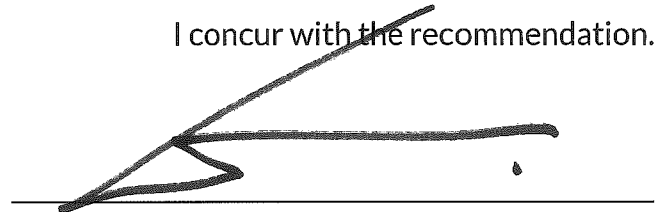
Clayton Postings



Director Parks, Recreation and Culture

October 30, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Fire Hall Apparatus Bay Expansion project - Tender submissions received

Stipulated Price Bid

STIPULATED PRICE BID

Project Number: **0037-070**

Project: Ladysmith Firehall Apparatus Bay Addition

Located At: 330 6th Ave. Ladysmith, BC

Submitted To: JOHANNA WINTER, MANAGER LEGISLATIVE SERVICES

Bidder

Legal Name: FM INSTALLATIONS

Address: 1890 SCHOOL HOUSE ROAD

City: NANAIMO Province: BC Postal Code: V9Y 1T4

Bid Price

Having examined the Bid Documents as listed in Appendix "A" to this Stipulated Price Bid, and Addenda No. _____ to No. _____ inclusive, all as issued by Herold Engineering Limited and having visited the Place of the Work; we hereby offer to enter into a Contract to perform the Work required by the Bid Documents for the stipulated price of

ONE HUNDRED FORTY NINE THOUSAND SIX HUNDRED ^{THIRTY SIX} DOLLARS
(\$ 149,636.³⁶) in Canadian funds, which price excludes Value Added Taxes.

Interest

Should either party fail to make payments as they become due under the terms of the Contract or in an award by arbitration or court, interest at three percent (3%) per annum above the bank rate on such unpaid amounts shall also become due and payable until payment. Such interest shall be compounded on a monthly basis. The bank rate shall be the rate established by the Bank of Canada as the minimum rate at which the Bank of Canada makes short term advances to the chartered banks.

Declarations

We hereby declare that:

- (a) we agree to perform the Work in compliance with the required completion schedule stated in the Bid Documents, or if no schedule is stated, to attain Substantial Performance of the Work within weeks from commencement of the Work;
- (b) no person, firm, or corporation other than the undersigned has any interest in this Bid or in the proposed Contract for which this Bid is made;
- (c) this Bid is open to acceptance for a period of 60 days from the date of bid closing.

Signatures

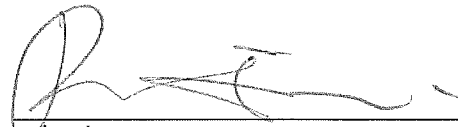
SIGNED AND SUBMITTED for and on behalf of:



signature

Witness

signature



signature

Date: OCT 17 2017

N.B. Where legal jurisdiction or Owner requirement calls for:
(a) proof of authority to execute this Bid; attach such proof of authority in the form of a certified copy of a resolution naming the representative(s) authorized to sign this Bid for and on behalf of the Corporation or Partnership; or
(b) the affixing of a corporate seal, this Bid should be properly sealed.

Appendix "A" to Stipulated Price Bid

Project Number: 0037-070

Project: Firehall Apparatus Bay Addition

Bidder: FM INSTALLATIONS

LIST OF BID DOCUMENTS

The following is the list or description of the Bid Documents referred to in the Bid for the above named Project:

- Agreement Form Between Owner and Contractor
- Definitions
- The General Conditions of the Stipulated Price Contract

See Table Of Contents attached to this document

Appendix "B" to Stipulated Price Bid

Project Number: 0037-070

Project: Firehall Apparatus Bay Addition

Bidder:

LIST OF SUBCONTRACTORS

The following are the Subcontractors which we are prepared to accept for the performance of a portion of the Work.

Division or Section of Work	Name of Subcontractor
MASONRY	MILL BAY MASONRY
METAL FAB	CEL
ROOFING	G & G ROOFING
O/H DOOR	ISLAND OVERHEAD DOOR
PAINTING	VAN BERG
ELECTRICAL	FMI

Appendix "C" to Stipulated Price Bid

Project Number: 0037-070

Project: Firehall Apparatus Bay Addition

Bidder:

ALTERNATIVE PRICES

The following are our Prices for the alternative work listed hereunder. Such alternative work and amounts are **NOT** included in our Bid Price. These Prices for the alternative work do **NOT** include Value Added Taxes.

Description of Alternative Work	Effect on Stipulated Price (\$)	
	Addition	Deduction
To supply and install....		



KINGSVIEW
CONSTRUCTION LTD

October 17th, 2017

Email: jwinter@ladysmith.ca

Joanna Winter
Manager of Legislative Services
Town of Ladysmith
410 Esplanade – PO Box 220
Ladysmith BC V9G 1A2

RE: Ladysmith Firehall Apparatus Bay Expansion (2017-PRC-06)

Dear Ms. Winter,

Kingsview Construction (KCL) is pleased to provide a tender submission for the Ladysmith Firehall Apparatus Bay Expansion project.

KCL is a relatively new company, started in April 2017 by partners Cameron Barnes and Todd Pickard. We are a fully insured and bonded general contractor based in Victoria, BC with a combined 40 years' experience in commercial and institutional construction.

Our most relevant reference project is the construction of Galiano Fire Hall (completed for the CRD). The Galiano project had a significant level of complexity due to working on a remote island with trades and suppliers located in Victoria and Duncan. KCL also has a substantial amount of experience working on buildings that remained occupied and fully operational during construction. Recently we have completed numerous construction projects while maintaining operations for the following clients – RBC, TD Bank, Brookfield GIS and the University of Victoria.

KCL will ensure the Ladysmith Firehall operations are maintained by completing the following:

1. Install hoarding around the work site to contain the area of work and ensure safe passage around the building for all operations and visitors.
2. Install clear signage around the work site to advise on safety measure, protocols and access requirements.
3. Install hoarding within the building to delineate the area of work from operations.
4. Meet with client and user group on a weekly (or bi-weekly) basis to review the progress of construction, upcoming activities, and upcoming requirements of the building operations and occupants.
5. Provide the client with a weekly 'look-ahead' schedule that can be distributed to advise on the upcoming work activities, mechanical/electrical shutdowns, or other issues that would impact the building operations.



Preliminary Schedule Estimate:

	Preliminary Schedule Estimate - 13 weeks duration												
Item	1	2	3	4	5	6	7	8	9	10	11	12	13
Excavation	█	█				█	█						
Footings		█	█										
Foundation			█	█									
Slab on Grade				█	█	█							
Masonry					█	█							
Misc. Metals						█							
Structural Steel							█	█					
Framing								█	█	█			
Roofing									█	█	█		
Overhead Doors											█	█	
Painting										█	█	█	
Cleanup / Demob													█

Please don't hesitate to contact me with any questions or concerns you may have with the proposal submission. We look forward to meeting with the committee to review our proposal and provide further explanation of our experience and capacity to complete this project for the Town of Ladysmith.

Thank you for the opportunity.

Yours truly,

Cameron Barnes
Principal
Kingsview Construction Ltd.

Attached: Cameron Barnes – Project Resume
Todd Pickard – Project Resume

Cameron Barnes – Principal

Cameron has accumulated 10 years of construction project management, business development and estimating practice. He is skilled and experienced at construction scheduling, budgeting, cost control and cash flow. He is adept at the preparation and implementation of construction submittals, including Site Specific Health & Safety Plans, Traffic Management Plans (TMP), Quality Control Plans (QCP) and Environmental Management Plans (EMP).

2017 – Present

Principal / Director

Kingsview Construction Ltd.

Queen's Printer Interior Renovation \$1.2M

2012-2017

Senior Project Manager

Century Group Inc., Victoria BC

TD Bank Maintenance Program, various locations across BC	\$250K
Confidential Client, Processing Plant, Saskatoon SK	\$9M
617 Government Street, Victoria BC	\$1.1M
Mr. Lube, Victoria BC	\$100K
North Galliano Fire Hall, Galliano Island BC	\$515K
VIRL North Nanaimo Library & Central Services Building, Nanaimo BC	\$6M
TD Bank Maintenance Program, various locations across BC	\$240K

2006-2012

General Manager/Senior Project Manager/ Estimator

Perma Construction, Victoria, BC

Victoria Harbour Authority, CPR Steamship Building fit out, Victoria BC	\$1.5M
Van. Isle Greek Community Centre, Victoria BC	\$900K
TD Bank, new branch construction, Sooke BC	\$500K
TD Bank, renovation, Oak Bay BC	\$500K
TD Bank Port Place, new branch fit out, Nanaimo BC	\$500K
National Parks Sidney Operations Centre, LEED Platinum, Sidney BC	\$100K
PISE Camosun College, ERG Centre, Victoria BC	\$285K
RBC Shelbourne & MacKenzie, renovation, Victoria BC	\$300K
DCC Helicopter Hangar, overhead crane replacement, Sydney BC	\$200K
Seaparc Rec Centre, addition and renovation, Sooke BC	\$1M
Parkwood Place & Parkwood Court Retirement Facility, Victoria BC	\$1.5M
Kensington Retirement Facility, renovation, Victoria BC	\$800K

DCC Helicopter Hanger mock-up, Sydney BC	\$200K
DCC Belmont Park Duplex, Victoria BC	\$850K
DCC Lampson School, renovation and new playground, Victoria BC	\$1M
DCC Building 191B, deconstruction, Victoria BC	\$500K
HWY. No. 1, highway and drainage upgrade, Cobble Hill BC	\$3.5M
DCC CFB Esquimalt, site preparation and pile installation, Esquimalt BC	\$1.5M
Mt. Seymour, water main replacement & new valve chamber, North Vancouver BC	\$3M
GVRD Canada Way, water main replacement, Burnaby BC	\$6M

EDUCATION

CURRENTLY PURSUING

LEED Green Associate Certification

CANADIAN CONSTRUCTION ASSOCIATION

Gold Seal Certified Practitioner

BRITISH COLUMBIA INSTITUTE OF TECHNOLOGY, BURNABY BC

Civil and Structural Engineering Technology Program

PROFESSIONAL STUDY

CONSTRUCTION MANAGEMENT

Quantity take-offs; Estimating (HCSS)

PROJECT MANAGEMENT

Constructions Contracts & Submittals (TMP, QCP, EMP)

Planning & Cost Control

Todd Pickard – Director of Operations / Site Superintendent

Todd has 30 years of experience in the construction industry, including institutional, retail, hospitality and residential projects. He is an organized and focused site superintendent whose background enables him to easily adopt projects of any size or scope.

2017 – Present

**Director of Operations/Site Superintendent
Kingsview Construction Ltd.**

Queen’s Printer Interior Renovation \$1.2M

2011 – 2017

**Site Superintendent
Century Group Inc., Victoria BC**

Leon’s Warehouse, Vancouver BC	\$3.5M
Designer Shoe Warehouse (DSW), Edmonton	\$900K
Designer Shoe Warehouse (DSW), Richmond BC	\$700K
Designer Shoe Warehouse (DSW), Vancouver BC	\$900K
Confidential Client, Processing Plant, Saskatoon SK	\$9M
BC Liquor Store, Mill Bay BC	\$810K
Price Water House Cooper, Victoria BC	\$200K
North Galliano Fire Hall, Galliano Island BC	\$515K
RBC DS, Vancouver BC	\$3.5M
RBC DS, Red Deer AB	\$1.1M
North Cowichan Municipal Hall, Cowichan BC	\$2.5M
RBC DS, Kamloops BC	\$325K
RBC DS, Calgary AB	\$625K

2003-2011

**Owner/General Contractor/Carpenter
Pickard Construction, Sarnia ON**

Dream Lottery Home \$550k
Custom Home Building and Retail \$5M annually

1992-2003

**General Contractor/Carpenter
Phoenician Homes, Corrunna ON**

\$2M annually

1987-1992
General Labourer
Karelse Construction, Sarnia ON

TRAINING:
Occupational First Aid

STIPULATED PRICE BID

Project Number: 0037-070

Project: Ladysmith Firehall Apparatus Bay Addition

Located At: 330 6th Ave. Ladysmith, BC

Submitted To: JOANNA WINTER, MANAGER OF LEGISLATIVE SERVICES

Bidder

Legal Name:

KINGSVIEW CONSTRUCTION LTD.

Address:

355 CATHERINE STREET

City: VICTORIA

Province: BC

Postal Code: V9A 3S9

Bid Price

Having examined the Bid Documents as listed in Appendix "A" to this Stipulated Price Bid, and Addenda No. _____ to No. _____ inclusive, all as issued by Herold Engineering Limited and having visited the Place of the Work; we hereby offer to enter into a Contract to perform the Work required by the Bid Documents for the stipulated price of

TWO HUNDRED FIFTY NINE THOUSAND NINE HUNDRED SEVENTY NINE _____ Dollars
(\$ 259,979⁰⁰) in Canadian funds, which price excludes Value Added Taxes.

Interest

Should either party fail to make payments as they become due under the terms of the Contract or in an award by arbitration or court, interest at three percent (3%) per annum above the bank rate on such unpaid amounts shall also become due and payable until payment. Such interest shall be compounded on a monthly basis. The bank rate shall be the rate established by the Bank of Canada as the minimum rate at which the Bank of Canada makes short term advances to the chartered banks.

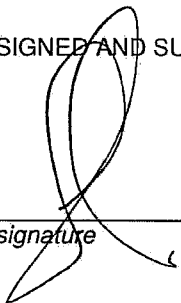
Declarations

We hereby declare that:

- (a) we agree to perform the Work in compliance with the required completion schedule stated in the Bid Documents, or if no schedule is stated, to attain Substantial Performance of the Work within weeks from commencement of the Work;
- (b) no person, firm, or corporation other than the undersigned has any interest in this Bid or in the proposed Contract for which this Bid is made;
- (c) this Bid is open to acceptance for a period of 60 days from the date of bid closing.

Signatures

SIGNED AND SUBMITTED for and on behalf of:



signature

Witness



signature

Date: OCTOBER 17th, 2017

- N.B. Where legal jurisdiction or Owner requirement calls for:*
- (a) *proof of authority to execute this Bid; attach such proof of authority in the form of a certified copy of a resolution naming the representative(s) authorized to sign this Bid for and on behalf of the Corporation or Partnership; or*
 - (b) *the affixing of a corporate seal, this Bid should be properly sealed.*

Appendix "A" to Stipulated Price Bid

Project Number: 0037-070

Project: Firehall Apparatus Bay Addition

Bidder: KINGSVIEW CONSTRUCTION LTD.

LIST OF BID DOCUMENTS

The following is the list or description of the Bid Documents referred to in the Bid for the above named Project:

- Agreement Form Between Owner and Contractor
- Definitions
- The General Conditions of the Stipulated Price Contract

See Table Of Contents attached to this document

Appendix "B" to Stipulated Price Bid

Project Number: 0037-070

Project: Firehall Apparatus Bay Addition

Bidder: KINGSVIEW CONSTRUCTION LTD.

LIST OF SUBCONTRACTORS

The following are the Subcontractors which we are prepared to accept for the performance of a portion of the Work.

Division or Section of Work	Name of Subcontractor
DEMO	OWN FORCES
EXCAVATION	CAT'S EYE
CONCRETE	OWN FORCES
STRUCTURAL STEEL & MISC. METAL	ADVANTAGE STEEL
MASONRY	MALTESEN MASONRY
ROOFING / GUTTERS / DOWNSPOUTS	TOP LINE ROOFING
OVERHEAD DOORS	TEDFORD.
PAINTING	TOP QUALITY

Appendix "C" to Stipulated Price Bid

Project Number: 0037-070

Project: Firehall Apparatus Bay Addition

Bidder: KINGSVIEW CONSTRUCTION LTD.

ALTERNATIVE PRICES

The following are our Prices for the alternative work listed hereunder. Such alternative work and amounts are NOT included in our Bid Price. These Prices for the alternative work do NOT include Value Added Taxes.

Description of Alternative Work	Effect on Stipulated Price (\$)	
	Addition	Deduction
To supply and install....		

NOT APPLICABLE

Appendix "D" to Stipulated Price Bid

Project Number: 0037-070

(Page 1 of 2)

The Owner provided Course of Construction and Wrap-Up Liability Insurance is subject to a Hot Work Operations Warranty (Form F57). This form must be acknowledged by signature by the Contractor. The contractor will be solely responsible for any loss and resultant damage arising from any denied claim that is a result of any violation of the terms of this warranty.

HOT WORK OPERATIONS WARRANTY (F57)

IT IS HEREBY UNDERSTOOD AND AGREED THAT:

This Insurance does not apply to "Property Damage" arising out of "Hot Work Operations" and/or welding operations performed by or on behalf of the insured unless the following precautions are taken:

1. **Combustible Material:**

All portable combustible material must be removed a minimum of 20 feet away from the working area and adjoining areas. With respect to welding operations, the entire area within Twenty (20) feet of welding must be swept clean.

2. **Flammable Liquids or Vapors:**

Drums, tanks or other containers or explosive liquids or vapors must be cleaned and cleared of flammable or explosive liquids before work is done on them.

3. **Pre-Operation Precautions:**

When feasible, work area should be wetted down.

4. **Spark Control:**

Sheet metal guards, asbestos blankets and similar non-combustible protective cover must be provided to prevent hot metal and sparks from falling on combustible material which cannot be moved.

5. **Fire Protection:**

If the area in which hot work and/or welding operations are being performed are presently under operative sprinkler protection, the sprinklers in that area must be operative during welding or cutting operations. Suitable fire extinguishers approved by Underwriters Laboratories of Canada and hand hose must be maintained near the operations. An extra person must be provided in the welding or

(Page 2 of 2)

cutting team whose sole responsibility is to watch for sparks and promptly use the extinguishing equipment.

6. Post-Operation Precautions:

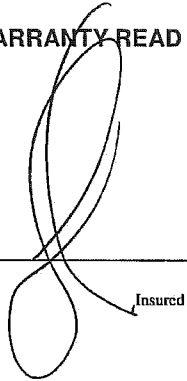
After work, a thorough check must be made for smoldering fire in out-of-the-way places, and guard patrol protection must be maintained for a minimum of four hours and where practical, the immediate area will be hosed down.

"Hot Work Operations" means:

- (a) the process whereby one or more of the parts to be joined is heated near or above its melting point, and the heated surfaces are caused to flow together;
- (b) the process of applying heat to bring to red heat the spot to be severed, gouged or pierced, and the metal is burned in a jet of oxygen;
- (c) grinding operations that generate sparks;
- (d) torch-on roofing operations;
- (e) roof tarring operations.

ABOVE WARRANTY READ AND UNDERSTOOD

SIGNED: _____



Insured

DATE: OCT. 17th, 2017

NAMED INSURED:

CAMERON BARNES / KINGSVIEW CONSTRUCTION LTD.

Nothing herein contained shall vary, alter or extend any provision or condition of the policy other than above stated.

Appendix "E" to Stipulated Price Bid

Project Number: **0037-070**


The Owner provided Course of Construction and Wrap-Up Liability Insurance is subject to an Open Flame Heating Warranty (Form F58). This form must be acknowledged by signature by the Contractor. The contractor will be solely responsible for any loss and resultant damage arising from any denied claim that is a result of any violation of the terms of this warranty.

OPEN FLAME HEATING WARRANTY (F58)

It is warranted that during the course of construction of the Insured Project where a propane gas heater or other open flame heating device is used; the device will be positioned on a minimum 30 minutes fire rated fire drywall board, tied off to a wall or floor with not less than three (4) feet of clear space surrounding it. In no circumstances will an open flame, air-forced heaters ("salamander type heaters) be used to heat the interior of any building.

FAILURE TO COMPLY WITH THIS WARRANTY SHALL RENDER ALL INSURANCE UNDER THIS POLICY NULL AND VOID.

ABOVE WARRANTY READ AND UNDERSTOOD

SIGNED:  _____
Insured

DATE: Oct. 17th, 2017

NAMED INSURED: CAMERON BARNES / KINGSTON CONSTRUCTION LTD.

Nothing herein contained shall vary, alter or extend any provision or condition of the Policy other than as above stated.

STAFF REPORT TO COUNCIL

From: Geoff Goodall, Director of Infrastructure Services
Meeting Date: November 6, 2017
File No:

RE: WTP Land Application

RECOMMENDATION(S)

That Council:

1. Endorse the Crown Land Tenure Application in order to secure additional lands to facilitate construction of the Town's Water Treatment Facility.
2. Appoint Koers Associates to act as the application agent for said application.

PURPOSE

To have Council endorse the application to the Province for a Crown Land Tenure Application to secure additional lands for construction of the Towns Water Treatment Facility.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS**INTRODUCTION/BACKGROUND**

The Town currently, as part of its water license, has access to property where the proposed WTP will be constructed. This land currently contains the chlorination building as well as part of the old open reservoir pond that was utilized as the main water reservoir prior to construction of the new concrete tank. This existing license area is inadequate to contain the proposed new Water Treatment Facility. The Town has been working with the Province to secure a larger land area. This involves preparation of a Crown Land Tenure Application. The area being applied for is contained on the attached drawing (Figure 1). Staff and our consultant Koers are now completing the requirements needed to submit the application and part of this is to obtain a Council resolution endorsing the application and a letter authorizing Koers to act as our agent in this application.

ALTERNATIVES

At this point there are no alternatives to this resolution, the proposed Water Treatment Facility will not fit within the existing land area contained in the Towns existing water licence.



FINANCIAL IMPLICATIONS

Cost associated with this application have been charged to the Water Treatment Plant project and are not significant; mostly comprising the survey work required for preparation of the application.

LEGAL IMPLICATIONS

Staff has not identified any legal issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

This will have no interdepartmental impacts.

RESOURCE IMPLICATIONS

This will have no resource impacts.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES

N/A

SUMMARY

The existing land area contained in the town water license is not sufficient to construct the new Water Treatment Plant. Additional area is required and this is accomplished through application to the Province for a Crown Land Tenure. In order to move forward with the application, a resolution from Council is required endorsing the application. In addition, staff is asking Council to appoint Koers Associates to act as our application agent in this application.

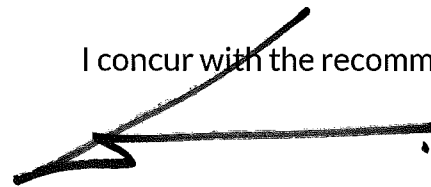


Geoff Goodall, Director of Infrastructure Services

November 1, 2017

Date Signed

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

WTP Land Application

STAFF REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
 Meeting Date: November 6, 2017
 File No: 0550-01
 RE: 2018 COUNCIL MEETING SCHEDULE

RECOMMENDATION:

That Council confirm the following schedule of regular Council meetings and Municipal Services Committee meetings for 2018 and direct staff to advertise the schedule in accordance with Section 127 of the Community Charter:

Council Meetings

January 15	April 16	August 20	November 5
February 5	May 7	September 17	November 19
February 19	June 4	October 2 **	December 3
March 5	June 18	October 15	December 17
March 19	July 16		

**Tuesday, to accommodate Tour de Rock in Ladysmith

Municipal Services Committee Meetings

January 8	May 14	July 9	September 10
March 12	June 11	August 13	December 10
April 9			

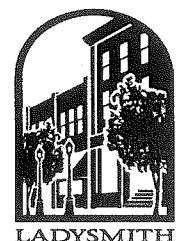
PURPOSE:

The purpose of this staff report is to establish the Council meeting schedule for 2018 and to seek Council direction to publish it in accordance with the Community Charter.

INTRODUCTION/BACKGROUND:

In accordance with the Town's Procedure Bylaw No. 1666, regular Council meetings are held on the first and third Monday of each month, unless the meeting falls on a Statutory Holiday.

The Community Charter requires a local government to notify the public of the schedule of regular Council meetings annually. The notice will be published in the November 14th and 28th editions of The Chronicle newspaper in accordance with the legislation and posted on



notice boards throughout the community, as well as on the Town's website and social media. The notice will include reference to Municipal Services Committee meetings. Meetings may be cancelled or re-scheduled throughout the year as required provided that sufficient notice of the change in schedule is issued in accordance with the *Community Charter* and/or Council Procedure Bylaw..

SCOPE OF WORK:

Staff will proceed with public notification as appropriate.

ALTERNATIVES:

N/A

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

Staff will ensure that notice provisions as laid out in the *Community Charter* are followed.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Council is required by legislation to provide notice of Council meetings. This is an opportunity to encourage citizens to attend meetings and watch their Council at work.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

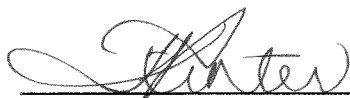
N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

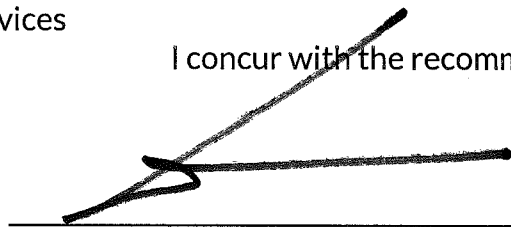
SUMMARY:

Staff request Council's approval of the 2018 Council Meeting schedule as required by the *Community Charter*. When the schedule has been approved, staff will provide statutory notice, and ensure that the schedule is made widely available.



Joanna Winter, Manager of Legislative Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

STAFF REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Meeting Date: November 6, 2017
File No: 1820-01
RE: **ADJUSTMENTS TO WATER BILLING ACCOUNTS**

RECOMMENDATION:

That Council approve adjusting the water billing due to leaks for the following properties:
0479000 for \$4,257.01
1377200 for \$3,020.58
1421000 for \$5,010.01

PURPOSE:

The purpose of this staff report is to present to Council specific properties with high water consumption due to water leaks and request authorization to adjust the water billing accounts.

PREVIOUS COUNCIL DIRECTION

Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1930:

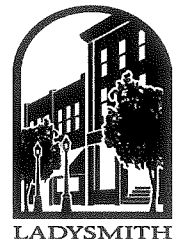
Where any account is rendered pursuant to this section, the Director of Finance, in estimating the account, shall consider previous billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director, may affect the consumption of water. The maximum adjustment amount is \$3,000 per account.

INTRODUCTION/BACKGROUND:

Adjustment to water billings due to water breaks or leaks is permitted under the Waterworks Regulation Bylaw. Three properties submitted leak adjustment requests to the Town for consideration. The dollar amount of the adjustments are greater than the \$3,000 authorized by the Director of Finance and require the approval of Council to adjust the billing amounts.

The adjustments are calculated using the consumption during the same period in the previous year as the baseline consumption.

Property owners are to repair the leak on their property within 45 days of notification of



high consumption. The notification could be in the form of a notice placed at the property during the meter reading, a letter sent from the Town or the utility bill.

Property owners can apply for one leak adjustment within a ten-year period.

Property 0479000 was notified of water consumption during the Jan – March billing period. At that time, the adjustment amount was within the Director of Finance’s authority and an adjustment was made. Due to the timing of the reading, billing and subsequent repair, the leak continued into the April- March billing period. A further adjustment of \$1,257.01 is required. Consumption has returned to a normal range for the July – September billing.

Property 1377200 was advised of a leak. A large repair was needed and involved a temporary above-ground water service. The requested adjustment to this account is estimated at \$3,020.58.

Property 1421000 received a bill for high water consumption during the July to September billing. The owner has declared the leak is fixed, though no receipts have been submitted as the repair was done by the property owner. The meter is no longer spinning indicating that the consumption has returned to a normal range. An adjustment in the amount of \$5,010.01 is requested.

ALTERNATIVES:

Council can choose to:

- Not provide an adjustment to the water billing accounts

FINANCIAL IMPLICATIONS:

Adjustments to the water billing accounts impact the water revenues. Currently, the water revenues are at 86.87% of budget with one more billing cycle (October – December). If the adjustments are granted, the water revenues will be reduced by \$8,288 which is nearly 1% of the water revenue budget.

LEGAL IMPLICATIONS:

There are no legal implications to providing an adjustment to the water billing account.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Citizens are encouraged to quickly repair any water leak when it is discovered. The incentive of a potential adjustment supports repairs made in a timely manner.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Utilities department in the Public Works Department is involved from reading the meters, notifying property owners of high consumption and monitoring consumption until it returns to a normal range. Finance calculates the billing and any subsequent adjustments.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

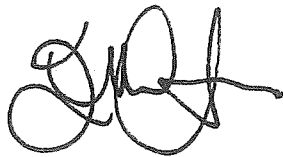
- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|---|
| <input type="checkbox"/> Employment & Tax Diversity | <input type="checkbox"/> Natural & Built Infrastructure |
| <input checked="" type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

SUMMARY:

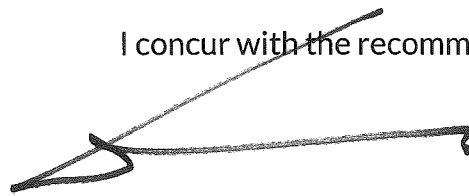
There are 3 properties with water billing adjustments over the \$3,000 approval limit of the Director of Finance. It is up to Council to authorize any addition adjustment to the water billing accounts.



Erin Anderson, Director of Financial Services

October 31, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

none

STAFF REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
 Meeting Date: November 6, 2017
 File No: 4020-20
 RE: **AMENDMENT TO STREETS AND TRAFFIC BYLAW – BOULEVARD PARKING**

RECOMMENDATION:

That Council:

1. Give first, second and third readings to Streets and Traffic Bylaw 1309, Amendment Bylaw #5, 2017. No. 1941; and
2. Direct staff to implement a public awareness campaign on the proposed changes to parking in the Town of Ladysmith.

PURPOSE:

The purpose of this staff report is to present amendments to Town of Ladysmith Streets and Traffic Bylaw 1309 for Council’s consideration. The primary amendments are intended to regulate parking of larger recreational vehicles on Town boulevards, to clarify continuous parking, and to prohibit overnight sleeping in parked vehicles. These amendments were previously directed by Council. In addition, there are some housekeeping amendments as outlined elsewhere in this report.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2017-046	Feb-20-2017	That Council direct staff to bring forward amendments to “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309” that would: 1. Limit the parking of large recreational vehicles (over 6.5m in length), including trailers, motorhomes and camper trucks on Town boulevards to a maximum of 72 hours which would match the current 72 hour time period limit on Town streets; 2. Amend the current bylaw language that restricts the parking of vehicles on Town streets to a maximum of 72 consecutive hours without the vehicle being moved to ensure that the bylaw meets the policy intent, such that “being moved” is described to mean a distance beyond the same one block area; and 3. Prohibit camping/sleeping overnight in all types of vehicles on Town streets and boulevards.
CS 2016-208	Jun-06-2016	That Council direct staff to review the Streets and Traffic Bylaw in response to suggestions regarding long-term storage of non-commercial large trailers, campers and motorhomes on Town-owned property proposed by Robert Lawson in his correspondence dated April 26, 2016.



INTRODUCTION/BACKGROUND:

In response to concerns expressed by citizens to Council and through bylaw infraction reporting, Council directed staff to propose amendments to the Streets and Traffic Bylaw to regulate parking on Town streets and boulevards, as noted above.

The Town's Bylaw Officer has worked with the Legislative Services Department to develop amendments to the Streets and Traffic Bylaw that will incorporate the direction provide by Council.

These include:

- An updated definition of 'boulevard' to remove reference to shoulders of roadways, for clarity
- An amendment to section 32 (parking) to add a reference to parking beyond the time limit designated by a traffic control device and prohibit moving a vehicle within the same block for the purpose of beginning the time period over and thereby extending the parking time limit
- A further amendment to section 32 (2) to prohibit moving of vehicles within the same block as a way of getting around the 72 hour time limit on parking
- An amendment to section 40(5) to prohibit overnight sleeping or camping on town streets and boulevards.
- A new section 67 that prohibits parking of recreational vehicles, boats, trailers and other vehicles longer than 6.5 metres on a Town boulevard for more than 72 hours
- Amendments to the terms 'Superintendent of Public Works' and 'Manager of Development Services' to reflect current staff position titles.

ALTERNATIVES:

Council can choose:

- Not to proceed Bylaw 1941
- To amend Bylaw 1941 to modify the proposed parking restrictions on recreational vehicles and sleeping/camping in vehicles.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

Council will follow legislative requirements in considering and adopting Bylaw 1941.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that those who currently park larger recreational vehicles, boats and trailers on Town boulevards may react negatively to this change in the bylaws. Others, who are concerned about using Town boulevards for longer-term parking of recreational vehicles, will likely be in favour of the proposed amendment bylaw. Other residents may

not realize that the Town-owned boulevard is actually not part of their own property. Staff will implement a communications and public education campaign to provide information and assistance.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Bylaw staff will be responsible for enforcement. Legislative Services staff will be responsible for public communications and education on the changes.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|--|
| <input type="checkbox"/> Employment & Tax Diversity | <input checked="" type="checkbox"/> Natural & Built Infrastructure |
| <input type="checkbox"/> Watershed Protection & Water Management | <input type="checkbox"/> Partnerships |
| <input type="checkbox"/> Communications & Engagement | <input type="checkbox"/> Not Applicable |

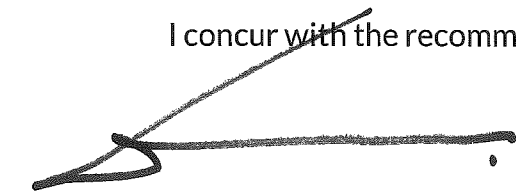
SUMMARY:



Joanna Winter, Manager of Legislative Services

October 29, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

TOWN OF LADYSMITH

BYLAW NO. 1941

A Bylaw to amend the Streets and Traffic Bylaw 1998, No. 1309 in order to regulate parking.

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Streets and Traffic bylaw;

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

Amendment

1. Delete the definition of "*Boulevard*" and replace it with the following:

"*Boulevard*" means that portion of a highway between the curb lines or the lateral lines of a *roadway* and the adjoining property line and, in the case of a divided *highway*, that portion between the inside curbs and the lateral line of the roadways.

2. Delete the definition of the term "*Manager*" and replace it with the following:

"*Director of Development Services*" means the person appointed as Director of Development Services for the *Municipality* and includes his/her authorized deputy.

3. Delete each instance of the term of "*Manager*", and replace each instance with the term "*Director of Development Services*":

4. Delete the definition of the term "*Superintendent of Public Works*" and replace it with the following:

"*Director of Infrastructure Services*" means the person appointed as the Director of Infrastructure Services for the *Municipality* and includes his/her authorized deputy.

5. Delete each instance of the term "*Superintendent of Public Works*" and replace it with the with the term "*Director of Infrastructure Services*".

6. Amend section 32 to read as follows:

32. Notwithstanding any other provision of the Bylaw, no person shall *park a vehicle* on any *highway*

(1) beyond the time limit specified by the traffic control device.

(2) in the absence of a traffic control device, for more than seventy-two (72) hours continuously. For the purposes of this section, a vehicle shall be deemed continuously parked for as long as it remains within the public parking lot or on either side of the highway within the block in which it was originally parked.

7. Amend section 40(5) to read as follows:

40(5) No person shall occupy a *vehicle, trailer, camper* or boat parked on a *highway* or *boulevard* for the purpose of lodging, sleeping accommodation or a residence.

8. Add a new section 67 to read as follows:

67. No person shall park a recreational vehicle, boat or *trailer* greater than 6.5 metres in length on a *boulevard* for a period longer than 72 hours

9. Renumber section 67 to be section 68.

10. Replace Schedule "A" (Fine Schedule) with the attached Schedule "A".

Citation

11. This Bylaw may be cited for all purposes as "Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941".

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)

Bylaw 1309, Amending Bylaw #5, 2017, No. 1941

**SCHEDULE "A"
FINE SCHEDULE**

The indicated penalties for alleged offenses committed against this Bylaw are as follows:

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
10(2)	Drive contrary to <i>traffic control device</i>	\$30.00	\$50.00
10(3)	Interfere with <i>traffic control device</i>	\$30.00	\$50.00
10(4)	Remove notice from <i>vehicle</i>	\$30.00	\$50.00
11(1)	Disobey <i>stop sign – stop line</i>	\$30.00	\$50.00
11(2)	Disobey <i>stop sign – crosswalk</i>	\$30.00	\$50.00
11(3)	Disobey <i>stop sign – no stop line/crosswalk</i>	\$30.00	\$50.00
12	Stunting	\$30.00	\$50.00
13	Unnecessary Noise	\$30.00	\$50.00
14	Racing	\$30.00	\$50.00
15	Careless driving	\$30.00	\$50.00
16	Driving over newly painted lines	\$30.00	\$50.00
28(1)	Pedestrian impede <i>traffic on highway</i>	\$20.00	\$35.00
28(2)	Pedestrian impede <i>traffic on sidewalk</i>	\$20.00	\$35.00
28(3)	Busking/Panhandling	\$20.00	\$35.00
29(2)(a)	Cyclist on a <i>sidewalk</i>	\$20.00	\$35.00
29(2)(b)	Cyclist improperly using <i>crosswalk</i>	\$20.00	\$35.00
29(2)(c)	Cyclist on left side of <i>roadway</i>	\$20.00	\$35.00
29(2)(d)	Cyclists riding abreast	\$20.00	\$35.00
29(2)(e)	Cyclist riding without using hands	\$20.00	\$35.00
29(2)(f)	Cyclist not astride seat	\$20.00	\$35.00
29(2)(g)	Cyclist with too many persons	\$20.00	\$35.00
29(2)(h)	Cyclist on <i>highway</i> where prohibited	\$20.00	\$35.00
29(2)(i)	Cyclist without safety helmet	\$20.00	\$35.00
29(3)	Child without safety helmet	\$20.00	\$35.00
29(4)	Cyclist off available bike path	\$20.00	\$35.00
29(5)	Cyclist attached to <i>vehicle</i>	\$20.00	\$35.00
29(6)	Cyclist - undue care on <i>highway</i>	\$20.00	\$35.00
29(7)	Cyclist without lights	\$20.00	\$35.00
29(8)	Play vehicle on roadway	\$20.00	\$35.00
29(9)	Skateboarding in downtown core	\$55.00	\$100.00
30(1)	Parked on left side of <i>roadway</i>	\$20.00	\$35.00
30(2)(a)	Left <i>vehicle</i> unsecured	\$20.00	\$35.00
30(2)(b)	Improper wheel position	\$20.00	\$35.00
30(3)	Parked obstructing free passage of <i>traffic</i>	\$20.00	\$35.00
30(4)	Improper <i>angle parking</i>	\$20.00	\$35.00
30(5)	No valid plates	\$20.00	\$35.00
31(1)	Parked on <i>sidewalk</i>	\$20.00	\$35.00
31(2)	Parked blocking <i>driveway</i>	\$20.00	\$35.00
31(3)	Parked in <i>intersection</i>	\$20.00	\$35.00
31(4)	Parked at fire hydrant	\$20.00	\$35.00
31(5)	Parked on a <i>crosswalk</i>	\$20.00	\$35.00
31(6)	Park within 15 metres of a <i>crosswalk</i>	\$20.00	\$35.00
31(7)	Park within 6 metres of a <i>traffic control device</i>	\$20.00	\$35.00
31(8)	Park within 15 metres of a railway track	\$20.00	\$35.00
31(9)(a)	Parked advertising for sale	\$20.00	\$35.00
31(9)(b)	Parked for repair or wrecking	\$20.00	\$35.00
31(9)(c)	Parked displaying signs	\$20.00	\$35.00
31(9)(d)	Parked selling goods	\$20.00	\$35.00
31(10)	Parked obstructing <i>traffic</i> at construction	\$20.00	\$35.00

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
31(11)	Double <i>parked</i>	\$20.00	\$35.00
31(12)	Parked on a bridge or in a tunnel	\$20.00	\$35.00
31(13)	Parked contrary to <i>traffic control device</i>	\$20.00	\$35.00
31(14)	Parked block view of <i>traffic control device</i>	\$20.00	\$35.00
31(15)	Excessive <i>vehicle</i> length – <i>angle parking</i>	\$20.00	\$35.00
31(16)	Parked at bus stop	\$20.00	\$35.00
31(17)	Park within 9 metres of an <i>intersection</i>	\$20.00	\$35.00
32	Parked beyond time limit	\$20.00	\$35.00
33(1)	Parked too long in loading zone	\$20.00	\$35.00
33(2)	Parked too long in passenger zone	\$20.00	\$35.00
34	Parked in <i>disabled zone</i> without permit	\$20.00	\$35.00
36(3)	Disobey direction of a <i>peace officer</i>	\$50.00	\$75.00
37	Littering	\$50.00	\$75.00
38(1)	Abandon container or <i>vehicle</i>	\$75.00	\$100.00
39(1)	<i>Driver</i> fail to correctly state name	\$75.00	\$100.00
39(2)	Pedestrian fail to correctly state name	\$75.00	\$100.00
40(1)	Container without warning protection	\$75.00	\$100.00
40(2)	Place material on <i>roadway</i>	\$75.00	\$100.00
40(3)	Fail to remove material from <i>roadway</i>	\$75.00	\$100.00
40(4)	Interfere with warning protection	\$75.00	\$100.00
40(5)	Use <i>vehicle, trailer, camper</i> or boat for accommodation	\$30.00	\$50.00
40(6)	Interfere in parade or funeral procession	\$30.00	\$50.00
40(7)	Drive over fire hose	\$200.00	\$250.00
41	Fail to remove accident debris	\$30.00	\$50.00
42(1)	Unauthorized signs on <i>highway</i>	\$30.00	\$50.00
43(3)	Fail to comply with Regulations		
	- No oversize permit	\$75.00	\$100.00
	- Contrary to oversize permit	\$75.00	\$100.00
	- Wheels and tires	\$75.00	\$100.00
	- Weighing of <i>vehicles</i>	\$75.00	\$100.00
	- No overload permit	\$75.00	\$100.00
	- Contrary to overload permit	\$75.00	\$100.00
	- Fail to secure load as required	\$75.00	\$100.00
	- Misuse of overload or oversize permit	\$75.00	\$100.00
	- No axles permit	\$75.00	\$100.00
	- Contrary to axles permit	\$75.00	\$100.00
	- Overweight on towing dolly	\$75.00	\$100.00
	- No pilot car as required	\$75.00	\$100.00
	- No flags or lamps as required	\$75.00	\$100.00
45	Fail to obtain <i>highway</i> use permit	\$75.00	\$100.00
46(1)	<i>Heavy Truck</i> off <i>truck route</i>	\$100.00	\$150.00
46(2)	<i>Heavy Truck</i> on no <i>Heavy Truck</i> route	\$100.00	\$150.00
47(1)	<i>Heavy Truck</i> parked in <i>residential district</i>	\$75.00	\$100.00
47(2)(a)	Commercial <i>trailer</i> parked with no motive power unit attached	\$75.00	\$100.00
47(2)(b)	Non-commercial <i>trailer</i> parked with no motive power unit attached	\$20.00	\$35.00
47(3)	Excessive <i>vehicle</i> length in a <i>lane</i>	\$20.00	\$35.00
47(4)	<i>Vehicle</i> over 5,000 kg after hours	\$35.00	\$50.00
47(5)	Commercial <i>truck</i> after hours on the <i>highway</i>	\$75.00	\$100.00
47(6)	Dangerous goods on <i>highway</i>	\$75.00	\$100.00
48(1)	<i>Heavy Truck</i> operating after hours	\$100.00	\$150.00
49	Drive contrary to order of <i>Superintendent of Public Works</i>	\$75.00	\$100.00
50(1)(a)	Exceed licensed gross <i>vehicle</i> weight		**
50(1)(b)	Exceed axle weight permitted		**
50(1)(c)(i)	Exceed load dimensions		**
50(1)(c)(ii)	Exceed <i>vehicle</i> dimensions		**
50(1)(d)	Non-conforming distance between axles		**

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
52	ATV not insured or equipped as required	\$30.00	\$50.00
53	Snowmobile on <i>highway</i> without permit	\$30.00	\$50.00
54	No lights on ATV when required	\$30.00	\$50.00
55(1)	Careless operation of ATV	\$30.00	\$50.00
55(2)	Operate ATV in planting area	\$30.00	\$50.00
55(3)	Operate ATV on sidewalk	\$30.00	\$50.00
55(4)	Operate ATV on railroad right-of-way	\$30.00	\$50.00
55(5)	ATV on private property without permission	\$30.00	\$50.00
55(6)	Operate ATV harassing wildlife	\$30.00	\$50.00
55(7)	Operate ATV in environmentally sensitive area	\$75.00	\$100.00
56	Operate ATV without helmet	\$30.00	\$50.00
67	RV over 6.5 m. parked on boulevard beyond time limit	\$30.00	\$50.00

NOTE: ** Refer to Section 51(2) for penalties

Donna Smith

From: Kathryn Weber <[REDACTED]>
Sent: August 31, 2017 2:07 PM
To: Clayton Postings
Subject: dog park [REDACTED] Davis Rd.

Clayton Postings
Director of Parks Recreation & Culture

August 31, 2017

Dear Clayton,

I am writing to complain about the dog park beside my property at [REDACTED] Davis Road.

I was unhappy to see this park go in and complained at that time to someone whose name I unfortunately forget. Now that the park has become busier and a problem for my tenants, I am complaining again. As discussed with you over the phone, there have been on going issues with the boarded up school and portables looking trashy and devaluing the property. This dog park does the same but worse. Who in their right mind would want to live beside high car traffic road parking and a busy enclosed area with yelling people and barking dogs? As I mentioned on the phone, it is unfair that this park was placed directly beside my property without any consultation. The tenants cannot enjoy their space and feel invaded. They are threatening to leave which makes me very upset as they are long term tenants.

I do not recall ever seeing another dog park situated directly beside a private residence. Perhaps there should be some kind of municipal guideline preventing it. Since you mentioned that this park's site is scheduled to be reviewed, please consider removing it as soon as possible.

I look forward to hearing from you.

Sincerely,
Kate Weber

[REDACTED]

Kate Weber

[REDACTED]





CST

Citizens for Safe Technology

ACTION REQUIRED: Microcell Resolution & Notice of Wireless Harm

Dear Mayors and Councillors,

At last month's UBCM, BC municipalities voted in favour of a Resolution mandating that land use authorities and the public be consulted when microcells are placed within 100 metres of schools, hospitals, and residences. This requested change to existing policy closes a federal loophole that allows microcells to be placed on existing structures with no public consultation whatsoever. Over the next several months, the FCM (*Federation of Canadian Municipalities*) will be discussing the content of the UBCM resolution with the federal government.

Microcell placement and municipal rights is a hot topic. While some individuals perceive microcells as benign or even benevolent transmitters that are essential to improving connectivity and achieving economic prosperity, a growing number of civic leaders are concerned about the many issues arising from installing microcells in the public right of way. (See Section 3: **Why Local Governments are Concerned about Microcells** below.) On October 15th 2017, SB 69 - a bill giving telecoms free rein to install microcells on California rights of way, which 300 Californian cities opposed - was vetoed by state Governor Jerry Brown.

High-speed connectivity is not dependent on microcells. Safe and data-secure technological options are available. (See Section 4: **Tech-Wise-Solutions for Connectivity** below.)

The material below summarizes the concerns about microcells and outlines important actions you may take **now** to insure that as a local government you are as fully engaged as current federal policy allows in the placement of microcells in your community.

Suggested Approach:

- 1) Put the brief **Notice of Wireless Harm** in Section 2 below on the agenda of your next council meeting.
- 2) Review all permits, antenna siting policies, and agreements currently in place between your government and telecommunication companies. (See Section 5: **Action Check List** below.)
- 3) Take a few moments to read the material below so that you may make informed telecommunications decisions. This letter and that material are also attached as a PDF,

With Best Wishes,

Citizens for Safe Technology
cst.citizensforsafetechnology@gmail.com

Section 1: Overview

The Resolution that was passed:

WHEREAS public consultation on the placement of cell towers is mandated;
and
WHEREAS new technology is moving away from these large towers to micro-transmitters which do not require local government or public consultation;
THEREFORE BE IT RESOLVED that the AKBLG request the UBCM petition relevant provincial and federal governments to mandate consultation with the land use authorities and the public regarding microcell transmitter siting within 100 metres of residences, schools and hospitals.

Why this Resolution Matters

ISED (*Innovation, Science and Economic Development*, formerly *Industry Canada*) allows microcells, or small cell antennas, to be placed on existing structures without any public input or often knowledge. In their 2014 Guide to

Assisting Land-Use Authorities in Developing Antenna Siting Protocols, Industry Canada makes an assumption that: “certain proposals ... have minimal impact on the local surroundings and so are excluded from public and land-use consultations.”

The UBCM’s support for the microcell placement resolution shows that ISED has underestimated and overlooked the impact microcells have on municipalities and their residents.

Section 2: Microcells - Notice of Wireless Harm

Although there is no scientific research proving microcells are safe, the widespread installation of microcell technology is based on the misconception that wireless transmitters cause no harm. Thousands of independent scientific studies, however, link the RFR (radiofrequency radiation) microcells emit to increased cancer risk, neurological disorders, and infertility. Even low levels of RFR exposure over time have been linked to adverse effects on plants and insects, especially pollinators

- As of October 2017, 235 scientists from 41 countries have signed the International EMF Scientists Appeal urging world leaders to “protect mankind and wildlife from the dangers of EMFs and wireless technology.”

ISED says microcells are safe as long as they comply with Health Canada’s Safety Code 6. Health Canada, however, continues to ignore the non-thermal effects of artificial electromagnetic frequencies as well as the science which shows that exposure to these frequencies, even at levels lower than those deemed safe by Safety Code 6, cause potential biological harm.

- On September 28, 2014, over 50 Canadian physicians condemned Safety Code 6. On July 9, 2014, fifty-three scientists from eighteen countries called on Health Canada to intervene to “help avoid an emerging health crisis.”

Microcells are establishing the infrastructure for “5G” (fifth generation) technology which the telecom industry is poised to install across the nation.

“5G” microwave frequencies have never been independently tested to prove they will not cause adverse biological and/or health effects. By allowing telecoms to install microcells, local governments currently have no recourse over how many transmitters are placed and if these microcells will be used to transmit “5G.”

- On Sept. 13, 2017, over 180 scientists from 35 countries sent a declaration to the European Commission calling for a moratorium on the rollout of microcell transmitters and “5G” saying that fifth generation technology “could lead to tragic, irreversible harm”

In 1998, Canada adopted the Wingspread Precautionary Principle, which states: “When an activity raises threats of harm to human health or the environment, precautionary measures should be taken, even if some cause and effect relationships are not fully established scientifically.”

Rethinking the indiscriminate installation of microcells in our communities supports this principle and protects local governments from being liable for damage and injury resulting from wireless harm.

Section 3: Why Local Governments are Concerned about Microcells

- **Public and Environmental Health and Safety** - as discussed in the above **Microcells - Notice of Wireless Harm**
- **Liability**

Once a municipal government has been made aware that microcells may cause personal injury or environmental harm, (the **Notice of Wireless Harm** above informs you of this) permitting microcell transmitters to be installed in your ROWs may be deemed an act of negligence, and you may be held liable for any environmental damage or personal injury resulting from this equipment having been installed. Telecommunication workers (“linemen”) are at particular risk.

In 2013, the *CRTC* and the *FCM* established this liability criterion in their **Model Municipal Access Agreement**, which may be downloaded here:

<http://crtc.gc.ca/cisc/eng/ciscmanu.htm>.

- **Local Authority & Urban Planning**

The Antenna Siting Systems Protocol Template developed in 2013 by the *FCM* and the *Canadian Wireless Telecommunications Association* (CWTA) offers municipalities examples of how they may add their input to antenna siting in their communities, specifying design preferences, for instance, or naming preferred and discouraged locations for antenna siting. However, once a land use authority gives its permission for microcells to be installed, telecommunication companies have the final say in where microcells are placed.

This Lack of Local Authority over microcells negatively impacts:

- **Public Health and Safety** Transmitters in the public right of way are affecting pole integrity, creating increased distraction for drivers, and causing sidewalk and roadway crowding.
- **Urban Planning:** There is no limit to the number of small cells allowed per property, and no consideration for competing demands, noise, size, lighting, design, or fiscal impacts.
- **Aesthetics & Property Values:** Universal deployment of microcells degrades intentionally designed neighborhoods and historic buildings, and negatively affects property values.
- **The Public's Use and Enjoyment of the ROW:** Street-side gardening, block parties, neighbours visiting across the fence, children riding their bikes on the road by their homes... So many pastimes that add colour to a community and pleasure to life may be curtailed as citizens experience legitimate concern about lingering under the microcells and being exposed to radio frequencies.

Section 4: Tech-Wise - Solutions for Connectivity

Safe and data-secure technological options are available.

For mobile connectivity we could emulate Paris, France's pilot project and install small cells with signals that are adequate for mobile use but do not penetrate buildings or peoples' homes. For home and business internet access, wired networks of fiber optic and Ethernet cables or of fiber optic, copper wire and Ethernet cables (G-Fast) provide safe, fast, reliable, and cyber-secure connection, and will not blemish or obstruct local rights of way.

Section 5: Microcells - Municipal Rights and Responsibilities

Action Check List

- Have microcells been installed on existing structures in your municipality?
- If not, do you want to discuss other connectivity options with telecom providers before giving them access to your ROWs?
- Do you have an Antenna Siting Protocol in place? If so, does it require that notification is required for all new transmitters? If not, consider writing one that does, even for microcells being installed on existing structures.
- If microcells are installed in your ROWs:
 - Has written consent been given to the telecom by local land use authorities for each transmitter installed?
 - Have you asked the company who installed the microcell network for RF exposure level data?
 - Have you asked this company what strategies they have employed to keep the ambient RF radiation levels in residential areas as low as possible, and what strategies could still be implemented?

- Have you negotiated a Municipal Access Agreement with the telecom who has installed these microcells?
- Has the telecom submitted detailed before and after plans to your municipal engineer for each microcell installation?

The Model Municipal Access Agreement and You

The **Model Municipal Access Agreement** negotiated between the CRTC and the FCM in 2013 (<http://crtc.gc.ca/cisc/eng/ciscmanu.htm>) defines the parameters of local governments' current rights and responsibilities in relation to microcell placement. Most significantly:

1. **Consent:** Pursuant to section 43 of the Telecom Act a company must have a municipality's written consent prior to constructing equipment within the ROW.
2. **Permits:** Work within the ROWs by the company is subject to the authorization requirements established by the municipality. Municipalities determine if permits are required for each and every microcell.
3. **Plans:** Unless otherwise agreed to by the municipality, prior to installing microcells the company must submit the following to the municipal engineer:
 - Construction plans of the proposed work showing the locations of the proposed and existing equipment and other facilities, and specifying the boundaries of the area within the municipality within which the work is proposed to take place;And
 - All other relevant plans, drawings and other information as may be normally required by the municipal engineer from time to time for the purposes of issuing permits.
4. **Refusal to issue Permits.** In case of conflict with any *bona fide* municipal purpose, including reasons of public safety and health and conflicts with existing infrastructure, the municipality may request amendments to the plans provided by the company or may choose to refuse to issue a permit.

5. Utility co-ordination committee. The company shall participate in a utility co-ordination committee established by the municipality and contribute to its equitable share of the reasonable costs of the operation and administration of the committee as approved by such committee.

6. "As-built" drawings. The municipality may request that, no later than a given number of days after completion of any work, the company shall provide the municipal engineer with accurate "as-built" drawings sufficient to accurately establish the plan, profile, and dimensions of the equipment installed within the ROWs.

7. Liability. The municipality is responsible for any damage to the natural environment and any injury to any person arising from the presence of electromagnetic radiation in connection with the company's use of the ROWs if such damage was caused directly or indirectly, in whole or in part, by the negligence of the municipality.

From: Jennifer Merilees [<mailto:jennifermerilees@royallepage.ca>]
Sent: October 24, 2017 2:35 PM
To: Guillermo Ferrero
Subject: re: Defibrillation Program

Good afternoon,

I am writing to you today because I am working on getting accepted as a candidate to have a defibrillator put into our office. The criteria mentioned is that it is in a location open to the public, where a large number of people gather, and/or where there may be a delay accessing emergency health services.

As we are located downtown I feel as though there is a lot of public traffic around here on a daily basis as well as some of the larger events the city puts on. And given the age of the demographic here I believe that a defibrillator would be an absolute asset to have here, and possibly in multiple locations throughout the community...although I can only speak for this one.

To conclude the application process I need to include a letter of support from our municipality so I am hoping you (or whomever you feel is the correct voice for this letter of support) would be able to take a few minutes to do so?

Thank you so very much in advance,

Jennifer Merilees

Managing Broker
Ladysmith Branch
250-245-2252



Nanaimo Realty
LADYSMITH