

PUBLIC HEARING AND SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF LADYSMITH TO BE HELD AT THE LADYSMITH EAGLES HALL 921 1ST AVENUE, LADYSMITH MONDAY, MAY 14, 2018 7:00 P.M.

Call to Order and Closed Meeting - 5:30 p.m. (at City Hall) Regular Open Meeting - 7:00 p.m. (at Eagles Hall)

AGENDA

CALL TO ORDER (5:30 P.M.)

1. CLOSED SESSION

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

- The acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality - section 90 (1) (e)

PUBLIC HEARING AND SPECIAL MEETING (7:00 P.M.)

2. AGENDA APPROVAL

3. RISE AND REPORT

4. PUBLIC HEARING

Outline of Public Hearing Process – Mayor Stone

4.1. Official Community Plan Amendment and Zoning Bylaw Amendment Bylaws 1950 and 19511 -14

4.1.1. Introduction of Bylaw and Statutory Requirements – Director of Development Services



4.1.2. Submissions..... 15 - 16

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

4.1.4. Declaration that the Public Hearing for Bylaw 1950 is Closed – Mayor Stone

5. BYLAWS (SUBJECTS OF PUBLIC HEARING)

5.1. Official Community Plan Amendment (Waterfront Area Plan and consequential amendments) and Rezoning of a portion of Lot 4, Plan 45800 (The Jewel) - Bylaws 1950 and 1951..... 17 - 35

Staff Recommendation:

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

1. Proceed with third reading and final adoption of Bylaw 1950 cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 50) 2018, No. 1950”.
2. Proceed with third reading of Bylaw 1951 cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951”.
3. Direct staff to refer Bylaw 1951 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

6. PROCLAMATION

6.1. Be a Home Town Tourist..... 36
Mayor Stone has proclaimed June 16 & 17, 2018 to be “Be a Hometown Tourist Weekend” in the Town of Ladysmith, British Columbia. He encourages all local residents to become acquainted with their community, and in so doing become supporters of local business, attractions and ambassadors for visitors to this area.

7. DEVELOPMENT APPLICATIONS - None

8. REPORTS

8.1. Regional Sport Tourism Grant Subcommittee Representative..... 37 - 38

Staff Recommendation:

That Council forward the CVRD request of appointing a member to the Regional Sport Tourism Grant Subcommittee to the Parks, Recreation and Culture Advisory Committee (PRCAC), and request that the Parks, Recreation and Culture Advisory Committee recommend to Council two members (one being an alternate) to sit on the Regional Sport Tourism Grant Subcommittee.

8.2. Parks, Recreation and Culture Fees and Charges Review 39 - 56

Staff Recommendation:

That Council:

1. Consider referring the following proposed amendments to Town of Ladysmith Community Centre Facilities Fee and Charges Bylaw 2015 No. 1884, to the Parks, Recreation and Culture Advisory Committee for review and comment:
 - Increase admission and pass fees by two per cent effective September 1, 2018 and September 1, 2019 and September 1, 2020 and continue to not charge admission for seniors over the age of eighty and children under the age of three;
 - Increase facility rental fees, park permit fees and sport field light fees by two per cent effective September 1, 2018 and September 1, 2019 and September 1, 2020;
 - Remove three- and six-month pass options from the Fees and Charges;
 - Maintain family admission and pass rates at the current fees;
 - Add rental fees for the lower recreation space at Frank Jameson Community Centre known as the “rec room” at the same rate as the gymnasium.
2. Direct staff to consult with the major facility users requesting feedback, relating to proposed facility rental rates and provide report back to Council.

8.3. Water Filtration Tender Award
(the staff report for this item will be circulated separately)

9. BYLAWS

9.1. Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941.....57 - 61

The purpose of Bylaw 1941 is to amend the streets and traffic bylaw to regulate parking of larger recreational vehicles on Town boulevards, to clarify continuous parking, and to prohibit overnight sleeping in parked vehicles.

Staff Recommendation:

That Council adopt “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #5, 2017, No. 1941”.

9.2. New Election and Assent Voting Bylaw 1964 62 - 76

The purpose of Bylaw 1964 is to provide for the determination of various procedures for the conduct of elections and assent voting (referenda).

Staff Recommendation:

That Council give first, second and third readings to “Town of Ladysmith Election and Assent Voting Bylaw 2018, No. 1964”.

10. CORRESPONDENCE

**10.1. Forrest Field Upgrade Initiative Committee
Update on Forrest Field (Lot 108) Upgrade Initiative Proposal 77**

Staff Recommendation:

That Council:

1. Receive the letter from the Forrest Field Upgrade Initiative Committee regarding the proposed improvements at the Forrest Field Sports Complex; and
2. Appoint a member of Council to represent the Town of Ladysmith on the committee.

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. 1950

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. "Official Community Plan Bylaw 2003, No. 1488" is hereby amended as set out in Schedules A and A.1 to A.7 which are attached to this Bylaw.

Citation

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw [No. 50] 2018, No. 1950".

READ A FIRST TIME on the 5th day of March , 2018

READ A SECOND TIME on the 5th day of March , 2018

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

 on the day of , 2018

READ A THIRD TIME on the day of , 2018

ADOPTED on the day of , 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1950 - Schedule A

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

(a) Amending Section 1.8.1 "Population and Economy" as follows:

(i) Under the heading "Key Issues," the paragraph below the title "Waterfront" is deleted and replaced with the following.

"The Waterfront Area Plan (2018) provides goals, objectives and policies for land use in the Waterfront area. A mix of uses including parks and open space and residential, and employment generating uses such as marina and moorage, commercial, institutional and industrial are considered as appropriate to create a vibrant, diverse welcoming people place."

(b) Amending Section 1.8.2 "Community Form and Character" as follows:

(i) Under the heading "Key Issues," the paragraph titled "Mixed Use Waterfront" is deleted and replaced with the following.

"Waterfront Area Plan

- The waterfront defines much of the character of Ladysmith. The Waterfront Area Plan provides an overall concept plan for a mix of uses and provides the basis for the creation of a vibrant character and pedestrian scale form. Community members strongly support foreshore enhancement and a waterfront walkway as important elements in the development of the waterfront. Recognizing the history of both the Stz'uminus First Nation and the Town in the form and character of the area are key goals as outlined in the Waterfront Area Plan (2018)."

(c) Amending Section 1.8.3 "Land Use" as follows:

(i) Under the heading "Key Issues," the paragraph titled "Waterfront Development" is deleted and replaced with the following.

"Waterfront Area Plan

- Upland development of the waterfront will include a mix of uses and activities, including park and open space, institutional, commercial, mixed-use, industrial and residential development. Foreshore development will include marina and moorage uses and related uses as outlined in the Waterfront Area Plan (2018)."

(d) Amending Section 2.1 "Guiding Principles" such that the title and text in item 6 is deleted and replaced with the following.

"6. Vision for the Waterfront

One heart + one mind: Itst uw'hw-nuts'ul-wum (we are working as one) to create a waterfront for now and future generations.

Located on the un-ceded traditional territory of the Stz'uminus First Nation, the waterfront area will bring our Stz'uminus and Ladysmith communities together to build a shared legacy in the spirit of mutual respect and benefit. The waterfront area will be a place of enriching public life, living, learning, creativity, and economic activity. The respectful development of this special place will create the opportunity for community prosperity, ecological regeneration and brownfield restoration while honouring past, present, and future generations."

(e) Amending Section 3.1 "Growth Management" by deleting the five bullets and last sentence under the sentence "Ladysmith has five areas where future population growth can be accommodated:" and replacing them with the following.

“Ladysmith has five areas where future population growth can be accommodated.

- Holland Creek area: potential population of 1,900;
- North Ladysmith: potential additional population of 2,090;
- South Ladysmith: potential additional population of 1,170;
- Waterfront: potential population 750; and
- Infill surrounding downtown: potential additional population of 255.

The Town’s population estimate is 8,949 (BC Statistics, 2017). It is estimated that these five areas can accommodate a potential additional population of about 6,165 people. The five areas are shown in Figure 4 – Potential Population Growth.”

- (f) Before Figure 4, add a new ‘Figure 3.1 – Potential Population Growth’ as shown in Schedule A.1 attached to and forming part of this bylaw.
- (g) Deleting Section 3.1.4(2) and replacing it with the following:

“2. Future residential growth will occur in five general areas: North Ladysmith, Downtown, Holland Creek Area, South Ladysmith, and the Waterfront Area as shown in ‘Figure 3.1 – Potential Population Growth’.”
- (h) Amending Section 3.2 “Land Use Planning and Community Design” by:
 - (i) Deleting the sentence “Ladysmith has identified several key future long-term development areas” and related bullet list and replacing it with the following:

“Ladysmith has identified several key future long-term development areas as shown in ‘Figure 3.1 – Potential Population Growth’. They are:

 - North Ladysmith;
 - Downtown;
 - South Ladysmith;
 - Holland Creek Area – refer to the Holland Creek Local Area Plan (2016); and
 - Waterfront Area– refer to the Waterfront Area Plan (2018).”
 - (ii) Making subsequent amendments to replace the two paragraphs about the Waterfront Area Plan and the Holland Creek area with the following.

“For a description of the land use and development potential of the Waterfront and the Holland Creek Area, please refer to the Waterfront Area Plan (2018) and the Holland Creek Local Area Plan (2016).”
- (i) Amending Section 3.5.3 “Economic Development Policies” by deleting policy #10 and replacing it as follows.

“10. Mixed-use development to include economic activity in the areas of eco-tourism, marina and moorage, marine services, arts, culture and heritage, institutional and live-work alternatives, is directed to the waterfront area.”
- (j) Amending Section 3.8.1 “Land Use Designations” by deleting the title “Mixed Use Waterfront” and related paragraph and replacing it with the following:

“Waterfront Area Plan
The Waterfront Area Plan designation is applied to the core area of the waterfront as shown on Map 1 – Land Use. The land use designations and policies that apply to this area can be found in the Waterfront Area Plan (2018).”
- (k) Amending Section 3.8.2 by deleting the list of three Area Plans at the end of the paragraph and replacing it with the following:

- “Waterfront Area Plan (2018)
- Holland Creek Local Area Plan (2016)
- South Ladysmith Area Plan (2002)”

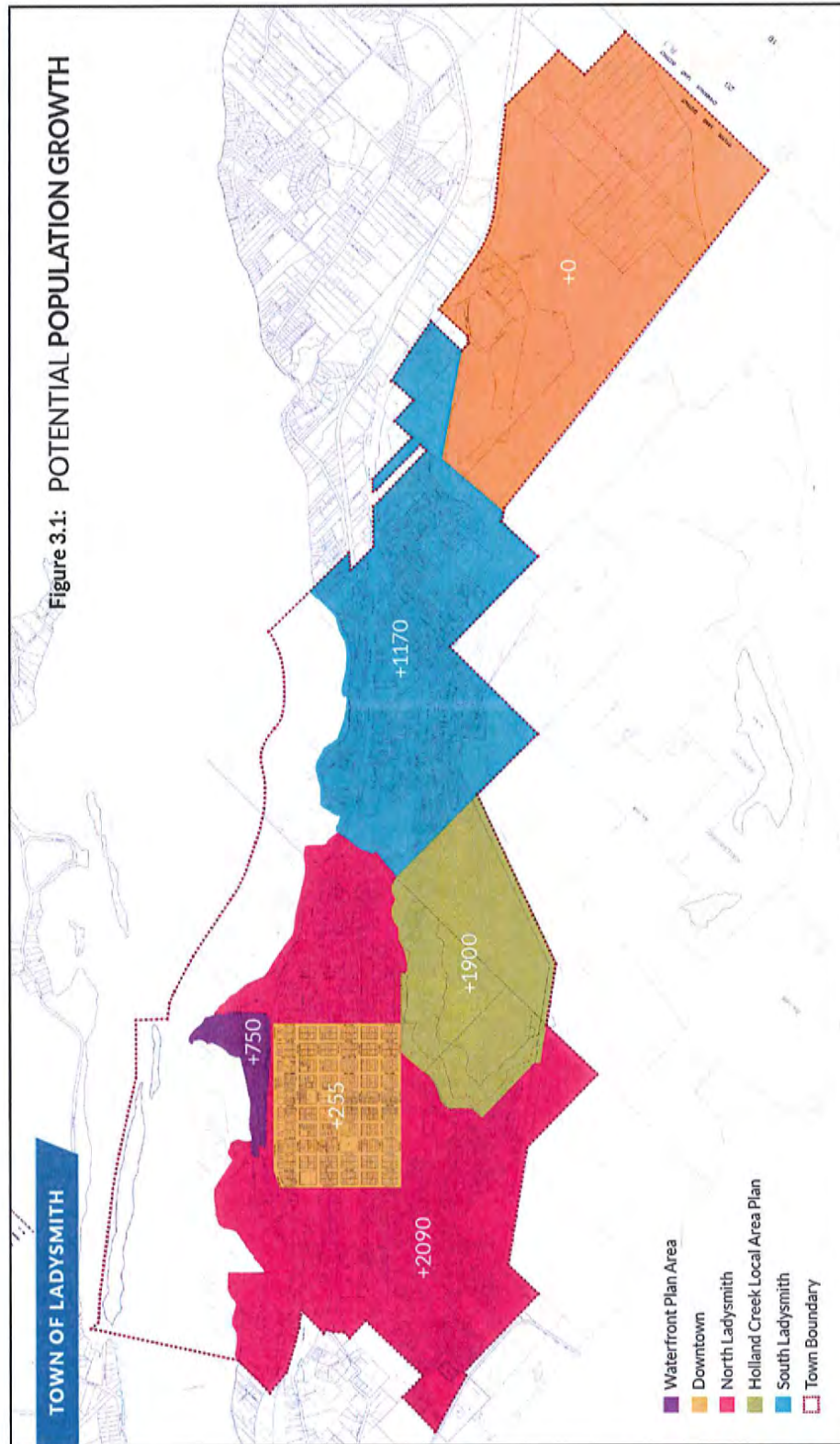
2. Official Community Plan “Map 1 – Land Use” is amended as follows:
 - (a) Amending the “Legend” by deleting the text “MIXED USE WATERFRONT” and replacing it with the text “WATERFRONT AREA PLAN”.
 - (b) Placing the “Waterfront Area Plan” designation on the area as shown on **Schedule A.2** attached to and forming part of this Bylaw.
 - (c) Amending the “Area Plan Limits” for the Waterfront Area Plan to the area as shown on **Schedule A.2** attached to and forming part of this Bylaw.
 - (d) Placing the “Industrial” land use designation on the subject property legally described as Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky Creek Road) as shown on **Schedule A.3** attached to and forming part of this Bylaw.
 - (e) Placing the “Parks and Open Spaces” designation on the area shown as “Mixed Use Waterfront” as shown on **Schedule A.5**.

3. Official Community Plan “Map 2 – Development Permit Areas” is amended by:
 - (a) Removing “DPA 1” and placing the words “Refer to the Waterfront Area Plan” on the area as shown on **Schedule A.2** attached to and forming part of this Bylaw.
 - (b) Removing “DPA 1” and placing “DPA 3/5” on the subject property legally described as Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky Creek Road) as shown on **Schedule A.3** attached to and forming part of this Bylaw.
 - (c) Removing “DPA 1” and placing “DPA 5” on the subject properties legally described as:
 - Lot A, District Lot 24, Oyster District, Plan VIP83303 except part in Plan VIP83837 (1031 Oyster Bay Drive);
 - Lot 2, District Lot 24, Oyster District, Plan 45800, except that part in plan VIP73654 (930 Ludlow Road);
 - Lot 1, District Lot 24, Oyster District, Plan VIP81464 (940 Oyster Bay Drive); and
 - Lot B, District Lot 24, Oyster District, Plan VIP83303 (941 Oyster Bay Drive);
 as shown on **Schedule A.4** attached to and forming part of this Bylaw.
 - (d) Removing “DPA 1” from the area shown on **Schedule A.5** attached to and forming part of this Bylaw.

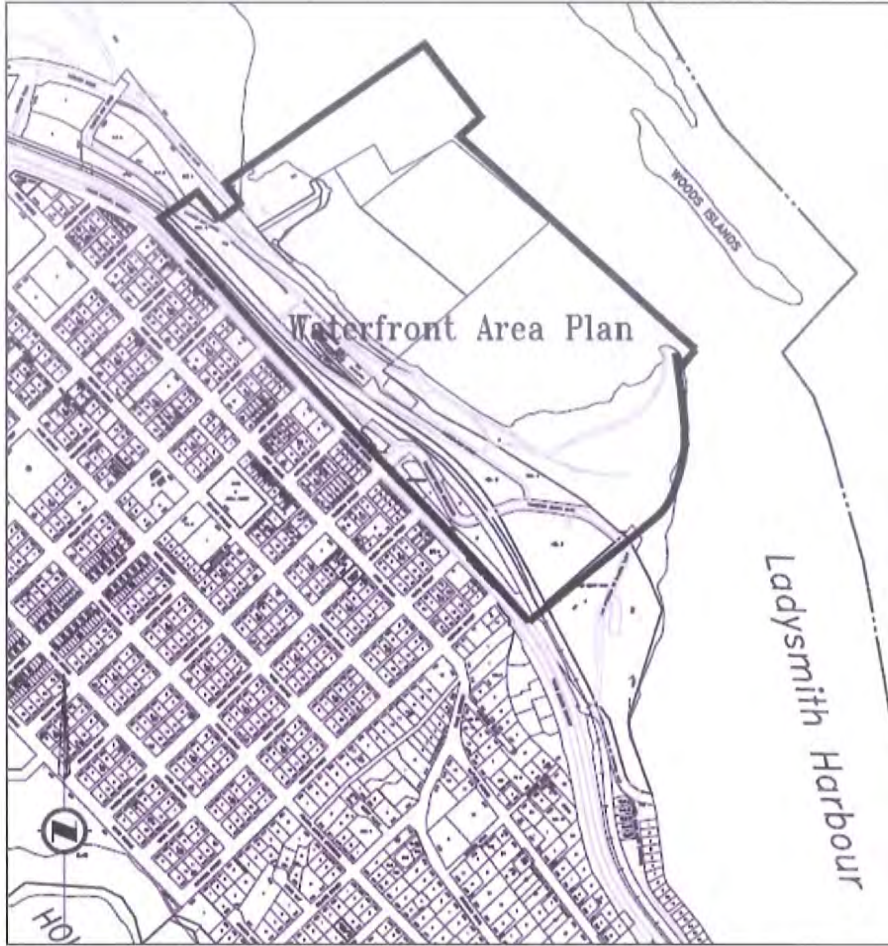
4. Official Community Plan “Map 3 – Transportation” is amended by:
 - (a) Placing the words “Refer to the Waterfront Area Plan” on the area as shown on **Schedule A.2** attached to and forming part of this bylaw.

5. Official Community Plan Schedule A.1 “Town of Ladysmith Development Permit Areas” is amended as follows:
 - (a) Amending the ‘Table of Contents’ by replacing “DEVELOPMENT PERMIT AREA 1 – WATERFRONT – DPA 1” with the following:
“DEVELOPMENT PERMIT AREA 1 – MARITIME – DPA 1”
 - (b) Amending the “Introduction” and “Exemptions” by:
 - (i) In section 2(a), replacing “Development Permit Area 1 – Waterfront (DPA 1)” with “Development Permit Area 1 – Maritime (DPA 1).”
 - (ii) In section 3(c), replacing the text “Waterfront DPA 1” with “Maritime (DPA 1).”

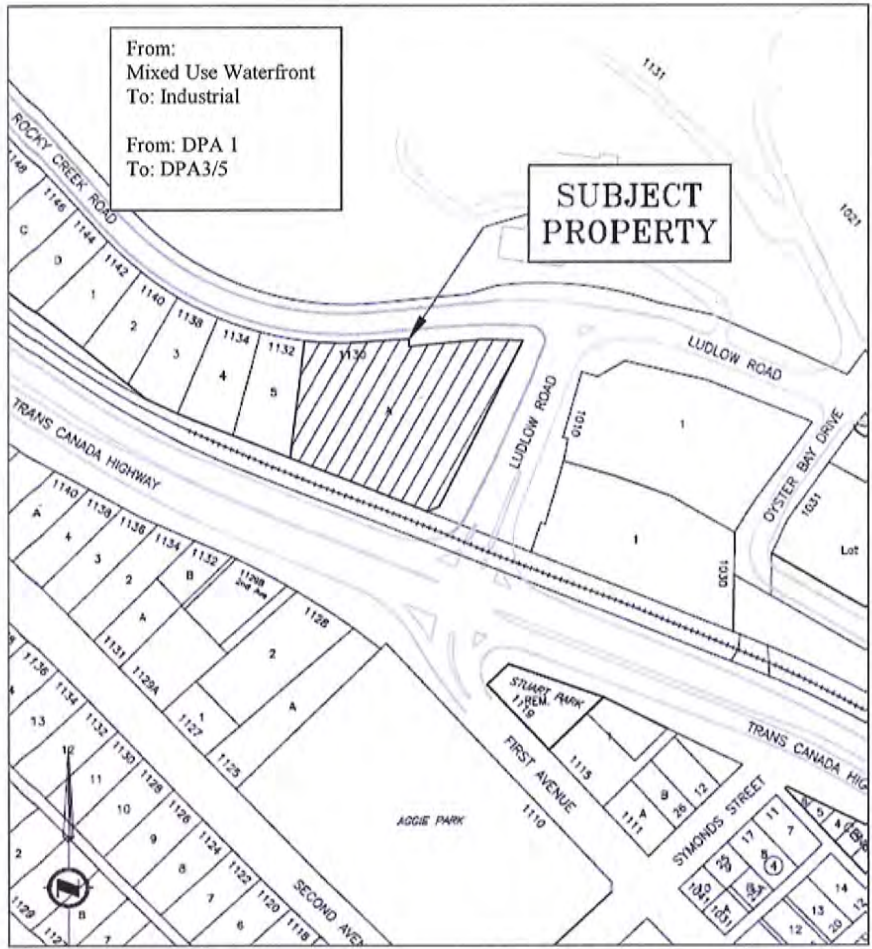
- (c) "DPA 1 – Waterfront" is deleted in its entirety and replaced with "DPA 1-Maritime" as shown in **Schedule A.6** attached to and forming part of this Bylaw.
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- 6. Schedule B "Waterfront Area Plan" is deleted in its entirety and replaced with Schedule B "Waterfront Area Plan" as shown in **Schedule A.7** attached to and forming part of this Bylaw.



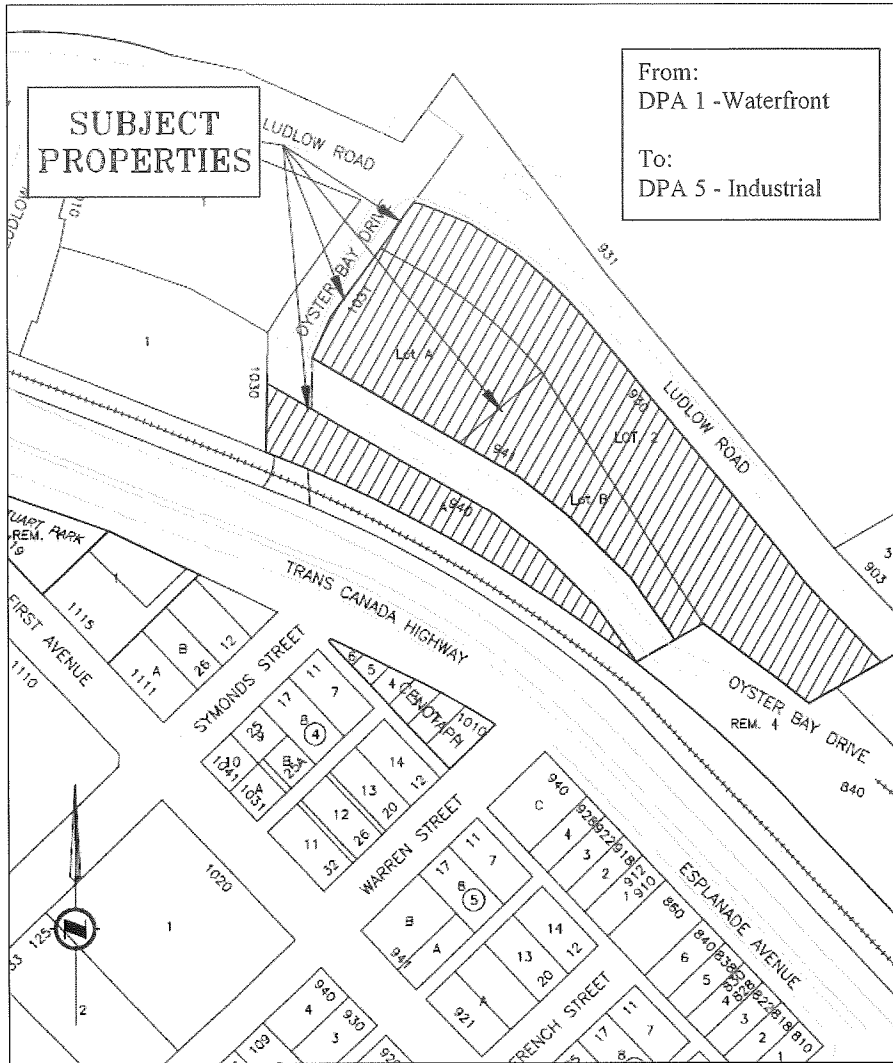
Bylaw No. 1950 - Schedule A.2

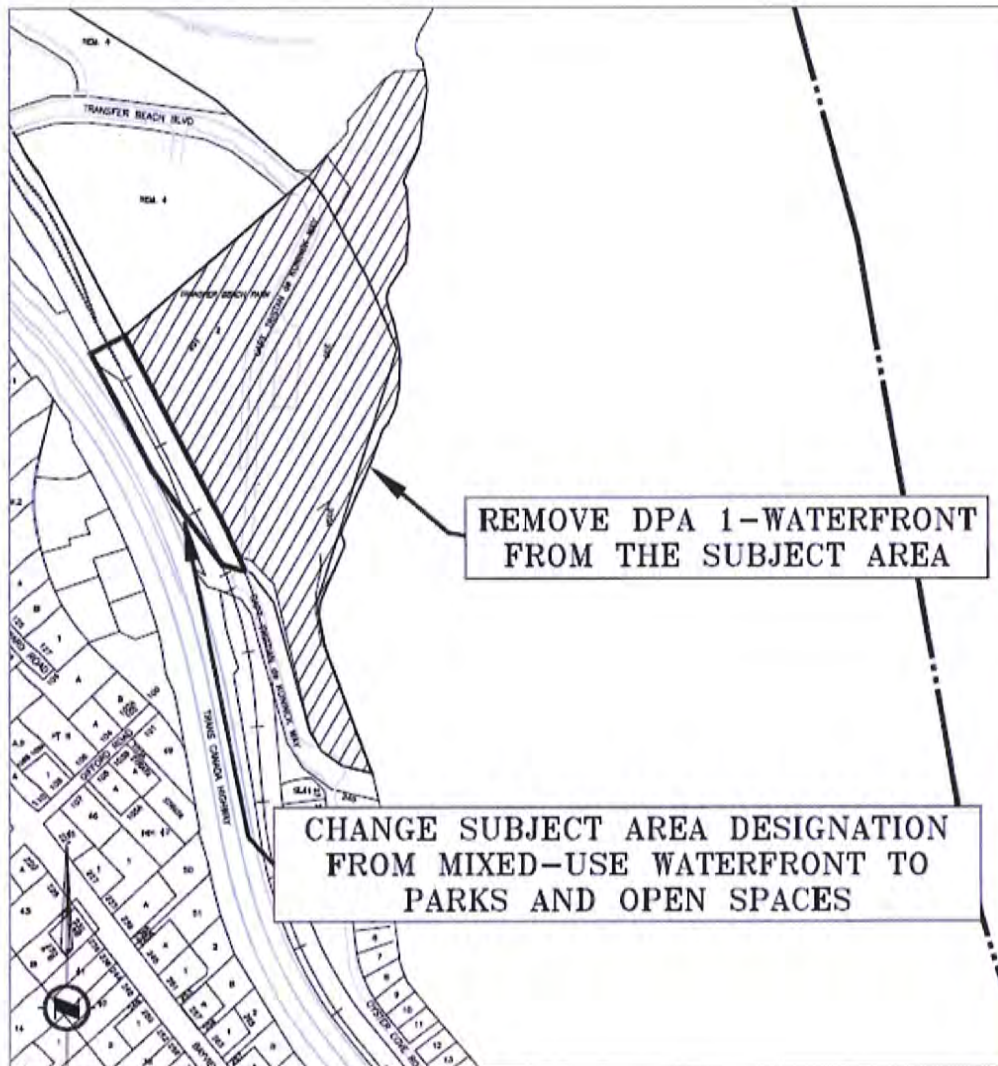


Bylaw No. 1950 - Schedule A.3



Bylaw No. 1950 - Schedule A.4





Bylaw No. 1950 - Schedule A.6

DPA 1 – Maritime

Bylaw No. 1950 - Schedule A.7

Waterfront Area Plan

TOWN OF LADYSMITH

BYLAW NO. 1951

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) Section 4.1 Interpretation is amended by adding a new definitions of Building End and Building Side following the definitions of Building and Building Inspector, as follows:

(a) "**BUILDING END**: means any *Building* elevation that is not a *Building Side*."

(b) "**BUILDING SIDE**: means the longer dimension of any *Building* elevation and the *Building* elevation opposite."

(2) Section 10.10 Medium Density Residential (R-3) Zone of Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) Adding a new sub-section (b) to Section 8 "Site Specific Regulations:

"(b) For the *Land* area illustrated in Figure 10.10.1 (the Jewel property), being a part of the *Parcel* legally described as Lot 4, District Lots 8G, 11G, 24 and 56, Oyster District, Plan 45800, except part in Plans VIP64405, VIP71943, and VIP72131, the following site specific regulations shall apply:

i) Despite section 10.10(4)(c), the maximum number of *Dwelling Units* permitted is 115 units per hectare of *Land* area as shown in Figure 10.10.1, subject to the required off-street parking for the residents of the development being provided underground.

ii) Despite section 10.10(5)(a):

(1) The top floor of a *Principal Building* greater than two storeys in *Height* shall be stepped back a minimum of 3.0 metres on each *Building End*, and a minimum of 1.5 metres on each *Building Side*.

(2) A *Principal Building* not located on Transfer Beach Boulevard may exceed a *Height* of 12.0 metres but shall not exceed a *Height* of 18.0 metres (6-Storeys).

FIGURE 10.10.1 PLAN OF "THE JEWEL PROPERTY"



(2) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) By removing CD-4 (Waterfront Reserve) and placing R-3 (Medium Density Residential) on the location shown as illustrated in Figure 10.10.1.

CITATION

(3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951".

READ A FIRST TIME on the 5th day of March , 2018

READ A SECOND TIME on the 5th day of March , 2018

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

on the day of , 2018

READ A THIRD TIME on the day of , 2018

APPROVED BY THE MINISTER OF TRANSPORTATION

on the day of , 2018

ADOPTED

on the day of , 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)

RECEIVED
MAY 1/18

From: Judy Moy
Sent: April 30, 2018 5:32 PM
To: Town of Ladysmith
Subject: Bylaws 1950 / 1951

Town of Ladysmith Development Services Dept.

I am in favour of proposed bylaw 1950 & 1951 to be implemented as submitted.

This proposal will pave the way for needed development which will only enhance the areas in map one & map two.

Development will also add to the overall economy & will bring increased revenue to the Town through the tax base.

Harold Moy
Ladysmith

RECEIVED
R May 10/18 D

Greetings -

I am writing to express my serious concerns about proposed Bylaw 1951. I am unable to attend the public hearing as I will be working out of town on that date. I also would like to expressly request that these comments be included in the hearing agenda package. I understand that the deadline for inclusion was May 8, but the notice which prompted me to write was received in the Chronicle on May 9, the usual delivery date for that publication.

I have written to the town in the past, and expressed my views when a councillor, that one of the primary goals of the waterfront area plan ought to be the development of a network of loop trails of varying lengths to invite the participation of individuals and families of varying physical abilities to experience the natural world in Ladysmith. Proposed Bylaw 1951 would instantly eliminate a prime area of naturally regenerating habitat, one that is level enough to support public trails and education "nodes" from that vision.

Was an environmental inventory done of the area in question to determine what could be lost? I am an amateur naturalist, but I have seen, for example, Pink Fawn Lilies, *Erythronium revolutum*, on property adjacent to that identified in the bylaw, though I have not checked the property itself, as I was unsure of its status. To my knowledge, this species, for one, is not recorded in eFlora BC as occurring here. Anecdotally, this little patch of woodland is also home to more species of forest birds than is normal in Ladysmith, which for reasons unknown to me is relatively depauperate in songbird numbers. My experience is limited and only semi professional, but if there has been no inventory done here, I know that some species may be extirpated from the area without our even realizing it.

Ladysmith has some excellent natural protected areas (not playgrounds, playing fields, gardens etc.), but there there is a clear need for more. Further, there is no overarching plan to understand, protect and make accessible the maximum diversity of habitats present in the region. Development of this parcel is just another quick revenue grab by the town without thinking of the true impact, and the natural legacy lost to future generations of Ladysmith residents. I urge Council to set this proposed bylaw aside until a master plan for protection of habitat and species diversity has been implemented in the town, and a site survey has been done on this area by professional biologists in several seasons, to capture the maximum number of species present throughout the year. We have to stop consigning natural areas to the bulldozers without even knowing what is there.

Regards

Bruce Whittington
Ladysmith, BC

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
 Meeting Date: May 14, 2018
 File No: 3360-18-02
 RE: **Official Community Plan Amendment (Waterfront Area Plan and consequential amendments) and Rezoning of a portion of Lot 4, Plan 45800 (The Jewel) - Bylaws 1950 and 1951**

RECOMMENDATIONS:

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

1. Proceed with third reading and final adoption of Bylaw 1950 cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 50) 2018, No. 1950".
2. Proceed with third reading of Bylaw 1951 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951".
3. Direct staff to refer Bylaw 1951 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

PURPOSE:

The purpose of this staff report is to present to Council recommendations regarding further consideration of Bylaws 1950 and 1951 following the public hearing held earlier this evening.

PREVIOUS COUNCIL DIRECTION

<p>March 5, 2018 CS 2018-061</p>	<p><i>Moved and seconded:</i> That Council:</p> <ol style="list-style-type: none"> 1. Give first and second reading to Bylaw 1950, cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 50) 2018, No. 1950" to implement the new Waterfront Area Plan, Development Permit Area 1 - Maritime and make consequential amendments. 2. Give first and second reading to Bylaw 1951, cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951" to implement multi-unit residential zoning on the portion of Lot 4, Plan 45800 known as The Jewel. 3. Pursuant to s. 475, confirm that early and on-going consultation was directed and has taken place with the following during the development of the community plan amendment (Waterfront Area Plan): Stz'uminus First Nation, Provincial Ministry of Forests, Lands and Natural Resource Operations and Rural Development, and
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	<p>Fisheries and Oceans Canada – Small Craft Harbours.</p> <ol style="list-style-type: none"> 4. Refer Bylaw 1950 to the Stz’uminus First Nation pursuant to the Stz’uminus-Town Memorandum of Understanding and invite the Stz’uminus First Nation Chief and Council to attend the public hearing. 5. Direct staff to proceed with statutory notice and scheduling the Public Hearing for Bylaws 1950 and 1951. <p><i>Motion carried.</i></p>
<p>February 13, 2018 CS 2018-037</p>	<p><i>Moved and seconded:</i> That Council direct staff to proceed with the preparation of bylaws to amend:</p> <ol style="list-style-type: none"> 1. Official Community Plan Bylaw 2003, No. 1488 to implement the new Waterfront Area Plan and new Development Permit Area 1 - Maritime, and 2. Zoning Bylaw 2014, No. 1860 to implement the zoning for the initial development phase of the area of Lot 4 known as The Jewel to permit multi-unit residential development as outlined in the Waterfront Area Plan. <p><i>Motion carried</i></p>
<p>March 7, 2016 CS2016-078</p>	<p>Waterfront Area Plan Update <i>Moved and seconded:</i> That Council:</p> <ol style="list-style-type: none"> 1. Support the scope of work for the Waterfront Area Plan Update and direct staff to proceed with development and issuance of the Request for Proposals. 2. Discuss the Waterfront Area Plan Update project at the March 29, 2016 Community to Community (C2C) workshop with Stz’uminus First Nation, with regard to the Provincial water lots and filled foreshore, particularly DL651 and Slack Point, and invite participation in the project and design charrette. 3. Direct staff to invite the property owners within the Waterfront Area Plan area to join a working committee as part of the project. 4. Direct staff to: <ul style="list-style-type: none"> • invite two nominations from each of the following advisory commissions and organizations: Ladysmith Maritime Society, Ladysmith Arts Council, Ladysmith and District Historical Society, Advisory Design Panel, Advisory Planning Commission, Heritage Revitalization Advisory Commission, Parks, Recreation and Culture Commission, Ladysmith Chamber of Commerce and Ladysmith Downtown Business Association, and • place an advertisement in the newspaper for two citizen members for consideration of appointment by Council to the design charrette team for the Town-owned properties and water lots. 5. Appoint Mayor Stone and Councillors Friesenhan and Hutchins to the Waterfront Area Plan working committee and design

charrette team.
Motion carried.

INTRODUCTION/BACKGROUND:

The current stage of this process is to: (1) consider comments received or heard at the public hearing; (2) consider third reading and final adoption of Bylaw 1950 to enact the new Waterfront Area Plan; and (3) consider third reading of Bylaw 1951 and refer it to the Minister of Transportation and Infrastructure pursuant to the Transportation Act.

Bylaw 1950

The purpose of Bylaw 1950 is to amend the Official Community Plan to implement the new Waterfront Area Plan, Development Permit Area 1 – Maritime, and to make consequential amendments as a result of these changes. Amendments included in Bylaw 1950 are summarized below.

- Replacing the 1997 Waterfront Area Plan with the 2018 Waterfront Area Plan.
- Replacing the current DPA 1-Waterfront with a new DPA 1- Maritime.
- OCP text amendments to update references to the new Waterfront Area Plan.
- Updating the text and graphics associated with neighbourhood population growth.
- Amending the three OCP maps (Land Use Designations, DPAs and Transportation) to replace graphic reference to the former Waterfront Area Plan with the new Waterfront Area Plan.
- Consequential amendments to the Land Use Designations and Development Permit Area for properties that are no longer within the area covered by the Waterfront Area Plan.

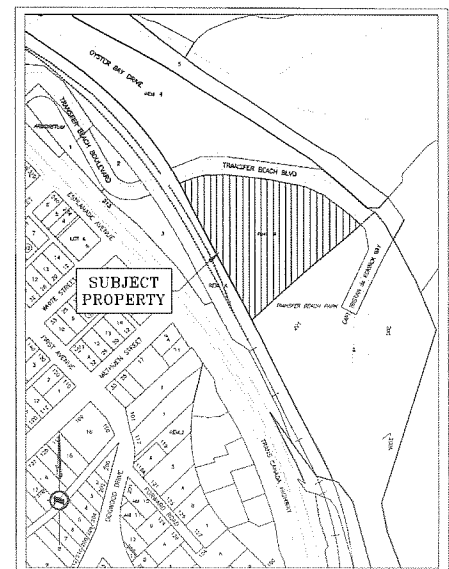
Bylaw 1951

The purpose of Bylaw 1951 is to amend the Zoning Bylaw to implement the zoning for the initial development phase on Lot 4 in the area known as The Jewel to permit multi-unit residential development, as outlined in the Waterfront Area Plan. The subject property is located within the Residential 1 land use designation which permits multi-family residential form and character that supports:

- Up to 6-storey apartment-style buildings, with lower heights along the street, and with upper-storey setbacks;
- Approximately 1.5-2.0 FRS; and
- Density of approximately 115 units per hectare.

Bylaw 1951 proposes to rezone the subject area from CD-4 (Waterfront Reserve) to Medium Density Residential (R-3) with site specific conditions related to building height, building setbacks for higher level storeys, maximum density and the provision of underground parking. The site area of the Jewel is 1.96ha which would permit up to 225 residential units, which is supported by the policies in the WAP.

ALTERNATIVES:



Council can choose to not proceed with the proposed Bylaw amendments, or it can proceed with the OCP amendment and not the Zoning Bylaw amendment.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

Following the close of the public hearing, Council may consider information received as part of the public hearing and determine if any changes are required to the Bylaws; this could initiate the requirement for a further public hearing.

Referral to the Ministry of Transportation and Infrastructure (MOTI) will be required for Bylaw 1951 as the subject property is within 800 metres of a controlled access highway. Following approval by MOTI, Bylaw 1951 would be presented to Council for consideration of adoption.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notification regarding the public hearing was mailed and delivered to the neighbourhood and was published in the local newspaper on May 2 and May 9, 2018.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

All Departments have been engaged at some level in the project.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input checked="" 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:

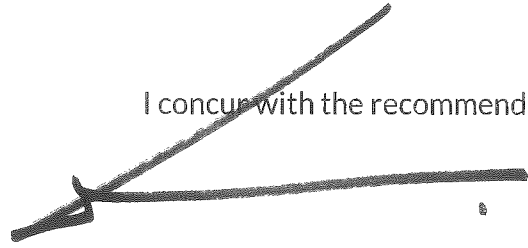
It is recommended that Council: (1) consider comments received or heard at the public hearing; (2) consider third reading and final adoption of Bylaw 1950; (3) consider third reading of Bylaw 1951 and direct staff to refer Bylaw 1951 to the Ministry of Transportation and Infrastructure.



Felicity Adams, Director of Development Services

May 9, 2018

I concur with the recommendation.

A handwritten signature in black ink, consisting of a long horizontal stroke with a small loop at the end, and a diagonal stroke crossing it from the top left.

Guillermo Ferrero, City Manager

ATTACHMENTS:

Bylaw 1950

Bylaw 1951

TOWN OF LADYSMITH

BYLAW NO. 1950

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. "Official Community Plan Bylaw 2003, No. 1488" is hereby amended as set out in Schedules A and A.1 to A.7 which are attached to this Bylaw.

Citation

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw [No. 50] 2018, No. 1950".

READ A FIRST TIME	on the 5th	day of March	, 2018
READ A SECOND TIME	on the 5th	day of March	, 2018
PUBLIC HEARING	held pursuant to the provisions of the <i>Local Government Act</i>		
	on the	day of	, 2018
READ A THIRD TIME	on the	day of	, 2018
ADOPTED	on the	day of	, 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)

Bylaw No. 1950 - Schedule A

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

(a) Amending Section 1.8.1 "Population and Economy" as follows:

- (i) Under the heading "Key Issues," the paragraph below the title "Waterfront" is deleted and replaced with the following.

"The Waterfront Area Plan (2018) provides goals, objectives and policies for land use in the Waterfront area. A mix of uses including parks and open space and residential, and employment generating uses such as marina and moorage, commercial, institutional and industrial are considered as appropriate to create a vibrant, diverse welcoming people place."

(b) Amending Section 1.8.2 "Community Form and Character" as follows:

- (i) Under the heading "Key Issues," the paragraph titled "Mixed Use Waterfront" is deleted and replaced with the following.

"Waterfront Area Plan

- The waterfront defines much of the character of Ladysmith. The Waterfront Area Plan provides an overall concept plan for a mix of uses and provides the basis for the creation of a vibrant character and pedestrian scale form. Community members strongly support foreshore enhancement and a waterfront walkway as important elements in the development of the waterfront. Recognizing the history of both the Stz'uminus First Nation and the Town in the form and character of the area are key goals as outlined in the Waterfront Area Plan (2018)."

(c) Amending Section 1.8.3 "Land Use" as follows:

- (i) Under the heading "Key Issues," the paragraph titled "Waterfront Development" is deleted and replaced with the following.

"Waterfront Area Plan

- Upland development of the waterfront will include a mix of uses and activities, including park and open space, institutional, commercial, mixed-use, industrial and residential development. Foreshore development will include marina and moorage uses and related uses as outlined in the Waterfront Area Plan (2018)."

(d) Amending Section 2.1 "Guiding Principles" such that the title and text in item 6 is deleted and replaced with the following.

"6. Vision for the Waterfront

One heart + one mind: Itst uw'hw-nuts'ul-wum (we are working as one) to create a waterfront for now and future generations.

Located on the un-ceded traditional territory of the Stz'uminus First Nation, the waterfront area will bring our Stz'uminus and Ladysmith communities together to build a shared legacy in the spirit of mutual respect and benefit. The waterfront area will be a place of enriching public life, living, learning, creativity, and economic activity. The respectful development of this special place will create the opportunity for community prosperity, ecological regeneration and brownfield restoration while honouring past, present, and future generations."

(e) Amending Section 3.1 "Growth Management" by deleting the five bullets and last sentence under the sentence "Ladysmith has five areas where future population growth can be accommodated:" and replacing them with the following.

“Ladysmith has five areas where future population growth can be accommodated.

- Holland Creek area: potential population of 1,900;
- North Ladysmith: potential additional population of 2,090;
- South Ladysmith: potential additional population of 1,170;
- Waterfront: potential population 750; and
- Infill surrounding downtown: potential additional population of 255.

The Town’s population estimate is 8,949 (BC Statistics, 2017). It is estimated that these five areas can accommodate a potential additional population of about 6,165 people. The five areas are shown in Figure 4 – Potential Population Growth.”

- (f) Before Figure 4, add a new ‘Figure 3.1 – Potential Population Growth’ as shown in **Schedule A.1** attached to and forming part of this bylaw.
- (g) Deleting Section 3.1.4(2) and replacing it with the following:

“2. Future residential growth will occur in five general areas: North Ladysmith, Downtown, Holland Creek Area, South Ladysmith, and the Waterfront Area as shown in ‘Figure 3.1 – Potential Population Growth’.”
- (h) Amending Section 3.2 “Land Use Planning and Community Design” by:
 - (i) Deleting the sentence “Ladysmith has identified several key future long-term development areas” and related bullet list and replacing it with the following:

“Ladysmith has identified several key future long-term development areas as shown in ‘Figure 3.1 – Potential Population Growth’. They are:

 - North Ladysmith;
 - Downtown;
 - South Ladysmith;
 - Holland Creek Area – refer to the Holland Creek Local Area Plan (2016); and
 - Waterfront Area– refer to the Waterfront Area Plan (2018).”
 - (ii) Making subsequent amendments to replace the two paragraphs about the Waterfront Area Plan and the Holland Creek area with the following.

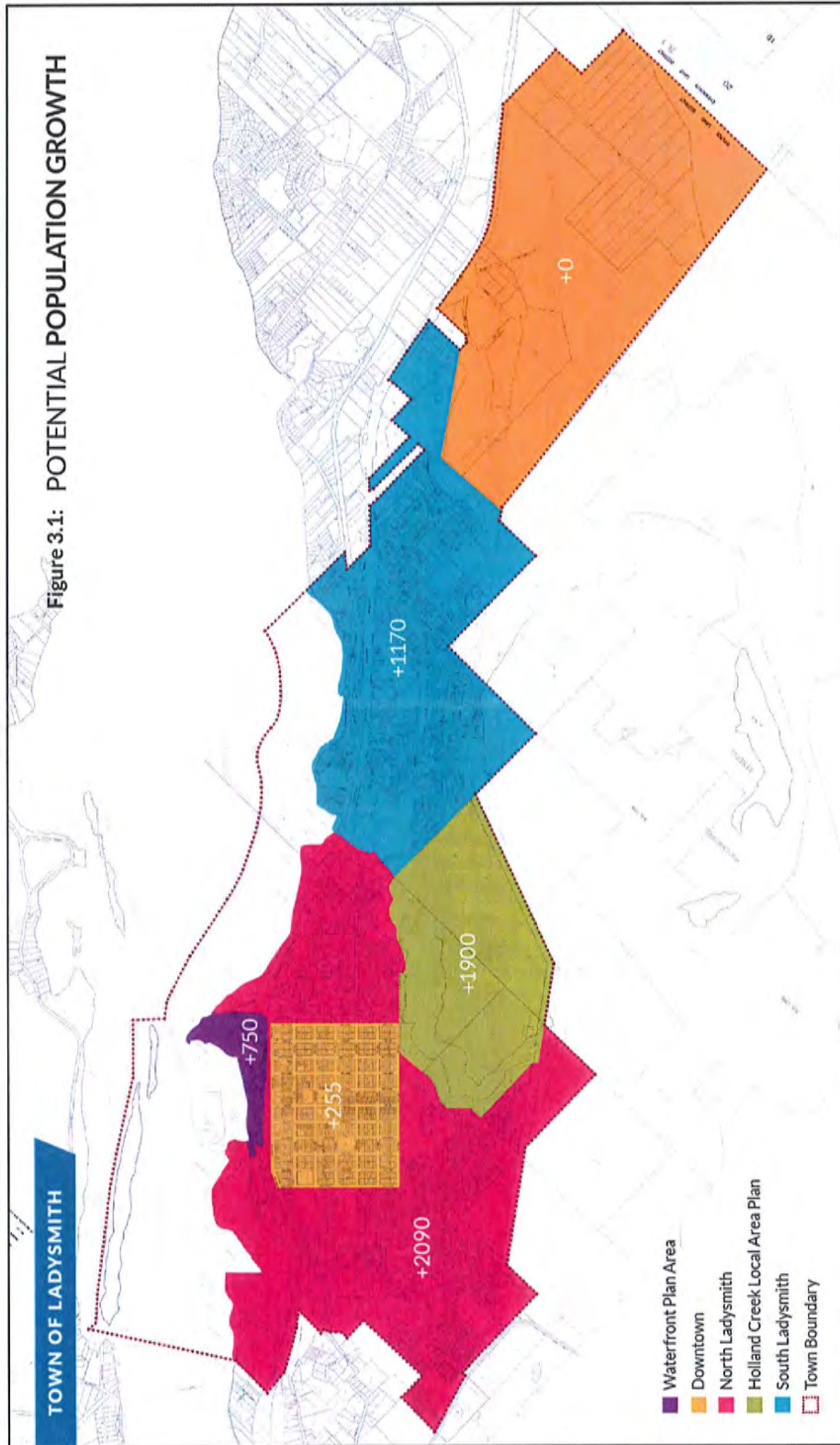
“For a description of the land use and development potential of the Waterfront and the Holland Creek Area, please refer to the Waterfront Area Plan (2018) and the Holland Creek Local Area Plan (2016).”
- (i) Amending Section 3.5.3 “Economic Development Policies” by deleting policy #10 and replacing it as follows.

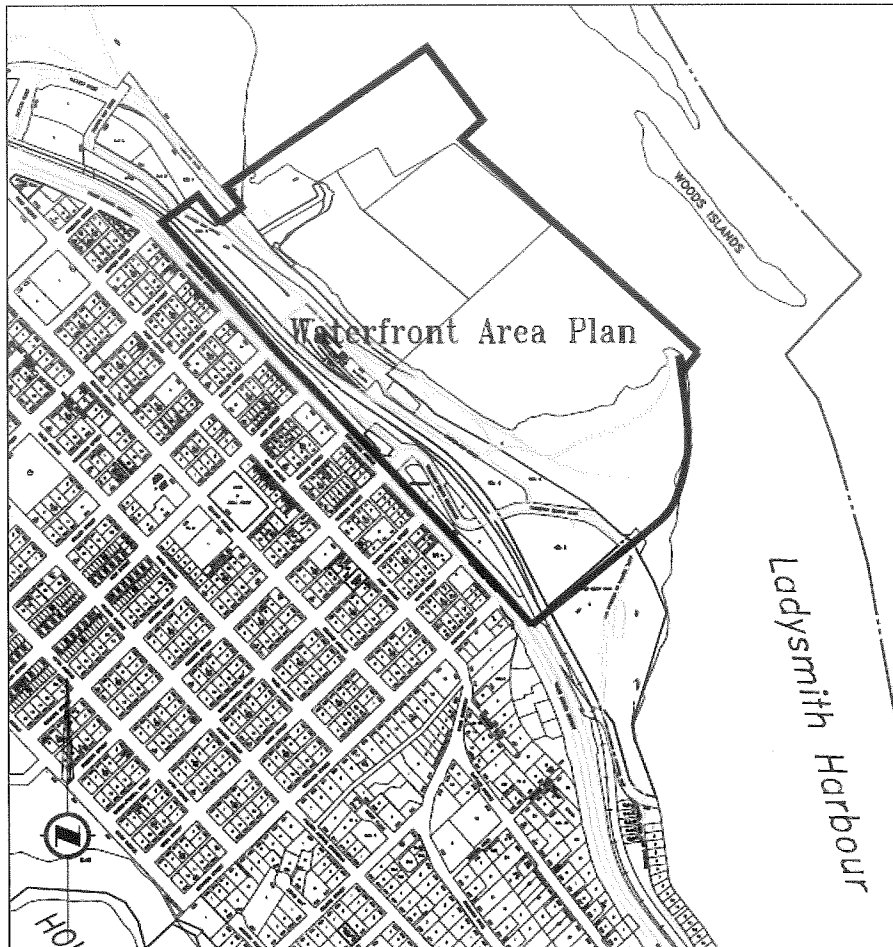
“10. Mixed-use development to include economic activity in the areas of eco-tourism, marina and moorage, marine services, arts, culture and heritage, institutional and live-work alternatives, is directed to the waterfront area.”
- (j) Amending Section 3.8.1 “Land Use Designations” by deleting the title “Mixed Use Waterfront” and related paragraph and replacing it with the following:

“Waterfront Area Plan
The Waterfront Area Plan designation is applied to the core area of the waterfront as shown on Map 1 – Land Use. The land use designations and policies that apply to this area can be found in the Waterfront Area Plan (2018).”
- (k) Amending Section 3.8.2 by deleting the list of three Area Plans at the end of the paragraph and replacing it with the following:

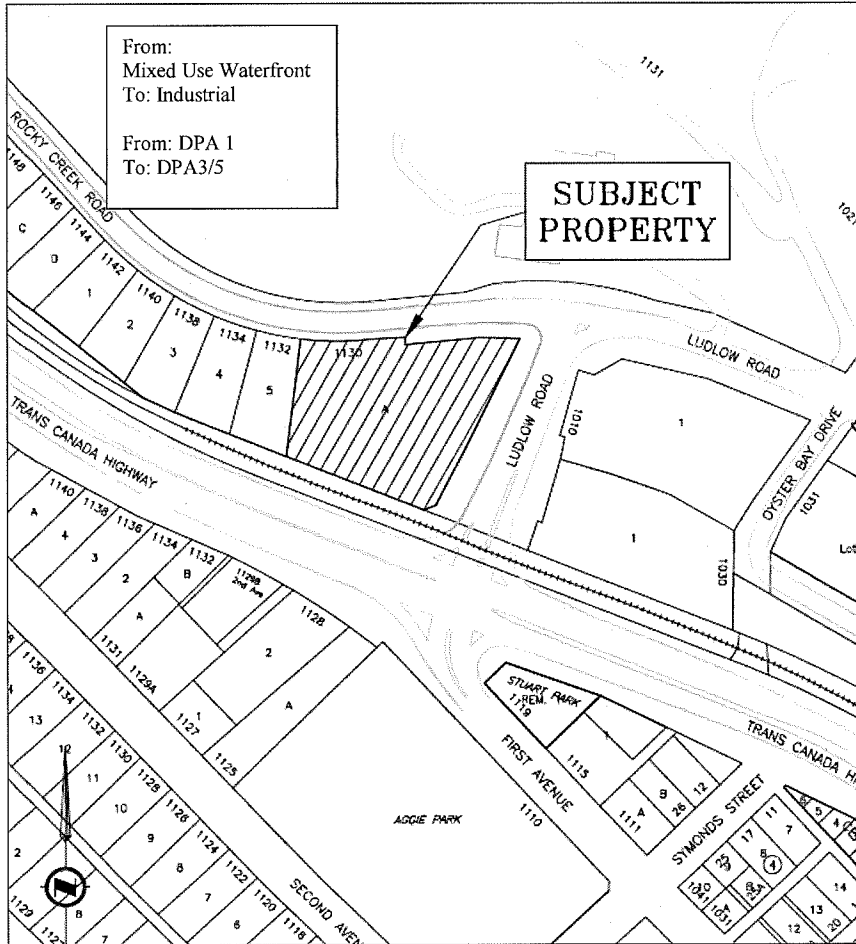
- “Waterfront Area Plan (2018)
 - Holland Creek Local Area Plan (2016)
 - South Ladysmith Area Plan (2002)”
2. Official Community Plan “Map 1 – Land Use” is amended as follows:
- (a) Amending the “Legend” by deleting the text “MIXED USE WATERFRONT” and replacing it with the text “WATERFRONT AREA PLAN”.
 - (b) Placing the “Waterfront Area Plan” designation on the area as shown on **Schedule A.2** attached to and forming part of this Bylaw.
 - (c) Amending the “Area Plan Limits” for the Waterfront Area Plan to the area as shown on **Schedule A.2** attached to and forming part of this Bylaw.
 - (d) Placing the “Industrial” land use designation on the subject property legally described as Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky Creek Road) as shown on **Schedule A.3** attached to and forming part of this Bylaw.
 - (e) Placing the “Parks and Open Spaces” designation on the area shown as “Mixed Use Waterfront” as shown on **Schedule A.5**.
3. Official Community Plan “Map 2 – Development Permit Areas” is amended by:
- (a) Removing “DPA 1” and placing the words “Refer to the Waterfront Area Plan” on the area as shown on **Schedule A.2** attached to and forming part of this Bylaw.
 - (b) Removing “DPA 1” and placing “DPA 3/5” on the subject property legally described as Lot A, District Lots 24 and 38, Oyster District, Plan VIP71248 (1130 Rocky Creek Road) as shown on **Schedule A.3** attached to and forming part of this Bylaw.
 - (c) Removing “DPA 1” and placing “DPA 5” on the subject properties legally described as:
 - Lot A, District Lot 24, Oyster District, Plan VIP83303 except part in Plan VIP83837 (1031 Oyster Bay Drive);
 - Lot 2, District Lot 24, Oyster District, Plan 45800, except that part in plan VIP73654 (930 Ludlow Road);
 - Lot 1, District Lot 24, Oyster District, Plan VIP81464 (940 Oyster Bay Drive); and
 - Lot B, District Lot 24, Oyster District, Plan VIP83303 (941 Oyster Bay Drive);
 as shown on **Schedule A.4** attached to and forming part of this Bylaw.
 - (d) Removing “DPA 1” from the area shown on **Schedule A.5** attached to and forming part of this Bylaw.
4. Official Community Plan “Map 3 – Transportation” is amended by:
- (a) Placing the words “Refer to the Waterfront Area Plan” on the area as shown on **Schedule A.2** attached to and forming part of this bylaw.
5. Official Community Plan Schedule A.1 “Town of Ladysmith Development Permit Areas” is amended as follows:
- (a) Amending the ‘Table of Contents’ by replacing “DEVELOPMENT PERMIT AREA 1 – WATERFRONT – DPA 1” with the following:
“DEVELOPMENT PERMIT AREA 1 – MARITIME – DPA 1”
 - (b) Amending the “Introduction” and “Exemptions” by:
 - (i) In section 2(a), replacing “Development Permit Area 1 – Waterfront (DPA 1)” with “Development Permit Area 1 – Maritime (DPA 1).”
 - (ii) In section 3(c), replacing the text “Waterfront DPA 1” with “Maritime (DPA 1).”

- (c) "DPA 1 – Waterfront" is deleted in its entirety and replaced with "DPA 1-Maritime" as shown in **Schedule A.6** attached to and forming part of this Bylaw.
-
- 6. Schedule B "Waterfront Area Plan" is deleted in its entirety and replaced with Schedule B "Waterfront Area Plan" as shown in **Schedule A.7** attached to and forming part of this Bylaw.

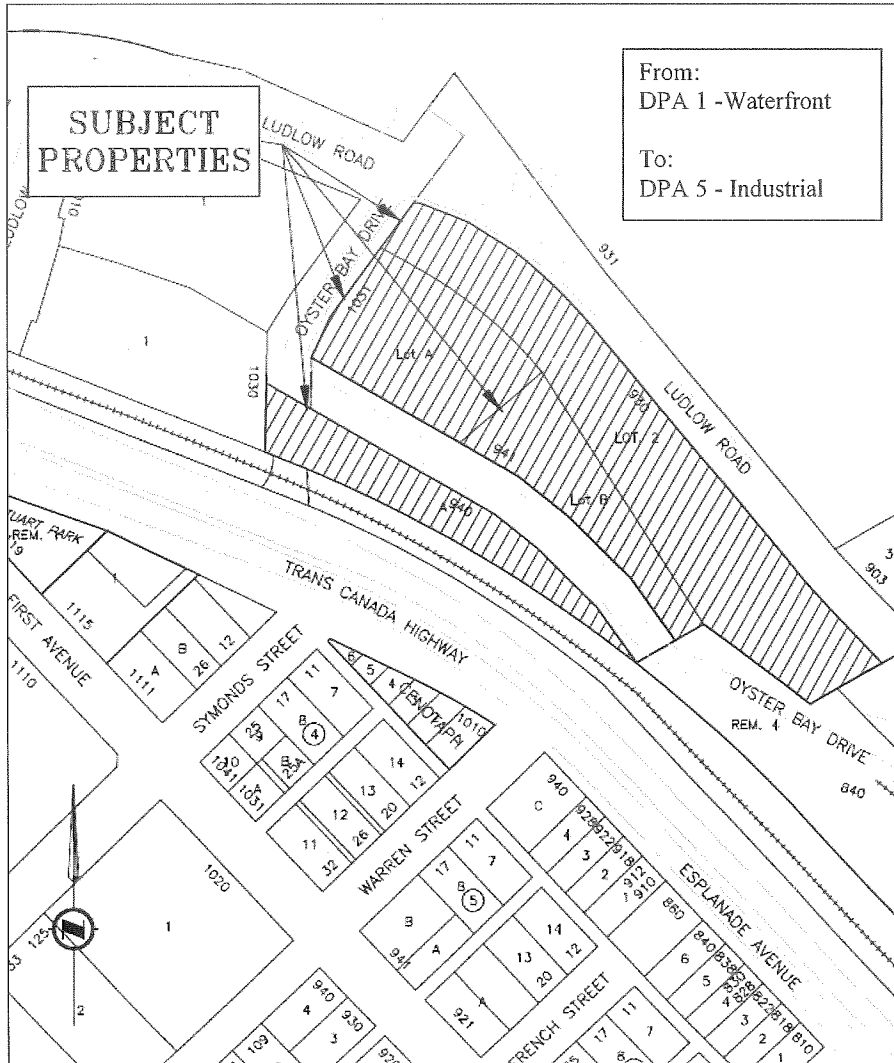


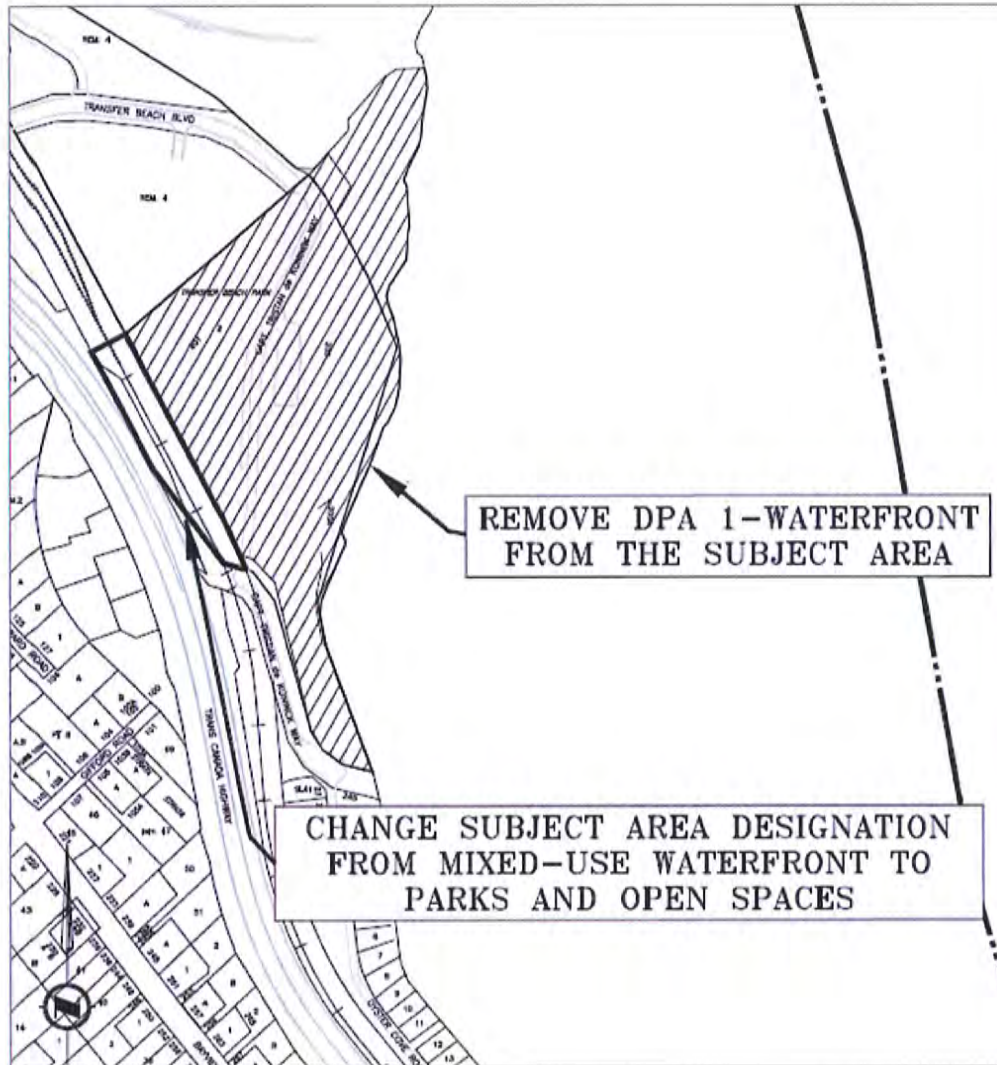


Bylaw No. 1950 - Schedule A.3



Bylaw No. 1950 - Schedule A.4





Bylaw No. 1950 - Schedule A.6

DPA 1 – Maritime

Bylaw No. 1950 - Schedule A.7

Waterfront Area Plan

TOWN OF LADYSMITH

BYLAW NO. 1951

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) Section 4.1 Interpretation is amended by adding a new definitions of Building End and Building Side following the definitions of Building and Building Inspector, as follows:
 - (a) "**BUILDING END**: means any *Building* elevation that is not a *Building Side*."
 - (b) "**BUILDING SIDE**: means the longer dimension of any *Building* elevation and the *Building* elevation opposite."
- (2) Section 10.10 Medium Density Residential (R-3) Zone of Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) Adding a new sub-section (b) to Section 8 "Site Specific Regulations:

"(b) For the *Land* area illustrated in Figure 10.10.1 (the Jewel property), being a part of the *Parcel* legally described as Lot 4, District Lots 8G, 11G, 24 and 56, Oyster District, Plan 45800, except part in Plans VIP64405, VIP71943, and VIP72131, the following site specific regulations shall apply:

- i) Despite section 10.10(4)(c), the maximum number of *Dwelling Units* permitted is 115 units per hectare of *Land* area as shown in Figure 10.10.1, subject to the required off-street parking for the residents of the development being provided underground.
- ii) Despite section 10.10(5)(a):
 - (1) The top floor of a *Principal Building* greater than two storeys in *Height* shall be stepped back a minimum of 3.0 metres on each *Building End*, and a minimum of 1.5 metres on each *Building Side*.
 - (2) A *Principal Building* not located on Transfer Beach Boulevard may exceed a *Height* of 12.0 metres but shall not exceed a *Height* of 18.0 metres (6-Storeys).

FIGURE 10.10.1 PLAN OF "THE JEWEL PROPERTY"



(2) Schedule B - Zoning Bylaw Map of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is hereby amended as follows:

(a) By removing CD-4 (Waterfront Reserve) and placing R-3 (Medium Density Residential) on the location shown as illustrated in Figure 10.10.1.

CITATION

(3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 12) 2018, No. 1951".

READ A FIRST TIME on the 5th day of March , 2018

READ A SECOND TIME on the 5th day of March , 2018

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

on the day of , 2018

READ A THIRD TIME on the day of , 2018

APPROVED BY THE MINISTER OF TRANSPORTATION

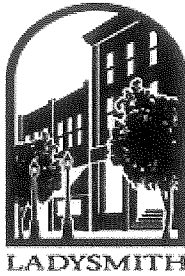
on the day of , 2018

ADOPTED

on the day of , 2018

Mayor (A. Stone)

Corporate Officer (J. Winter)



TOWN OF LADYSMITH

PROCLAMATION

BE A HOMETOWN TOURIST WEEKEND

WHEREAS: *Ladysmith, Cassidy, Cedar, South Nanaimo, Saltair and Chemainus comprise a community renowned for its natural beauty, waterfront, friendly people, arts, history and festivals; and*

WHEREAS: *This is the eighth consecutive year for this popular event; and*

WHEREAS: *There is an opportunity to encourage local residents to become acquainted with their community and in so doing become supporters of local business, attractions and ambassadors for visitors to this area;*

THEREFORE, *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim June 16 & 17, 2018 to be "Be a Hometown Tourist Weekend" in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

May 10, 2018



STAFF REPORT TO COMMITTEE

DATE OF REPORT April 17, 2018
MEETING TYPE & DATE Regional Services Committee Meeting of April 25, 2018
FROM: General Manager
Community Services Department
SUBJECT: Sport Tourism Grant Subcommittee
FILE:

PURPOSE/INTRODUCTION

The purpose of this report is to establish a Sport Tourism Grant Subcommittee and determine the subcommittee membership.

RECOMMENDED RESOLUTION

That a Sport Tourism Grant Subcommittee be established, in accordance with the Community Services Department report of April 17, 2018.

BACKGROUND

The Board considered providing tournament incentives to local sport organizations at the meeting of September 21, 2017, and passed the following recommendations:

1. **That up to \$30,000 be included in the preparation of the sport tourism section of the Economic Development budget for 2018.**
2. **That a set of criteria be developed to evaluate appropriate financial incentives for hosting provincial, regional, national, or international events.**

The 2018 budget includes \$30,000 for tournament incentives.

ANALYSIS

The recently adopted Arts and Culture function establishment bylaw allows for a grant committee to consider and distribute arts and culture funding to organizations based on criteria established by the Board. There is no similar authority for sport tourism grants.

Staff propose forming a Sport Tourism Grant Subcommittee of the Regional Services Committee, with the mandate to develop criteria for appropriate financial incentives for hosting provincial, regional, national, or international events. The recommended criteria would come to the Regional Services Committee for consideration, and the Board for approval.

The Sport Tourism Grant Subcommittee would adjudicate applications for funding, and make recommendations to the Regional Services Committee.

Sport Tourism Grant Subcommittee membership would be comprised of one representative from each of the following five commissions/committees:

1. Kerry Park Recreation Centre Commission
2. Cowichan Lake Recreation Commission
3. Island Savings Centre Commission
4. North Cowichan Parks and Recreation Committee
5. Ladysmith Parks and Recreation Committee

For 2018, the Regional Services Committee will consider and make appointments to the subcommittee at a future meeting.

In the future, a recommendation to establish a formal committee by bylaw will be brought forward to the Board.

Further Analysis

The Island Savings Centre Commission currently adjudicates applications for the annual Cowichan Valley Arts and Sports Scholarships, financed from an ongoing fund created as a legacy of the 1991 BC Winter Games. Two \$500 Arts, and two \$500 Sports scholarships are awarded annually. It is proposed that the Arts and Culture Grant Committee adjudicate the arts scholarships beginning in the year 2019. This Sport Tourism Grant Subcommittee could adjudicate the two sports scholarships.

FINANCIAL CONSIDERATIONS

The 2018 budget includes \$30,000 for sport grants.

COMMUNICATION CONSIDERATIONS

The outlined recreation commissions/committees would be advised to recommend a representative for appointment to the Sport Tourism Grant Subcommittee.

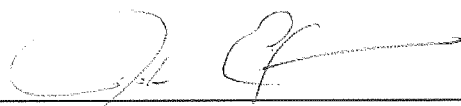
STRATEGIC/BUSINESS PLAN CONSIDERATIONS

N/A

Referred to (upon completion):

- Community Services (*Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit*)
- Corporate Services (*Finance, Human Resources, Legislative Services, Information Technology, Procurement*)
- Engineering Services (*Environmental Services, Recycling & Waste Management, Water Management*)
- Land Use Services (*Community Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails*)
- Strategic Services

Prepared by:



John Elzinga
General Manager

Reviewed by:

Not Applicable
Not Applicable

Not Applicable
Not Applicable

STAFF REPORT TO COUNCIL

From: Clayton Postings, Director of Parks, Recreation & Culture
 Meeting Date: May 14, 2018
 File No: 0640-30
 RE: **PARKS AND RECREATION FEES AND CHARGES REVIEW**

RECOMMENDATION:

That Council:

1. Consider referring the following proposed amendments to Town of Ladysmith Community Centre Facilities Fee and Charges Bylaw 2015 No. 1884, to the Parks, Recreation and Culture Advisory Committee for review and comment:
 - Increase admission and pass fees by two per cent effective September 1, 2018 and September 1, 2019 and September 1, 2020 and continue to not charge admission for seniors over the age of eighty and children under the age of three;
 - Increase facility rental fees, park permit fees and sport field light fees by two per cent effective September 1, 2018 and September 1, 2019 and September 1, 2020;
 - Remove three- and six-month pass options from the Fees and Charges;
 - Maintain family admission and pass rates at the current fees;
 - Add rental fees for the lower recreation space at Frank Jameson Community Centre known as the "rec room" at the same rate as the gymnasium.

2. Direct staff to consult with the major facility users requesting feedback, relating to proposed facility rental rates and provide report back to Council.

PURPOSE:

The purpose of this staff report is to seek Council's direction regarding Fees and Charges Bylaw 2015 No. 1884.

PREVIOUS COUNCIL DIRECTION

Moved and seconded:

That Council refers to the Parks, Recreation and Culture Commission the following proposed amendments to Town of Ladysmith Community Centre Facilities Fees and Charges Bylaw 2014, No, 1846 for review and comment:

- Increase admission and pass fees by two per cent effective September 1, 2015, September 1, 2016 and September 1, 2017 for Adult, Youth, Child, Family and Senior (and continue no charge for children under three or seniors over 80).



- Increase facility rental fees, park permit fees and sport field lights by two per cent effective September 1, 2015, September 1, 2016 and September 1, 2017, and
- Add “locker fee” rental to the Fees and Charges Bylaw with a rate of fifty cents per use for full sized lockers and twenty-five cents for medium to small lockers.

Motion carried.

INTRODUCTION/BACKGROUND:

In August 2015, Council authorized a two per cent increase for admission and pass fees with the exception of admissions and passes for seniors over 80 years old and children under three years old, which remain at no charge.

At that time, Council also supported a three-year plan for fees and charges, which is consistent with surrounding communities and allows clubs and organizations advance information regarding future fees and charges if applicable.

Staff have completed a review of existing fees and charges. During this review, staff use the attached Fees and Charges Policy guidelines to base recommendations, which includes market analysis, inflationary costs, and ensuring fees are neither too high, which may deter participation, nor too low, which may be viewed as not honouring the user pay principle.

Facility Fees & Charges

Rental Charge Increase

In determining appropriate rental rate increase, staff compared neighbouring communities and similar facilities such as those found in the school district. Due to various facility sizes, amenities offered and rental requirements, an overall average was used for rental fee comparison. This comparison confirmed that Ladysmith fees for facility rentals are comparable in the region and in many cases lower than comparable facilities.

Increasing facility rental fees by two per cent will ensure that the operation maintains budgeted recovery percentages, and continue to allow access for community usage. All facility rentals are based on full charges, with registered non-profit societies receiving a fifty per cent discount on fees associated with rentals.

Rec Room Charge

Recent upgrades to the space along with upcoming marketing initiatives, staff anticipate there will be a demand for rental use of the “rec room” when not being used for youth programming. Due to the amenities and size of the space, it is the recommendation of staff that the charge to rent the space be the same as the charge to rent the gymnasium.

Admissions and Passes Changes:

Similar to the facility rental fees, admission and pass fees have been reviewed in the context of the cost recovery targets established in the departmental annual budget along with marketplace comparison for similar services, programs and amenities within the region. The proposed increase of two per cent is consistent with the market and is not expected to impact users of the facilities. Conversely, the family admission and pass have been noted as one area, which has been reduced in many communities, this pass is not utilized often in Ladysmith, for this reason, it is suggested the family admission and pass rate is maintained at the existing fee with no increase over the next three years.

It is recommended to remove the three- and six-month pass option which is consistent with trends regionally, as users are more often choosing the one-month and drop-in options. In addition, as of September 1, 2018, the region's new online recreation software will be operational, allowing greater flexibility for patrons who choose to automatically renew their monthly pass with automatic preauthorized payment. Alternatively, patrons may still choose to commit for full 12-months and take advantage of a significantly lower fee.

Note all fees listed on the following appendices do not include GST; all fees will be rounded up or down to the nearest nickel, once the tax is applied.

ALTERNATIVES:

Council can choose to:

- 1) Council could choose to maintain the current fees structure recognizing possible negative budgetary impact on future operations.
- 2) Council could choose to change the proposed fees and charges to another percentage increase.

FINANCIAL IMPLICATIONS:

The financial impact resulting from the proposed two per cent increase annually for passes and admissions is anticipated to increase revenues by approximately \$6,000.00 each year. While facility rental fee increases for the same period would result in a projected revenue gain of approximately \$2,600.00.

Staff will continue to identify areas for increased revenue and/or initiatives to deliver services at an affordable cost to enable increased participation and rental activity.

LEGAL IMPLICATIONS:

There is no legal implication identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that the proposed admission fee increase will have minimal impact on user participation. In part because, Ladysmith residents with financial barriers may participate in the Leisure Access Program, which allows participants to receive a fifty per cent discount on admissions and passes.

In respect to facility rental fees, Staff will communicate the new fees well in advance to the changes taking place. Further, community groups and organizations will continue to have an opportunity to receive rate reductions or fees waived for special community events, as part of Council's grant-in-aid program.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services will assist with processing the amendment to the Fees & Charges Bylaw.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- Complete Community Land Use
- Green Buildings
- Innovative Infrastructure
- Healthy Community
- Not Applicable
- Low Impact Transportation
- Multi-Use Landscapes
- Local Food Systems
- Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

- Employment & Tax Diversity
- Watershed Protection & Water Management
- Communications & Engagement
- Natural & Built Infrastructure
- Partnerships
- Not Applicable

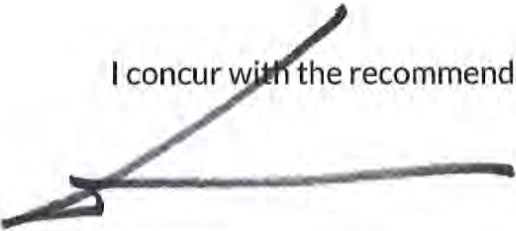
SUMMARY:

User fees and rental fees are required to maintain, or reduce where possible, the current level of subsidy by the taxpayer. It is important to ensure that user fees allow for the recovery of costs associated with the delivery of services and programs, and for the ongoing maintenance of the facilities and equipment. Staff review these user fees on a regular basis to ensure rates continue to be reasonable and affordable while also being competitive and allowing defined service levels to be maintained.


 Clayton Postings
 Director of Parks,

May 9, 2018
 Date

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

- Appendix A Proposed Fees (2018-2021)
- Appendix B Proposed Facility Rental Fees (2018-2021)
- Appendix C Current Regional Single Admission Comparison
- Appendix D Current Regional Pass Comparison
- Appendix E Current Regional Facility Rental Fee Comparison
- Appendix F Current Pool Rental Fees and Charges
- Appendix G Existing Fees and Charges Matrix (2015-2018)
Fees & Charges Policy

Appendix A

Proposed Fees 2018-2021 (GST NOT INCLUDED)

Single Admissions				
Type	Current	2018/19	2019/20	2020/21
Child 0-3 yrs	FREE			
Child 3-12 yrs	2.84	2.90	2.96	3.02
Youth 13-18 yrs	3.88	3.96	4.04	4.12
Adult 19-59 yrs	5.57	5.68	5.80	5.91
Senior 60-79 yrs	3.88	3.96	4.04	4.12
Senior 80 & up	FREE			
Family	11.14	11.14	11.14	11.14
10 X Pass				
Type	Current	2018/19	2019/20	2020/21
Child 0-3 yrs	FREE			
Child 3-12 yrs	24.09	24.57	25.06	25.56
Youth 13-18 yrs	33.23	33.89	34.57	35.26
Adult 19-59 yrs	47.05	48.00	48.95	49.93
Senior 60-79 yrs	33.23	33.89	34.57	35.26
Senior 80 & up	FREE			
Family	94.11	94.11	94.11	94.11
30 X Pass				
Type	Current	2018/19	2019/20	2020/21
Child 0-3 yrs	FREE			
Child 3-12 yrs	57.83	58.98	60.16	61.36
Youth 13-18 yrs	88.15	89.92	91.72	93.55
Adult 19-59 yrs	124.17	126.66	129.19	131.77
Senior 60-79 yrs	88.18	89.94	91.74	93.57
Senior 80 & up	FREE			
Family	248.34	248.34	248.34	248.34

1-Month Pass				
Type	Current	2018/19	2019/20	2020/21
Child 0-3 yrs	FREE			
Child 3-12 yrs	N/A			
Youth 13-18 yrs	39.35	40.14	40.94	41.76
Adult 19-59 yrs	49.24	50.22	51.23	52.25
Senior 60-79 yrs	39.35	40.14	40.94	41.76
Senior 80 & up	FREE			
Family	98.48	98.48	98.48	98.48
12-Month Pass				
Type	Current	2018/19	2019/20	2020/21
Child 0-3 yrs	FREE			
Child 3-12 yrs	N/A			
Youth 13-18 yrs	381.20	388.82	396.60	404.53
Adult 19-59 yrs	477.94	487.49	497.24	507.19
Senior 60-79 yrs	381.20	388.82	396.60	404.53
Senior 80 & up	FREE			
Family	955.87	955.87	955.87	955.87

Residents with a limited income have the opportunity to apply to participate in the Leisure Access Program, which entitles participants a 50-percent discount for all admissions and passes.

Appendix B

Proposed Facility Rental Fees (GST NOT INCLUDED)

Facility	Current	2018/19	2019/20	2020/21
Frank Jameson Community Centre				
Meeting Room Hourly Rate	23.38	23.85	24.33	24.81
Meeting Room Hourly with Pool	21.54	21.97	22.41	22.86
Meeting Room Daily Rate	93.41	95.28	97.19	99.13
Gymnasium Hourly Rate	42.11	42.95	43.81	44.68
Gymnasium Daily Rate	362.83	370.09	377.49	385.04
Lower Program Room Hourly Rate	41.51	42.34	43.19	44.05
Lower Program Room with Pool	21.54	21.97	22.41	22.86
Lower Program Room Daily Rate	166.05	169.37	172.75	176.21
Lower Rec Room Hourly Rate *NEW		42.95	43.81	44.69
Lower Rec Room Daily Rate *NEW		370.09	377.49	385.04
Locker Rental - small	0.25	0.25	0.25	0.25
Locker Rental - large	0.50	0.50	0.50	0.50
One Pool	78.48	80.05	81.65	83.28
Two Pools	115.28	117.58	119.94	122.34
Aggie Hall				
Aggie Hall Hourly Rate (no kitchen)	42.11	42.95	43.81	44.68
Aggie Hall Hourly Rate (with kitchen)	71.12	72.54	73.99	75.47
Aggie Hall Daily Rate (includes kitchen)	194.08	197.96	201.92	205.96
Aggie Hall Receptions Party, Dance	381.50	389.13	396.92	404.85
Transfer Beach				
Transfer Beach Kin Shelter per Day	52.17	53.22	54.28	55.37
Transfer Beach Amphitheatre – Full Day Private Family Function	96.07	97.99	99.95	101.95
Transfer Beach Amphitheatre – Half Day Private Family Function	54.88	55.98	57.10	58.24
Transfer Beach Amphitheatre – Full Day Public Special Event	370.57	377.98	385.54	393.25
Transfer Beach Amphitheatre – Performances per Hour	26.25	26.77	27.31	27.86
Park Permit (parking lot, upper beach, or lower beach) Full Day	96.07	97.99	99.95	101.95
Park Permit (parking lot, upper beach, or lower beach) Half Day	54.88	55.98	57.10	58.24
Park Permit (parking lot, upper beach, or lower beach) per Hour	26.25	26.77	27.31	27.86
Sports Fields				
Aggie Ball Diamonds per Hour Youth		N/C		
Aggie Ball Diamonds per Hour Adult	15.91	16.23	16.55	16.88
Aggie Ball Diamonds Tournament per Day	136.71	139.45	142.23	145.08
High Street Little League Diamonds per Hour Youth		N/C		
High Street Little League Diamonds Tournament per Day	136.71	139.45	142.23	145.08
Holland Creek Ball Diamonds per Hour Youth		N/C		
Holland Creek Ball Diamonds per Hour Adult	15.91	16.23	16.55	16.88
Holland Creek Ball Diamonds Tournament per Day	136.71	139.45	142.23	145.08
Forrest Field per Hour Youth	7.04	7.18	7.32	7.47
Forrest Field per Hour Adult	25.17	25.67	26.18	26.71
Forrest Field per Day Youth	45.68	46.59	47.52	48.47
Forrest Field per Day Adult	169.83	173.23	176.69	180.23
Miscellaneous				
Chairs (25)	22.24	22.69	23.14	23.61
Forrest Field Half Lights per Hour	11.80	12.03	12.28	12.52
Forrest Field Full Lights per Hour	15.32	15.62	15.94	16.25
Aggie Field Lights	5.90	6.02	6.14	6.26
FJCC Field Lights	5.90	6.02	6.14	6.26

Appendix C

Current Regional Single Admission Comparison (GST NOT INCLUDED)

COMMUNITY	CHILDREN	YOUTH	SENIORS	ADULTS	FAMILY
Campbell River	2.86	3.81	3.81	5.48	N/A
Comox Valley Aquatic Centre	2.95	3.48	4.67	5.52	N/A
Cowichan Aquatic Centre	2.90	4.38	4.38	5.81	13.00
Esquimalt	2.62	2.86	4.05	5.48	10.95
Gold River	3.19	3.57	3.90	4.95	10.29
Lake Cowichan	2.86	3.57	3.81	4.76	11.43
Mill Bay (Kerry Park)	2.86	3.81	3.81	4.76	10.48
Nanaimo	3.57	5.00	5.00	6.67	13.33
Oak Bay	3.24	5.00	5.00	6.43	12.86
RDN (Ravensong Aquatic Centre)	3.10	4.14	4.62	5.91	12.00
Port Alberni	2.86	2.86	2.86	4.76	11.43
Port Hardy	3.05	3.71	3.05	4.86	10.52
Powell River	3.33	4.57	5.05	6.00	12.43
Sidney/North & Central/Saanich	3.10	4.29	5.24	6.19	12.62
Saanich CW Place	3.10	4.29	5.24	6.19	12.62
City of Victoria (Crystal Pool & Fitness)	2.81	3.24	4.24	5.38	10.90
Westshore Parks and Rec	3.05	4.43	4.43	6.19	12.38
AVERAGE	3.03	3.94	4.30	5.61	10.43
Ladysmith - Current	2.86	3.86	3.88	5.57	11.14
Ladysmith - Proposed	2.90	3.93	3.95	5.68	11.37

Appendix D

Current Regional Pass Comparison (GST NOT INCLUDED)

	Nanaimo	RDN	North Cowichan	Ladysmith	
10 X Pass					
Child (0-36 mos)	FREE		17.61	FREE	
Child (3-12yrs)	28.57	27.90	26.19	24.10	
Youth (13-18yrs)	40.00	37.26	37.14	33.24	
Adult (19-59yrs)	53.33	53.19	52.38	47.05	
Senior*	40.00	41.58	39.52	33.24	
Family**		108.00	122.76	94.10	
30 X Pass					
Child (0-36 mos)	N/A			FREE	
Child (3-12yrs)				57.71	
Youth (13-18yrs)				88.00	
Adult (19-59yrs)				124.00	
Senior*				88.00	
Family				248.10	
1 Month Pass					
Child (0-36 mos)	N/A	N/A	N/A	FREE	
Child (3-12yrs)	21.90		32.86	N/A	
Youth (13-18yrs)	30.48		45.95	39.35	
Adult (19-59yrs)	40.00		65.71	49.24	
Senior*	30.48		49.29	39.35	
Family	80.00		N/A	98.48	
12 Month Pass					
Child (0-36 mos)	N/A		114.71	216.85	FREE
Child (3-12yrs)		217.62	173.80	328.57	N/A
Youth (13-18yrs)		290.63	243.33	555.24	381.20
Adult (19-59yrs)		414.89	347.61	657.14	477.94
Senior*		324.33	260.71	492.86	381.20
Family**		842.40	N/A	1,810.00	955.87

*Ladysmith children under the age of three and seniors aged 80 are free

**North Cowichan family rate dependant on amount of children, their ages and whether there is one parent or two for this comparison, the fee is based on two adults and three children

***Note shaded area indicates North Cowichan's "Lifestyle Pass" pass holders are not permitted to place pass on hold and must pay at time of purchase.

Appendix E

Current Regional Facility Rental Fees Comparison (GST NOT INCLUDED)

Facility Type	Ladysmith	Nanaimo	CVRD N Cowichan	SD68
Amphitheatre public event/day	370.57	25.00		
Amphitheatre private (up to 2 hours)	54.88	50.00		
Amphitheatre family half (up to 4 hours)	96.07	100.00		
Picnic shelter/up to eight hours		100.00		
Picnic shelter/up to four hours	52.17	59.50		
Public event at large park permit (up to 4 hrs)	54.88	25.00		
Ball field/tournament adult	136.71	86.00	30.00	
Ball field/tournament youth	136.71	123.00	15.00	
Ball diamond adult/hour	15.91	8.75	19.75	
Ball diamond youth/hour	-	2.25	11.75	
Grass youth/day	-	13.00		
Grass youth/hour	-	3.00		3.50
Grass adult/day	-	86.00		N/A
Grass adult/hour	15.91	13.00		13.50
Turf adult/day	169.83			
Turf adult/hour	25.17	34.00	31.50	
Turf youth/day	25.17			
Turf youth/hour	7.04	15.00	15.75	
Lights full	15.32	16.00	5.00	
Lights half	11.80	13.00	5.00	
Gymnasium/hour youth		21.44		10.11
Gymnasium/hour	42.11	41.68		20.21

Appendix F

Current Regional Pool Rental Fee Comparison (GST NOT INCLUDED)

COMMUNITY	SWIM MEET RATE PER HOUR 2017/18	FULL POOL RATE PER HOUR 2017/18	PER LANE PER HOUR 2017/18
Campbell River	127.50 (included 2 guards)	154.00 full pool (guards @ actual cost) 48.50 shared	10.00/minor sports 23.25/masters 25.75 commercial
Comox Valley Sports Centre (SC)	126.47	Youth 79.59 Adult 138.54	Youth 13.28 Adult 23.04
Comox Valley Aquatic Centre (AC)	168.68	Youth 106.10 Adult 184.74	Youth 13.28 Adult 23.04
Cowichan Aquatic Centre	Prime Time/Non Prime 130.74 / 111.14 (swim clubs)	Prime Time/Non Prime Commercial: 305.67 / 259.30 Adult: 152.33 / 129.66 Youth 114.40 / 97.24 Schools: 91.52 / 77.80 Non Prof: 137.27 / 116.68	Prime Time/Non Prime Commercial: 39.22 / 33.34 Adult: 19.62/16.67 Youth 14.71/12.51 Schools: 11.77/10.01 Non Prof: 17.66/15.00
Gold River	54.60	124.79	20.53
Ladysmith	Not applicable due to space limitations	115.28	13.26
Nanaimo	Private/Adult = 21.72/lane Youth=10.86/lane	NAC=845.73 Beban=417.85	Private/Adult = 21.72 Youth=10.86
Oak Bay	n/a	n/a	14.70
Port Alberni			
Port Hardy		80.35 81.95	19.15 19.55
Powell River	n/a	101.25 youth/151.87 adult/189.84 commercial	16.87 Youth/ 25.31 Adult
Ravensong (Parks/Qualicum) Regional District of Nanaimo	139.18	92.75	Minor 15.00 / Adult 22.07/ Commercial 36.69
Saanich Commonwealth Place	non profit 15.23/lane	Leisure Lap Pools Only 134.14 After Hours 157.24	28.09
Saanich (Gordon Head)	non profit 15.23/lane	193.46	28.09
Sidney/North & Centre Saanich	Youth 115.00	Youth 115.00	Youth 14.39
Sooke (effective Septempber 1/16)			
Sunshine Coast Non Profit GDAF/SAC			
Sunshine Coast Commercial GDAF/SAC			
Victoria - Crystal Pool	n/a	n/a	9.06/25 meters minor high volume; 13.60/50 meter minor high volume; 11.33/25 meter adult high volume; 17.00/50 meters adult high volume
Westshore Parks & Rec	\$105/youth commerc/swim clubs	\$220.50/commercial	13.13 non profit 27.56commercial

Appendix G

Current Fees Matrix (2015-2018)

Single Admissions			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	2.73	2.79	2.84
Youth 13-18 yrs	3.73	3.81	3.88
Adult 19-59 yrs	5.36	5.46	5.57
Senior 60-79 yrs	3.73	3.81	3.88
Senior 80 & up	FREE		
Family	10.71	10.92	11.14
10 X Pass			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	23.15	23.62	24.09
Youth 13-18 yrs	31.94	32.57	33.23
Adult 19-59 yrs	45.23	46.13	47.05
Senior 60-79 yrs	31.94	32.57	33.23
Senior 80 & up	FREE		
Family	90.45	92.26	94.11
30 X Pass			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	55.58	56.69	57.83
Youth 13-18 yrs	84.73	86.43	88.15
Adult 19-59 yrs	119.35	121.74	124.17
Senior 60-79 yrs	84.75	86.45	88.18
Senior 80 & up	FREE		
Family	238.70	243.47	248.34

1-Month Pass			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	37.82	38.58	39.35
Adult 19-59 yrs	47.33	48.27	49.24
Senior 60-79 yrs	37.82	38.58	39.35
Senior 80 & up	FREE		
Family	94.66	96.55	98.48
3-Month Pass			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	102.28	104.32	106.41
Adult 19-59 yrs	127.86	130.41	133.02
Senior 60-79 yrs	102.28	104.32	106.41
Senior 80 & up	FREE		
Family	255.71	260.83	266.04
6-Month Pass			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	193.16	197.02	200.96
Adult 19-59 yrs	241.49	246.31	251.24
Senior 60-79 yrs	193.16	197.02	200.96
Senior 80 & up	FREE		
Family	482.97	492.63	502.48
12-Month Pass			
Type	2015/16	2016/17	2017/18
Child 0-3 yrs	FREE		
Child 3-12 yrs	N/A		
Youth 13-18 yrs	366.39	373.72	381.20
Adult 19-59 yrs	459.38	468.56	477.94
Senior 60-79 yrs	366.39	373.72	381.20
Senior 80 & up	FREE		
Family	918.75	937.13	955.87

TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

TOPIC:	FEES & CHARGES – Dept. Parks Recreation & Culture		
APPROVED BY:	Council	DATE:	August 6, 2013
RESOLUTION #: 13-267			
<i>(Amended from) Oct 7, 2002</i>			
<p><u>Criteria to Use When Considering Grant Requests</u> 1 (low) through 5 (high)</p> <ul style="list-style-type: none"> • Indirect benefit to residents of the community i.e. Youth Event. Proactive approach to policing / social services Event designed to encourage positive behaviour amongst youth. • Socially worthwhile i.e. Contributes to sense of community • Immediate Economic impact within the community • Long term economic impact / exposure to the community • Contributes to the quality of life experience for all residents <p>* Minimum score of 15 to be advanced for resolution.</p> <p style="text-align: center;">FEES AND CHARGES POLICY</p> <p>The following policy pertains to the Department’s three major service areas of pre-registered programs, general admissions and facility rentals. This policy is consistent with, and derived from, the preceding Fees and Charges principles and Leisure Services justification. It will provide the guidelines for the development of the additional policy, which may be necessary to address specific and at times, changing community needs, e.g. employee wellness, economically disadvantaged, etc.</p> <p>Fees and charges policy development, implementation and evaluation is a dynamic process. Regular policy review and adjustment will occur to ensure that the policy addresses current community needs. Fees and charges will be reviewed annually and any pricing adjustments will be effective September 1st.</p> <p>A. PRE-REGISTERED PROGRAMS</p> <p><i>Principles:</i> Fees for programs sponsored directly by the Department will be based on the following principles:</p> <ul style="list-style-type: none"> • The fees will be partially based on recovery of direct cost. • The fees will encourage maximum public participation and at the same time, minimize, within reason, the tax subsidy. 			

- Users will be responsible for financially contributing to their recreation activity.

Direct Cost Recovery:

Registered programs are to recover the direct costs of the program. Direct program costs include:

- **Materials:** Includes all items necessary to ensure the program meets recognized standards. This includes items such as arts and crafts supplies, balls and nets, camping equipment, vehicle and equipment rental, tools and parts, stationery and printing, program cards and badges, candidate fees, etc.
- **Leadership:** Includes all persons directly involved in the teaching, coaching and immediate supervision of a program or activity. This category refers to all leaders, instructors and activity supervisors, whether paid by wage, honorarium (and/or contract).
- **Transportation:** Includes vehicle lease, rentals, tolls, fuel and labour costs.
- **Facilities:** Includes admission rates or rentals of non-district recreation facilities.
- **Administrative Surcharge:** A 10% surcharge, (15% for aquatic programs) based on the total amount of all other direct program costs, will be included as part of the Direct Program Cost. The surcharge is to compensate for other indirect costs associated with the program production, e.g. administration / supervision, facility fixed charges, advertising, etc.

Pricing for programs will reflect fees based on staff and material costs and contribute a portion to administrative services.

Target margin:

<u>Dryland Programs</u>	<u>Aquatic Programs</u>
Preschool programs – 5%	Beginners – 15%
Youth programs – 10%	Advanced – 25%
Adult programs – 20%	

Fees will be determined through a program cost analysis to be reviewed annually.

Factors for Consideration:

Other factors which may be taken into account when establishing program fees are:

- Program fees charged by other agencies and municipalities for similar services.
- Grants: If the Department is successful in obtaining provincial or federal grant funding or funding from corporate sponsors, the standard program fees may be decreased in order to encourage greater participation, e.g. summer playgrounds, community special events, special interest programs, etc.
- Developmental Programs: May not initially recover costs but are continued at a loss in order to encourage and promote interest. It is expected however, that over a period of time, these programs will break even.

- “Loss Leader” or “Service” programs are programs which provide service to patrons of other functions within the operation. These “Loss Leaders” are considered necessary for the success of other “profitable” operations within the facility, e.g. child minding, free introductory sessions, etc.

B. GENERAL ADMISSION PROGRAMS

The Town of Ladysmith is one of several leisure delivery agencies operating within the geographic region of the CVRD. If one organization is not price consistent with other agencies providing comparable service, the demand for their service will vary accordingly.

Consistent with the principle outlined in this policy, general admission fees should not be so high as to prohibit the participation of the majority of the public, but not so low as to ignore the obligation of the user to pay for service and minimize the cost to the taxpayer.

In consideration of the above, and within the principles and rationale of the Fees and Charges policy, the following General Admission pricing policy will apply.

User Classifications:

Adult	19 years of age and older
Senior Citizens	60 years of age and older
Youth	13 years of age to 18 years
Child	3 years of age to 12 years
Tot	0 to 36 months of age

Family – Parent(s) or guardian(s) with dependent children aged 18 or under.

*Family rate pays for one or both parents/guardians plus up to four (4) children, whether related or not, or all the children in the same family even if there are more than four.

General Admission Programs will include but not necessarily be limited to: swimming, aerobics and recreational sports. A base rate for all General Admission Programs which will be equal to the adult admission rate and will be determined by:

- a market analysis of comparable services in the CVRD and
- consideration of inflationary costs providing the service.

Degree of Subsidy:

The fee structure as a percentage of the base rate for the respective user classification will be as follows:

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0%	Adult	→
25%	Seniors	
50%	Children	
25%	Students	
100%	Pre-school Families	The rate equal to 2 adults

Free General Admission access to any member of the community who is 80 Years or older.

Strip or multiple admission tickets may be available for up to 20% off applicable single rates for multiple admissions.

Other passes may be developed where appropriate to facilitate long term use, e.g. three to twelve month passes may be available at 24 and 75 times their respective single admission rates.

The Director of Parks, Recreation and Culture will have the authority to waive or reduce set fees for programs and services not identified in the Fees and Charges scheduled to provide for unusual, promotional and /or experimental purposes.

C. FACILITY RENTALS

Principles:

Fees for facilities run by the Department will be consistent with the rationale and principles described in this policy and with specific consideration given to:

- CVRD market rate for facility services of same or similar nature.
- Users contribution to the voluntary provision of recreation opportunities for the Ladysmith community.
- Users ability to pay.
- The encouragement of responsible and efficient use of facilities.
- Maximize revenue potential to recover maintenance, capital and labour costs and minimize financial burden to the taxpayer.
- Ensure fee equity to facilities of same or similar size and quality.

The base rate for all facility rentals will be established and consistent with the rate of same or comparable facilities in the CVRD market. Variations of the base rate in consideration of the aforementioned principles will be designated to various categories

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of use. The categories are as follows:

User Categories:

- 1.) Official Town functions and special status groups/events sanctioned by the Town of Ladysmith.
- 2.) Registered non-profit volunteer groups that use facilities for the provision of leisure-oriented activities that are open to all citizens or the neighbourhood and/or community.
- 3.) Private, educational, religious, labour, government, political and social service agencies, social/sports clubs, groups, and/or individuals.
- 4.) Commercial / Business

Degree of Subsidy:

Facility subsidy will increase with the degree to which the user group generally supports and/or contributes to the Municipality's mandate of providing public leisure services and are as follows (figures shown reflect percentage subsidy of regular rate):

	Users	Percentage of Subsidy
1	Town	100
2	Registered non-profit volunteer community leisure groups/service clubs	50
3	Private, Religious, Political, Government	0
4	Commercial/Business	(20)

The above subsidies apply to the rental fees only of general purpose program spaces within the Department's Community Recreation Facilities. Additional direct costs such as materials, custodial services, etc., will be borne 100% by the renter. The subsidies do not apply to major specialized facilities such as the pools. Subsidies for those facilities may be considered on an individual basis and in the context of the CVRD market and the principles provided in this policy. Reductions in fees may be made for groups and low priority times to facilitate maximum use of facilities in conjunction with other section managers.

Requests for Waiving of Fees:

The Department cannot waive fees but it can work cooperatively with organizations on joint programs where there is clear proof of benefit. All requests for joint initiatives will be addressed to the Director of Parks, Recreation & Culture and forwarded to the Parks and Recreation Commission for their consideration.

Council will not waive the fee but will provide a grant to the group to cover all, or a portion of the fee.

The following items should be considered in recommending whether Council provides a grant:

- a) Parks, Recreation & Culture Department recommendation
- b) grants will be limited to fund raising events
- c) grants will only be considered for Ladysmith-based non-profit organizations.
- d) only one grant per organization will be considered in one calendar year
- e) Criteria rating form.

NOTE* Volunteer non-profit groups will be provided space at no charge for public service functions such as registrations, equipment swaps, etc. Each group would be limited to three per year and provided only on availability of the facility.

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 term "*Director of Infrastructure Services*".

6. Amend the definition of Highway to include "*Boulevard*" and "*Sidewalk*" so that it reads: "*Highway* includes every highway, road, street, *lane*, *boulevard*, *sidewalk*, bridge, viaduct or right- of-way designed, intended for, or used by the general public for the passage of *vehicles*, *cycles* or *pedestrians* and every private place or passageway to which the public, for the purpose of the *parking* or servicing of *vehicles*, has access or is invited."

7. 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.

8. 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.

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

67. No person shall park a recreational *vehicle*, boat or *trailer* on a *boulevard* for a period

Bylaw 1941
longer than 72 hours.

- 10. Renumber section 67 to be section 68.
- 11. Replace Schedule "A" (Fine Schedule) with the attached Schedule "A".

Citation

- 12. 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 7th	day of May	, 2018
READ A SECOND TIME	on the 7th	day of May	, 2018
READ A THIRD TIME	on the 7th	day of May	, 2018
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 wrong 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

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
31(10)	Parked obstructing <i>traffic</i> at construction	\$20.00	\$35.00
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		**

SECTION	DESCRIPTION	FINE	
		WITHIN 30 DAYS	AFTER 30 DAYS
50(1)(c)(ii)	Exceed <i>vehicle</i> dimensions		**
50(1)(d)	Non-conforming distance between axles		**
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

INFORMATION REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
Meeting Date: May 14, 2018
File No: 3900-20 2018
RE: NEW ELECTION AND ASSENT VOTING BYLAW

RECOMMENDATION:

That Council give first, second and third readings to Town of Ladysmith Election and Assent Voting Bylaw 2018, No. 1964.

PURPOSE:

The purpose of this report is to provide background information for Council on the new Election and Assent Voting Bylaw.

PREVIOUS COUNCIL DIRECTION

N/A

DISCUSSION:

Under the *Local Government Act*, a local government is authorized to create a bylaw that will govern how elections for Council, as well as referenda, are managed in the community. The existing Ladysmith Election Bylaw 1339 was adopted in 1999. There are several items in the bylaw that need to be changed. The two most significant are:

- Definition of General Voting Day as the third Saturday of November; an amendment to the local Government Act since the last election changed the date to the third Saturday in October
- References to the governing legislation as the *Municipal Act*; the legislation is now the *Local Government Act* and the *Community Charter*
- Permitting candidate nomination papers to be posted on the Town's website, in addition to being available for review at City Hall.

Rather than amend the existing bylaw, staff recommend that this is a good opportunity for a new election bylaw that will also incorporate a subsequent amendment to Bylaw 1339 to permit mail ballot voting, as well as address other housekeeping matters.

Bylaw 1964 is based on a template developed by the Local Elections Committee of the Local Government Management Association as the recommended format for local government bylaws.

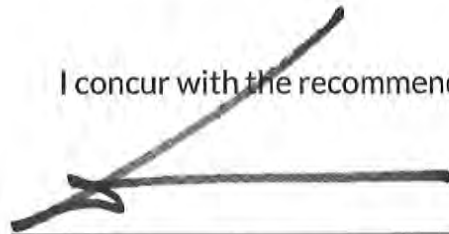
SUMMARY POINTS

- A new Election and Assent Voting Bylaw is presented for first three readings
- The new bylaw updates previous bylaw 1339, which was adopted in 1999 and has also undergone several amendments since its adoption
- The main amendments involve:
 - Changing the date of the election from the third Saturday in November to the third Saturday in October in accordance with a recent amendment to the *Local Government Act*
 - Changing all references to the previous *Municipal Act* to the *Local Government Act*, which, together with the *Community Charter*, replaced the *Municipal Act* in 2004
 - Permitting candidate nomination papers to be posted on the Town's website.



Joanna Winter, Manager of Legislative Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Bylaw 1964

TOWN OF LADYSMITH
BYLAW NO. 1964

A bylaw to provide for the determination of various procedures for the conduct of elections and assent voting.

WHEREAS under the *Local Government Act* Council may, by bylaw, determine various procedures and requirements to be applied to the conduct of elections and assent voting;

AND WHEREAS Council wishes to establish voting procedures and requirements under that authority;

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

1. CITATION

This Bylaw may be cited for all purposes as “Town of Ladysmith Election and Assent Voting Bylaw 2018, No. 1964.”

2. DEFINITIONS

In this Bylaw the following terms have the following meanings:

Acceptable mark means a completed arrow which the **vote counting unit** is able to identify, which has been made by an elector in the space provided on the **ballot** opposite the name of any candidate or opposite either ‘yes’ or ‘no’ on any other voting question.

Automated vote counting system means a system that counts and records votes and processes and stores election or any voting results which comprises:

- (a) a number of **ballot scan vote counting units**, each of which rests on a two-compartment **ballot** box, one compartment of which is for:
 - (i) voted ballots; and
 - (ii) returned ballots which have been reinserted using the ballot override procedure;

and the other compartment is for the temporary storage of voted ballots during such time as the **vote counting unit** is not functioning; and

- (b) a number of **storage ballot compartments** into which voted **ballots** are deposited where a **vote counting unit** is not functioning or being used which will therefore be counted after the close of voting on general voting day.

Ballot means a single ballot card designed for use in an **automated vote counting system**, which shows:

- (a) the names of all of the candidates for each of the offices to be filled; and
- (b) all of the choices on all of the bylaws or other matters on which the opinion or assent of the electors is sought.

Ballot return override procedure means the use, by an election official, of a device on a **vote counting unit**, which causes the unit to accept a **returned ballot**.

Election headquarters means the Frank Jameson Community Centre, 810 6th Avenue, Ladysmith, B.C.

Memory pack means a computer software cartridge which is inserted into the **vote counting unit** and into which is pre-programmed the names of all the candidates for each of the offices to be filled, and the alternatives of “yes” or “no” for each question on the **ballot**, and which records and retains information on the number of acceptable marks made for each.

Portable ballot box means a ballot box, for use in the election, where a **vote counting unit** is not being used at the time of voting.

Results tape means the printed record generated from a **vote counting unit** at the close of voting on general voting day, which shows the number of votes for each candidate for each of the offices to be filled, and the number of votes for and against each bylaw or other matters on which the opinion or assent of the electors is sought.

Returned ballot means a voted **ballot** which was inserted into the **vote counting unit**, but which was not accepted and which was returned to the elector with an explanation of the **ballot** marking error which caused the **ballot** not to be accepted.

Secrecy sleeve means an open-ended folder or envelope used to cover **ballots** to conceal the choices made by each elector.

Storage ballot compartment means a ballot box under each **vote counting unit** into which voted **ballots** are temporarily deposited in the event that the unit ceases to function.

Vote counting unit means the device into which voted **ballots** are inserted and which scans each **ballot** and records the number of votes for each candidate and for and against each question on which the opinion or assent of the electors is sought.

3. ACCESS TO NOMINATION AND ENDORSEMENT DOCUMENTS

As authorized under section 89(7) of the *Local Government Act*, public access to nomination documents will be posted on the Town of Ladysmith website from the time of delivery until 30 days after the declaration of the election results under section 146.

4. ELECTOR REGISTRATION

As authorized under section 76 of the *Local Government Act*, for all elections and assent voting, the most current available Provincial list of voters prepared under the *Election Act* shall become the register of resident electors on the 52nd day prior to general voting day .

5. ADVANCE VOTING OPPORTUNITIES

5.1 Required Advance Voting

As required under section 107 of the *Local Government Act*, in addition to the required advance voting opportunity on the 10th day before general voting day, the following day is hereby established as an advance voting opportunity for elections and assent voting:

The Wednesday immediately preceding general voting day, from 8:00 a.m.
to 8:00 p.m.

5.2 Additional Advance Voting

- (a) As authorized under section 108 of the *Local Government Act*, the Council authorizes the chief election officer to establish dates for additional voting opportunities to be held in advance of general voting day and to designate the voting places and set the voting hours for these voting opportunities.
- (b) Additional advance voting opportunities on the dates specified in subsection 6.2(a) shall be available at places and hours established by the chief election officer.

6. SPECIAL VOTING OPPORTUNITIES

- (a) As authorized under section 109 of the *Local Government Act*, special voting opportunities may be provided, and the chief election officer is hereby authorized to establish the dates, locations, and voting hours within the limits set out in section 99 of the *Local Government Act*, for the special voting opportunities.
- (b) The chief election officer is authorized to limit the number of candidate representatives who may be present at the special voting opportunity.

7. MAIL BALLOT VOTING

7.1 General Provisions for Mail Ballot Voting

- (a) As authorized under section 110 of the *Local Government Act*, voting and elector registration may be done by mail for those electors who meet the criteria in paragraph (b).

- (b) The following electors are permitted to vote by mail ballot and to register to vote by mail:
 - i. those persons who have a physical disability, illness or injury that affects their ability to vote at another voting opportunity;
 - ii. persons who expect to be absent from the Town of Ladysmith on general voting day and at the times of all advance voting opportunities;
- (c) The following procedures for voting and elector registration must apply:
 - i. Sufficient record will be kept by the chief election officer so that challenges of the elector's right to vote may be made in accordance with the intent of section 126 of the Local Government Act;
 - ii. a person exercising the right to vote by mail under the provisions of section 110 may be challenged in accordance with, and on the grounds specified in section 126 of the *Local Government Act*, until 4:30 p.m. two days before general voting day.
- (d) The time limits in relation to voting by a mail ballot will be determined by the Chief election officer, including the time limit to apply for a mail ballot package.
- (e) As provided in the *Local Government Act*, to be counted, a mail ballot must be received by the chief election officer before the close of voting on general voting day.
- (f) A mail ballot package may be requested by an elector who is registered and who in person, by mail, by fax or by email, presents the Chief election officer or designate a written request by giving their name and address for such purpose.
- (g) The Chief election officer may deliver mail ballot packages by hand to electors who request a mail ballot package in person or the Chief election officer may deliver mail ballot packages to electors by mail for those electors who request the ballot package by mail, fax or email.
- (h) Upon receipt of a request for a mail ballot, the Chief election officer or designate shall in accordance with the time limits established by the Chief election officer:
 - i. make available to the applicant, a mail ballot package as specified in Section 100(7) of the Local Government Act, together with a statement advising the elector that the elector must meet one or more of the mail ballot criteria specified in Section (2) of this bylaw, and that they must attest to such fact; and
 - ii. immediately record and, upon request, make available for inspection:
 - 1. the name and address of the person to whom the mail ballot package was issued; and
 - 2. the number of the voting division in which the person is registered as an elector, or "new elector", if that person is not on the register of electors.

7.2 Mail Ballot Voting Procedure

- (a) To vote using a mail ballot, the elector shall mark the ballot in accordance with the instructions contained in the mail ballot package provided by the Chief election officer.
- (b) After marking the ballot, the elector shall:
 - i. place the ballot in the secrecy envelope provided and seal the secrecy envelope;
 - ii. place the secrecy envelope in the certification envelope, and complete and sign the certification printed on such envelope, and then seal the certification envelope;
 - iii. place the certification envelope, together with a completed elector registration, if required, in the outer envelope, and then seal the outer envelope;
 - iv. mail, or have delivered, the outer envelope and its contents to the Chief election officer at the address specified so that it is received no later than the close of voting on general voting day.

7.3 Mail Ballot Acceptance or Rejection

- (a) In accordance with the time limits established by the Chief election officer, the Chief election officer or designate, upon receipt of a ballot package, shall immediately record the date of such receipt and shall then open the outer envelope and remove and examine the certification envelope and the completed elector registration application, if applicable, and if satisfied as to:
 - i. the identity and entitlement to vote of the elector whose ballot is enclosed; and
 - ii. the completeness of the certification; and
 - iii. the fulfillment of the requirements of Section 56 of the Local Government Act in the case of a person who is registering as a new elector;

the Chief election officer or designate shall mark the certification envelope as “accepted”, and shall retain in his or her custody all such certification envelopes in order to deal with any challenges made in accordance with Section (16) of this bylaw and the voting book shall be marked to indicate that the elector has voted.

- (b) The unopened certification envelopes shall remain in the custody of the Chief election officer or designate until 4:00 pm on the Thursday two days before general voting day, at which time the certification envelopes containing the secrecy envelopes shall be opened in the presence of at least one other person, including any scrutineers present.
- (c) At 4:00 pm on the Thursday two days before general voting day, the Chief election officer or designate shall place all secrecy envelopes received up until that time into a ballot box specified for such purpose, where such secrecy

envelopes were received from persons whose right to vote using a mail ballot has not been challenged, or where such challenge has been resolved and the challenged person permitted to vote.

- (d) Where an outer envelope and its contents are received by the Chief election officer or designate between 4:00 pm on the Thursday two days before general voting day and the close of voting on general voting day, the provisions of Section (9) of this bylaw with regard to ballot acceptance shall apply and the Chief election officer or designate shall retain such envelopes in their possession until the close of voting and at that time shall open such certification in the presence of at least one other person, including any scrutineers present, and place the secrecy envelope containing the ballot into the ballot box containing the other unopened secrecy envelopes.
- (e) As soon as possible after all of the secrecy envelopes have been placed in the ballot box designated for that purpose, the ballot box shall be opened under the supervision of the Chief election officer or designate, and in the presence of at least one other person and any scrutineers present:
 - i. open the accepted certification envelopes;
 - ii. place the unopened secrecy envelopes together into a ballot box;
 - iii. open the secrecy envelope and remove the ballot within; and
 - iv. insert the ballot into the vote tabulating unit.
- (f) Where:
 - i. upon receipt of an outer envelope, the Chief election officer is not satisfied as to the identity of the elector whose ballot is enclosed; or
 - ii. in the case of a person required to complete an application for registration as an elector, such application has not been completed in accordance with Section 70 of the *Local Government Act*.; or
 - iii. the outer envelope is received by the Chief election officer or designate after the close of voting on general voting day,

the certification envelope shall remain unopened and the Chief election officer shall mark such envelope as “rejected”. And shall note the reasons therefore, and the ballot contained therein shall not be counted in the election.
- (g) Any certification envelopes and their contents rejected in accordance with Section (p) of this bylaw shall remain unopened and shall be subject to the provisions of Section 160 of the *Local Government Act* with regard to their destruction.

7.4 Challenge of Elector

- (a) A person exercising the right to vote under the provisions of this bylaw may be challenged in accordance with and on the grounds specified in Section 126 of the *Local Government Act*.

- (b) The provisions of Section 126(2) to (5) inclusive of the *Local Government Act* shall apply where a challenge of an elector using a mail ballot has been made.

7.5 Elector's Name Already Used

- (a) Where, upon receiving a request for a mail ballot, the Chief election officer determines that another person has voted or has already been issued a mail ballot in the elector's name, the provisions of Section 127 of the *Local Government Act* shall apply, so far as applicable.

7.6 Replacement of Spoiled Ballot

- (a) Where an elector unintentionally spoils a mail ballot before returning it to the Chief election officer, the elector may request a replacement ballot by advising the Chief election officer or designate of the ballot spoilage and by mailing or otherwise delivering by an appropriate means, the spoiled ballot package in its entirety to the Chief election officer or designate.
- (b) The Chief election officer shall, upon receipt of the spoiled ballot package, record such fact, and proceed in accordance with Section 6(h) of this bylaw.

8. AUTOMATED VOTE COUNTING SYSTEM

8.1 Use of Voting Machines

Council hereby provides for the use of an **automated vote counting system** for the conduct of elections and voting on bylaws or other matters on which the opinion or assent of the electors is sought.

8.2 Automated Voting Procedures

- a) The Presiding Election Official for the voting place and at each advance voting opportunity shall offer, and if requested, ensure that a demonstration of how to vote using an automated vote counting system is provided to an elector as soon as such elector enters the voting place and before a ballot is issued.
- b) Upon completion of any voting demonstration, if any, the elector shall proceed as instructed to the election official responsible for issuing ballots who;
 - i. shall ensure that the elector
 - 1. is qualified to vote in the election; and
 - 2. completes the voting book as required by the Municipal Act;
 - ii. upon fulfillment of the requirements of subsection i) shall then provide a ballot to the elector, along with a secrecy sleeve if requested by the elector, the ballot marking pen, if applicable, and any further instructions the elector requests.

- c) Upon being given a ballot the elector shall immediately proceed to a voting compartment to vote.
- d) The elector may vote only by making an acceptable mark on the ballot;
 - i. beside the name of each candidate of choice up to a maximum number of candidates to be elected for each of the offices of Mayor, Councillor and School Trustee, if applicable; and
 - ii. beside either “yes” or “no” in the case of each question.
- e) Once the elector has finished marking the ballot the elector must either;
 - i. place the ballot into the secrecy sleeve in the case of a two sided ballot; or
 - ii. turn the ballot upside down in the case of a single sided ballot; and

proceed to the vote counting unit and under the supervision of the election official in attendance insert the ballot directly into the vote counting unit without the acceptable marks on the ballot being exposed.
- f) If, before inserting the ballot into the vote counting unit, an elector determines that a mistake has been made when marking the ballot or the ballot is inserted into the vote counting unit and returned, the elector may request a replacement ballot by advising the election official in attendance.
- g) Upon being advised of the replacement ballot request the Presiding Election Official shall issue a replacement ballot to the elector and mark the returned ballot “spoiled” and shall retain all such spoiled ballots separately from all other ballots and they shall not be counted in the election.
- h) If the elector declines the opportunity to obtain a replacement ballot and has not damaged the ballot to the extent that it cannot be reinserted into the vote counting unit, the election official shall, using the ballot return over-ride procedure, reinsert the returned ballot into the vote counting unit to count any acceptable marks.
- i) Any ballot accepted by the vote counting unit is valid and any acceptable marks contained on such ballots will be counted in the election subject to any determination made under a judicial recount.
- j) Once the ballot has been inserted into the vote counting unit and the unit indicates that the ballot has been accepted the elector must immediately leave the voting place.
- k) During any period that a vote counting unit is not functioning, the election official supervising the unit shall direct electors to insert their ballots into the emergency ballot compartment on the understanding that if the vote counting unit:
 - i. becomes operational, or
 - ii. is replaced with another vote counting unit,

the ballots in the emergency ballot compartment shall as soon as reasonably possible be removed by an election official and, under the supervision of the Presiding Election Official, shall be inserted into the vote counting unit to be counted.

- l) Any ballots which were temporarily stored in the emergency ballot compartment during a period when the vote counting unit was not functioning which are returned by the vote counting unit when being counted, shall, through the use of a ballot return over-ride procedure, and under the supervision of the Presiding Election Official, be reinserted into the vote counting unit to ensure that any acceptable marks are counted.
- m) A sample ballot that may be used in an election conducted under an automated vote counting system is attached as Schedule “A” to this bylaw.

8.3 Advance Voting Opportunity Procedures

- a) Vote counting units shall be used at all advance voting opportunities and voting procedures at the advance voting opportunities shall follow, as closely as possible, those described in Section 4 of this Bylaw.
- b) At the close of voting at each advance voting opportunity, the presiding election official in each case shall ensure that:
 - i. no additional **ballots** are inserted in the **vote counting unit**;
 - ii. the **storage ballot compartment** is locked to prevent insertion of any **ballots**;
 - iii. the **results tapes** in the **vote counting unit** are not generated; and
 - iv. the **memory pack** of the **vote counting unit** is secured.
- c) At the close of voting at the final advance voting opportunity, the presiding election official shall:
 - i. ensure that any remaining **ballots** in the **storage ballot compartment** are inserted into the **vote counting unit**;
 - ii. secure the **vote counting unit** so that no more **ballots** can be inserted; and
 - iii. deliver the **vote counting unit** together with the **memory pack** and all other materials used in the election to the chief election officer at **election headquarters**.

8.4 Special Voting Opportunity Procedures

- a) Unless the chief election officer determines it is practical to use a vote counting unit, a portable ballot box as defined herein, shall be used for all special voting opportunities. The presiding election official appointed to attend at each special voting opportunity shall proceed in accordance with Sections 4.2, 4.3, 4.4 and 4.5 of this Bylaw so far as applicable, except that the voted ballots shall be deposited into the portable ballot box supplied by the presiding election official.

- b) The presiding election official at a special voting opportunity shall ensure that the portable ballot box is secured when not in use and at the close of voting at the final special voting opportunity, the presiding election official shall seal the portable ballot box and return it together with all other election materials to the custody of the chief election officer.
- c) If a vote counting unit is in use at a special voting opportunity, the presiding election official appointed to attend the special voting opportunity shall follow the procedures outlined in Section 5 of this Bylaw as if it were an advance voting opportunity.

8.5 Procedures After The Close Of Voting On General Voting Day

After the close of voting on general voting day the Chief election officer shall undertake all of the following generally in the order stipulated.

- a) ensure that any remaining ballots in the emergency ballot compartment are inserted into the vote counting unit;
- b) secure the vote counting unit so that no more ballots can be inserted;
- c) generate two (2) copies of the results tape from the vote counting unit;
- d) remove the memory from the vote counting unit;
- e) account for the unused, spoiled and voted ballots and place them, packaged and sealed separately into the election materials box;
- f) complete the ballot account and place the duplicate copy in the election materials box;
- g) seal the elections material box;
- h) place the voting books, the original copy of the ballot account, one (1) copy of the results tape and all completed administrative forms into the Chief election officer portfolio;
- i) proceed with the advance voting opportunities ballots by opening all portable ballot boxes and following the procedures in accordance with c) to h) inclusive of this Section so far as applicable.

9. RECOUNT PROCEDURE

- a) If a recount is required it shall be conducted under the direction of the Chief election officer using the automated vote counting system and generally in accordance with the following procedure;
 - i. the memory packs of all vote counting units will be cleared;

- ii. vote counting units will be designated for the recount voting place;
- iii. all voted ballots will be removed from the sealed election materials boxes, except spoiled ballots, and reinserted in the appropriate vote counting units under the supervision of the Chief election officer;
- iv. any ballots returned by the vote counting unit during the recount process shall, through the use of the ballot return over-ride procedure, be reinserted into the vote counting unit to ensure that any acceptable marks are counted.

b) In the event of a tie vote after a judicial recount the tie vote will be resolved by conducting a Lot in accordance with the *Municipal Act*.

10. GENERAL

- a) Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time.
- b) If any part, section, sentence, clause, phrase or word of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder which shall continue in full force and effect and be construed as if the Bylaw had been adopted without the invalid portion.

11. REPEAL OF PREVIOUS BYLAW

Town of Ladysmith General Local Election Bylaw 1999, No. 1326, Town of Ladysmith Provincial Voters List Adoption Bylaw 1999, No. 1327 and Town of Ladysmith Election Procedures and Automated Voting Bylaw 1999, No. 1939, and all amendments thereto, are hereby repealed.

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

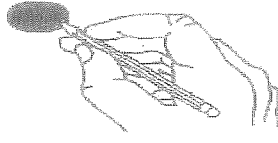
 Mayor (A. Stone)

 Corporate Officer (J. Winter)

TOWN OF LADYSMITH
Municipal Election
Saturday, October xx, 2xxx

To Vote:

Completely fill in the oval beside the name(s) of the candidate(s) you wish to vote for.



Councillor

Vote for not more than SIX(6)

- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First

Mayor

Vote for ONE (1)

- LAST, First
- LAST, First
- LAST, First

School Trustee

Vote for not more than NINE(9)

- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
- LAST, First
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- LAST, First
- LAST, First
- LAST, First

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FORREST FIELD UPGRADE INITIATIVE COMMITTEE

Dear Ladysmith Town Council;

We wanted to provide you with an update on recent developments regarding our recently submitted Forrest Field (Lot 108) Upgrade Initiative Proposal. Firstly, as you can see from the logos above, our Committee has grown to include the following representative members of local Ladysmith Service Clubs:

- **Ladysmith Rotary:** Ken Grieg, Gerry Beltgens, Pat Moore
- **Ladysmith Eagles:** Jim Cram
- **Ladysmith Lions:** Lia Versaevel
- **Ladysmith Kinsmen:** Jim Delcourt
- **Ladysmith PRC:** Clayton Postings, Julie Tierney
- **Mid-Isle Soccer Club:** Mike Rankin

We hope to include representatives from both the Ladysmith Football and Baseball Associations, the Ladysmith Sportsman Association, and the Stz'uminus First Nation in the near future. The goal of this Committee is to assist the Town of Ladysmith with the planning, development, funding, and execution of various facility and venue upgrades on and around Forrest Field and Lot 108 in Ladysmith.

Committee Member Gerry Beltgens has recently submitted an application on our Committee's behalf for the BCAA "Play Here" competition (<https://www.bcaaplayhere.com/>), which allows Community Groups to nominate a Play Space in their community for a chance to win one of three revitalizations valued at up to \$100,000 each. Meghan Henry and students in the Ladysmith Rotary Interact Club at LSS put together a great video to add to the submission, which is available for viewing at https://youtu.be/2-5ln_4EGG8. If the Committee's submission is short-listed, we will then launch a targeted social media and email campaign to encourage Ladysmith residents to vote online for the submission.

Additionally, Committee Member Patrick Moore has been working on a Capital Gaming Grant application of up to \$250,000 to allocate towards the Concession and Meeting/Storage Building previously submitted for Council review.

At our recent meeting of May 9th, 2018, a suggestion was made that, in conjunction with the Grandstand and Player Bench initiatives currently being scoped and planned, that a "Walking Trail" initiative be considered by the Town as one of the first projects to be undertaken by this Committee. We feel that starting out with the development of a walking trail around Lot 108 would allow citizens to truly appreciate the potential of Lot 108; it would give the Service Clubs a work party around which to rally; and "running the Trail" could become a regular part of training routines for the local Sports Clubs. This item was also high on the list of the recent Recreational Facilities Survey undertaken by Parks, Recreations and Culture.

We are writing to ask if you will provide us with the original site plan(s) for Lot 108, so that we can review the previously scoped development ideas and generate some site use recommendations for the consideration of Council.

We are also writing to cordially invite Mayor Stone and any other interested Council Members to our next Committee meeting (tentatively scheduled for Wednesday, May 23rd), to sit with us in person and discuss potential development ideas and funding models, and to see how the great potential of this site can be realized to benefit the Community.

Regards,

The Forrest Field Upgrade Initiative Committee
 In Care of Clayton Postings, Ladysmith Parks Recreation & Culture