

**A REGULAR MEETING OF THE  
COUNCIL OF THE TOWN OF LADYSMITH  
TO BE HELD IN COUNCIL CHAMBERS AT  
LADYSMITH CITY HALL ON  
MONDAY, NOVEMBER 19, 2018**

**Call to Order and Closed Meeting**

**5:00 p.m.**

**Regular Open Meeting**

**7:00 p.m.**

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

**1. CLOSED SESSION**

In accordance with section 90 of the *Community Charter*, this section of the meeting will be held *In Camera* to consider matters 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);
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - section 90 (1) (i)
- Memorandum of Understanding - sections 90 (1) (i), (j), (k); 90 (2) (b)

**REGULAR MEETING (7:00 P.M.)**

**2. AGENDA APPROVAL**

**3. RISE AND REPORT – Items from Closed Session**

**4. MINUTES**

- 4.1. Minutes of the Regular Meeting of Council held October 15, 2018 ..... 1 - 10
- 4.2. Minutes of the Inaugural Meeting of Council held November 5, 2018..... 11 - 19



**5. HEARING: PROPERTY MAINTENANCE MATTER 441 Parkhill Terrace**

- 5.1. Report – R. MacNair, Bylaw Compliance Officer ..... 20 - 28
- 5.2. Hearing

Staff Recommendation:

That Council:

1. Hear the representation from the Owner and/or Occupier of 441 Parkhill Terrace.
2. Consider directing staff to issue a Notice to the Owner of the property, situated at 441 Parkhill Terrace, Ladysmith, BC (legally described as Lot 27, District Lot 52, Oyster District, Plan 11855) to clean up the unsightly accumulation on the property and remove the unlicensed vehicles, refuse, discarded material, rotting wood and piles of dead vegetation within fourteen (14) days of receipt of the Notice to do so, pursuant to the provisions of the “Ladysmith Property Maintenance Bylaw 2018, No. 1970.”
3. Authorize the work to be carried out by the Town or its contractors, if the Owner is in default of such removal being undertaken within fourteen (14) days of receipt of Notice to do so, and the expense charged to the Owner of the property. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

**6. DELEGATIONS**

- 6.1. Staff Sergeant Ken Brissard, Detachment Commander, Ladysmith RCMP Request for Increase of One Municipally Funded Regular Member ..... 29 - 33

Recommendation from the Protective Services Committee

That the Committee recommend that Council:

1. Increase the Town of Ladysmith’s Royal Canadian Mounted Police Detachment from 7 to 8 members, and begin implementing this increase in 2019 to be fully funded in 2020; and
2. Explore funding from the Regional District of Nanaimo and Areas G and H of the Cowichan Valley Regional District for this expense.

**7. PROCLAMATIONS**

- 7.1. Louis Riel Day ..... 34

Mayor Stone proclaimed November 16, 2018 as Louis Riel Day in the Town of Ladysmith, recognizing the enormous contribution Louis Riel made to the development of this country and commemorating the 133<sup>rd</sup> anniversary of his death.

## 8. DEVELOPMENT APPLICATIONS

### 8.1. Zoning Bylaw Amendment Application (C. Ronald) - 10910 Westdowne Road

**Subject Property: Lot B, District Lot 72, Oyster District, Plan EPP20506 ..... 35 - 40**

Staff Recommendation:

That Council:

1. Consider the application (3360-18-11) to amend the Zoning Bylaw for the property legally described as Lot B, District Lot 72, Oyster District, Plan EPP20506 (10910 Westdowne Road) to:
  - a) add 'storage yard' as a site specific principal permitted use;
  - b) add a definition of 'contractor tool crib'; and
  - c) amend the definition of 'storage yard' to include RVs, boats, and contractor tool cribs.
2. Direct staff to commence the preparation of the Zoning Bylaw amending bylaw for application 3360-18-11 (10910 Westdowne Road).
3. Direct that prior to presenting the Zoning Bylaw amending bylaw to Council for consideration, the owners of 10910 Westdowne Road shall complete the following:
  - Obtain a building permit for the retaining wall;
  - Obtain a demolition permit for the dwelling;
  - Connect the property to the Town of Ladysmith water system as required by DVP 11-01 and Covenant CA2774644; and
  - Submit the riparian landscape bond of \$1200 (DP 18-06).

### 8.2. Development Permit Renewal (Front Forty Ventures) - 1201 & 1251 Christie Road

**Subject Properties: Lots 7 & 8, District Lot 147, Oyster District, Plan 85271.....41 - 54**

Staff Recommendation:

That Council:

1. Issue Development Permit (DP) 3060-18-15 to renew DP 3060-16-03 for Lots 7 & 8, District Lot 147, Oyster District, Plan 85271 (1201 & 1251 Christie Rd) to permit a 66 townhouse development, subject to the applicant submitting a bond in the amount of 100% of the onsite landscaping.
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

- 8.3. Temporary Use Permit (C. Wood) – 631 1<sup>st</sup> Avenue (Ladysmith Resources Centre Association)**  
**Subject Property: Parcel B (being a consolidation of Lots 9 and 10, see CA5603565), District Lot 56, Oyster District, Plan 703..... 55 - 63**

Staff Recommendation:

That Council:

1. Direct staff to proceed with statutory notice for Temporary Use Permit (TUP) application 3340-18-02 from the Ladysmith Resource Centre Association for 631 1<sup>st</sup> Avenue (to replace TUP 3340-16-01); and
2. Require the applicant to host a neighbourhood information meeting regarding TUP application 3340-18-02 and provide a report regarding the public input received at the meeting.

## **9. BYLAWS – OFFICIAL COMMUNITY PLAN AND ZONING**

- 9.1. OCP & Zoning Bylaw Amendment Application (D. Poiron) – 314 Buller Street**  
**Subject Property: Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A .....64 - 117**

Staff Recommendation:

That Council:

1. Receive the report from the Ladysmith Resources Centre Association (LRCA) Neighbourhood Information Meeting for the 314 Buller Street development proposal.
2. Proceed with first and second reading of Bylaw 1982, cited as “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 55) 2018, No. 1982”.
3. Proceed with first and second reading of Bylaw 1983, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983”.
4. Proceed with first, second and third reading of “Housing Agreement Bylaw 2018, No. 1984” and support in principle the terms and conditions of the Housing Agreement.
5. Refer Bylaws 1982 and 1983 to public hearing.

## **10. REPORTS**

- 10.1. Long Term Borrowing – Water Filtration Plant..... 118 - 120**

Staff Recommendation:

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Spring Borrowing Session, six million

dollars (\$6,000,000) as authorized through Town of Ladysmith Water Filtration Plan Loan Authorization Bylaw 2016, No. 1920 and that the Cowichan Valley Regional District be requested to consent to our borrowing over a twenty-five (25) year term and include the borrowing in a Security Issuing Bylaw.

**10.2. Machine Shop and Site ..... 121 - 194**

Staff Recommendation:

That Council:

1. Receive the Machine Shop Pre-Design Report drafted by Hotson Architecture;
2. Receive the Machine Shop Structural Report drafted by Herold Engineering;
3. Direct Staff to commence the next phases of the Machine Shop Restoration Project relating to design and construction, focusing on identified structural and code improvements;
4. Direct Staff to contract with Hotson Architecture to continue as project lead for the Machine Shop Restoration Project, specific to implementation phases (design, securing contractor and construction) at a cost up to \$250,000 and waive the Purchasing Policy accordingly;
5. Continue to include the Machine Shop Users Advisory Group and tenants in project updates.

**10.3. Investing in Canada Program Fund Options ..... 195 - 201**

Staff Recommendation:

That, having considered the applicability of both the Lot 108/Forrest Field Expansion and the Waterfront Arts and Heritage Hub initiatives, Council direct staff to proceed with an infrastructure funding application to implement the Arts and Heritage Hub Concept Plan under the Investing in Canada Program.

**10.4. 2019 Council Meeting Schedule..... 202 - 204**

Staff Recommendation:

That Council:

1. Confirm the following schedule of regular Council meetings and Municipal Services Committee meetings for 2019 and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

**Council Meetings**

January 7	April 1	July 15	November 4
January 21	April 15	August 19	November 18
February 4	May 6	September 16	December 2

March 4	June 3	October 8**	December 16
March 18	June 17	October 21	

\*\*Tuesday, to accommodate Tour de Rock in Ladysmith

**Municipal Services Committee Meetings**

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

**10.5. Parking Lot Request from Ladysmith Maritime Society ..... 205 - 210**

Staff Recommendation:

That Council consider whether it wishes to:

1. Refer the request from the Ladysmith Maritime Society regarding provision of a marina parking lot to staff for investigation and to report back to Council
2. Refer the request from the Ladysmith Maritime Society regarding provision of a marina parking lot to DL 2016 Holdings Corporation for investigation and to report back to Council; OR
3. Respond that it is not able to consider the request from the Ladysmith Maritime Society regarding provision of a marina parking lot at this time, pending the outcome of planning and implementation for upcoming phases of the Waterfront Area Plan.

**10.6. Quarterly Financial Plan Update..... 211 - 223**

Staff Recommendation:

That Council:

1. Direct staff to install a hygiene facility at the Bio-solids composting site in the amount of \$50,000 with funds to come from cost savings in the sewer department, and amend the financial plan accordingly.
2. Receive the financial report for the period ending September 2018 for information purposes.

**10.7. Council Remuneration Policy..... 224 - 230**

Staff Recommendation:

That Council:

1. Adopt the draft Council Remuneration Policy
2. Under the Bylaws section of this agenda, give first, second and third readings to Council Remuneration Bylaw 2018, No. 1986.

## 11. BYLAWS

### 11.1. Council Remuneration Bylaw 2018, No. 1986 ..... 231

The purpose of Bylaw 1986 is to establish rates of remuneration for Council members.

Staff Recommendation:

That Council give first, second and third readings to “Council Remuneration Bylaw 2018, No. 1986”.

## 12. CORRESPONDENCE

### 12.1. Minister Fraser – Waterfront Area Remediation..... 232 - 233

Staff Recommendation:

That Council receive the correspondence from the Minister of Indigenous Relations and Reconciliation regarding the Waterfront Area Plan, and request Mayor Stone to pursue the matter with the minister in concert with Chief John Elliott.

### 12.2. Island Health – Notice of Proposed Changes to Terms and Conditions of Operating Permit ..... 234 - 236

Staff Recommendation:

That Council receive for information the correspondence from Island Health, dated October 30, 2018, regarding the extension of the completion date of the construction schedule for the Water Filtration plant.

### 12.3. Ladysmith and District Arts Council – Recommendation for Town of Ladysmith First Poet Laureate..... 237 - 239

Staff Recommendation:

That Council refer to the Parks, Recreation and Culture Advisory Committee the recommendation by the Ladysmith and District Arts Council in their correspondence dated October 18, 2018, to appoint John Edwards as the first poet laureate for the Town of Ladysmith.

### 12.4. Ladysmith and District Historical Society - Request for Letter of Support for Funding Application (Canada Cultural Spaces) ..... 240

Staff Recommendation:

That Council provide a letter of support for the Ladysmith and District Historical Society application for funding through the Canada Cultural Spaces Program.

**12.5. Cynthia Damphousse – Request to Reconsider the Decision about the Road between Churchill and McKinley ..... 241**

Staff Recommendation:

That Council receive the correspondence from Cindy Damphousse regarding the McKinley/Churchill secondary access road, and advise that the road will be opened as an alternative access route when required by conditions on 4<sup>th</sup> Avenue in the vicinity of the Rocky Creek crossing.

**12.6. Amy Melmock, Manager, Economic Development Division, Cowichan Valley Regional District  
Request for Support for the Ladysmith Investment Attraction Strategy ..... 242**

Staff Recommendation:

That Council consider whether it wishes to contribute \$10,000 to the Investment Attraction Initiative as requested by the Cowichan Valley Regional District in their correspondence dated November 15, 2018, in order to profile the advantages of living, working and investing in Ladysmith.

**13. NEW BUSINESS**

**13.1. Councillor Johnson requests Council’s consideration of the following motion at the December 3, 2018 Council meeting:**

That Council:

1. Direct staff to review present plans for the installation of some 160 bollards along 1<sup>st</sup> Avenue in the downtown core
2. Direct staff to report back by the end of February 2019 with three options for consideration, including complete costing, timeframe for installation and a safety factor that will protect downtown shoppers and buildings; and
3. Authorize the expenditure of up to \$3,000 for this review.

**14. UNFINISHED BUSINESS**

**QUESTION PERIOD**

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.



- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

## **ADJOURNMENT**

**MINUTES OF A REGULAR MEETING OF COUNCIL  
MONDAY, OCTOBER 15, 2018  
CALL TO ORDER 7:01 P.M.  
COUNCIL CHAMBERS, CITY HALL**

**COUNCIL MEMBERS PRESENT:**

Mayor Aaron Stone  
Councillor Cal Fradin  
Councillor Rob Hutchins  
Councillor Steve Arnett (via telephone)  
Councillor Joe Friesenhan  
Councillor Duck Paterson

**STAFF PRESENT:**

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

**CALL TO ORDER**

Mayor Stone called this Regular Meeting of Council to order at 5:00 p.m.

**CLOSED SESSION**

**CS 2018-388**

*Moved and seconded:*

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

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality - section 90 (1) (a);
- 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);
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - section 90 (1) (i)

*Motion carried.*

**REGULAR OPEN MEETING**

Mayor Stone called this Meeting of Council to order at 7:01 p.m., recognizing the traditional territory of the Stz'uminus People.



## AGENDA APPROVAL

CS 2018-389

*Moved and seconded:*

That Council approve the agenda for this Regular Meeting of Council for October 15, 2018 with the following amendments:

- Add item 8.3., "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 18) 2018, No. 1966"
- Move items 12.1., 12.2., 12.3., and 12.4. (correspondence related to the connection between Churchill Place and McKinley Road) to precede item 4.1., "Minutes of the Regular Meeting of Council held October 2, 2018"

*Motion carried.*

## RISE AND REPORT

Council rose from Closed Session at 6:47 p.m. with report on the following:

- Resolution CE 2018-126 (final resolution as amended)

That Council:

1. Approve the employment contract with the Chief Administrative Officer as amended to reflect the 75<sup>th</sup> percentile; and
2. Authorize the Mayor and Corporate Officer to execute amended the agreement.

OPPOSED: Councillor Arnett

## CORRESPONDENCE

**Cynthia Damphousse**

**Petition to Keep a Permanent Connection between Churchill Place and McKinley Road**

Ms. Damphousse questioned the reasoning behind the single lane access at the Rocky Creek/4<sup>th</sup> Avenue crossing and encouraged Council to consider keeping the temporary access road connection open during the winter months.

*Moved and seconded:*

CS 2018-390

That Council receive the correspondence and petition from Cynthia Damphousse, dated October 1, 2018, requesting that the Town keep a permanent connection between Churchill Place and McKinley Road.

*Motion carried.*

**The Residents of McKinley Road, Davidson Road and Walkem Road**

**Opposition to Petition to Keep Open a Connection between Churchill Place and McKinley Road**

Ms. Schaal spoke on behalf of the residents who opposed keeping the connection between Churchill Place and McKinley Road open,

and enquired about the possibility of safety and traffic concerns (sidewalks, crosswalks and speed) being addressed should the connection remain open.

*Moved and seconded:*

**CS 2018-391**

That Council receive the correspondence dated October 10, 2018 from residents of McKinley Road, Davidson Road and Walkem Road, opposing the petition to keep open a connection between Churchill Place and McKinley Road.

*Motion carried.*

**Kelly Styles**

**Concerns about the Connection between Churchill Place and McKinley Road, and Request for Public Consultation**

Ms. Styles enquired about the work completed to prepare the Timberwest logging road as an alternate route, and the reasoning for not using it as a primary option.

*Moved and seconded:*

**CS 2018-392**

That Council receive the correspondence, dated October 5, 2018, from Kelly Styles, expressing concern about the connection between Churchill Place and McKinley Road, and requesting public consultation on future use.

*Motion carried.*

**Karen and Gary McBurney**

**Concerns regarding the Temporary Access Road between McKinley Road and Churchill Place**

Ms. McBurney shared concerns about speed and safety on the temporary access road between McKinley Road and Churchill Place.

*Moved and seconded:*

**CS 2018-393**

That Council receive the correspondence dated October 9, 2018 from Karen and Gary McBurney, opposing the access road connecting Churchill Place and McKinley Road.

*Motion carried.*

A resident of McKinley Road expressed his concern about the temporary access road and noted that he had believed his neighbourhood was a cul-de-sac until the access road had been established.

Laura Reimer thanked Council for rearranging the agenda and requested assurance that extensive consultation would take place with the neighbourhood regarding future developments.

## MINUTES

CS 2018-394

*Moved and seconded:*

That Council adopt the minutes of the Regular Meeting of Council held October 2, 2018.

*Motion carried.*

## DELEGATIONS

### **Renee Hutchinson, Select Committee on Council Remuneration Remuneration Committee Report to Council**

Renee Hutchinson, member of the Select Committee on Council Remuneration, made a presentation to Council regarding the committee's research. She reviewed the committee's membership, mandate and the municipalities they reviewed for their report, noting that their recommended increases would ensure the Town was compensating members of Council at a level similar to the comparison municipalities.

Council thanked Ms. Hutchinson for her presentation and the members of the committee for their work.

CS 2018-395

*Moved and seconded:*

That Council consider separately each recommendation from the Select Committee on Council Remuneration.

*Motion carried.*

CS 2018-396

*Moved and seconded:*

That Council amend "Council Remuneration and Expenses Bylaw 2001, No. 1427" to include wording that states that the daily meal allowances for Council will match those of staff.

*Motion carried.*

CS 2018-397

*Moved and seconded:*

That effective January 1, 2019, Council make Council remuneration whole in terms of the 1/3 tax exemption by establishing the Mayor remuneration at \$34,320 and Councillor remuneration at \$14,940.

*Motion carried.*

OPPOSED: Councillor Arnett

CS 2018-398

*Moved and seconded:*

That effective January 1, 2019, Council implement an annual remuneration increase based on the immediate three year average

of the Victoria Consumer Price Index up to a maximum of 2%.  
*Motion carried.*

**CS 2018-399**  
*Moved and seconded:*  
That Council direct staff to provide corporate cell phones to Council members as well as include the members on the Town's corporate cell phone plan.  
*Motion carried.*

**CS 2018-400**  
*Moved and seconded:*  
That Council include in the Financial Plan \$1,000 per term toward the purchase of a corporate tablet device for the Mayor and each Council member, with the dollar amount to be reviewed during the next term of Council.  
*Motion carried.*  
OPPOSED: Councillor Arnett

**CS 2018-401**  
*Moved and seconded:*  
That Council continue with the current practice of not providing health benefits to Council.  
*Motion carried.*

**CS 2018-402**  
*Moved and seconded:*  
That Council reconvene a Select Committee on Council Remuneration in October 2019 to review Council remuneration in the municipalities used as a comparison basis, after the change in Canada Revenue Agency rules regarding the tax exemption on one third of the remuneration has been applied.  
*Motion carried.*

Councillor Arnett expressed concern that the committee's report did not make reference to the resolutions by the Union of British Columbia Municipalities (UBCM) regarding Council remuneration. Staff assured Councillor Arnett that the UBCM resolutions had been shared with the committee.

**BYLAWS – OFFICIAL  
COMMUNITY PLAN  
AND ZONING**

**CS 2018-403**  
Bylaw 1976 - Rezoning Application Thrift Store Addition - 920 1<sup>st</sup> Avenue (J. Anderson)  
Subject Property: Lot 2, Block 30, District Lot 24, Oyster District, Plan 703A (920 First Ave.)  
*Moved and seconded:*  
That Council:  
1. Proceed with third reading of Bylaw 1976 cited as "Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw

- (No.19) 2018, No.1976”; and
2. Direct staff to refer Bylaw 1976 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

*Motion carried.*

**Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No.20) 2018, No. 1978 (Cannabis Cultivation, Processing and Research)**

*Moved and seconded:*

**CS 2018-404**

That Council:

1. Proceed with third reading of Bylaw 1978, cited as “Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw (No. 20) 2018, No. 1978”; and
2. Direct staff to refer Bylaw 1978 to the Ministry of Transportation and Infrastructure pursuant to the Transportation Act.

*Motion carried.*

**Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 18) 2018, No. 1966 (900 Russell Road)**

*Moved and seconded:*

**CS 2018-405**

That Council adopt Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 18) 2018, No. 1966.

*Motion carried.*

**COMMITTEE REPORTS**

**Recommendation from the Protective Services Committee**

*Moved and seconded:*

**CS 2018-406**

That Council refer the recommendation from the Protective Services Committee regarding increasing the Town of Ladysmith’s Royal Canadian Mounted Police Detachment from 7 to 8 members to a future meeting of Council.

*Motion carried.*

**REPORTS**

**Waterfront Area Plan: Transportation Review**

*Moved and seconded:*

**CS 2018-407**

That Council consider separately each recommendation from the report entitled “Waterfront Area Plan: Transportation Review”.

*Motion carried.*

*Moved and seconded:*

**CS 2018-408**

That Council receive the Waterfront Area Plan: Transportation Review prepared by RF Binnie and Associates Ltd., dated September 21, 2018.

*Motion carried.*

**CS 2018-409** *Moved and seconded:*  
That Council confirm the inclusion of the Ludlow Road/Rocky Creek Road roundabout recommended by the Ludlow Roadway Driveways Feasibility Assessment in the Town's proposed new Development Cost Charges program.  
*Motion carried.*

**CS 2018-410** *Moved and seconded:*  
That Council direct staff to include the extension of the median on Ludlow Road as recommended by the Ludlow Road Driveways Feasibility Assessment in the 2019-2023 Financial Plan for discussion.  
*Motion carried.*

**CS 2018-411** *Moved and seconded:*  
That Council direct staff to discuss the identified highway intersection improvements with MOTI, including the pedestrian overpass included in the Waterfront Area Plan.  
*Motion carried.*

**CS 2018-412** *Moved and seconded:*  
That Council refer the Grade Crossing Safety Assessment dated September 21, 2018 to the Island Corridor Foundation.  
*Motion carried.*

**Proposed Lot 108 Multi-use Trail**

**CS 2018-413** *Moved and seconded:*  
That Council receive the updated information from the Lot 108 working committee (Rotary, Lions, Eagles, Kinsmen and Mid Isle Soccer) regarding the proposed multi-use trail.  
*Motion carried.*

**Child Care Space Grant**

**CS 2018-414** *Moved and seconded:*  
That Council:

- Direct staff to work with community partners, including the CVRD, toward developing applications for the UBCM Community Child Care Planning and Community Child Care Space Creation Program, and the Childcare BC New Spaces Fund;
- Request staff to provide Council with the recommendations from the community partners on ways this new funding



opportunity can create new child care spaces in the community.

*Motion carried.*

**Boys and Girls Clubs of Central Vancouver Island Memorandum of Understanding**

*Moved and seconded:*

**CS 2018-415**

That Council refer the “Boys and Girls Clubs of Central Vancouver Island Memorandum of Understanding” to the Parks, Recreation and Culture Advisory Committee for review.

*Motion carried.*

**BYLAWS**

**Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936**

*Moved and seconded:*

**CS 2018-416**

That Council adopt “Town of Ladysmith Smoking Regulation Bylaw 2018, No. 1936”.

*Motion carried.*

**2019 Permissive Tax Exemptions Bylaw 2019**

*Moved and seconded:*

**CS 2018-417**

That Council:

1. Adopt the 2019 Permissive Tax Exemption Bylaw 2018, No. 1972; and
2. Adopt the Permissive Tax Exemption Bylaw (Partnering Agreements) 2018, No. 1979.

*Motion carried.*

*Moved and seconded:*

**CS 2018-418**

That Council rescind resolution CS 2018-417,

“That Council:

1. Adopt the 2019 Permissive Tax Exemption Bylaw 2018, No. 1972; and
2. Adopt the Permissive Tax Exemption Bylaw (Partnering Agreements) 2018, No. 1979.”

*Motion carried.*

*Moved and seconded:*

**CS 2018-419**

That Council adopt the Permissive Tax Exemption Bylaw (Partnering Agreements) 2018, No. 1979.

*Motion carried.*

*Moved and seconded:*

**CS 2018-420**

That Council adopt the 2019 Permissive Tax Exemption Bylaw 2018, No. 1972.

*Motion carried.*

OPPOSED: Councillors Fradin and Friesenhan

**Town of Ladysmith Financial Plan Bylaw 2018, No. 1956  
Amendment Bylaw 1980**

**CS 2018-421**

*Moved and seconded:*

That Council adopt the 2018-2022 Financial Plan Amendment Bylaw, cited as "Town of Ladysmith Financial Plan Bylaw 2018, No. 1956 Amendment Bylaw 1980".

*Motion carried.*

**Business Licence Bylaw Amendment: Cannabis Cultivation,  
Processing and Research**

**CS 2018-422**

*Moved and seconded:*

That Council adopt "Business Licence Bylaw No. 1513, 2003, Amendment Bylaw (No. 2) 2018, No. 1981".

*Motion carried.*

**NEW BUSINESS**

**DL 2059 - Application for Crown Lease**

**CS 2018-423**

*Moved and seconded:*

That Council receive the correspondence from the province of BC advising that the Town's application for a crown lease of DL 2059 has not been approved.

*Motion carried.*

**DL 2016 Holdings Corporation Annual General Meeting**

**CS 2018-424**

*Moved and seconded:*

That Council remove item 13.2., "DL 2016 Holdings Corporation Annual General Meeting" from the agenda.

*Motion carried.*

**QUESTION PERIOD**

Members of the public thanked retiring councillors for their service to the community and enquired about plans to enforce the smoking bylaw.

Council and members of the public commended Councillor Rob Hutchins for his leadership and service over the past twenty-five years and noted how he had shaped the community. Councillor Hutchins expressed gratitude that his son had been a member of the audience in his first Council meeting twenty-five years ago, as well as at this, his last.

**ADJOURNMENT**

**CS 2018-425**

*Moved and seconded:  
That this Regular Meeting of Council adjourn at 8:39 p.m.  
Motion carried.*

CERTIFIED CORRECT:

\_\_\_\_\_  
Mayor (A. Stone)

\_\_\_\_\_  
Corporate Officer (J. Winter)

Subject to Adoption

**INAUGURAL MEETING OF THE  
COUNCIL OF THE TOWN OF LADYSMITH  
MONDAY, NOVEMBER 5, 2018  
CALL TO ORDER 7:01 P.M.  
LADYSMITH SENIORS' CENTRE, 630 2<sup>ND</sup> AVENUE**

**COUNCIL MEMBERS PRESENT:**

Mayor Aaron Stone	Councillor Amanda Jacobson
Councillor Robert Johnson	Councillor Tricia McKay
Councillor Duck Paterson	Councillor Marsh Stevens
Councillor Jeff Virtanen	

**STAFF PRESENT:**

Guillermo Ferrero	Felicity Adams	Erin Anderson
Kim Fowler	Geoff Goodall	Donna Smith
Joanna Winter	Sue Bouma	

**CALL TO ORDER**

Joanna Winter, Corporate Officer, called the Inaugural Meeting of Council to order at 7:01 p.m.

**OATHS OF OFFICE**

The Corporate Officer administered the oaths of office to the Mayor and Councillors and congratulated them on their Council positions.

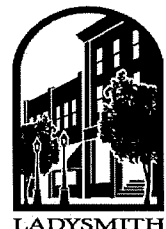
Mayor Stone assumed the Chair.

**MAYOR'S  
INAUGURAL  
ADDRESS**

Mayor Stone presented his inaugural address:

Welcome and thank you for joining us this evening. I would like to begin by recognizing that this meeting is taking place on the traditional territory of the Stz'uminus First Nation. I am thankful to be here and for the growing relationships between all of us in our shared home around Ladysmith harbour.

I am so happy to be here tonight, joined by our new council team, so many important pillars of our community, our amazing staff and all of these friends and family. I am looking forward to tonight and a great four-year term ahead.



I initially explored a few themes when approaching this speech. I thought I might present a vision for our future, looking excitedly to all of the challenges and opportunities ahead. I considered presenting a celebration of where we are right now, and how thankful I am for the amazing community we live in. I could also focus on the value of our heritage, and what has made our community so great over the many decades before. In the end, I have decided to do all of these things - as briefly as possible, of course.

Before I get into all of that, I want to give thanks to our outgoing councillors, including Councillors Henderson, Fradin, Arnett and Friesenhan. They have all provided so much leadership and perspective, and have helped shape the amazing community Ladysmith is today. Thank you all so much.

I need to give a special thanks to retiring councillor, and 21-year former mayor Rob Hutchins. In your more than 25 years of service to Ladysmith, so much has been accomplished. I have often remarked how fortunate I have felt to follow you in the role of mayor. So much of what Ladysmith is today, is thanks to you and all of your efforts. Thank you so much on behalf of all of us.

We will be having a special recognition ceremony for our retiring councillors at an upcoming event, so stay tuned for that. Tonight is about looking forward and celebrating our new council team.

Honour our past. Celebrate our present. Embrace our future. These words were my guide in developing my vision and campaign for re-election as Mayor (also known as the campaign that never was). After watching the election for council unfold, however, I believe in these words more than ever before. So what do these words mean to me?

#### **Honour Our Past**

Our heritage and history is such an important part of what makes Ladysmith so special. The Stz'uminus presence on these lands and waters goes back more than 5,000 years. Our Ladysmith community history spans more than 110 years and recognizes Ladysmith's role in the industrialization of western Canada through mining and forestry, and as a pioneer in the Labour movement that has helped shape our nation. Ladysmith has a rich and storied past. Today, more than ever, we are working to restore and preserve our history and tell these stories because our past helps inform our future. The

story of Ladysmith is still being written and every insight we can take from the chapters before, will make us stronger in the future.

### **Celebrate Our Present**

We have a lot to be proud of in Ladysmith, right here, today. We are consistently recognized for the high quality of life and opportunity Ladysmith offers. We have world-class, award-winning infrastructure in place that will serve our community for generations to come. We have a great mix of facilities, parks, trails and natural spaces that capture the motivation and imagination of all who come to visit and those who call Ladysmith home. We have Canada's Great Street, First Avenue, the living room of our community, where folks gather for celebrations and for quiet evening strolls. We have a growing bond with the Stz'uminus people, whose collaboration and cooperation with the Town has led to unprecedented investment in our shared community. We have all of this and so much more. Ladysmith is one of the best small towns in the world and I am confident that we will only continue to do better.

### **Embrace Our Future**

This brings me to our future. This is an exciting time for Ladysmith. We have been discovered (or rediscovered as it may be). The word is out. In 2017, Ladysmith was the fastest growing community on Vancouver Island and the third fastest in BC. This is a testament to all of the work so many have contributed to Ladysmith over the years - over the decades. Ladysmith is truly a wonderful place to be.

So where do we go from here?

Many of the issues we are dealing with today are very different than they were 4 years ago. We now face the problems of being "found". Some of these problems are predictable (parking, traffic, new development pressures), yet still many more are new challenges created by all of this recent success. We have affordability issues. Attainable housing for first time buyers, growing families and seniors are all in short supply. We are also desperately low on affordable rental homes. We need to ensure that people starting out - young families wanting to grow here, and our seniors looking to remain in Ladysmith long term - all have an opportunity to live and thrive in Ladysmith.

We have other pressures, shared by all local governments, as well. We face challenges with new regulations, ageing infrastructure, as

well as increasing capital and operational costs, that are not always under our own control. The need to create new sources of revenue and broaden and diversify our tax base is critical to our future sustainability. We need to continue to attract investment from our senior government partners and the private sector, to grow employment in our community while continuing to assert our strength as a leader in the region and on Vancouver Island.

The right place to invest, and the best place to build your business: that opportunity is here. Through our Partnership for a Vibrant Local Economy, and our funding partners throughout the region, we have an economic development strategy that will continue to drive the economic growth we so desperately need. This growth will help share the burden of future costs while creating employment that will further enhance local opportunities. We have the plans, the council and staff team and the community to turn all of these challenges into our greatest successes.

Our new council brings a great understanding of the different issues, and captures the different perspectives that are in Ladysmith. This broad range of perspectives will only enhance the decisions and policies we make moving forward. We will take a thoughtful, pragmatic approach to decision-making, and a strong, decisive approach to action. I believe we have the council, staff and community team to do what needs to be done in these four years ahead.

We have more functioning and productive partnerships and collaboration than ever before. We have continued to build on our solid reputation with the federal and provincial governments as a smart place to invest. We have direction from our communities on drinking water and watershed protection as well as affordable housing development. We will tackle those challenges head-on this term. We have our growing bond with Stz'uminus that holds so much promise in all that we have achieved so far, and with the even bigger opportunities that are ahead. We have all of this and so much more working in our favour, and we can only go forward from here. I see even more engagement and collaboration in our future, further cultivating and strengthening relationships with all of our partners and our community.

So, these are only a few reasons I am so excited about tonight, and the beginning of this next chapter in Ladysmith's history. I am so excited about our future, and you should be, too. We have

challenges ahead, but within those challenges are so many opportunities. We have been blessed with a great foundation to build on, and I am confident that this council, staff and community TEAM can continue to maximize the quality of life and potential still contained in Ladysmith.

Celebrate our present. Embrace our future. Honour our past.

Thank you all again for being here tonight. I am more positive than ever about the future of this beautiful place that we all call home. Thank you.

## **AGENDA APPROVAL**

**CS 2018-426**

*Moved and seconded:*

That Council approve the agenda for this Inaugural Meeting of Council for November 5, 2018.

*Motion carried.*

## **APPOINTMENTS**

### **Deputy Mayor**

Mayor Stone made the following appointments for Deputy Mayor in 2019:

November 5, 2018 to April 30, 2019: Councillor Paterson

May 1, 2019 to October 31, 2019: Councillor Virtanen

### **Parcel Tax Review Panel**

**CS 2018-427**

*Moved and seconded:*

That Council appoint the following members to the 2019 Parcel Tax Review Panel:

Councillor McKay

Councillor Jacobson

Councillor Johnson

*Motion carried.*

**CS 2018-428**

### **Cowichan Valley Regional District Director**

*Moved and seconded:*

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

*Motion carried.*

**CS 2018-429**

### **Cowichan Valley Regional District Alternate Director**

*Moved and seconded:*

That Councillor McKay be appointed as Alternate Director to the Cowichan Valley Regional District Board.

*Motion carried.*



**Vancouver Island Regional Library Board Director**  
*Moved and seconded:*  
CS 2018-430 That Councillor Johnson be appointed as Director to the Vancouver Island Regional Library Board.  
*Motion carried.*

**Vancouver Island Regional Library Board Alternate Director**  
*Moved and seconded:*  
CS 2018-431 That Councillor Virtanen be appointed as Alternate Director to the Vancouver Island Regional Library Board.  
*Motion carried.*

**Municipal Services Committee (Committee of the Whole)**  
*Moved and seconded:*  
CS 2018-432 That Council make the following appointments to the Municipal Services Committee of which all councillors are members:  
Chair: Councillor Paterson  
Vice Chair: Councillor Virtanen  
*Motion carried.*

**Waterfront Implementation Committee**  
*Moved and seconded:*  
CS 2018-433 That Council make the following appointments to the Waterfront Implementation Committee:  
Representative: Mayor Stone  
Representative: Councillor Stevens  
Representative: Councillor Paterson  
*Motion carried.*

**Standing and Community Committee Representatives**

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

**Advisory Planning Commission**  
Council Liaison: Councillor Jacobson  
Alternate: Councillor McKay

**Advisory Design Panel**  
Council Liaison: Councillor McKay  
Alternate: Councillor Jacobson

**Heritage Revitalization Advisory Commission**  
Council Liaison: Councillor Stevens

Alternate: Councillor Jacobson

**Protective Services Committee**

Chair: Councillor Stevens

Council Liaison: Councillor Paterson

Alternate: Councillor Jacobson

**Parks, Recreation and Culture Advisory Committee**

Council Liaison: Councillor Paterson

Alternate: Councillor McKay

**Liquid Waste Management Committee**

Council Liaison: Councillor Johnson

Council Liaison: Councillor Virtanen

Council Liaison: Councillor Stevens

**Stocking Lake Advisory Committee**

Chair: Mayor Stone

Council Liaison: Councillor Virtanen

Mayor Stone made the following liaison appointments to community organizations:

**Celebrations Committee**

Council Liaison: Councillor Johnson

Alternate: Councillor Jacobson

**Ladysmith Festival of Lights**

Council Liaison: Councillor Paterson

Alternate: Councillor Virtanen

**Ladysmith Chamber of Commerce**

Council Liaison: Mayor Stone

Alternate: Councillor McKay

**Ladysmith Downtown Business Association**

Council Liaison: Councillor Stevens

Alternate: Councillor Johnson

**Ladysmith Interagency Committee**

Council Liaison: Councillor Johnson

Alternate: Councillor Stevens

**Ladysmith Early Years Partnership**

Council Liaison: Mayor Stone

Alternate: Councillor McKay

**Social Planning Cowichan**

Council Liaison: Councillor Jacobson

Alternate: Councillor McKay

**Ladysmith Community Justice Program**

Council Liaison: Councillor McKay

**Signing Authorities 2018-2022**

*Moved and seconded:*

CS 2018-434

That Council appoint the following members of Council, as recommended by Mayor Stone, for payment signing authority at Ladysmith & District Credit Union, RBC and Municipal Finance Authority:

- Mayor Stone
- Councillor Tricia McKay
- Councillor Duck Paterson
- Councillor Rob Johnson

*Motion carried.*

**REPORTS**

**Official Results – October 20, 2018 Local Government Election**

*Moved and seconded:*

CS 2018-435

That Council receive the report from the Chief Election Officer on the official results of the October 20, 2018 Local Election for the Town of Ladysmith.

*Motion carried.*

**2018-2022 Town's Auditors**

*Moved and seconded:*

CS 2018-436

That Council award the External Audit Service contract to MNP and appoint MNP as the Town's auditor for the year-ends 2018 through 2022.

*Motion carried.*

**UNFINISHED  
BUSINESS**

**Two Lot Boundary Extension Proposal – South Ladysmith**

*Moved and seconded:*

CS 2018-437

That Council confirm that they have been advised of the two lot boundary extension proposal in south Ladysmith submitted to the Province as approved by the previous Council on June 18, 2018.

*Motion carried*

**QUESTION PERIOD**

There were no questions from the public.

**ADJOURNMENT**

CS 2018-438

*Moved and seconded:*

That this Inaugural Meeting of Council adjourn at 7:30 p.m.

*Motion carried.*

CERTIFIED CORRECT:

\_\_\_\_\_  
Mayor (A. Stone)

\_\_\_\_\_  
Corporate Officer (J. Winter)

Subject to Adoption

**STAFF REPORT TO COUNCIL**

From: Robin MacNair, Bylaw Compliance Officer  
Meeting Date: November 19, 2018  
File No: 4020-20 – Property Maintenance  
RE: 441 PARKHILL TERRACE, LADYSMITH, BC

---

**RECOMMENDATION:**

That Council:

1. Hear the representation from the Owner and/or Occupier of 441 Parkhill Terrace.
2. Consider directing staff to issue a Notice to the Owner of the property, situated at 441 Parkhill Terrace, Ladysmith, BC (legally described as Lot 27, District Lot 52, Oyster District, Plan 11855) to clean up the unsightly accumulation on the property and remove the unlicensed vehicles, refuse, discarded material, rotting wood and piles of dead vegetation within fourteen (14) days of receipt of the Notice to do so, pursuant to the provisions of the "Ladysmith Property Maintenance Bylaw 2018, No. 1970."
3. Authorize the work to be carried out by the Town or its contractors, if the Owner is in default of such removal being undertaken within fourteen (14) days of receipt of Notice to do so, and the expense charged to the Owner of the property. If unpaid on December 31<sup>st</sup> in the year in which the work is done, the expenses shall be added to and form part of the taxes payable on that real property as taxes in arrears.

**PURPOSE:**

The purpose of this staff report is to have Council consider having the property, located at 441 Parkhill Terrace, brought into a condition which meets the community standards and the regulations of the Property Maintenance Bylaw 2018, No. 1970 (the Bylaw).

**PREVIOUS COUNCIL DIRECTION:**

Council adopted a Bylaw Compliance Policy August 20, 2018. Unsightly properties fall within Priority #2 – Negative impact on adjacent properties/neighbourhood.

**INTRODUCTION/BACKGROUND:**

The Bylaw Officer has received several complaints regarding the unsightly condition of the property situated at 441 Parkhill Terrace, Ladysmith, BC, legally described as Lot 27 District Lot 52, Oyster District, Plan 11855.



Compliance efforts to achieve voluntary clean-up the property commenced with the owner in July 2018. A letter was sent to the owner on August 29, 2018 requesting that the premises be cleaned up (copy attached). There were also several discussions with the owner during site visits over the past months requesting that the property be cleaned up by September 12, 2018. Since that time, the owner has made some efforts to have garbage, debris, and junk removed from the property but at the time of writing this report, its condition does not meet the minimum standard in the Bylaw. Photographs of the current condition of the property will be presented at the Council meeting.

The Bylaw Compliance Officer requests that Council proceed with Notice to the owner giving them fourteen (14) days to effect a clean-up or the work will be done by the Town of Ladysmith or by its authorized agents or contractors.

**ALTERNATIVES:**

Council can choose to:

1. Provide a longer time period for the clean-up.
2. Not proceed with the Notice if the property has been satisfactorily cleaned-up prior to the hearing.

**FINANCIAL IMPLICATIONS:**

If the Town of Ladysmith is required to effect cleanup of the property, the bill for such work will be forwarded to the owners and if not paid can be applied to the taxes for the subject property.

**LEGAL IMPLICATIONS:**

A hearing is required and is scheduled for tonight's Council meeting. Notice of the hearing provided to the owner/occupier is attached to this report.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

This property has been an ongoing problem which has had negative effects on the neighbourhood. The cleanup of this property will be much appreciated by the neighbours.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

None.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

**SUMMARY:**

Council is being requested to issue an order for the clean-up of the property located at 441 Parkhill Terrace pursuant to the Property Maintenance Bylaw. The owner and occupier have been notified of the hearing scheduled for tonight's Council meeting.

Report prepared by:



Robin MacNair, Bylaw Compliance Officer

November 13, 2018

Director Approval:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

**ATTACHMENTS:**

- Letter to Owner dated August 29, 2018
- Notice of Hearing dated October 18, 2018
- Ladysmith Property Maintenance Bylaw 2018, No. 1970

August 29, 2018

Our File: 4020-20 (Property Maintenance)

Joan Hammond  
441 Parkhill Terrace  
Ladysmith, BC  
V9G 1V6

Dear Madam:

**RE: LOT 27, DISTRICT LOT 52, OYSTER DISTRICT, PLAN 11855 PID: 003-587-151**

As a result of a complaint received in this office, the Bylaw Enforcement Officer inspected your property legally described above and located at 441 Parkhill Terrace, Ladysmith, B.C. and observed an accumulation of rubbish and/or discarded materials, including scrap metal, old furniture, household junk and debris.

Under the provisions of the Town of Ladysmith Property Maintenance Bylaw No. 1970 it is an offence for owners or occupiers of real property within the Town of Ladysmith to permit any accumulation of filth, discarded materials or rubbish of any kind on their premises.

This letter is served for the purpose of requesting that you remove and clear the accumulation of filth and discarded materials from your property by **September 12, 2018**.

In the event that you fail to comply with this notice within the specified time, a report will be filed with Council for their attention and further action. Sections 8(3)(h) and 64 of the *Community Charter*, SBC 2003 c. 26 authorize Council to require Owners or Occupiers to remove unsightly accumulations of filth, discarded materials, rubbish or graffiti and if the Owners or Occupiers do not comply, Council is authorized to carry out the work on behalf of the Owners or Occupiers and charge them for the cost to do so. If the cost is not paid by December 31<sup>st</sup> in the year in which the work is carried out, it is recoverable as taxes.

Your cooperation in this matter is appreciated.

Sincerely,



Robin MacNair  
Bylaw Compliance Officer



DELIVERED BY REGISTERED MAIL AND BY HAND

IN THE MATTER OF SECTIONS 8(3)(h) and 64 *Community Charter*

S.B.C. 2003 CHAPTER 26

AND

IN THE MATTER OF THAT PART OF LOT 27,  
DISTRICT LOT 52, OYSTER DISTRICT, PLAN 11855

TO: Joan Marie Hammond  
441 Parkhill Terrace, Ladysmith, BC V9G 1V6  
(Owner/Occupier)

**NOTICE OF HEARING**

**TAKE NOTICE** that the Municipal Council of the Town of Ladysmith pursuant to Sections 8(3)(h) and 64 of the *Community Charter* and Ladysmith Property Maintenance Bylaw 2015, No. 1894, will at the hour of **7:00pm** on the **19th day of November, 2018** in the Council Chambers at the City Hall, 410 Esplanade, Ladysmith, British Columbia hear representations by Town staff as to whether, with respect to the lands more particularly described above, the Owner/Occupier shall be required to remove the accumulation thereon of **unlicensed vehicles, refuse, discarded material, rotting wood and piles of dead vegetation.**

**AND FURTHER TAKE NOTICE** that should Council require the Owner/Occupier to remove the described accumulation, and the Owner/Occupier defaults, the Council may direct its employees and others to enter and effect the removal at the expense of the Owner. The charges for doing so, if unpaid on December 31<sup>st</sup> in the year in which the Town of Ladysmith effects the removal, shall be added to and form part of the taxes payable in respect of the real property in question, as taxes in arrears.

**AND FURTHER TAKE NOTICE** that should you wish to make representation to the Council regarding the lands and premises listed above, you should appear at that time, date and place to make your presentation to Council.

**THIS NOTICE** is given by the Municipal Council of the Town of Ladysmith this 18<sup>th</sup> day of **October, 2018**.

  
Corporate Officer (J. Winter)

PC: Home Equity Mortgage Corporation  
1881 Yonge St., Suite 300  
Toronto, On  
M4S 3C4

## TOWN OF LADYSMITH

### PROPERTY MAINTENANCE BYLAW NO. 1970

A Bylaw to establish required standards for the maintenance of Real Property within the Town.

**WHEREAS** pursuant to section 8(h) of the *Community Charter*, the Council of the Town of Ladysmith may, by bylaw, regulate, prohibit and impose requirements in relation to the protection and enhancement of the well-being of its community in relation to nuisances, disturbances and other objectionable situations as defined in section 64 of the *Community Charter*.

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

#### 1.0 DEFINITIONS

1.1 In this Bylaw:

- (a) "**Graffiti**" means drawing, painting, etching, printing, writing or other graphic representation that:
- i. is scribbled, scratched, sprayed, painted, or similarly placed directly on a supporting surface; and
  - ii. if it is on private property that is not located on public real property, has been placed without the consent of the Owner of that private property,

and excludes:

- i. a sign for which permits have been issued under the *Sign and Canopy Bylaw 1995, No. 1176*, as amended or replaced from time to time; and
  - ii. a Mural for a purpose other than commercial advertising;
- (b) "**Mural**" means a painting:
- i. that is applied directly to the wall of a building or other structure with the consent of the Owner of that building or structure; and
  - ii. that does not include any text or logo other than the name of the artist;
- (c) "**Occupier**" means any person who occupies Real Property, or who is qualified to maintain an action for trespass in respect of the Real Property, or who is in possession of the Real Property under a lease, licence, agreement for sale or other agreement with the Owner of the Real Property;
- (d) "**Owner**" means any person in relation to the Real Property who is the registered Owner of an estate in fee simple, the tenant for life under a registered life estate, or the registered holder of the last registered agreement for sale.;
- (e) "**Real Property**" means any parcel of private land within the Town of Ladysmith;
- (f) "**Refuse**" includes, but is not limited to:
- i. food wastes;
  - ii. market wastes;
  - iii. combustibles like paper, cardboard, yard trimmings, leaves and brush, plastics, and leather;
  - iv. non-combustibles such as metal, cans, glass, dirt, ashes, and street sweepings;

- v. bulky wastes such as furniture, appliances, tires, stumps, recycling, and construction waste;
  - vi. unlicensed, unused, or stripped automobiles, trucks, trailers, boats, vessels, machinery, mechanical parts, and metal parts; and
- (g) "Unsightly" means an untidy or otherwise non-aesthetic accumulation of filth, discarded materials, junk, or Refuse on any Real Property, and includes Graffiti.

## **2.0 GRAFFITI PROHIBITED**

- 2.1 A person must not place Graffiti on a wall, fence, or elsewhere on or adjacent to a public place.

## **3.0 REFUSE – UNSIGHTLY PROPERTY PROHIBITED**

- 3.1 A person must not do any of the following activities:
- (a) cause or permit water, or Refuse, garbage or other material that is noxious, offensive or unwholesome to collect or accumulate on Real Property;
  - (b) deposit or throw bottles, broken glass, or other Refuse in any open place; or
  - (c) allow Real Property, of which that person is the Owner or Occupier, to become or remain Unsightly.

## **4.0 WEEDS PROHIBITED**

- 4.1 The Owner or Occupier of Real Property must not allow to be present on that property weeds or other growths that:
- (a) because of their condition, are likely to spread or become a nuisance to other Real Property in the vicinity; or
  - (b) are so unkempt as to be Unsightly to nearby residents.

## **5.0 REMOVAL OF GRAFFITI, REFUSE, WEEDS, UNLICENSED VEHICLES**

- 5.1 Every Occupier of Real Property, or its Owner if there is no Occupier, must remove from that property:
- (a) Graffiti;
  - (b) Refuse and other material described in section 3.1; and
  - (c) Weeds and other growths described in section 4.1.

## **6.0 INSPECTION TO DETERMINE WHETHER BYLAW IS BEING FOLLOWED**

- 6.1 RCMP and Bylaw Officers at all reasonable times may enter on Real Property to determine whether a requirement set out in sections 3.1, 4.1, and 5.1(a), (b) and (c) is being observed.
- 6.2 A Bylaw Officer at all reasonable times may enter on Real Property to determine whether a requirement set out in sections 4.1 and 5.1(c) is being observed.

## **7.0 TOWN'S ACTION AT DEFAULTER'S EXPENSE**

- 7.1 If an Owner or Occupier fails to take an action required under section 5.1, Council may issue a written order directing that the Owner or Occupier take that action, provided that, prior to Council making an order the Owner or Occupier has been provided an opportunity to be heard by Council in respect of the matter.
- 7.2 If an Owner or Occupier subject to an order under section 7.1 fails to comply with the order within 14 days after being served with the order, RCMP and Bylaw Officers or the Town's contractors, with respect to a matter under section 5.1(a) or (b) and Bylaw Officers

or the Town's contractors with respect to a matter under section 5.1(c), on behalf of the Town and at a defaulting person's expense, at reasonable times and in a reasonable manner, may enter on the Real Property owned or occupied by that person and take the action required by the order.

7.3 If the Town takes action under section 7.2 and the costs of the action are not paid on or before December 31 in the year in which they are incurred,

- (a) they may be recoverable from the person as a debt, or
- (b) they may be collected in the same manner and with the same remedies as ordinary taxes on the Real Property on which the action was taken.

7.4 For the purposes of section 7.3(b), the costs are considered to be taxes in arrears.

**8.0 OFFENCES AND PENALTIES**

8.1 A person who contravenes, violates or fails to comply with any provision of this Bylaw or who suffers or permits any act or thing to be done in contravention or violation of this Bylaw, or who fails to do anything required by this Bylaw, commits an offence and shall be liable upon conviction to a fine of not more than \$10,000.00 (TEN THOUSAND DOLLARS) and not less than \$200 (TWO HUNDRED DOLLARS), the cost of prosecution and any other penalty or order imposed pursuant to the *Community Charter*, S.B.C. 2003, c. 26 or the *Offence Act*, R.S.B.C. 1996, c.338.

8.2 Section 8.1 shall not prevent the Town or an authorized person on behalf of the Town issuing and enforcing a ticket under the "*Ladysmith Ticket Information Utilization Bylaw 2002, No 1457*".

8.3 Each day that a contravention of a provision of this Bylaw occurs or continues shall constitute a separate offence.

**9.0 SEVERABILITY**

9.1 If any part of this Bylaw is for any reason held invalid by any court of competent jurisdiction, the invalid portion shall be severed and the severance shall not affect the validity of the remainder.

**10.0 REPEAL**

10.1 *Ladysmith Property Maintenance Bylaw 2015 No. 1894* is hereby repealed.

**11.0 CITATION**

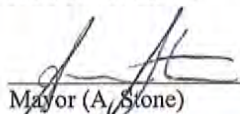
11.1 This Bylaw may be cited as the "*Ladysmith Property Maintenance Bylaw 2018, No. 1970*."

**READ A FIRST TIME** on the 20<sup>th</sup> day of August, 2018

**READ A SECOND TIME** on the 20<sup>th</sup> day of August, 2018

**READ A THIRD TIME** on the 20<sup>th</sup> day of August, 2018

**ADOPTED** on the 4<sup>th</sup> day of September, 2018

  
\_\_\_\_\_  
Mayor (A. Stone)

  
\_\_\_\_\_  
Corporate Officer (J. Winter)



**STAFF REPORT TO THE PROTECTIVE SERVICES COMMITTEE**

From: Erin Anderson, Director of Financial Services  
 Meeting Date: July 9, 2018  
 File No: 7400-01  
 RE: **RCMP MUNICIPAL POLICING**

**RECOMMENDATION:**

That the Committee recommend that Council increase the Town of Ladysmith authorized strength from 7 to 8 members, and begin implementing this increase in 2019 to be fully funded in 2020.

**PURPOSE:**

The purpose of this report is provide information regarding the detachment's request for an additional RCMP member.

**PREVIOUS COUNCIL DIRECTION**

Not applicable.

**INTRODUCTION/BACKGROUND:**

Currently the Town funds 7 of the 13 members in the detachment. Each member costs \$180,716 + overtime (2019/20 estimates) and the Town is responsible for 70% of these costs.

**FINANCIAL IMPLICATIONS:**

Based on 2019/20 estimates, an increase for 1 FTE would cost the Town an additional \$133,009 including overtime. This increase will directly impact property taxation.

	<b>Current Costs at 7 FTE</b>	<b>Proposed Costs at 8 FTE</b>
Total	1,265,012	1,445,728
Overtime	93,530	102,826
Town's portion (70%)	950,979	1,083,988

As the additional member is not required until 2020, it is suggested that the Committee recommend that Council spread this tax increase over 2 years with the first increase in 2019 of approximately \$66,505 and a further increase in 2020 for the remainder (plus an contract increases).



**ALTERNATIVES:**

The Committee can recommend that Council can choose to:

- A) Continue with the 7 member strength
- B) Begin the process of establishing a Town of Ladysmith police department instead of contracting with the RCMP.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

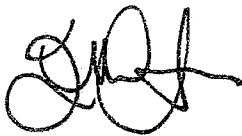
- |  |  |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings             | <input type="checkbox"/> Multi-Use Landscapes      |
| <input type="checkbox"/> Innovative Infrastructure   | <input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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

**SUMMARY:**

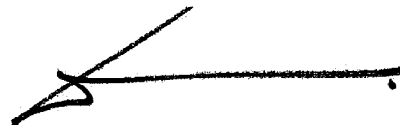
An additional RCMP Ladysmith detachment member is requested.



Erin Anderson

July 1, 2018

I concur with the recommendation.



Guillermo Ferrero, City Manager

**ATTACHMENTS:**

RCMP letter: Request for one (1) Municipally Funded Regular Member



Royal Canadian Gendarmerie Royale  
Mounted Police du Canada

Staff Sergeant K.W. Brissard  
Non-Commissioned Officer in Charge  
Ladysmith Detachment  
320 6<sup>th</sup> Avenue  
PO Box 280  
Ladysmith, British Columbia  
V9G 1A2

Protective Services Committee  
Town of Ladysmith  
Ladysmith British Columbia

July 3, 2018

**RE: Request for Increase of One (1) Municipally Funded Regular Member**

Attention Ladysmith Protective Services Committee:

This request is for an increase of one (1) additional regular member, municipally funded (70 %) by the Town of Ladysmith and the remaining (30 %) funded by the Federal Government of Canada. As you are aware, the current establishment of regular members at this detachment, is thirteen (13). Seven (7) being funded by The Town of Ladysmith (the above noted 70-30 split); five (5) by the Province of British Columbia; and then one (1) (First Nation Policing) funded jointly by the Federal Government (52 %) and the Province of British Columbia (48 %). All of the Non-Commissioned Officers (Staff Sergeant and the two Corporals) are funded provincially. I am told this has been the number of regular members at Ladysmith Detachment since 2002. This breakdown has the Town of Ladysmith funding 54 % of the regular members, at the 70-30 cost sharing split with the Federal Government of Canada.

Besides the thirteen (13) regular members, this detachment also has a total of five (5) Public Service Employees. Essentially three (3) funded by the Town of Ladysmith and the remaining two (2) by the Province of British Columbia. It was July 2016, that the Town of Ladysmith approved the third position which they now fund and thus, fund 60 % of the administrative staff.



I will not belabour the population increase which has been realized within the municipal boundaries, other than documenting there has been and it is forecasted to continue to increase.

- 24.3 % between 2001 and 2011; and
- 7.8 % increase between 2011 and 2016.

It is forecasted that this growth will continue, with our population growing by 35 % by 2035. This is corroborated by the growth in residential housing projects which we have and are witnessing, as well as other developmental initiatives in their planning stages.

All this to say, with the population increases we have seen and the forecasts, calls for service made to the Ladysmith RCMP have also and will continue to increase.

**Calls for service in 2008 were:**

- 4287, with 2442 originating or being in the town boundaries. This equated to approximately 57 % of the police investigations, coming from the boundaries of the Town of Ladysmith.

**Calls for service in 2013 were:**

- 3592, with 2062 originating or being in the town boundaries. This equated to approximately 57 % of the police investigations, coming from the boundaries of the Town of Ladysmith.

**Calls for service in 2017 were:**

- 4496, with 2139 originating or being in the town boundaries. This equated to approximately 48 % of the police investigations, coming from the boundaries of the Town of Ladysmith.

**Calls for service in 2018 (Jan through June 2018):**

- 2417, with 1288 originating or being in the town boundaries. This equates to approximately 53 % of the police investigations, coming from the boundaries of the Town of Ladysmith.

If the remainder of this current calendar year remains consistent, we could see a total increase of 13 % over 2017.

In my 28 years in this profession, expectations of our courts have increased substantially. An investigation which may have taken a few hours historically to complete, now takes many more person hours to meet the standards expected, for us to be successful. This problem is compounded by legislated investigative standards, in regards to high risk cases such as domestic violence and missing persons. As well, the increase in societal problems (substance abuse, mental health etc.), which seem to fall to the police to deal with more and more, either in their infancy or once a criminal act has been committed, only add to the pressures which are faced.

Along this same vein, technology has also created many more investigative hours. In many cases it assists in garnering the truth, but in others it can be debilitating. The analogy which best describes this, historically when someone threatened a person, it was done face to face. Now it is not uncommon for threats to be received via social media, which adds many more levels to investigate.

People continue to become more transient, which includes the small percentage of the population who struggle with living within our laws. Neighbouring communities, detachments, are being faced with huge problems and we are seeing more incidents where criminals are making their way to this jurisdiction, to commit their acts of criminality or their intentional or unintentional acts of civil disobedience. Constant messaging from my office to the members under my command, is to ensure we keep the "wolves" at our detachment boundaries doors, versus allowing them to enter and become residents.


I have completed and submitted to my Senior Management, business cases for an increase of one (1) provincially funded regular member, as well as a second first nation regular member. Both these business cases have been approved and sit with the respective funding partners for their consideration.

Currently the establishment of regular members at the Ladysmith Detachment, essentially allows for 20 hours per day, where two or more members are on-duty and working. This request, coupled with the noted requests for increases of the two (2) other members from the province and the federal government, would allow for us to develop a schedule where a member(s) were on-duty 24/7. This will result in much more timely responses to priority calls, which is currently delayed when they are being called out from their homes as it is now. As well as a cost savings, due to off-duty members being paid to be on-call. This cost is approximately \$82.52/day (or \$30,119.80/year), which the town bears approximately 71 %. Then the cost of the overtime at the applicable rate, when a member or members are called-out; versus having on-duty members at straight-time, at the ready.

Overtime costs were approximately 170 K in the Ladysmith RCMP 2017/18 fiscal year, with approximately 54% being related to police investigations originating from within the town boundaries.

I also consider and strive to give my members unfettered time off. I can tell you from many years of being on-call, it is not conducive to a person's health. Being able to move to 24 hour policing would benefit the community, as well as my members and could ultimately have a positive effect on policing costs, with a reduction in crime via proactive measures and the reduction in overtime costs incurred (both in the reduction of call-outs and in situations of continuing past the end of their scheduled shift times, which is not usual).

Respectively,



K.W. Brissard, Staff Sergeant  
Non-Commissioned Officer in Charge  
Ladysmith Detachment



LADYSMITH

TOWN OF LADYSMITH

# PROCLAMATION

## LOUIS RIEL DAY

- WHEREAS:** *The Metis people are recognized as one of Canada’s aboriginal peoples; and*
- WHEREAS:** *the Metis culture, rich in spiritual beliefs and colourful traditions, is an integral part of British Columbia’s multicultural character; and*
- WHEREAS:** *throughout history, Metis citizens have made significant contributions to the development and success of our province; and*
- WHEREAS:** *Louis Riel has made an enormous contribution towards the development of this country; and*
- WHEREAS:** *British Columbia recognizes “Louis Riel Day”, November 16<sup>th</sup> as a national Metis holiday in commemoration of the 133<sup>rd</sup> anniversary of the death of Louis Riel.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim November 16, 2018 as “Louis Riel Day” in the Town of Ladysmith, British Columbia.*

\_\_\_\_\_  
Mayor A. Stone

November 9, 2018

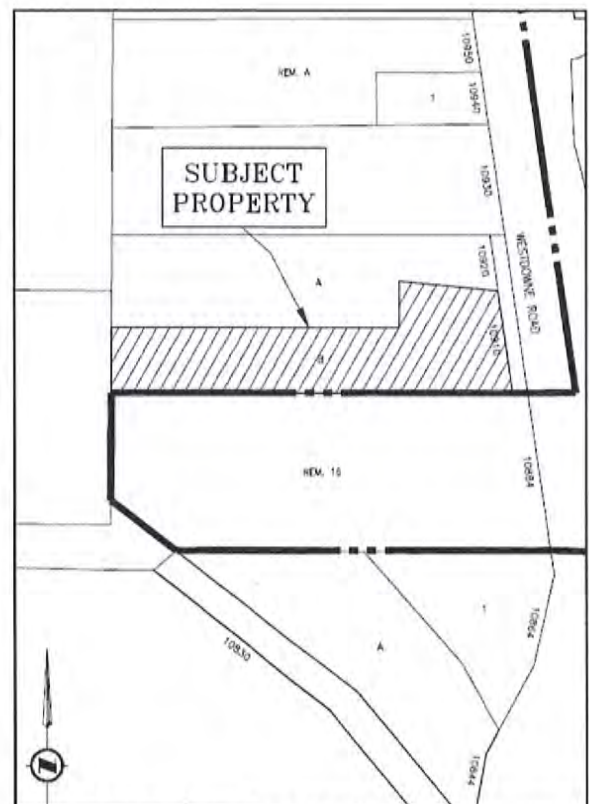
**STAFF REPORT TO COUNCIL**

From: Lisa Brinkman, Senior Planner  
 Meeting Date: November 19, 2018  
 File No: 3360-18-11  
 RE: **ZONING BYLAW AMENDMENT APPLICATION (C. RONALD)**  
 Subject Property: Lot B, District Lot 72, Oyster District, Plan EPP20506  
 (10910 Westdowne Road)

**RECOMMENDATION:**

That Council:

1. Consider the application (3360-18-11) to amend the Zoning Bylaw for the property legally described as Lot B, District Lot 72, Oyster District, Plan EPP20506 (10910 Westdowne Road) to:
  - a) add 'storage yard' as a site specific principal permitted use;
  - b) add a definition of 'contractor tool crib'; and
  - c) amend the definition of 'storage yard' to include RVs, boats, and contractor tool cribs.
2. Direct staff to commence the preparation of the Zoning Bylaw amending bylaw for application 3360-18-11 (10910 Westdowne Road).
3. Direct that prior to presenting the Zoning Bylaw amending bylaw to Council for consideration, the owners of 10910 Westdowne Road shall complete the following:
  - Obtain a building permit for the retaining wall;
  - Obtain a demolition permit for the dwelling;
  - Connect the property to the Town of Ladysmith water system as required by DVP 11-01 and Covenant CA2774644; and
  - Submit the riparian landscape bond of \$1200 (DP 18-06).



**PURPOSE:**

The purpose of this staff report is to introduce an application to amend the Zoning Bylaw for the property at 10910 Westdowne Road and to seek direction from Council regarding next steps.

**PREVIOUS COUNCIL DIRECTION**

Council Meeting Date and motion #	Council Motion
July 16, 2018 CS 2018-266	That Council: 4. Issue Development Permit 3060-18-06 to permit land clearing and riparian restoration on Lot B, District Lot 72, Oyster District, Plan EPP20506 (10910 Westdowne Road); and 5. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-18-06.
November 7, 2011 2011-467	It was moved, seconded and carried that Development Variance Permit 3090-11-01 be approved, to permit a variance to Section C-4.05(f) and 4.05(g) of the Subdivision Control Bylaw No. 1115 to allow the property at 10910 Westdowne Road (Lot 15 District Lot 72, Oyster District, Plan 8793, Except Part in Plan 895 RW), to be subdivided into two lots subject to approval and registration of a covenant that states the following: a) to postpone the required connection to the water supply until prior to issuing a building permit for either of the proposed two lots; and b) to postpone the required connection to the sanitary sewer system until within two years of the sanitary sewer being available to either of the proposed two lots; and subject to Vancouver Island Health Authority confirmation that the property conforms to the Public Health Act; and that the Mayor and Corporate Officer be authorized to sign Development Variance Permit 3090-11-01.

**INTRODUCTION:**

The purpose of this staff report is to introduce an application from Chris Ronald to amend the Zoning Bylaw for the subject property at 10910 Westdowne Road; and to seek direction from Council regarding next steps.

The subject property is one hectare in size and is zoned 'Light Industrial' (I-1) which permits commercial indoor storage as well as other light industrial uses **within a building**. The owner would like to amend the Zoning Bylaw by adding 'storage yard' as a site specific principal permitted use to allow commercial storage **outside of a building** for RVs, boats, vehicles, contractor tool cribs, equipment and supplies.

The subject property is surrounded by a light industrial (I-1) zoned parcel to the north which contains a legal non-conforming dwelling; and an indoor mini-storage to the south (property is within CVRD).

The owner is also requesting a site specific amendment to the Zoning Bylaw to permit 20 shipping containers on the subject property. The applicant states:

*"We are hoping to have containers stored on site from trades people who use them to lock their tools/equipment in between jobs. We've had inquiries from a handful of trades people who own their shipping containers and transport them from jobsite to jobsite, but wish to store the containers while they are in between jobs. There appears to be a shortage of this type of storage option in the area so we felt there was an opportunity to meet the demand and that 20 containers would be adequate."*

Staff is supportive of the request to add 'storage yard' as a permitted use on the subject property as there is a need for temporary RV and boat storage in Ladysmith.

Regarding the request for 20 shipping containers as 'contractor tool cribs' staff has the following comments:

- The Ladysmith Zoning Bylaw already permits a maximum of three shipping containers on an industrially zoned parcel. Allowing twenty shipping containers on the subject property for storage could become unsightly. The City of Nanaimo permits a maximum of one or two shipping containers on their industrial zoned properties, and specifies that a shipping container may not be used for mini-storage. North Cowichan permits a maximum of 3 shipping containers on a one hectare industrial parcel.
- The Building Inspector has advised that a shipping container that is used for commercial storage is considered a building and would require a building permit and be subject to the B.C Building Code. It would also be subject to the Industrial Development Permit Area guidelines and require a Development Permit for form and character.
- A contractor tool crib is typically a trailer on wheels and is approximately 5m in length, 2m in height, 2.6m in width. Staff recommends adding contractor tool crib to the definition of 'storage yard' to satisfy the demand to store contractor equipment.

The property is designated in the Official Community Plan (OCP) as 'Industrial', and falls within the Industrial Development Permit Area (DPA 5). Prior to site development including placement and construction of buildings and structures (i.e. fence, shipping container, signage), the owner of the subject property requires a development permit to ensure complies with the DPA 5 guidelines. The DPA 5 guidelines include a requirement that storage areas located in close proximity to abutting properties should be screened from view by fencing or hedging.

## **BACKGROUND**

2011-2012

- A Development Variance Permit (DVP-11-01) was approved by Council to vary the Subdivision Bylaw to allow a two lot subdivision in which the two new lots (10920 & 10910 Westdowne Rd) were not required to be connected to Town water and

sewer at time of subdivision. However, the DVP states: 1) that when an owner of the land applies for a building permit they must design and construct an approved connection to the Town water system; and 2) an owner of the land must connect to the Town's sanitary sewer system within two years of it being available. An approved septic system would be permitted for a new building on the land until that time.

- The two lot subdivision was approved and covenant CA2774644 was registered on the title of both new parcels. Covenant CA2774644 states that the owner of the land shall not build or construct a building on the land until it has first at its sole cost designed and installed a connection to the Town of Ladysmith water system and any necessary extension of a water main to allow such a connection.

2018

- A new owner purchases the property at 10910 Westdowne Road.
- In July 2018 Council approved Riparian Development Permit (DP 18-06) to protect and replant the riparian area on the property and to authorize the clearing of the land outside of the riparian area. The owners are required to submit a bond of \$1200 to ensure the planting of the riparian area as approved by DP 18-06.
- A retaining wall has been constructed on the property and a residential building has been partly demolished with the building shell remaining, both without permits. The owners are required to submit an application for a building permit for the retaining wall and for the demolition of the dwelling. The building permit application will require that a Town waterline be extended along the frontage of the subject property with a connection for the proposed commercial storage business.
- Fencing and signage have been installed on the property. Prior to installing the retaining wall, signage and fencing an Industrial Development Permit is required. The owners have submitted an Industrial Development Permit (DPA 5) application and staff has requested additional information to ensure compliance with the DPA 5 guidelines and the Sign Bylaw.
- Currently approximately three boats, five RVs and one utility trailer are stored on the property which is not permitted under the I-1 zone.

#### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Director of Infrastructure Services advises that:

- A commercial storage business, offering outdoor and/or indoor storage to customers should have a municipal water connection. Thus, it is recommended to enforce the requirements in DVP 11-01 and Covenant CA2774644.
- Bylaw 1834 requires that road frontage improvements are required at the time of a building permit where the value of construction is greater than \$50,000. Westdowne Road is identified as an Urban Collector road in the OCP requiring a higher level of road frontage improvements including concrete sidewalk, street light, boulevard tree, and other features. If the applicant wishes to build the road frontage to a rural industrial road standard, requiring less frontage improvements,

the land owner can apply to vary Bylaw 1834. This variance application would be presented to Council for consideration of approval.

**Staff Recommendation Summary**

In reviewing the zoning amendment application and the background for 10910 Westdowne Road staff recommends that Council:

1. Consider the application;
2. Direct staff to prepare the Zoning Bylaw amendment bylaw to:
  - add 'storage yard' as a site specific principal permitted use;
  - add a definition of 'contractor tool crib'; and
  - amend the definition of 'storage yard' to include RVs, boats, and contractor tool cribs.
2. Direct that prior to presenting the Zoning Bylaw amending bylaw to Council for consideration the owners of 10910 Westdowne Road shall complete the following:
  - Obtain a building permit for the retaining wall;
  - Obtain a demolition permit for the dwelling;
  - Connect the property to the Town of Ladysmith water system as required in DVP 11-01 and Covenant CA2774644; and
  - Submit the riparian landscape bond of \$1200 (DP 18-06).

**Table 1: Summary of Zoning Bylaw Amendment Application 3360-18-11**

	Existing	Proposed
<b>Official Community Plan</b>	Industrial	Industrial
<b>Development Permit Area</b>	Industrial (DPA 5)	Industrial (DPA 5)
<b>Zoning</b>	Light Industrial (I-1)	Light Industrial (I-1) <ul style="list-style-type: none"> <li>• Site specific amendment for 10910 Westdowne Rd. to permit 'storage yard' as principle permitted use;</li> <li>• Add a definition for 'contractor tool crib'</li> <li>• Amend the definition of 'storage yard' to include contractor tool cribs, RVs and boats.</li> </ul>

**ALTERNATIVES:**

Council can choose to not proceed with rezoning application 3360-18-11 or provide additional direction to staff.

Council could direct staff to include waiving the public hearing in the bylaw. This formal direction would be made following second reading of the bylaw.



**FINANCIAL IMPLICATIONS:**

None.

**LEGAL IMPLICATIONS:**

If the application proceeds a public hearing could be required to be held. Alternatively, the proposed zoning amendments are consistent with the Official Community Plan thus the public hearing could be waived.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

As the zoning amendment application is consistent with the Official Community Plan it is not required to refer the application to the Advisory Planning Commission.

**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:**

An application has been received to amend the Zoning Bylaw for the property at 10910 Westdowne Road. Recommendations are provided for the next steps in the application process.

Report prepared by:



Lisa Brinkman, Senior Planner

November 13, 2018

Director Approval:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

**ATTACHMENTS:**

none

**STAFF REPORT TO COUNCIL**

From: Julie Thompson, Planner  
 Meeting Date: November 19, 2018  
 File No: 3060-18-15  
 RE: **Development Permit Renewal: Front Forty Ventures Ltd.  
 (1201&1251 Christie Rd)  
 Subject Properties: Lots 7 & 8, District Lot 147, Oyster District, Plan 85271**

**RECOMMENDATION:**

**That Council:**

1. Issue Development Permit (DP) 3060-18-15 to renew DP 3060-16-03 for Lots 7 & 8, District Lot 147, Oyster District, Plan 85271 (1201 & 1251 Christie Rd) to permit a 66 townhouse development, subject to the applicant submitting a bond in the amount of 100% of the onsite landscaping.
2. Authorize the Mayor and Corporate Officer to sign the Development Permit.

**PURPOSE:**

The purpose of this report is to present for Council’s consideration the renewal of a Multi-Unit Residential Development Permit (DP). The existing DP for the proposed townhouse development expired on November 7, 2018 and the applicant has applied to renew it under the same terms and conditions. Development Permits typically expire two years from the issuance date if a development project has not substantially commenced.

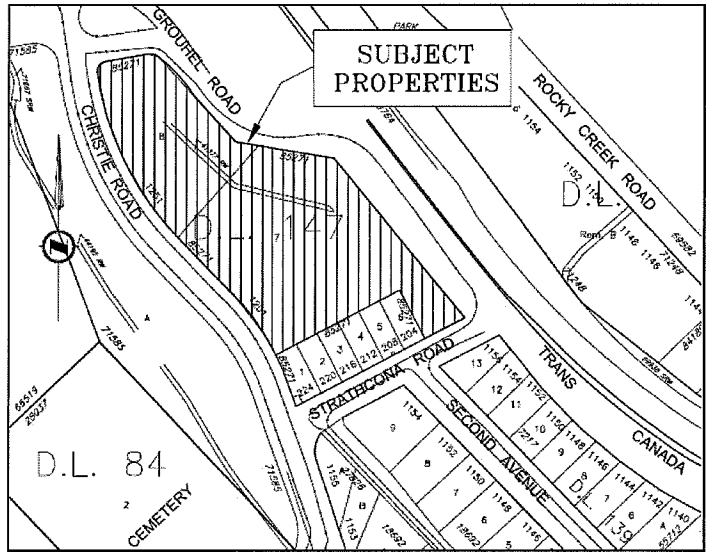
**PREVIOUS COUNCIL DIRECTION**

Meeting Date	Resolution #	Council Resolution
November 7, 2016	CS 2016-356	That Council: 1. Issue Development Permit (DP) 3060-16-03 for Lots 7 & 8, District Lot 147, Oyster District, Plan 85271 ( 1201 & 1251 Christie Rd.) to permit a 66 unit townhouse development, subject to the applicant submitting a bond in the amount of 100 per cent of the onsite landscaping; and 2. Authorize Mayor and Corporate Officer to sign the permit.



**INTRODUCTION/BACKGROUND:**

The applicant, Rov Dosanjh (Front Forty Ventures Ltd.) has submitted a Development Permit renewal application to renew DP 3060-16-03 for a proposed 66 townhouse development to be located at 1201 & 1251 Christie Rd. Phase one of the development consists of 43 units and will be located on Lot 7. Phase two of the development consists of 23 units and will be located on Lot 8. Twelve of the units are proposed to be three storeys with walk-out basements at the rear (due to topography) while the remaining 54 units will be two storey. The units range in size from 122 m<sup>2</sup> (1313 ft.<sup>2</sup>) to 184 m<sup>2</sup> (1980 ft.<sup>2</sup>).



While a bond was required by DP 3060-16-03 in the amount of 100% of the onsite landscaping, it has not yet been provided to the Town of Ladysmith. As such, DP 3060-18-15 requires a bond of the same amount as was required by DP 3060-16-03.

The proposed development was previously reviewed in conjunction with zoning bylaw regulations, Multi-Unit Residential (DPA-4) guidelines, and Covenant CA1880668 design guidelines. It was determined that the development was consistent with these requirements. The proposed development remains consistent as no changes to the development have been proposed, nor have any changes been made to the zoning bylaw or DPA-4 guidelines that would affect the renewal of this permit. Thus, it is recommended to issue to the DP renewal.

**ALTERNATIVES:**

While the issuance of a Development Permit renewal is not a completely discretionary decision of Council, Council may decide not to issue Development Permit 3060-18-15 where the refusal is based upon a determination that the application does not meet the Development Permit guidelines. If the Development Permit is refused then reasons must be given. The determination by Council must be in good faith and it must be reasonable, not arbitrary.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

A Development Permit is required prior to alteration of land and construction of buildings and structures in DPA-4.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Development Permit renewal applications do not require statutory notice.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Development Permit renewal application was referred to the Infrastructure Services Department for review. Engineering requirements will be triggered at the Building Permit stage.

**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:**

Development Permit 3060-16-03 for the proposed townhouse development expired in November 2018 and the applicant has applied for renewal. No changes to the terms and conditions of the Permit are proposed. It is recommended to issue Development Permit 3060-18-15 to renew permission for a 66 unit townhouse development at 1201 and 1251 Christie Road.

Report prepared by: Julie Thompson

October 31, 2018

Report Author: Julie Thompson, Planner

Director Approval:

Felicity Adams, Director of Development Services

I concur with the recommendation.

Guillermo Ferrero, City Manager

**ATTACHMENTS:**

DP 3060-18-15



# TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-18-15

DATE: November 19, 2018

---

**Name of Owner(s) of Land (Permittee): 1107635 B.C. LTD.**

**Applicant: Rov Dosanjh (Front Forty Ventures)**

**Subject Property (Civic Address): 1201 & 1251 Christie Road**

---

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

**Lot 7**  
**District Lot 147**  
**Oyster District**  
**Plan VIP85271**  
**PID# 027-560-988**  
(referred to as the "Land")

**Lot 8**  
**District**  
**Lot 147**  
**Oyster District**  
**Plan VIP85271**  
**PID# 027-560-996**  
(referred to as the "Land")

3. This Permit has the effect of authorizing:
  - a) the issuance of a building permit for the construction of a building or structure on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit;

Subject to the conditions, requirements and standards imposed and agreed to in section 5 of this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Town of Ladysmith Zoning Bylaw 2014, No. 1860.
5. The Permittee, as a condition of the issuance of this Permit, agrees:

- a) To develop the Land as shown in:
- Schedule A: Site Layout and Grading Plan (Oct 2, 2016)**
  - Schedule B: Landscape Concept Plan - 4-Site (September 2016)**
  - Schedule C: Front and Left Elevation 3-Plex with garage**
  - Schedule D: Right and Rear Elevation 3-Plex with garage**
  - Schedule E: Front and Left Elevation 3-plex and 4-plex (two storeys)**
  - Schedule F: Right and Rear Elevation 3-plex and 4-plex (two storeys)**
  - Schedule G: Front and Left Elevation 4-plex (three storeys at rear)**
  - Schedule H: Right and Rear Elevation 4-plex (three storeys at rear)**
- b) To develop Lot 7 such that:
- i. Retaining walls must be constructed of textured concrete blocks.
  - ii. One garbage enclosure shall be located on Lot 7 and the garbage enclosure must be constructed with an overhead trellis or roof cover to screen views from above.
  - iii. A temporary turnaround suitable for emergency vehicles be provided at the completion of phase one (43 units).
  - iv. A detailed landscape design be provided prior to building permit to demonstrate the design of the pedestrian path from Christie Road to the interior pathways.
  - v. The width of internal concrete sidewalks shall be a minimum of 1.5 metres.
  - vi. Prior to issuance of a building permit, an arborist report and site plan will be provided that details the trees that will be maintained on the Lands and the methods of protecting the trees during construction.
- c) To develop Lot 8 such that:
- i. Retaining walls must be constructed of textured concrete blocks.
  - ii. One garbage enclosure shall be located on Lot 8 and the garbage enclosure must be constructed with an overhead trellis or roof cover to screen views from above.
  - iii. The width of internal concrete sidewalks shall be a minimum of 1.5 metres.
  - iv. Prior to issuance of a building permit, an arborist report and site plan will be provided that details the trees that will be maintained on the Lands and the methods of protecting the trees during construction.
- d) Onsite monitoring shall be undertaken by a landscape professional during landscape installation on Lot 7 and Lot 8, and any release of a landscape security for any phase will require a report from the landscape professional detailing how the landscaping meets:
- i. the 'Landscaping and Screening Regulations' of Part 7 of the Town of Ladysmith Zoning Bylaw 2014, 1860;
  - ii. the requirements of the arborist report and report on the health of maintained trees; and
  - iii. the landscaping required in Schedule B of this Permit.
6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 5 of this Permit respecting landscaping. The

Letter of Credit may be submitted in two phases such that Phase One is development on Lot 7 and Phase Two is development on Lot 8. The security shall be for a period of two years, shall be automatically extended, and shall be in the amount of \$111,900.00 for landscaping on Lot 7 and \$55,950.00 for landscaping on Lot 8.

7. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping conditions at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
8. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
9. If the Permittee does not substantially start any construction permitted by this Permit within **two** years of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
10. The plans and specifications attached to this Permit are an integral part of this Permit.
11. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3060-18-15**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
12. This Permit prevails over the provisions of the Bylaw in the event of conflict.
13. Despite issuance of this Permit, construction may not start without a Building Permit or other necessary permits.

**AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH  
ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 201\_\_.**

\_\_\_\_\_  
Mayor (A. Stone)

\_\_\_\_\_  
Corporate Officer (J. Winter)

**I HEREBY CERTIFY** that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Rov Dosanjh (Front Forty Ventures)** other than those contained in this permit.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Title

\_\_\_\_\_  
Occupation

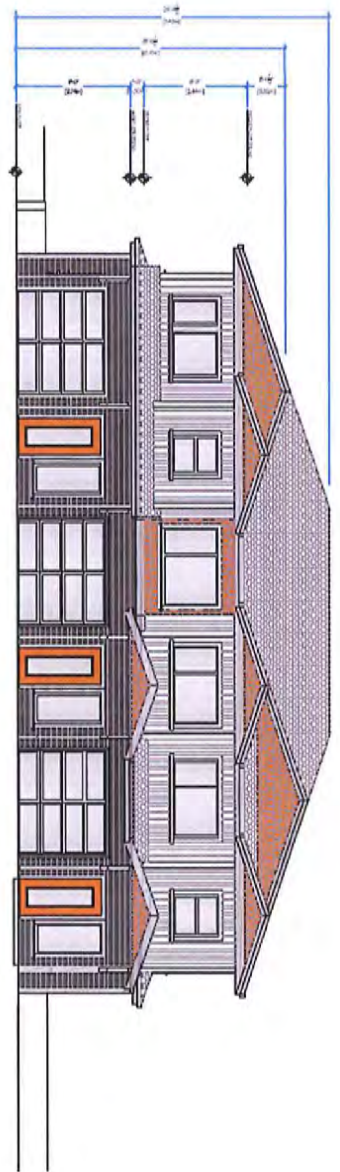
\_\_\_\_\_  
Date

\_\_\_\_\_  
Date





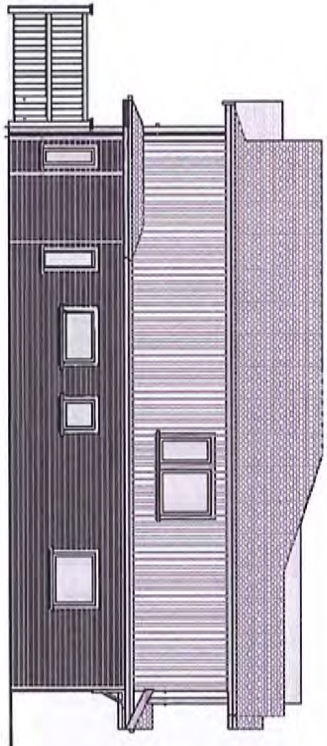




FRONT ELEVATION  
Scale: 1/4"=1'-0"

**EXTERIOR FINISHES LEGEND**

	ASPHALT ROOF SHINGLES
	MAUVE BLACK
	CEMENT BOARD SIDING
	CEMENT BOARD & BATTEN
	CEDAR SHAKES
	B&B CORNER TRIM
	LAP SIDING/WINDOW/DOOR TRIM



LEFT ELEVATION  
Scale: 1/4"=1'-0"



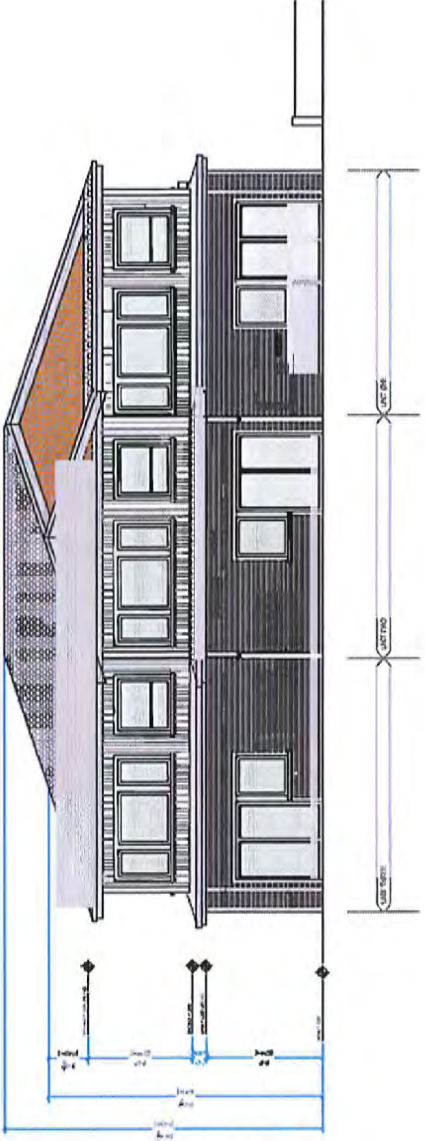
PERSPECTIVE RENDERING  
Scale: NTS

<b>IN-HABIT DESIGN</b>	
1201-1251 CHRISTIE ROAD VANCOUVER BC ZONE R3-A	
ELEVATION	
2016106	

Schedule C: Front and Left Elevation 3-Plex with garage  
DP 3060-18-15 - Row Dosa/Inh (Front Forty Ventures)  
1201 and 1251 Christie Road

**EXTERIOR FINISHES LEGEND**

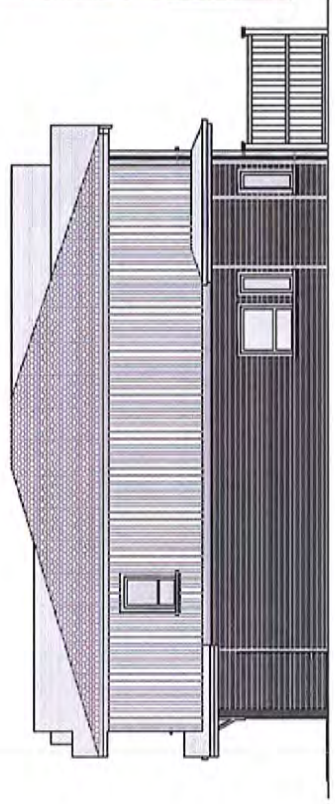
	ASPHALT ROOF SHINGLES
	WALLEYE STORM GREY
	CEMENT BOARD SIDING
	COLOR: BM WINTER SOLSTICE
	CEMENT BOARD & BATTEN
	COLOR: BM GUNMETAL GREY
	CEDAR SHAKES
	STAIN: BM SEA TRANSP. MAHOGANY
	P&B CORNER TRIM
	COLOR: BM SIMPLY WHITE
	LAP SIDING/WINDOW/DOOR TRIM
	COLOR: BM WINTER SOLSTICE



REAR ELEVATION  
Scale: 1/4"=10"



PERSPECTIVE RENDERING  
Scale: NT'S



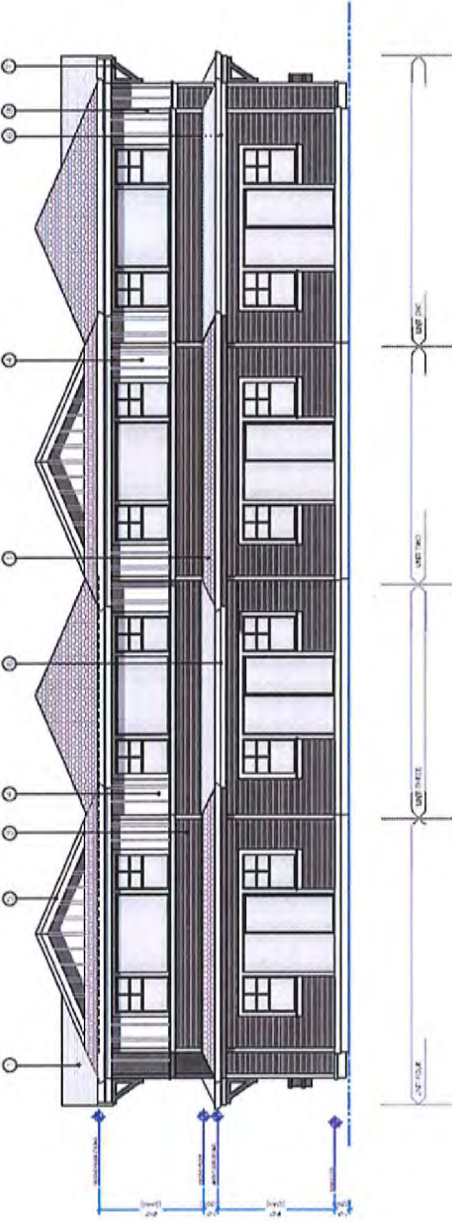
RIGHT ELEVATION  
Scale: 1/4"=10"

1201-1251 CHRISTIE ROAD  
LADYSMITH BC  
ZONE R3-A

<b>INHABIT DESIGN</b>	
1201-1251 CHRISTIE ROAD	
TYPE	ELEVATION
SCALE	ROW ELEVATION
DATE	DATE
AS NOTED	DATE
PROJECT	DATE
2016106	A3.1

Schedule D: Right and Rear Elevation 3-Plex with garage DP 3060-18-15 - Rov Dosaanjh (Front Forty Ventures) 1201 and 1251 Christie Road





REAR ELEVATION  
Scale: 1/4"=1'0"

EXTERIOR FINISHES LEGEND

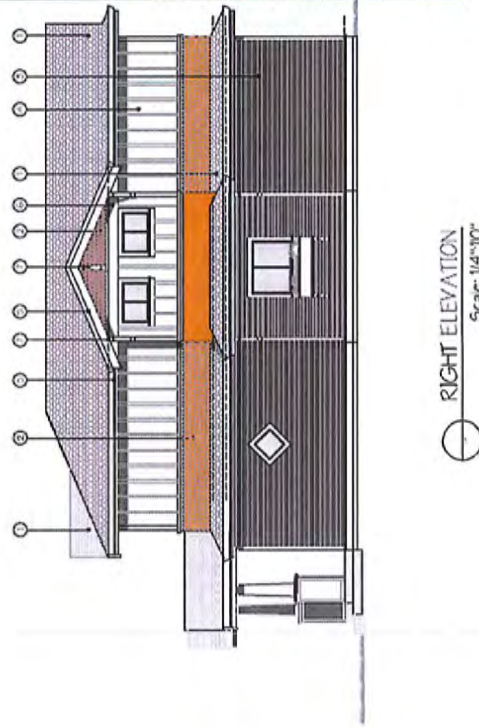
1	CONCRETE
2	BRICK
3	WOOD SHAKES
4	WOOD SIDING
5	WOOD SHAKES
6	WOOD SHAKES
7	WOOD SHAKES
8	WOOD SHAKES
9	WOOD SHAKES
10	WOOD SHAKES

EXTERIOR FINISHES LEGEND

1	CONCRETE
2	BRICK
3	WOOD SHAKES
4	WOOD SHAKES
5	WOOD SHAKES
6	WOOD SHAKES
7	WOOD SHAKES
8	WOOD SHAKES
9	WOOD SHAKES
10	WOOD SHAKES



PERSPECTIVE RENDERING  
Scale: NTS



RIGHT ELEVATION  
Scale: 1/4"=1'0"

1201-1251 CHRISTIE ROAD  
LADYSMITH BC  
ZONE R3-A



Schedule F: Right and Rear Elevation 3-plex and 4-plex (two storeys)  
DP 3060-18-15 - Rov Dosaanjh (Front Forty Ventures)  
1201 and 1251 Christie Road





**STAFF REPORT TO COUNCIL**

From: Lisa Brinkman, Senior Planner  
 Meeting Date: November 19, 2018  
 File No: 3340-18-02  
 RE: **Temporary Use Permit Application – 631 First Avenue - LRCA**  
 Subject Property: Parcel B (being a consolidation of Lots 9&10 see CA5603565)  
 District Lot 56, Oyster District, Plan 703

**RECOMMENDATION:**

That Council:

1. Direct staff to proceed with statutory notice for Temporary Use Permit (TUP) application 3340-18-02 from the Ladysmith Resource Centre Association for 631 First Avenue (to replace TUP 3340-16-01); and
2. Require the applicant to host a neighbourhood information meeting regarding TUP application 3340-18-02 and provide a report regarding the public input received at the meeting.

**PURPOSE:**

The purpose of this staff report is to introduce a Temporary Use Permit (TUP) application to allow an all-weather shelter for the homeless (10 beds) to be located at 631 First Avenue from November 1 to March 31; and to seek direction to proceed with statutory notification and community consultation.

**PREVIOUS COUNCIL DIRECTION**

<b>Council Meeting Date and motion #</b>	<b>Council Motion</b>
August 15, 2016  CS-2016-278	That Council: 1. Issue Temporary Use Permit 3340-16-01 to allow for an extreme weather shelter to be located at 631 First Avenue (Lot 9 and 10, Block 8, District Lot 56, Oyster District, Plan 703) for three years with one renewal, subject to the conditions of the Temporary Use Permit; and  2. Authorize the Mayor and Corporate Officer to sign Temporary Use Permit 3340-16-01.

**INTRODUCTION/BACKGROUND:**

A TUP was issued in August 2016 to permit a 10 bed homeless shelter at 631 First Avenue, to be open from November 1 to March 31 during extreme weather, where





sleeping outside might threaten life and safety. The apartment building at 631 First Avenue is owned by the Provincial Rental Housing Corporation and contains 18 residential units. In 2016-2017 the extreme weather shelter was constructed in the basement of the apartment building. The shelter is operated by the Ladysmith Resources Centre Association (LRCA).

The LRCA has applied for a new TUP application to allow the existing shelter to be open with no restrictions with regards to weather, such that it can be open to the homeless on any night from November 1 to March 31. The shelter hours would be 6pm to 7am. No further alterations to the interior or exterior of the apartment building would be required to accommodate the proposed new all-weather shelter. The draft new permit is attached to this staff report and contains the same conditions as the existing TUP 16-01, except that it would be an all-weather shelter, and the shelter hours have changed from 5pm-8am to 6pm-7am as requested by the LRCA.

The purpose of a TUP is to allow a use not permitted by the Zoning Bylaw on a temporary basis. Community consultation for the proposed use is recommended and there are statutory notice requirements. After the statutory notice and neighbourhood information meeting the application would again be presented to Council for consideration, and the permit could then be issued by a resolution of Council.

The Official Community Plan provides the following parameter for the issuance of a TUP:

Temporary Use Permits are included in the Plan as an interim (short term) alternative for proposed new land uses that may not warrant a change to the land use designation or zoning of land. Temporary uses are typically of a trial/interim use nature, or are a seasonal/occasional use. Temporary use permits may be issued for new land uses on specific properties which are not otherwise allowed by a land use designation in this Plan or in a land use zone in the Zoning Bylaw. Conditions may be specified by Council respecting any required changes to the property to allow the temporary use, and any restoration to the property following expiration of the permit. A temporary use permit can be issued for a maximum of three years, with one renewal of the permit for up to an additional three years.

The following designations apply to the subject property at 631 First Avenue:

<b>Official Community Plan (OCP):</b>	Downtown Core
<b>Development Permit Area (DPA):</b>	DPA 4 Multi-Unit Residential
<b>Zoning Bylaw:</b>	Medium Density Residential (R-3)

A letter from T. Seward on behalf of the LRCA is attached to this staff report and provides a rationale for the proposed new TUP application.

**ALTERNATIVES:**

Council can choose to not proceed with the new TUP application 3340-18-02. The existing extreme weather shelter would continue to operate.

**FINANCIAL IMPLICATIONS:**

none

**LEGAL IMPLICATIONS:**

A TUP may be issued by Council by resolution to provide for a temporary use for a maximum three year period with one renewal permitted. The existing TUP 3340-16-01 for the extreme weather shelter was issued on August 15, 2016 and expires August 15, 2019. If the new all-weather shelter TUP 3340-18-02 is issued it will replace the existing TUP 16-01.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

The statutory notification requirements for a TUP application are to:

- Place one notice in the local newspaper;
- Mail and deliver the notice to property owners and tenants within 60 metres of 631 First Avenue; and
- Place a notification sign on the property.

The LRCA intends to host a neighbourhood information meeting regarding the proposed TUP. The results of the statutory notification and neighbourhood information meeting will be reported to Council when the TUP is presented for final consideration.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The TUP application has been referred to the Infrastructure Services Department, Ladysmith RCMP Detachment, and the Bylaw Enforcement Officer for review and comment.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

**SUMMARY:**

A TUP application has been received for a temporary homeless shelter to be located at 631 First Avenue. The shelter is proposed to be open with no restrictions with regards to weather, such that it is open to the homeless on any night from November 1 to March 31. It is recommended to proceed with statutory notification and community consultation.

Report prepared by:



Lisa Brinkman, Senior Planner

November 13, 2018

Director Approval:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

**ATTACHMENTS:**

DRAFT TUP 3340-18-02

Letter from T. Seward (October 29, 2018)



# TOWN OF LADYSMITH TEMPORARY USE PERMIT

FILE NO: 3340-18-02

DATE:

---

Name of Owner(s) of Land (permittee): Provincial Rental Housing Corporation, INC.NO. 52129

Applicant: Christy Wood - Ladysmith Resources Centre Association (LRCA)

Subject Property: Parcel B (being a consolidation of Lots 9&10 see CA5603565) District Lot 56,  
Oyster District, Plan 703 (631 First Avenue)

---

1. This permit is issued subject to compliance with all Town of Ladysmith bylaws that apply to this permit.
2. This permit applies to the lands described below, and any buildings, structures, and other development thereon (hereinafter called the Lands).

**Parcel B (being a consolidation of Lots 9 & 10 see CA5603565) District Lot 56, Oyster District, Plan 703 (631 First Avenue)  
PID: 029-974-640**

3. Pursuant to Division 8 in Part 14 of the *Local Government Act*, this permit authorizes the Provincial Rental Housing Corporation, INC.NO. 52129 to operate a shelter on the Lands on a temporary basis subject to the following conditions:
  - a) The shelter may be used to provide temporary accommodation for people who are homeless.
  - b) The shelter may be located in the basement of the building at 631 First Avenue, and the entrance of the shelter will be separate from the entrance for the residential units in the building.
  - c) Ten beds may be provided in the shelter from November 1<sup>st</sup> through to March 31<sup>st</sup>.
  - d) The shelter hours of operation may be from 6pm to 7am.
  - e) Indoor storage will be provided for the patron/client's personal belongings.
  - f) If an exterior designated smoking area is established, it shall be located away from public sidewalks.
  - g) The applicant and shelter operator(s) will monitor and promote the orderly conduct of patrons/clients immediately outside the premises, paying attention to congregations which may occur, and to discourage patrons from engaging in behaviours that may disturb the peace, quiet and enjoyment of the neighbourhood.
  - h) The applicant and shelter operator(s) will clean up patron/client related debris on and immediately adjacent to the Lands.

4. At the end of the three year term, and as part of a permit renewal application, the owner shall provide a report to the Town stating how the conditions of this permit have been satisfied.
5. This permit is not a building permit or a sign permit.
6. This permit was approved on, **2018** and issued on, **2018**.
7. Pursuant to section 497 of the *Local Government Act*, this permit lapses **three years** from the date of issuance of this permit, unless renewed pursuant to sections 4 and 8 of this permit.
8. This permit may be renewed once only by a Council resolution.

**Town of Ladysmith**

\_\_\_\_\_  
Corporate Officer

\_\_\_\_\_  
Date Permit Issued

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Applicant

2018-October-29

Lisa Brinkman, Senior Planner  
Town of Ladysmith  
Box 220, Ladysmith, BC  
V9G 1A2

Dear Ms. Brinkman

Re: Application for a TUP at 631 First Avenue, Ladysmith

I am writing on behalf of BC Housing and the Ladysmith Resources Centre Association (LRCA) to summarize the application for a new Temporary Use Permit (TUP) for the property at the above noted address.

In preparation for submitting an application package, I have reviewed the file with Sean Rorison, Development Manager at B.C. Housing and Christy Wood, Executive Director of the LRCA, in addition to discussing the application with you earlier this month.

We have reviewed the previous TUP issued for this site on 2016-August-15 and understand the proposed new TUP will contain a number of similar conditions of use as the previous TUP. The primary difference with this TUP is that it is proposed that the facility be open from 6.00 PM - 7.00 AM daily, from November 1 - March 31 and will not be limited to an extreme weather shelter use.

Further to my discussions with Sean Rorison, Christy Wood and yourself, plus review of the Town of Ladysmith's application forms and checklists, we have prepared the TUP application package, which includes the following:

- Summary Letter
- Application form, checklists and fees
- Appointment of Agent letter
- Title Search

#### **Site Description**

The property is 14,400 sq. ft. and is located at the 631 First Avenue, at the intersection of First Avenue and Buller Street. The existing shelter is located in the basement of the building and has a separate entrance from the remainder of the residential units in the building. The property is owned by the Provincial Rental Housing Corporation, INC. No. 52129 and managed through BC Housing. The shelter is operated by LRCA.

The OCP land use designation is Downtown Core and the zoning is R-3, medium density residential.

**Seward  
Developments  
Inc.**

**toby.seward@shaw.ca  
250-713-6595  
1820 Argyle Avenue, Nanaimo, B.C., V9S 3K7**

## **Proposed Use**

The existing extreme weather shelter use at this location was approved by the Town of Ladysmith through a TUP on 2016-August-15. The TUP was for a three year period, with hours of operation from 5.00 PM to 8.00 AM, from November 01-March 31 and provides beds for 10 people who are homeless during situations where sleeping outside may threaten their health and safety.

The proposed new TUP would be for the shelter to be open 6.00 PM - 7.00 AM, from November 01-March 31, for a three year period. Reference to an extreme weather shelter would be removed from this TUP.

## **Background and Rationale for a New TUP**

This application for a proposed new TUP is being submitted, as there is an ongoing and demonstrated need in the community for the shelter to be open from November 01-March 31 and not be restricted to an extreme weather shelter only. Following is background information and associated data that the LRCA has provided in support of the application.

The Extreme Weather Resource Shelter (EWRS) in Ladysmith is the only EWRS available in a 51 km radius and is only open during a posted emergency weather announcement from November 1st to March 31st. The Warmland Shelter is located 28 km south in Duncan and the nearest shelter north in Nanaimo is the Salvation Army Hope Centre at 23km away. Ladysmith does not currently have a 24 hour or a cold weather shelter.

There are reports illustrating that Nanaimo is working at maximum capacity at the various shelters and recently has opened their EWRS in July 2018 and will operate until March 31st, 2019 in response to mounting pressures from the overwhelming numbers of individuals staying at the tent city on Front Street. Warmland Shelter in Duncan is generally at capacity year-round and builds that capacity with their EWRS for a total of 40 beds.

Statistics from the Ladysmith's EWRS highlight the need for more access to emergency shelter. To date the total guests and total nights open at the EWRS are:

Season	Total Guests	Total Nights Open
2015/16	171	83
2016/17	193	114
2017/18	650	121

\*The EWRS has the potential to be open 151 nights each season depending on the weather.

Between the 2015/16 and 2017/18 seasons there was an increase in the nights open from 54% to 80%. The 2017/18 season also saw a 32% increase of guests using the EWRS. From January 1st, 2018 to March 31st, 2018 the EWRS operated on average at 65% capacity and many nights were at 80-100%. The EWRS was at full capacity for 11 nights between January 9th, 2018 and February 20th, 2018.

The LRCA provides many other programs and services to some of the most vulnerable families in the Ladysmith area. Many of the individuals and families receiving services report their challenges in maintaining safe and affordable housing and the LRCA staff hear firsthand the challenges these families face finding emergency shelter. This past summer, the LRCA received anecdotal reports of several rooming houses being closed and this has forced several people to live communally in school yards and in the forested land behind Ladysmith and in the bush and close to the Mill. These short-term solutions become untenable when the weather changes. There are several precariously housed people living on boats illegally parked in the marina that have no access to running water, no access to heat in the winter and no shade or air conditioning during the summer. LRCA staff have supported a number of families who have found themselves homeless and are forced to leave their home community to access shelter space in Nanaimo or Duncan.

### **Public Consultation**

As part of the TUP application, we are proposing to hold a Neighbourhood Information Meeting (NIM), tentatively scheduled for November 28 from 3.00-5.00 PM, at the current shelter location. At the NIM, we would seek input from neighbours, community groups and individuals regarding the proposed TUP. Feed back forms gathered at the NIM would be forwarded to Ladysmith staff for inclusion in a staff report for this application.

Yours truly



Toby Seward  
Seward Developments Inc.

cc: Sean Rorison, Development Manager, BC Housing  
Christy Wood, Executive Director, LRCA



**STAFF REPORT TO COUNCIL**

From: Lisa Brinkman, Senior Planner  
 Meeting Date: November 19, 2018  
 File No: 3360-18-09  
 RE: **OCP & ZONING BYLAW AMENDMENT APPLICATION  
 314 BULLER STREET (D. Poiron)**  
 Subject Property: Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A

**RECOMMENDATION:**

That Council:

1. Receive the report from the Ladysmith Resources Centre Association (LRCA) Neighbourhood Information Meeting for the 314 Buller Street development proposal.
2. Proceed with first and second reading of Bylaw 1982 cited as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.55) 2018, No. 1982".
3. Proceed with first and second reading of Bylaw 1983 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983".
4. Proceed with first, second and third reading of "Housing Agreement Bylaw 2018, No. 1984" and support in principle the terms and conditions of the Housing Agreement.
5. Refer Bylaws 1982 and 1983 to public hearing.

**PURPOSE:**

The purpose of this staff report is to report on consultation for the proposed LRCA community housing project at 314 Buller Street and to present Official Community Plan (OCP) amending Bylaw 1982; Zoning amending Bylaw 1983; and Housing Agreement Bylaw 1984.

**PREVIOUS COUNCIL DIRECTION**

Date and Resolution #	Council Resolution
August 20, 2018  CS - 2018-297	That Council: 1. Has considered the application (3360-18-09) to amend: (a) The Official Community Plan by designating 314 Buller Street from "Institutional" to "Multi-Family Residential" with a density of 180 units per hectare for a Ladysmith Resources Centre Association rental housing development; and (b) The Zoning Bylaw by rezoning 314 Buller Street from "Institutional (P-1)" to a multi-unit residential zone that permits a density of 180 units per hectare for a Ladysmith Resources Centre Association rental housing development; (for the property legally described as Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A)  2. Having given consideration to s.475 of the Local Government Act (consultation during OCP development) direct staff to:



	<ul style="list-style-type: none"> <li>(a) Refer the OCP amendment application 3360-18-09 to the Stz'uminus First Nation, pursuant to the Memorandum of Understanding between the Town and the Stz'uminus First Nation; and</li> <li>(b) Refer application 3360-18-09 to the Advisory Planning Commission for review and comment.</li> </ul> <p>3. Direct staff to:</p> <ul style="list-style-type: none"> <li>(a) Work with the applicant regarding land use matters (i.e., housing agreement)</li> <li>(b) Report the results of the Neighbourhood Information meeting to Council; and</li> <li>(c) Commence the preparation of the Official Community (OCP amendment bylaw and the Zoning Bylaw amendment bylaw for application 3360-18-09 (314 Buller Street).</li> </ul>
--	---

**INTRODUCTION/BACKGROUND:**

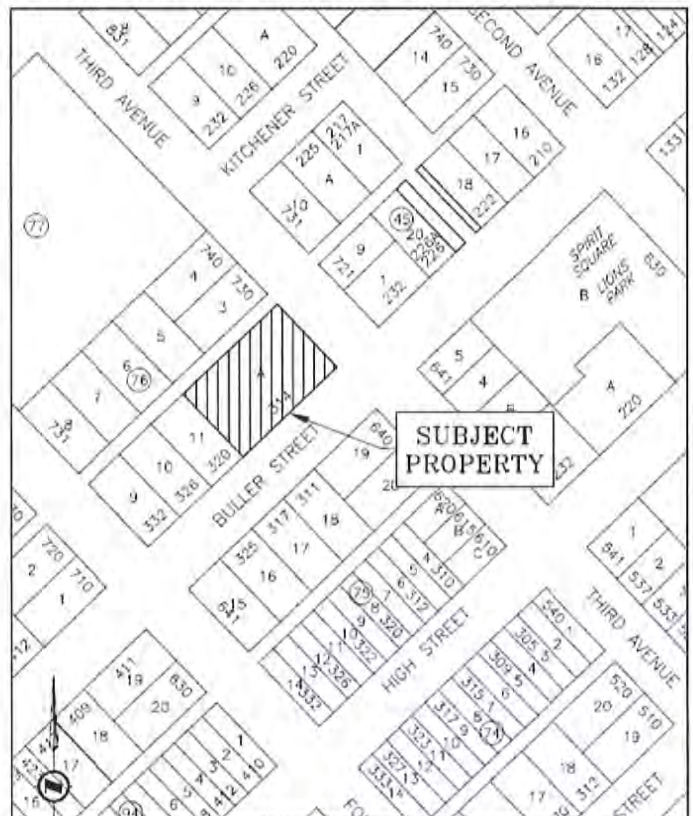
The application from David Poiron (Architect), on behalf of the LRCA, proposes to amend the OCP and Zoning Bylaw for a proposed 36 unit rental housing development at 314 Buller Street for seniors, persons with developmental disabilities and families in need of affordable housing. The property is 2010m<sup>2</sup> (approx. 0.5 acre) in size, three standard downtown lots, and currently contains the former Anglican church that is proposed to be removed for this project. A four storey building is proposed that contains 36 residential units that range in size from 34m<sup>2</sup> (368ft<sup>2</sup>) to 55m<sup>2</sup> (588ft<sup>2</sup>), with two units being 75m<sup>2</sup> (811ft<sup>2</sup>). The community amenity contribution being offered by the LRCA is affordable rental housing which can be secured with a housing agreement.

The LRCA owns the land and will be able to construct the project through funding from BC Housing, which announced a \$3.6 million project award to LRCA on November 13, 2018. The BC Housing funding has many conditions including the requirement that the building contain 20% units for low income-deep subsidy residents; 50% units for residents with income below the Housing Income Limit (HIL) such that they are not able to pay average market rents; and 30% units at average market rent for low to moderate income residents. If the LRCA receives the funding and constructs the project they would be required to enter into an agreement with BC Housing to ensure the many BC Housing conditions are satisfied.

The current stage of this rezoning application is to report on consultation and to present OCP amending Bylaw 1982; Zoning amending Bylaw 1983; and Housing Agreement Bylaw 1984.

**Consultation**

The applicant hosted a neighbourhood information meeting (NIM) on August 22, 2018. The LRCA report from this meeting is attached to this staff report. The comments from the public are summarized in Table 1.



**Table 1**

<b>Comment</b>	<b>Discussion</b>
<i>Heritage status of church at 314 Buller St.</i>	The church building at 314 Buller St. is recognized in the Ladysmith 'Community Heritage Register'. However there is no obligation for an owner to preserve the building as the Community Heritage Register explains the heritage value but is not a mandatory protection.
<i>Building design</i>	If the rezoning process is successful and the project proceeds the building design will be required to comply with the DPA 4 Multi-Unit Residential guidelines. A development permit application for the building design will be reviewed by staff, the Advisory Design Panel and presented to Council for consideration of approval.
<i>Height of proposed multi-unit building.</i>	The proposed height of the LRCA multi-unit building is 12.5 metres (4 stories). The current P-1 Zoning permits a building that is 12 metres in height at 314 Buller Street.
<i>Parking</i>	29 parking spaces are proposed (18 off street parking spaces and 11 on street parking spaces). The Zoning Bylaw requires 47 parking spaces for a multi-family development with this unit mix; and 3 parking spaces for the proposed assembly hall which is 84m <sup>2</sup> (903ft <sup>2</sup> ). Thus, the applicant will be requesting a variance of approximately 18 parking spaces at the time of development permit. The LRCA has stated that many of the occupants in the building will not have a drivers licence due to disability, age or financial reasons.
<i>Green Roof</i>	The liability costs and building costs for having a roof top deck or green roof precludes the ability for the LRCA to offer this feature.
<i>Street front improvements</i>	It is proposed that street parking be removed from Buller Street to maintain the residential character of the street; and improve the overall streetscape for pedestrians. It is proposed that the street frontage along Third Avenue be improved to include 11 on-street parking spaces.

The application was considered at the September 13, 2018 Advisory Planning Commission (APC) meeting and the following motion was passed:

"It was moved, seconded and carried that the Advisory Planning Commission (APC) recommends:

1. Support to amend the Official Community Plan by designating the property at 314 Buller Street from "Institutional" to "Multi-Family Residential";
2. That Council consider reviewing the maximum permitted densities in the Official Community Plan "Multi-Family Residential" designations; and
3. That the proposed building height for 314 Buller Street appears to be reasonable for the proposed use as presented."

The proposed OCP amendment was sent by mail to the Stz'uminus First Nation for consideration and was discussed at the November 8 Naut'sa Mawt Steering Committee meeting. No concerns were identified.

**PROPOSED BYLAWS:**

**Bylaw 1982**

Bylaw 1982 proposes to amend the Official Community Plan (OCP) by:

- Adding a new policy to encourage rental tenure housing units as an affordable housing option in multi-unit developments.
- Adding a new policy which states that a density greater than 60 units per hectare may be achieved through amenity density bonusing through the provision of not-for-profit rental tenure housing in a community housing development where a housing agreement is established with the Town.
- Amending OCP Map 1 by placing the “Multi-Family Residential” land use designation on the subject property.
- Amending OCP Map 2 by placing the “Multi-Unit Residential Development Permit Area (DPA 4)” on the subject property.
- Amending the Development Permit Area guidelines for multi-unit developments such that an applicant that requests a reduction in building setbacks or parking requirements offers improvements to adjacent areas such as boulevards and street frontages, beyond what is required in the Town’s engineering standards, to improve the neighbourhood and pedestrian experience.

**Bylaw 1983**

Bylaw 1983 proposes to amend the Zoning Bylaw by:

- Adding a definition of ‘residential rental tenure’;
- Adding a new zone ‘Comprehensive Development 5 – Community Housing Zone (CD-5)’. The CD-5 zones states that:
  - 100% of the residential units must be rental tenure,
  - The maximum permitted density is 180 units per hectare,
  - The maximum building height is 12.5 metres (41 feet),
  - ‘Assembly’ use is permitted, which is a community hall space that can be used for charitable, civic and educational gatherings.
- Amending the Zoning Map by placing the CD-5 Zone on the subject property.

**Table 2: Summary of the OCP and Zoning Amendment Application for 314 Buller Street**

	Current	Proposed
<b>OCP</b>	Institutional	Multi-Family Residential
<b>DPA</b>	none	Multi-Unit Residential (DPA 4)
<b>Zoning</b>	Institutional (P-1)	Community Housing (CD-5)
<b>Height</b>	12 metres	12.5 metres
<b>Density</b>	No residential units	36 residential units (180 units per ha)

**Bylaw 1984**

Bylaw 1984 is a proposed bylaw authorizing the Town to enter into a Housing Agreement with the LRCA. Section 483 of the *Local Government Act* states that the Town may enter into a Housing Agreement for the purpose of establishing terms and conditions regarding the occupancy of the housing units identified in the agreement. The Housing Agreement secures the amenity of affordable community housing being offered by the LRCA in exchange for the density increase. If

the project proceeds the LRCA would also need to enter into a much more detailed housing agreement with BC Housing.

The proposed terms and conditions in the Town's Housing Agreement with the LRCA are:

- 100% of the housing units in the development must be rental units and must be owned and operated by an incorporated not-for-profit organization;
- 70% of the units (25 units) must be Affordable Units, meaning they must be occupied by renters whose income is equal to or less than the Housing Income Limit (HIL) for Nanaimo. Nanaimo is selected as this is the closest comparable recorded and calculated by BC Housing. The HIL represents the income required to pay the average market rent for an appropriately sized unit in the private market. Average rents are derived from CMHC's annual Rental Market Survey. For the year 2018, the annual HIL figures for Nanaimo are:

<u>Bedrooms</u>	<u>Income</u>
Bachelor	\$29,600.00
1 Bedroom	\$34,400.00
2 Bedroom	\$41,200.00
3 Bedroom	\$52,300.00
4 Bedroom	\$64,300.00

- That the LRCA report to the Town that the conditions of the Housing Agreement are being met, and that this report is provided at time of building permit application and on January 15 of each year.

#### **ALTERNATIVES:**

Council can choose to not proceed with Bylaw readings and provide additional direction to staff.

#### **FINANCIAL IMPLICATIONS:**

The Town has a Development Cost Charge (DCC) reduction bylaw for not-for-profit rental housing under certain conditions. The affordable housing units would be eligible for the current program. A second housing agreement would be required.

#### **LEGAL IMPLICATIONS:**

If the application proceeds a public hearing will be required to be held.

Also, the subject property is located within 800 metres of a controlled access highway, thus must be referred to the Ministry of Transportation & Infrastructure for approval following third reading of a zoning amendment bylaw.

#### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The application was referred to the Infrastructure Services Department and they advise that improvements to Third Avenue, Buller Street and the lane would be a requirement at the time of construction on the land.

#### **ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

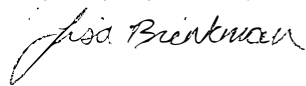
- Employment & Tax Diversity
- Watershed Protection & Water Management
- Communications & Engagement

- Natural & Built Infrastructure
- Partnerships
- Not Applicable

**SUMMARY:**

It is recommended to proceed with first and second reading of Bylaw 1982 and 1983; and with the first three reading of Bylaw 1984. Also, it is recommended to refer Bylaw 1982 and 1983 to public hearing.

Report prepared by:



Lisa Brinkman, Senior Planner

November 14, 2018

Director Approval:



Felicity Adams, Director of Development Services

I concur with the recommendation.



---

Guillermo Ferrero, City Manager

**ATTACHMENTS:**

- LRCA Neighbourhood Information Report – 314 Buller Street
- Bylaw 1982 - OCP Bylaw Amendment
- Bylaw 1983 - Zoning Bylaw Amendment
- Bylaw 1984 - Housing Agreement Bylaw

Application File Number: 3360-18-09

### Notification of the Meeting

On August 5, 2018 an invitation (see attached) was hand delivered to the following addresses:

- 731 - 4th Avenue
- **641** - 4th Avenue
- **332**, 326, 320, 232, 325, 317, **311**, 226 and 226A Buller Street
- **630**, 640, 721 and **731** - 3rd Avenue
- 225 Kitchener

The addresses in **bold** had an invitation left at the door as it appeared that no one was home. On August 8, 2018 a return visit was made to the 6 addresses in bold to ensure that the first notice had been received. This was confirmed at 4 of the 6 (bold) residences. At that point a second invitation was left at 630 - 3rd Ave and 311 Buller. In the case of the 232 Buller, an invitation was delivered to the property owner's place of business in addition to being hand delivered the tenant (see attached)

The properties, 730 and 740 - 3rd Avenue and 317 French Street, are owned by School District #68. An email was sent to the Pete Sabo, Director of Planning and Development for SD#68 with the invitation/notification of the meeting attached. The receipt of the invitation was acknowledged (see attached).

An advertisement was placed in the Ladysmith Chronicle on August 8th (see attached) and again on August 15th (see attached) inviting members of the public to attend the August 22nd meeting - constituting twice the public notification required by the Town of Ladysmith. On August 15th the same advertisement was posted on the LRCA's Facebook Page which was viewed by 929 people (see attached).

### Host Attendees

- David Poiron: Project Architect, Chetwitch Poiron Architecture
- Guido Weisz: LRCA Director and Chair of the 314 Buller Building Committee
- Jennica Graham: LRCA Director/member of the 314 Buller Building Committee
- Stewart Johnson: LRCA Director/member LRCA Strategic Performance Committee
- Sandra Marquis: Chair, LRCA Supported Housing Committee/ member of the 314 Buller Building Committee

- Marsh Stevens President, LRCA Board of Directors/member 314 Buller Building Committee

### Number of Public Attendees (minus LRCA Host Attendees)

A total of 18 people attended the Neighbourhood Meeting between 6 pm and 8 pm.

Upon arrival, attendees were asked to sign-in (see attached) and were provided with a copy of the LRCA's programs infographic (attached), Mission, Vision and Values (attached) and a four page FAQ document on the project (attached). All attendees were advised of comment forms, and given the option to complete them anonymously or to include their name, and email.

### Public Attendee Feedback

A total of 7 full colour panels, measuring 60 cm x 90 cm (24"x36") were displayed on easels in the LRCA's Boardroom for review by attendees (see attached).

### Written Comments

Four comment forms were completed - 1 anonymously, 3 with names and emails. All four of the forms (see attached) were supportive of the project/contained suggestions for the project.

### Verbal Comments

After the public attendees had left, the LRCA host attendees met to identify common themes raised during the meeting. These themes were:

**Heritage:** 2 attendees spoke to David and Marsh about the Heritage status of the building. The reply to these attendees was similar to the relevant content found in the FAQ document.

**Height:** The same 2 attendees who spoke about Heritage concerns also spoke to David and Marsh regarding the height of the proposed building and how it would affect their view. The reply to these attendees was similar to that noted in the FAQ document regarding placement/orientation of the building and the shadow study. Subsequent to the Neighbourhood Meeting, an email, addressed to the LRCA President as well as Mayor and Council was received, and replied to, from these two attendees regarding the proposed building's height (see attached). On the Sunday following the meeting another email from these



attendees was received addressed to the LRCA President and replied to (see attached)

**Parking:** Approximately half of attendees commented on parking. Opinions on parking were equally divided with some feeling there was too much, and others of the opinion that there was not enough parking. The relevant elements of the FAQs was noted as an explanation of the parking configuration.

**The Buller Boulevard:** The reclaiming/greening the boulevard was liked by all who commented.

**Building Orientation:** The orientation of the building, with parking off the alley, the courtyard position, and entry positions was liked by all who commented.

**The Hall:** Two people commented that they liked the Hall and Kitchen as amenities.

**Demolition:** It was noted verbally, and in writing that there have been some issues with rats in the neighbourhood. One neighbour postulates that when the Ladysmith Fire and Rescue have used this building for practice (which often involves filling the building with smoke) rats have migrated to his property. The LRCA's food bank has food stored in a portion of the building and has had no issues whatsoever with rodents. That said, this neighbour strongly vocalised his opinion at the meeting that the sooner the building was demolished the better.

**In General:** The tone of the Neighbourhood Meeting was positive. Attendees saw the need for the project, understood the design rationale and were supportive.

**Follow-up:** The Ladysmith Chronicle has been given an email address to include in any article that may be written on the project to foster continued input from the public on this project as it advances. Emails sent to this address will be answered promptly.



LADYSMITH RESOURCES CENTRE ASSOCIATION

## Heart on the Hill

Hello,

As you may be aware, the Ladysmith Resources Centre Association (LRCA) purchased 314 Buller Street (site of the former St. John's Anglican Church) in May 2017 with the intent of redeveloping the property as affordable housing. Since that time, the LRCA's Board of Directors and volunteers, serving on committees of the Board, have been working hard to bring this project to fruition. As the largest social services organization in Ladysmith, the LRCA sees the effects of the housing crisis daily - be it with Foodbank and Soup Kitchen visits, stress on families, stories from our Seniors Advocacy Office or the number of guests in our Extreme Weather Shelter - virtually none of the LRCA's 14 programs are untouched by the cost and supply of affordable housing in Ladysmith. We want to be a part of the solution to this issue.

Preliminary plans for this location call for 36 (10 studios, 23 one bedroom and 3 two bedroom) units. This housing will only be offered to people with developmental disabilities, seniors and families who face challenges accessing housing.

As a close neighbour to 314 Buller I would like to invite you to attend a Neighbourhood Information Meeting on the project and the proposed rezoning that the LRCA is seeking from the Town of Ladysmith. The meeting will take place Wednesday August 22nd, 6-8pm in the LRCA's Boardroom at 630-2nd Avenue.

The project's architect and representatives from the LRCA will be present to share the plans, answer questions and formally record any comments that you have regarding the rezoning in particular, or the project in general.

In the meantime, if you have any questions please do not hesitate to contact me by email: [marsh@lrca.ca](mailto:marsh@lrca.ca) or cell/text: 250-618-9904.

Thank you for your time,

Marsh Stevens  
President  
LRCA Board of Directors

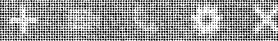


P 250 245 3079 | F 250 245 3798 | [info@lrca.ca](mailto:info@lrca.ca) | 630 2nd Avenue, Box 1653, Ladysmith, BC V9G 1B2

[facebook.com/ladysmithresourcescentre](https://www.facebook.com/ladysmithresourcescentre) [twitter.com/ladysmithresourcescentre](https://twitter.com/ladysmithresourcescentre)

[www.lrca.ca](http://www.lrca.ca)

Marina Sacht



deadline for letters for the next Take 5? Thx Marsh



Hi Marsh. Deadline is the 15 of the month prior.

AUG 9TH, 3:49PM

Hi there I just dropped off a notice from the LRCA at your office. They are sending it to you. Sorry to hear about your injury. Get week soon. M

✓ Seen Aug 9

| 100% 100%





Subject: RE: Housing project near LadySmith Intermediate School  
 From: Pete Sabo  
 To: Marky@lscsa.l  
 Date: 2018-08-08 07:36

Thanks for the information, we will review it and be in touch - thanks.

-----Original Message-----  
 From: Marky@lscsa.l [mailto:Marky@lscsa.l]  
 Sent: Monday, August 06, 2018 12:48 PM  
 To: Pete Sabo  
 Subject: Re: Housing project near LadySmith Intermediate School

Hello Pete,  
 Attached please find an invitation to a Neighborhood Information Meeting on 314 Buller, happening August 22nd. If you are back at work I am happy to come meet with you before the meeting to go over the project in detail.

Thanks,

Marky

On 2018-07-21 08:22, Marky@lscsa.l wrote:  
 We are just finalizing documents for the rezoning application. In the next week or so, I can get drawings from them and provide you with plans and information are a good overview of the project.  
 Enjoy the rest of your summer.

Marky

On 2018-07-18 08:41, Pete Sabo wrote:  
 Marky, thanks for the invitation and I would like to accept on behalf of the district. I will be in touch later in the summer to set up a time to meet.

In the meantime do you have any information you could send which provides background/status of the project?  
 Thanks in advance.

Pete

-----Original Message-----  
 From: Marky@lscsa.l [mailto:Marky@lscsa.l]  
 Sent: Wednesday, July 18, 2018 8:23 AM  
 To: Facilitator Director Planning Operations  
 Subject: Housing project near LadySmith Intermediate School

Dear Mr. Sabo

As you may know, the LadySmith Neighbours Centre Association (LSCNA) is redeveloping 314 Buller St. (the site of the former St. John's Anglican Church) in LadySmith an affordable housing. Because the project is adjacent to LadySmith Intermediate School I am wondering if you would like meet to discuss the project, and to have any questions that you might have answered. If you are interested in meeting please suggest some times and locations that work for you. My schedule is quite flexible over the summer.

I look forward to hearing from you.

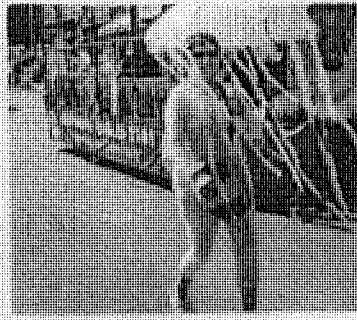
Regards,

Marky Strawn  
 President  
 LSCNA Board of Directors

LADYSMITH DAYS



Photographer Gerry Hillgates captured a host of images from a busy Ladysmith Days weekend. Were you out enjoying the festivities?



We're a Slice Above the Rest.

**TWOBONE**

**Roberts Street Pizza**

3 Roberts Street, Ladysmith 250-245-1149

**JENNIFER OSTILE**  
NOTARY CORPORATION

Notary Public  
Notary for Atty. & Solicitors

**JENNIFER OSTILE BAMA**  
250-245-1149  
10-111 Selby St. Ladysmith  
j.ostile@notary.ca

**Mister Sweeper Vacuums**

14-141, Trans Canada Highway, Charlton, BC, V5L 2R1  
Next to the PD Bank and Thompson Drug Store

**Vacuum Repairs**

Uprights, Canisters, Central Vacuums  
Professional Quality Repairs since 1974

**250-748-1962**

**SERVICE DIRECTORY**

**NEW IN TOWN? WELCOME WAGON**

Free business and home info & promotion along with helpful community information.

Charlton, B.C. 250-245-4477  
Ladysmith, B.C. 250-245-4295

**CLASSIFIEDS SELL!**

1-866-865-4460

**CHRONICLE**

**THINK LADYSMITH FIRST - BUY LOCAL!**

**HARTMANN & CO**

**Pay No Tax Sale On Refinishing & Re-Upholstery**

Sofas, chairs, Lounges, Diners, Ottomans  
Over 400,000 Fabrics & Leather

Rebuild, Recover, Re-Foam, Refinish, Restore  
Dining tables, chairs, buffets, dressers, desks.

**Sale Dates: August 1 - 31**

\* See Applied rules for Sale Period Aug. 1 - 31st  
\*\* Sale is 90% for products in American made finished

241 Selby St. Nanaimo  
Mon - Fri 9:30 - 5:30 250-794-2288  
www.hartmannandcompany.com

**Notice Of Neighbourhood Information Meeting**

Members of the public are invited to attend an information meeting regarding:

**The rezoning of 314 Buller St, Ladysmith**

The Ladysmith Resources Centre Association (LRCA) is proposing the redevelopment of the site as 36 units of affordable housing.

This project will provide housing for people with developmental disabilities, seniors and families.

The meeting will take place:

**Wednesday, August 22nd, 6-8pm, in the LRCA's Boardroom, 630-2nd Avenue, Ladysmith.**

Requests for further information or questions can be directed to Marsh Stevens, President via email: marsh@lrca.ca or call 250-245-3079

Do you need to get the word out? Advertise your small business here!

Save 20%  
Call Now! 250-245-2277

**Chronicle**

**Shop at Home Service**

Carpet, Hardwood, Parquet, Resurfacing, Tile, Grout, Stone

2411 Selby St. 250-245-9177  
BIRCHAL

MAJORITARY 250-245-2048

Reserve Your Directory Space Now!  
**Call 250-245-2277**

Wednesday, August 15, 2018 A9

## **Notice Of Neighbourhood Information Meeting**

**Members of the public are invited to attend  
an information meeting regarding:**

### **The rezoning of 314 Buller St, Ladysmith**

The Ladysmith Resources Centre Association (LRCA) is proposing the redevelopment of the site as 36 units of affordable housing.

This project will provide housing for people with developmental disabilities, seniors and families.

The meeting will take place:

**Wednesday, August 22nd, 6-8pm,  
in the LRCA's Boardroom,  
630-2nd Avenue, Ladysmith.**

Requests for further information or questions can be directed to Marsh Stevens, President via email: [marsh@lrca.ca](mailto:marsh@lrca.ca) or call 250-245-3079.

**THE TARP**



# Notice Of Neighbourhood Information Meeting

Members of the public are invited to attend an information meeting regarding:

## The rezoning of 314 Buller St, Ladysmith

The Ladysmith Resources Centre Association (LRCA) is proposing the redevelopment of the site as 36 units of affordable housing.

This project will provide housing for people with developmental disabilities, seniors and families.

The meeting will take place:

**Wednesday, August 22nd, 6-8pm,  
in the LRCA's Boardroom,  
630-2nd Avenue, Ladysmith.**

Requests for further information or questions can be directed to Marsh Stevens, President via email:marsh@lrca.ca or call 250-245-3079.

👤 929 people reached

Boost Post

👤 Fern MacGillivray Hornett, Sarah Asselin and 9 others

1 Comment · 7 Shares



Like



Comment



Share



Most Relevant ▾



Write a comment...



Karen Olivier Steve Olivier the old church.... we should attend

Like · Reply · Message · 1w

78

Sign-In Sheet: Neighbourhood Meeting regarding 314 Buller, Ladysmith

Name	Address
Eviad Weisz	
Dennis Lait	
Sandra Marguis	
Gale Lawrence	
Jason Alvenson	
Terri Martin	
Stewart Johnson	
Linda Gold	
STEVE GOLD	
Carol Henderson	
Bill Drysdale	
Chris Skelton	
Stan Skelton	
Michael Rnell	
Patricia Rowell	
CHRISTINE BARNES	
Mike Gregory	
Evelyn Gregory	
Bonnie Weisz	
Karen Healey	
Brian Healey	
Marsh Stevens	
Jennica Graham	





LADYSMITH RESOURCES CENTRE ASSOCIATION

# Heart on the Hill

The LRCA has **81** voting members and **286** active volunteers

In 2017 the LRCA celebrated 25 years of service in our community

In 2016/17, **643** tax returns were completed by the April deadline, plus **134** after the deadline, making a total of **777** returns completed by October 2017

Reception fielded **3862** calls and directed **5933** individuals for a total of **9795** inquiries from Oct 2016 until Sept 2017

## 2016/17 PROGRAM HIGHLIGHTS

Sept Oct

### Food Bank

# 300

individuals were served by the Food Bank each week; 41% were children

### Soup Kitchen

In 2017, 17 Soup Kitchen volunteers donated 1895 hours of time and served 1482 meals; 17% were children



### Big Heart Volunteers

LRCA Board Members

Cathy Hyndman

Gerry Hyndman

Bea Watson

Pam Richmond

Diane Stokes

Myf Plecas

Steve and Linda Gold

Linda Turner

Griffin Russell

Kyle Rainone

### Extreme Weather Shelter

Between November 2016 and March 2017, the Extreme Weather Shelter was open for 114 nights, welcoming 198 guests. From November 2017 through January 15, 2018, the Shelter has been open for 59 nights, welcoming 231 guests

### Christmas Cheer

Over **200** community members attended the Community Christmas dinner.

In December 2016, over **400** hamper boxes were filled with Christmas Cheer for **150** families.

### Volunteer Counselling

the program regularly supports **30** community members, 80% of whom are youth between 10-20 years old.

**823** individuals have made contact for volunteer counselling (215 phone calls, 608 in-person).

### Victims Services

With 1 staff member and 5 volunteers, Victim Services supported 373 new clients and received 5302 volunteer on-call hours to be available 24/7 to assist our community.

### Seniors

<b>540</b>	<b>682 hrs</b>
Seniors made contact with our Seniors Advocacy Office (474 phone calls and 267 in-person).	of volunteer time was donated to take and fill <b>640</b> grocery orders for Seniors.
<b>262</b>	<b>744 hrs</b>
Seniors participated in Seniors Coffee Drop-In with benefits extending to multiple members of family.	of volunteer time was donated for filling <b>186</b> requests for transportation to medical appointments outside of Ladysmith.
<b>5</b> dedicated volunteers help run this weekly event.	approximately 215 hours per week.

### Early Years and Family Support Services

<b>Born Healthy</b>	<b>Dad's Drop-In</b>
has a total of 24 clients that require support with their baby's health, feeding, and sleep.	is a free, drop-in service for 211 new parents, all new to the area, and provides support and information for the first 12 weeks.
<b>16</b> families have completed <b>19</b> professional guest speakers have participated with the last presentation on November 1st focused on the importance of early childhood.	<b>Family Support Services</b>
<b>Mother Goose</b>	supported <b>33</b> children and their families during the winter holidays and <b>200</b> people with support services on a regular basis.
had <b>40</b> families per week for <b>24</b> weeks and made contact with 1000 people and their families.	<b>Multi-Support Services</b>
<b>Adventures in Early Literacy</b>	supported <b>33</b> youth, including family members, <b>82</b> individuals and 1000 hours of volunteer time.
has had <b>50</b> families and <b>13</b> guests during <b>121</b> people's participation in the program.	



LADYSMITH RESOURCES CENTRE ASSOCIATION

# Heart on the Hill

## VISION

the Centre of Social Change in Ladysmith

## MISSION

Enriching the lives of people in the community through advocacy, programs and partnerships

## VALUES

### Sustainability

We believe in providing learning opportunities for staff and volunteers. We are advocates of strategic planning for the future in alignment with our vision.

### Our Community

Our staff, volunteers, clients and supporters are the heart of our organization. We actively recognize their contributions and celebrate our individual and shared successes.

### Leadership

We strive to be the corner stone of the community where people come together to collaborate, take collective action and generate solutions to common problems.

### Integrity

We act consistently with our values of being honest and transparent in what we do and say, and accept responsibility for our collective and individual actions.

### Diversity

We celebrate, respect, and include all communities, people, cultures, and religions. Our programs offer services through all stages of life. We strive for equitable access to resources.

### Heart

Everything we do, we do with a passion for making the connections that strengthen our community – connection that make the whole greater than the sum of its parts.

# SOLID Heart

# Frequently Asked Questions

## **Ladysmith Resources Centre Association (LRCA)**

### **314 Buller Street, Affordable Housing Project**

**Selection Criteria Questions:** *who will occupy this building, how will they be selected, what is the selection criteria, does the distribution reflect need?*

As owner of the building, the LRCA will choose the building's tenants. However, the selection will be based on tenants fitting into the specified population and income groups, and their individual suitability for the building.

Our target populations are people with a developmental disability, seniors and families. These coincide with BC Housing's target populations for the Community Housing Fund program (see RFP description below).

As well, the selection criteria will be based on BC Housing's funding requirements to facilitate the development of mixed income affordable housing. BC Housing specifies 3 income groups: 30% of units must be for those of moderate income paying affordable market rents (90% of market rents), 50% of units are 'rent geared to income' with rents that are 30% of the tenant's income, and 20% of units are low income, deep subsidy units (\$375 per month/welfare shelter allowance). The LRCA would be entering into a 60 year agreement with BC Housing.

The Supported Housing Committee of the LRCA is made up of individuals with a developmental disability and their parents. This Committee's input, along with input from LRCA program staff, and data from our partners at Social Planning Cowichan and the Cowichan Housing Association mean the LRCA is confident that this project's target populations are the right choices in terms of needs.

**Construction Questions:** *when will demolition begin, when will construction start, and what is the current funding status?*

The LRCA is working on a submission to a BC Housing Request for Proposal (RFP) with a submission deadline of September 17<sup>th</sup>, 2018. Demolition and construction schedules will be dependent on the success of the RFP submission. BC Housing predicts that successful projects under this RFP could start as early as Spring 2019. We predict that the building would be completed 12 to 18 months after demolition begins.

**Building Design Questions:** *how many units will be built, why the buildup of units along Buller versus 3<sup>rd</sup>, what type of units and how many, why this distribution of units, will this building be accessible, and will this building be environmentally friendly?*

Preliminary plans include 36 (10 studios, 23 one bedroom, and 3 two bedroom) units. This distribution of unit types is based on balancing need and affordability, and adheres to BC Housing formula requirements.

The building design focuses on putting the majority of units on Buller Street. This design is the result of looking to best practices in design standards - placing parking out of view from the street and having cars enter and exit the property from the alleyway instead of directly onto the street

100% of the units will be universal design in terms of doorway widths, turning radiuses for wheelchairs and scooters, etc. 30% of the units will be adaptable (if required) to full accessibility (lower counters, sinks, etc.)

# Frequently Asked Questions

## **Ladysmith Resources Centre Association (LRCA)**

### **314 Buller Street, Affordable Housing Project**

The building will be built to BC Step Code 3. A Step Code 3 build will mean a building envelope that is 50% more efficient than 2012 BC Building Code requirements. It could be the most energy efficient building in Ladysmith.

***Impact on the Community Questions:*** *how will this housing project fit into the LRCA's mandate and programs, will this create safety issues, how will this reduce homelessness, will this impact the quality of my neighbourhood or the value of my house, will this increase traffic in the area, will we lose parking spaces along 3<sup>rd</sup> and Buller, will this increase the noise, and will this decrease views and sunlight, how will your management of the housing reduce possible impacts on the neighbourhood, what about parking?*

In 2017 the LRCA adopted a new Vision to be *The Centre of Social Change in Ladysmith*. At the same time a new Mission for the Organization was adopted "Enriching the lives of people in the community through advocacy, programs and partnerships". This Vision and Mission are decidedly proactive and this housing is an ambitious project to proactively address some of the local housing crisis.

The LRCA provides programs and services to some of the most vulnerable people in Ladysmith. Many do not have access to safe and affordable housing. By providing housing, the LRCA can work 'upstream' to address the impacts of poverty for a good number of our community members.

The Buller property was chosen due to its availability, price, and proximity to the current operations of the LRCA. It is expected that the LRCA will be providing program support (like the food bank, counseling, soup kitchen, income tax preparation etc.), to many of the individuals and families living in the building. We envision the building as part of the LRCA and the LRCA as part of the building. This location will also provide residents with easy access to shops and other services in the Ladysmith downtown.

The LRCA has provided services to the community since 1992 and has operated at its present site since 2011. Hundreds of people per week utilize LRCA programs at 630 - 2nd Ave. Over the years the LRCA has been a good neighbour, ensuring that day to day operations have a positive impact on the neighbourhood. This project will be managed to the same high standards.

A staple of Urban and Community planning is that more eyes mean greater security. A greater number of people in the neighbourhood will increase safety and security for everyone in the neighbourhood. This building will be a home to its tenants - they will have a vested interest in the building and its surroundings being a nice, safe place to live.

The continuum of housing looks at the range of shelter and housing options. It includes emergency shelter, supportive housing, affordable rental housing, rental market and home ownership. **This project is affordable rental housing.** By providing affordable rental housing in a market where there are very low levels of vacancy we can prevent people from becoming homeless. Homelessness is a complex issue, but one of the root causes is low income and this creates a huge barrier in accessing housing where rental rates are so high.

The Government of British Columbia did two very extensive studies on the impact of Non-Market Housing on Property Values in 1995 and 2000. Both studies concluded that **there was no evidence to show that social housing or non-market housing affected property values.** The evidence demonstrates that non-market projects have not had a negative impact on the

# Frequently Asked Questions

## **Ladysmith Resources Centre Association (LRCA)**

### **314 Buller Street, Affordable Housing Project**

sale prices of nearby homes, and in fact average sale prices increased in the time since the non-market homes were introduced.<sup>1</sup>

Many of the occupants of the building will not have a BC drivers license because of disability, age, or will not be able to own a vehicle due to financial reasons. This is why walkability and proximity of the building to the LRCA and the downtown area is beneficial. We anticipate that because of our target populations, we will not see an increase of traffic or a loss of parking spots. 12 spots of parking will be removed from the Buller Street side, the boulevard reclaimed for pedestrian traffic with a winding sidewalk and 'greened' with trees, grass and plants. The onsite parking will add 18 parking spots and 11 parking spots will be added on 3<sup>rd</sup> Avenue. Moving the parking will make the spots much more accessible. the majority of tenant car traffic will come from the alleyway, reducing traffic noise.

Shadow studies have been conducted on the design and results show that the building will open views and sunlight to the North East. SE views will affect one house which is already currently affected by the church.

#### **Miscellaneous Questions:**

- **Many of the residents will have mobility issues, why would you build on a hill?**  
Unfortunately, there are not many properties located in Ladysmith that don't face this challenge. 314 Buller Street property was chosen due to its pricing, availability and proximity to the LRCA and downtown shops and services.
- **36 units is insufficient given the housing need, why are you not building more?** Lot size and financing limits the number of units that can be built.
- **Will this negatively affect the LRCA's capacity to provide social programs to the broader community?** Affordable Housing will support the LRCAs capacity to address the needs of the community. Social services make much more of an impact on an individual or on families when their basic needs, such as housing, are taken care of.
- **Will this negatively affect the LRCA's financial stability?** The budget and proposal for the housing project is completely separate from the operations of the LRCA. BC Housing requires the building to be self sufficient in order to provide funding.
- **The look of this building does not fit in with the neighbourhood/community, why not go with another design?** The building's shape is relatively simple because the costs associated with the BC Step Code 3 absorb a larger portion of the budget than an average build. However, with that efficiency comes lower utility costs, greater comfort for tenants, as well a smaller environmental footprint. Preliminary plans are just that, preliminary. Over the coming months the initial design of the building will be fine-tuned, more details will be added, and a variety of materials incorporated which will help the building fit into the neighbourhood aesthetically.
- **The Church is an historic building, why not incorporate it into the design of the project?** In 2015 81% of the congregation voted to disband the congregation because the

---

<sup>1</sup> "Impact Of Non-Market Housing On Property Values - Publications - Housing Policy - Housing And Construction Standards". *Housing.Gov.Bc.Ca*, 2018, [http://www.housing.gov.bc.ca/pub/htmldocs/pub\\_Jan00PropVal.htm#similar](http://www.housing.gov.bc.ca/pub/htmldocs/pub_Jan00PropVal.htm#similar). Accessed 3 Aug 2018.

## Frequently Asked Questions

### **Ladysmith Resources Centre Association (LRCA)**

### **314 Buller Street, Affordable Housing Project**

building was beyond repair. Representatives from the Ladysmith Historical Society and the Town of Ladysmith's Heritage Revitalization Advisory Commission have toured the structure and agreed that the building is not salvageable. Artifacts of importance will be/have been saved. This includes some signage, a number of pews, the church's bell and the pinnacle of the steeple.

- **Would the money received by BC Housing be better spent on the food bank or other existing programs?** BC Housing and other government funders outline the allowable expenses and organizations are bound by these requirements. Many of the LRCA's programs are reactive in nature, this project is proactive in nature. By reducing tenant's cost of living expenses it addresses upstream causes of poverty, thereby reducing reliance on the LRCA's other programs.
- **How will the community be consulted as this project progresses should funding be obtained?** A Neighbourhood Information Meeting held on August 22nd is a major time for community input. The rezoning application was first considered by Council on August 20th. Council referred the application to its Advisory Planning Commission (APC) for their consideration and input. The APC will consider the application on September 13th. It is our understanding that, at a future meeting(s), the rezoning application will undergo a second reading at Council, followed by a Public Hearing, a 3rd reading and a vote by Council. Following rezoning, building plans will be finalized and a Development Permit sought from the Town. The Development Permit process has multiple stages as well. The rezoning and development permit processes follow an open and public process laid out by the Town of Ladysmith with allowances for public input throughout.

Comment Form:  
Neighbourhood Information Meeting regarding 314 Buller, Ladysmith

- CONSIDER A GREEN ROOF - I WILL BE A CONSULTANT FOR FREE.
- MAKE SURE ADEQUATE SOUNDPROOFING IN/BETWEEN HOUSING UNITS

GALE LAWRENCE

Comment Form:  
Neighbourhood Information Meeting regarding 314 Buller, Ladysmith

CONCERN: RATS. HEALTH HAZARD.  
AS A NEIGHBOR TO THE PROPERTY IN QUESTION, WE NEED TO GET MOVING ON THE TEAR DOWN OF THE CHURCH TO CURB THE RAT PROBLEM IN THE NEIGHBORHOOD. I GREATLY SUPPORT THIS PROJECT AS WE NEED MORE OF THIS KIND OF HOUSING.

JASON ALENBY

Comment Form:

Neighbourhood Information Meeting regarding 314 Buller, Ladysmith

The need is evident - location is central & near LRCA. Some oversight may be needed - great to have the program support from LRCA.

Looks like a good coming together with BC Housing & redeveloping the Buller St. property.

Thanks!

Comment Form:

Neighbourhood Information Meeting regarding 314 Buller, Ladysmith

WE NEED AFFORDABLE HOUSING.  
I WORK IN LADYSMITH AND MY SON  
GOES TO SCHOOL IN LADYSMITH AS WELL  
WE HAVE BEEN TRYING TO MOVE ~~TO~~ HERE  
FOR ALMOST TWO YEARS BUT THERE'S A  
RENTAL SHORTAGE COMBINED WITH HIGH  
RENT PRICES!

CHRISTINE BARNES



## Affordable Housing Key Facts:

### Affordable Housing

The aim of the LRCA Affordable Housing Project is to build a home for low and moderate income families, seniors and persons with a development disability. Careful consideration was given to the selection of the Buller Street site and the building design to support this goal.

### Proximity to Services

The Buller property was chosen due to its proximity to the current operations of the LRCA. The LRCA will be providing programs and services to many of the individuals and families living in the building. Some of the same people who may be eligible for this affordable housing are currently receiving services from the LRCA less than one block away from the proposed project and the LRCA has been a good neighbour in ensuring that day-to-day operations aren't affecting the neighbourhood in a negative way and are having a positive impact on the community.

### Suite Composition

The proposed building will have 36 suites composed of 10 studio, 23 one-bedroom, and 3 two-bedroom apartments. The height of the building will be 4 storeys along the Buller Street side of the building and 1 storey on the Third Avenue side of the building.

### Seed Funding

The LRCA has received funding support from the Nanaimo Foundation for research work on social enterprises in affordable housing projects and some of the legal work associated with this Project. The LRCA has also received CMHC seed funding which has helped cover some of the soft costs for the Project.

### Project Funding

The LRCA is currently working on a Request for Proposal (RFP) to obtain funding to complete the proposed project from BC Housing. The submission is due on Sept. 17, 2018. If we are not able to secure all the funding that is needed from the Province, it is our intent to seek further funding support from the Federal government, such as the National Housing Strategy Co-housing fund.

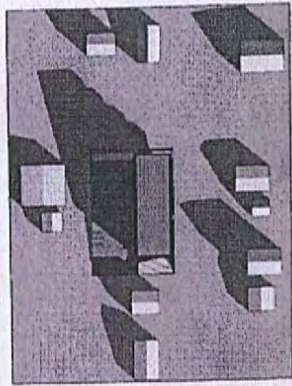
### Timeline

Demolition and construction will be dependent on the success of the RFP. Project construction may start as early as Summer 2019. It is estimated that building construction may take 12 to 15 months.





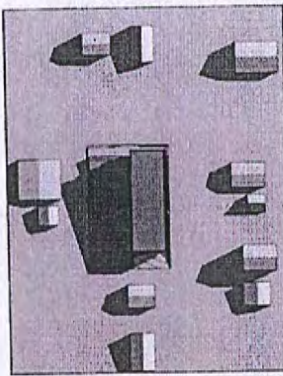
Winter solstice  
23 Dec



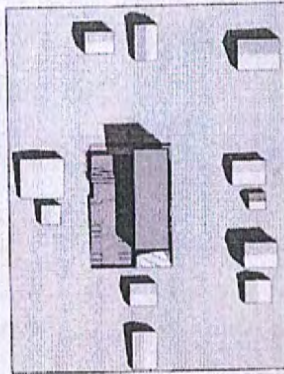
Winter equinox  
21 Dec



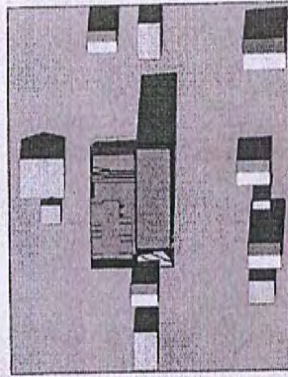
Winter equinox  
21 Dec



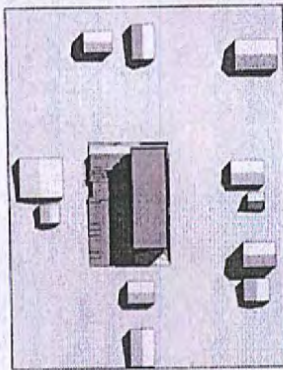
Fall equinox  
21 Sep



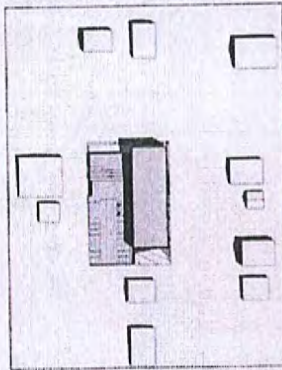
Fall equinox  
21 Sep



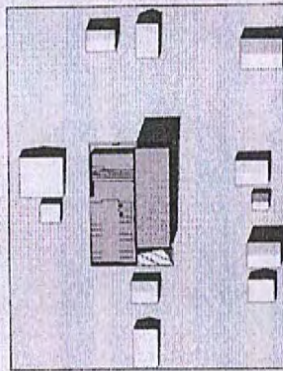
Fall equinox  
21 Sep



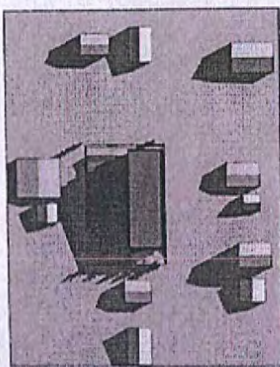
Summer solstice  
21 Jun



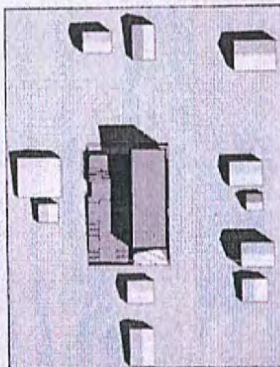
Summer solstice  
21 Jun



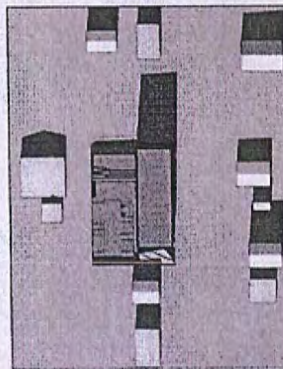
Summer solstice  
21 Jun



Spring equinox  
21 Mar



Spring equinox  
21 Mar



Spring equinox  
21 Mar

### Shadow Studies



CHECKWITCH  
POIRON  
ARCHITECTS  
INC.  
www.cwpiro.com

1000 Burrard Street, Suite 1000  
V6C 1K8  
Tel: 604.681.1111  
Fax: 604.681.1112

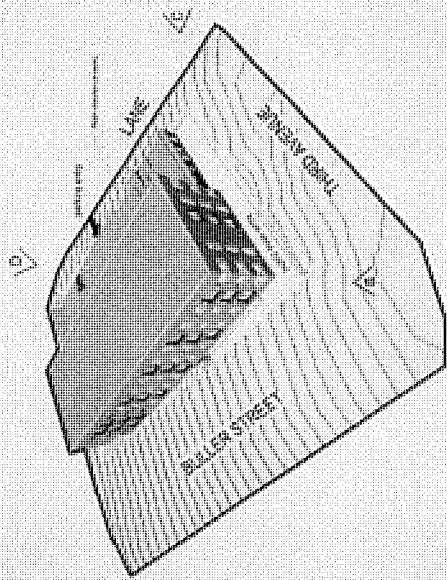
## LRCA Affordable Housing

314 Burrard Street, Ladysmith, BC

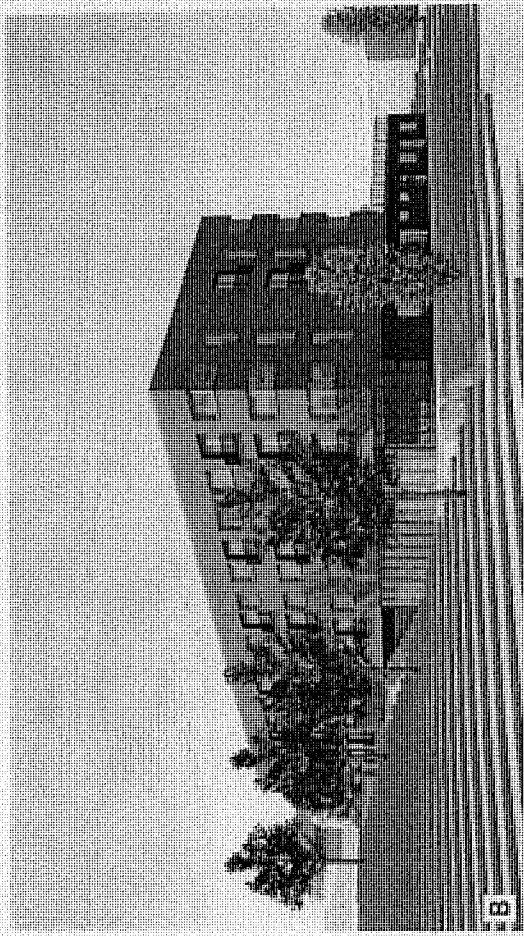


Heart on the Hill  
Affordable Housing Society

**Concept Perspectives**

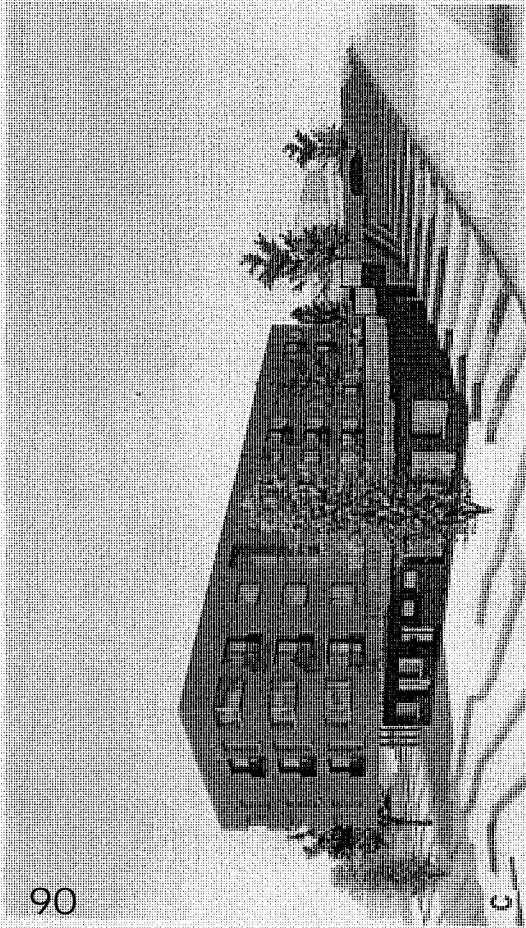


A

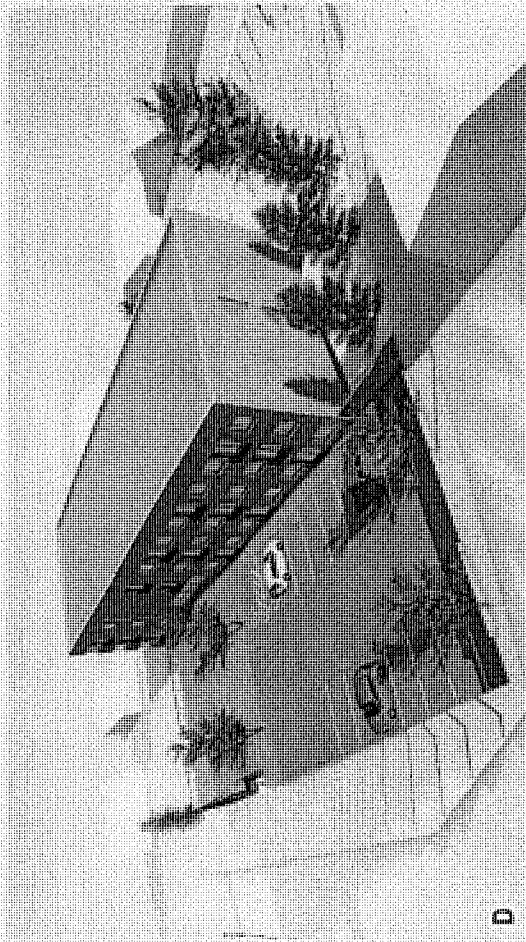


B

90



C



D



CRECAWATER  
ARCHITECTURE  
INC.

**LRCA Affordable Housing**

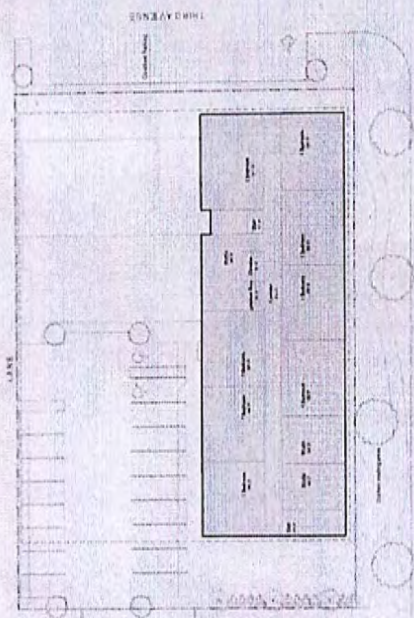
314 Buller Street, Ladysmith, BC



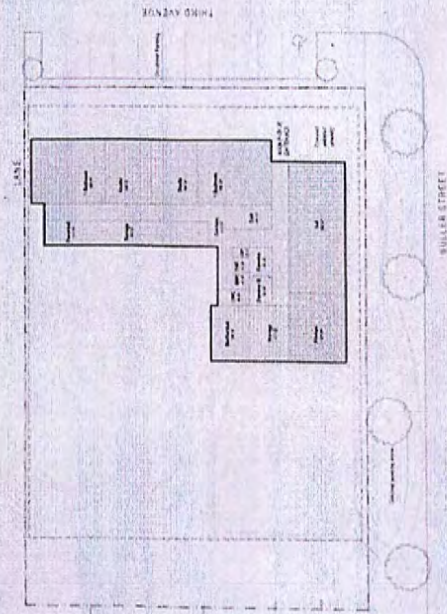
Heard on the Hill

# LRCA Affordable Housing

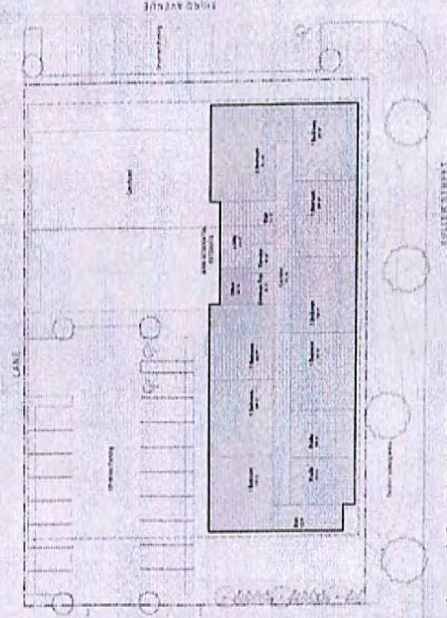
- △ 36-Unit Residence
  - 10 - Studio Units
  - 23 - 1 Bedroom Units
  - 3 - 2 Bedroom Units
- △ Parking
  - 18 - Off-street Parking Spaces
  - 11 - On-street Parking Spaces
- △ Amenity Spaces include:
  - Community Hall
- △ Outdoor Amenity Spaces include:
  - Courtyard
  - Seating areas along Butler St.



Levels 3 & 4 - 7,475 SF  
1" : 20'-0"

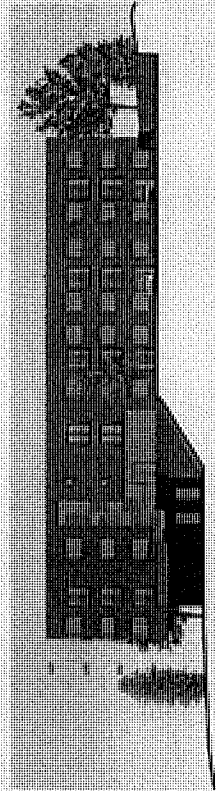


Level 1 - 5,912 SF  
1" : 20'-0"

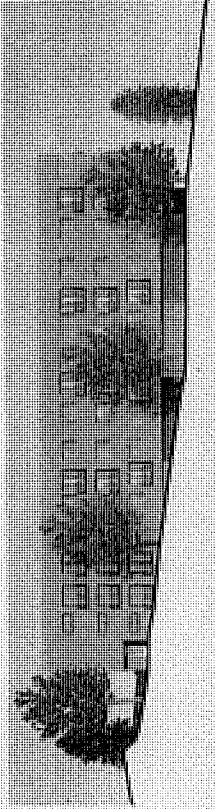


Level 2 - 7,342 SF  
1" : 20'-0"

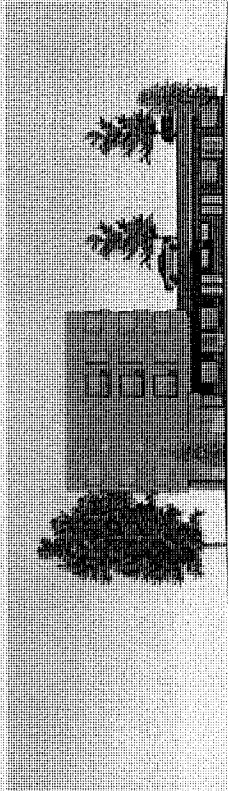
- Legend
- residential suites
  - utilities / circulation
  - community hall / office



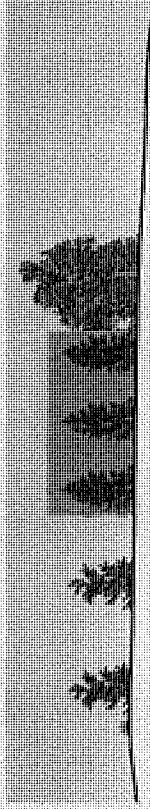
South-East Elevation



North-West Elevation (Buffer Street)



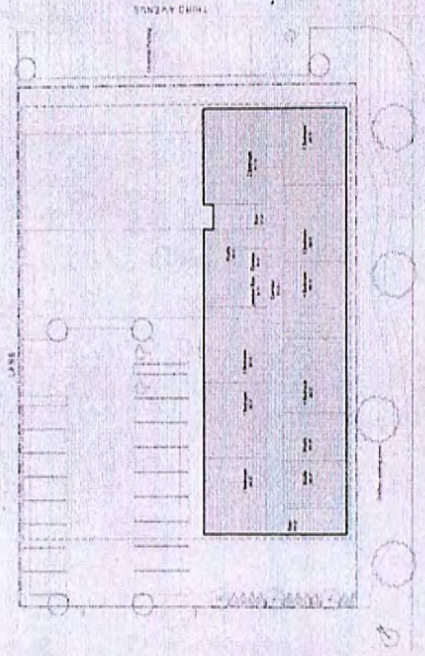
South-West Elevation (Third Avenue)



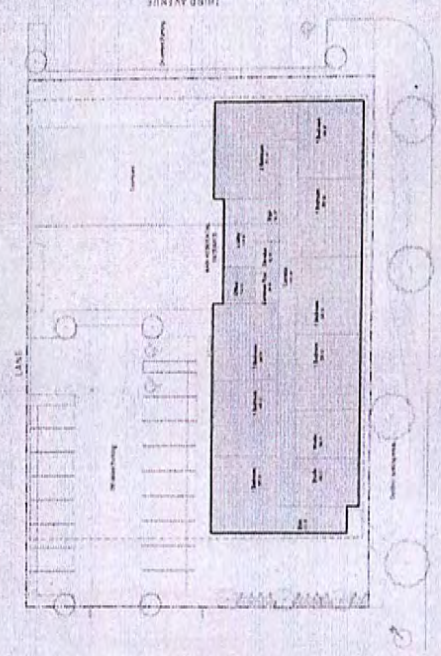
North-East Elevation

# LRCA Affordable Housing

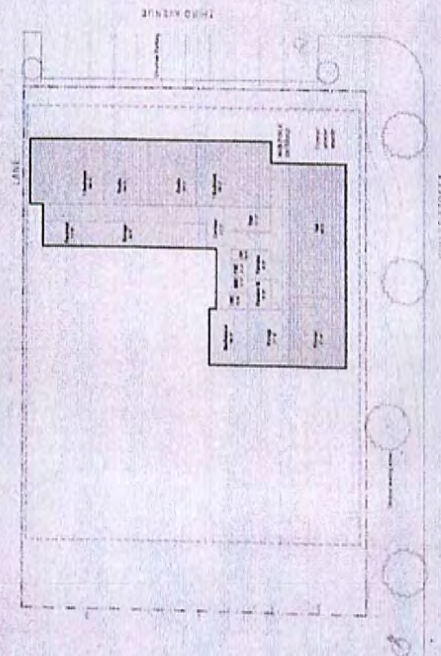
- △ 36-Unit Residence
  - 10 - Studio Units
  - 23 - 1 Bedroom Units
  - 3 - 2 Bedroom Units
- △ Parking
  - 18 - Off-street Parking Spaces
  - 11 - On-street Parking Spaces
- △ Amenity Spaces include:
  - Community Hall
- △ Outdoor Amenity Spaces include:
  - Courtyard
  - Seating areas along Buller St.



**Levels 3 & 4 - 7,475 SF**  
1" : 20'-0"



**Level 2 - 7,342 SF**  
1" : 20'-0"



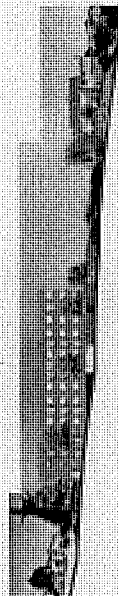
**Level 1 - 5,912 SF**  
1" : 20'-0"

- Legend**
- residential suites
  - utilities / circulation
  - community hall / office

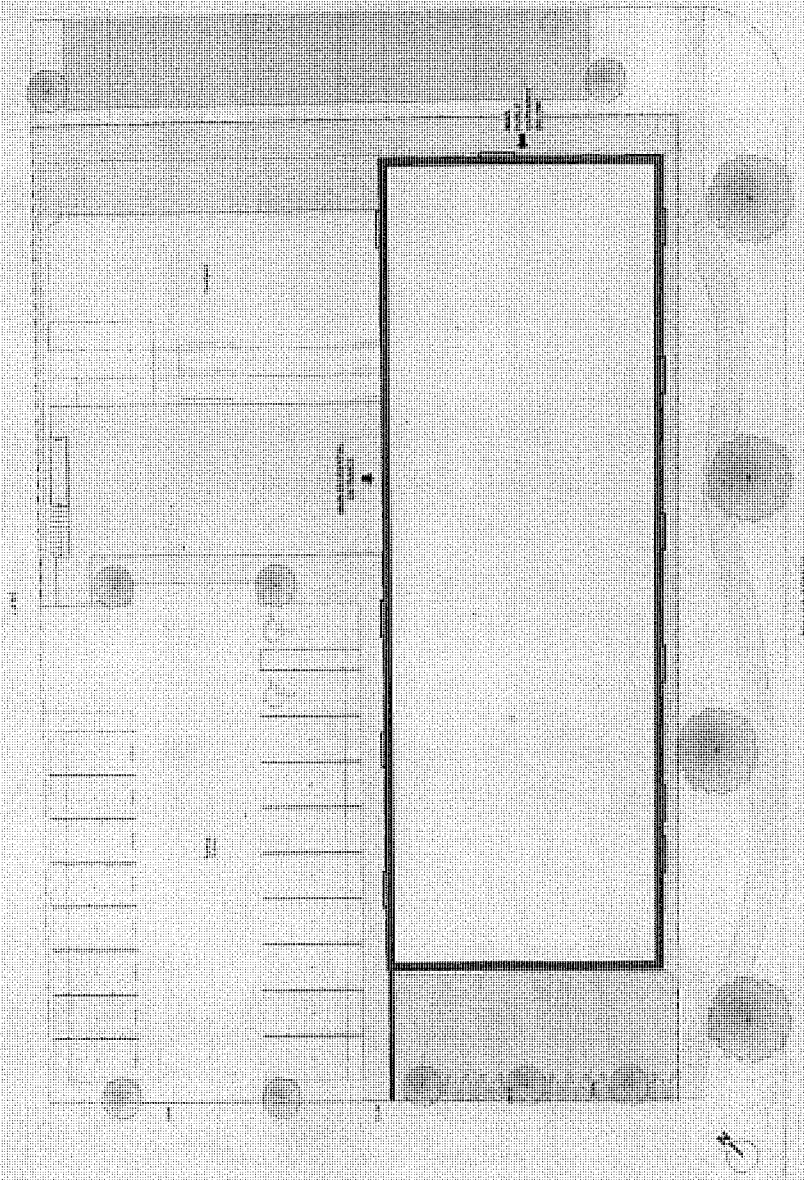


**Location Plan**  
n.t.s.

94



**Site Elevation (Buller Street)**  
s.i.s.



**Site Plan**  
3/32" = 1'-0"



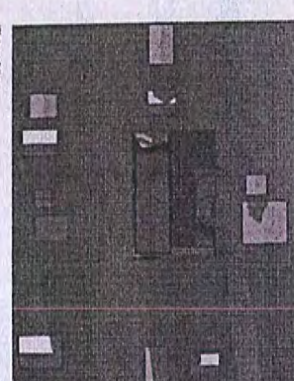
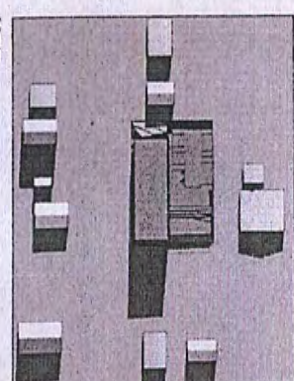
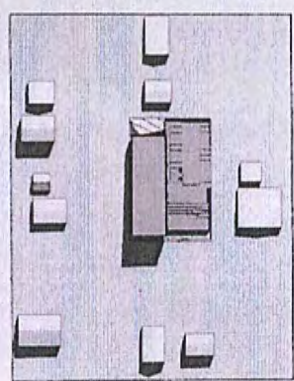
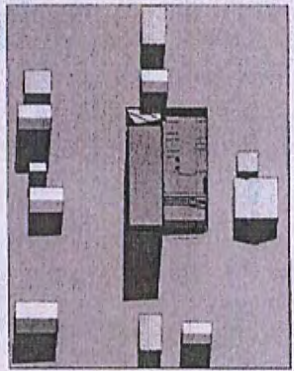
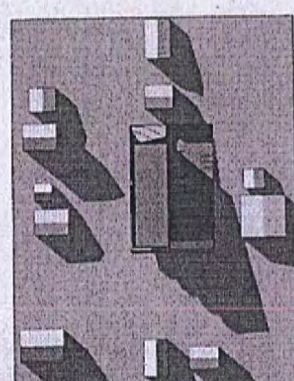
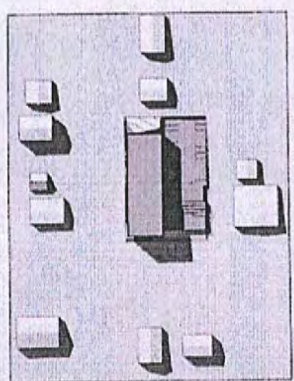
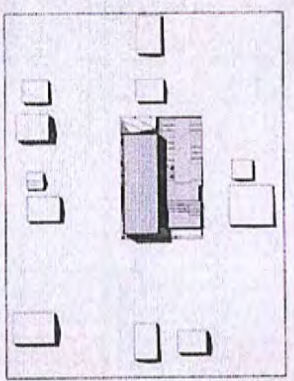
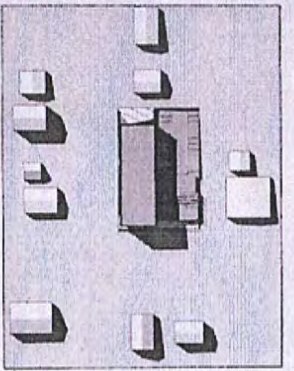
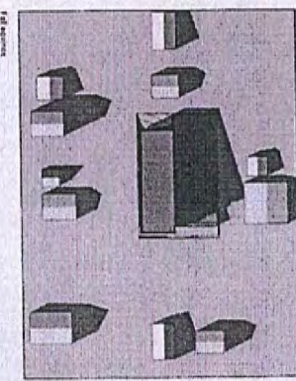
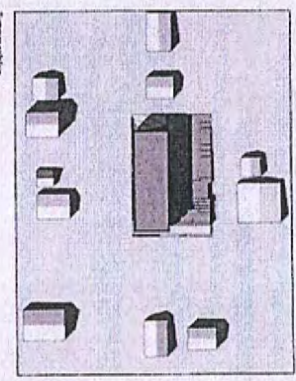
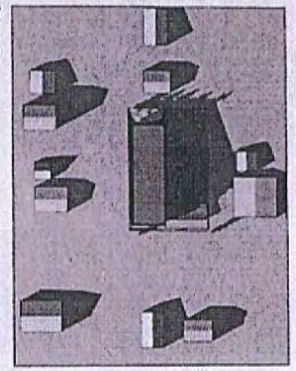
**CHECKWITH  
PARDON  
ARCHITECTS**  
1000 S. BULLER STREET  
COLUMBIA, SC 29204  
(803) 733-1111

**LRCA Affordable Housing**

314 Buller Street, Columbia, SC



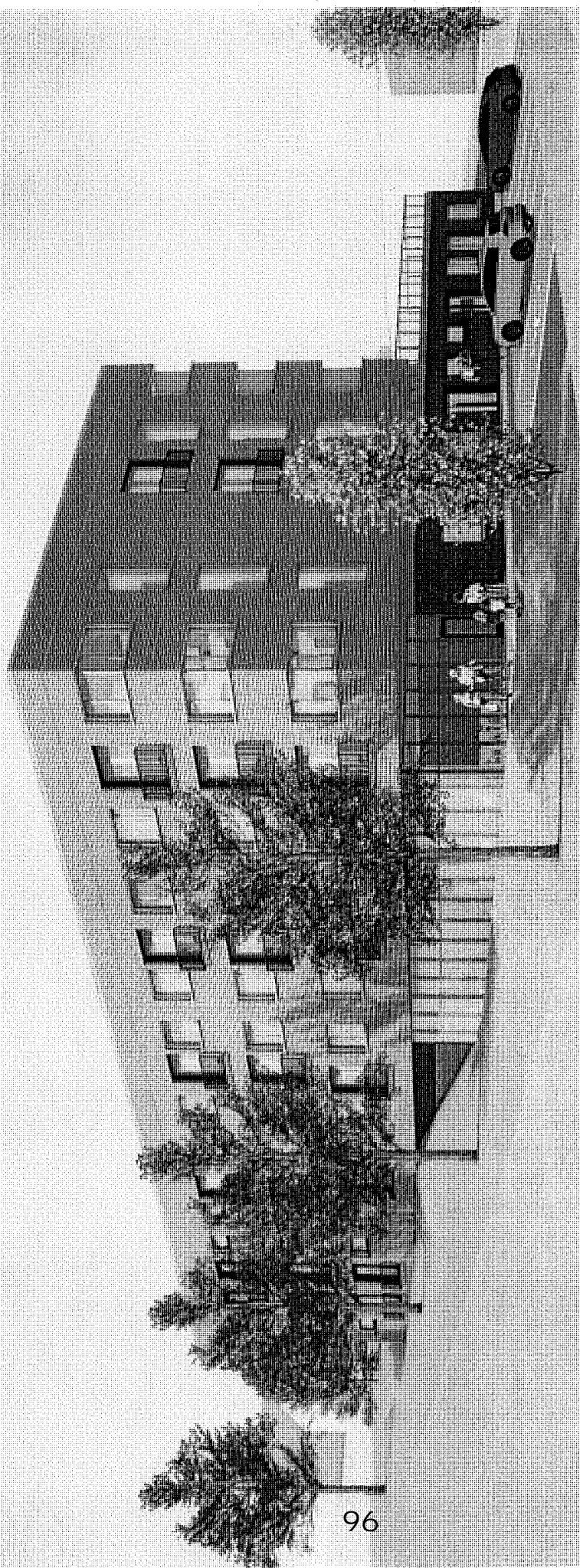
Shadow Studies



LRCA Affordable Housing

314 Butler Street, Ladysmith, BC





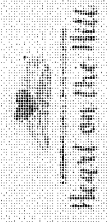
### Preliminary Concept Rendering



CHECKWITH  
PROVISION  
ARCHITECTS, INC.  
1742  
1000 14th St, NW  
Washington, DC 20005  
202.462.1100  
www.checkwith.com

### LRCA Affordable Housing

317 Dulles Street, Lorton, VA



Heart on the Hill

On 2018-08-24 16:39, Michael Rowell wrote:

> Concerns about the Affordable Housing development on Buller Street

>

> 1. HEIGHT

>

> The proposed building is four stories high.

>

> The development is on a residential street, with single family homes  
> on either side.

>

> There are no other four storied buildings on this or neighboring  
> streets.

>

> We understand the economic argument for the size of this building, but  
> the height is not compatible with this neighborhood in the Old Town.

>

> This four storied building could set a precedent for further  
> development in this part of Ladysmith.

>

> 2. APPEARANCE

>

> The drawing of the exterior presented at the Open House depicts a  
> cement-faced block of units reminiscent of 1970s social housing.

>

> The appearance in no way fits in with Ladysmith Old Town buildings.

>

> 3..PARKING

>

> There is an assumption that not all the residents will require parking  
> space on the development site, since some will not have driver's  
> licences, etc. But likely all the residents will have visitors with  
> vehicles.

>

> The proposed plan suggests removal of parking spaces on the north side  
> of Buller Street. Will this result in parking on the grass boulevard  
> on the south side? Note that at present there is no sidewalk.

>

> Patricia and Michael Rowell

>

>

>

> Sent from Mail [1] for Windows 10

>

>

-----Original Message-----

From: marsh@lrca.ca <marsh@lrca.ca>

Sent: August 24, 2018 6:30 PM

To: Michael Rowell

Cc: Mayor <Mayor@ladysmith.ca>; Steve Arnett <sarnett@ladysmith.ca>; Cal Fradin <cfradin@ladysmith.ca>; Joe Friesenhan <jfriesenhan@ladysmith.ca>;

Rob Hutchins <rhutchins@ladysmith.ca>; Duck Paterson <dpaterson@ladysmith.ca>

Subject: Re: Concerns

Dear Michael,

It was good to speak with you Wednesday night at the Neighbourhood Meeting and hear your comments and concerns. I believe you got a copy of the FAQ document (attached) that was provided to Attendees, where some of the issues in your email are covered, but please allow me to go into a little more detail/respond to the issues that you raise.

Height: The Villa Apartments at High and 2nd-Avenue are of similar height to the proposed building at 314 Buller. The LRCA/Seniors Centre is similar in scale, as is Ladysmith Intermediate. Not far behind in scale is the apartment building on the NW corner of 2nd and Buller.

Presently, 314 Buller is zoned "Institutional" allowing a building 12m

(39.37 ft) in height. The proposed building is 13.4 m (44 ft) in height

- a difference of 1.4 m or 4.63 feet. I would estimate the existing structure on the property is 8 or more metres in height, and the two large trees on the property have to be somewhere around 20m in height.

In removing the trees and former church, and replacing them with the proposed building, I believe the effect on your sightlines to the NW would be essentially neutral. Your house at 311 Buller, just like my house at 311 - 3rd are both over 9 m in height, unique designs, and painted in bold colours, and yet I believe they have fit into their respective neighbourhoods of 5 to 7 metre high homes, as they are well maintained, and as their landscaping has matured. I further believe that the proposed building at 314 Buller will do the same. As you saw from the shadow study displayed Wednesday, the proposed building does not cast shadows on any of the surrounding buildings at any time of the year.

Appearance: The preliminary renderings presented Wednesday are just that, preliminary. I believe grey Hardiplank (the product on your house) is the finish (digitally) depicted but at this point the final finishes have not been decided upon. I apologize, I was under the impression that you had spoken to David Poiron, the Architect about how future renderings will contain more detailed depictions of finishes and trim details, and that these details would evolve over time - through the rezoning, and then development permit processes. I think the best explanation of future approaches to materials is found in the Design Rationale on page 115 of the Council's August 20th agenda. Please see this link [http://www.ladysmith.ca/docs/default-source/2018-council-meetings-\(v2\)/2018-08-20-council-agenda-part-one.pdf?sfvrsn=4](http://www.ladysmith.ca/docs/default-source/2018-council-meetings-(v2)/2018-08-20-council-agenda-part-one.pdf?sfvrsn=4)

The Design Rationale also details how the changes to parking would occur. Basically, the 12 angle parking stalls on Buller would be replaced with 11 parking stalls on 3rd Avenue. These stalls would be far more accessible for visitors, and local residents, given they will be on level ground (no need to hold you driver door open with your leg/struggle to close your passenger door on the downhill side). I would expect that given the choice between level parking, contiguous to the building, and parking on a sloped Buller across the street, people will choose the former. The reclaiming/greening of 314's boulevard along Buller will be more aesthetically pleasing to look at than the present played angle parking. This greening should also (if planning theory holds) act as traffic calming along Buller - as it takes the illusion of a wide paved street and reduces it to the actual width of the driving lane.

I hope that my responses (and the design rationale) explain the design choices that have been contemplated to date. The Staff and Volunteers of the LRCA are obviously passionate about this project, but we do not want to let our passion over-ride the concerns of the surrounding neighbourhood. With this in mind, we have given a lot of thought and consideration to how the building 'fits' into the neighbourhood, the tenant populations it would house and the amenities that it offers to the broader community. This approach will continue throughout the rezoning and development permit processes. So, please do not hesitate to contact me again if you require further clarification on the above items, or if you have other questions or concerns.

Kind Regards,

Marsh Stevens

President

LRCA Board of Directors

On 2018-08-26 15:05, Michael Rowell wrote:

> To: Marsh Stevens

> President LRCA Board of Directors

> Thank you for your response.

> I have enclosed three views from our upper floor. I think if you  
> extrapolate across to the proposed height of the new building you will  
> appreciate one of our concerns about the development, namely  
> restricting our current scenic view.

> When we built our house in 2006/7 we agreed with the advice of Brian  
> Childs, our builder, to do our best to blend in with the historical  
> character of Ladysmith. We were so successful in this regard that  
> people often think it is a renovation not a new build. Our house  
> appearance is generally in line with most new buildings that have been  
> done in the wider "old town" area with the Resources Centre being  
> a good example of blending in and others with non-heritage colours and  
> metal cladding as the exceptions.

> We would be delighted to accept a revived building of lesser height  
> and three stories and which better conformed in external appearance to  
> the character of the town.

> Sometimes it is good for a person deeply engrossed in such a project  
> to step back and say "what if a 4 story building were erected across  
> from my house?".

> It would indeed be a pity if we were driven away from our residence of  
> 12 years.

> Sincerely:

> Michael J Rowell

> Sent from Mail [1] for Windows 10

Hello again Patricia and Micheal,

I do see in your photos that your view will be impacted. However, I believe the effect on the water and mountain view to the N will not be significant. I would estimate that 10 to 15 degrees of your 150ish degrees of N to SE scenic view would be affected. It is probably possible for David, the architect to computer model the exact effect at some point. In terms of the view of the Intermediate School's playground, and beyond, your pictures show this sightline as largely blocked by the existing building and the two trees on the property.

In terms of removing the 4th floor from the building, there are economic and ethical factors to consider.

The 4th floor contains 3 studios, 7 one bedroom units and 1 two bedroom unit. These represent 30% of the suites in the building. However, removing 30% of the units does not remove 30% of the construction or operating cost of the building. This is the most important fact to consider when it comes to the economics of the building. There are economies of scale in terms of the construction and the ongoing operation of the building. For example, the foundation for 3 stories would cost essentially the same as for 4 stories, as would the roof - the same holds true for essentially everything in between. The construction cost per square foot comes down as the overall square footage increases. When it comes to operation of the building, many costs would be very close to the same for 3 floors as 4. For example, the amount of landscaping performed, and then ongoing landscape maintenance would be the same. Obviously it costs more to build and maintain a larger building - but it does not cost 30% less to build and operate one made that much smaller. The rents within the building will range from 10% to 50+% below market rents. With these low rents, generating the necessary revenue to cover the mortgage, a property manager, day to day maintenance, long term contingency funds for major repairs, etc is a challenge. Taking away 30% of the units makes this all but impossible. In short, 36 units are required for the building to be economically viable to build, and operationally sustainable over its lifetime, and I might add, to ensure that the building is well maintained aesthetically.

There is also the matter of helping as many people as possible. The 4th floor could house 12-24 people, depending on if it is singles or couples occupying the units - that's a family and mix of seniors and adults with developmental disabilities. This project has had approximately 35 people (Board of Directors, Building Committee, Supported Housing Committee, Finance Committee, Fund Raising and Social Enterprise Committee and Staff) working on it. And while each of these groups is tasked with developing specific areas of the project, every single member of them is acutely aware of the need to do the best job possible in fitting the building into its environment. Yes, these 35 are passionate about the project, but they are also highly pragmatic. So, when they see 300 people (120 of them children) at the food bank each week, or 600 people coming to our emergency shelter last winter, or aging parents with a developmentally disabled child wondering where their child will live when they are gone, or a family that has the ability to pay a reasonable rent if they could just find a place, they are faced with a stark choice - continue to try to meet infinite need with finite resources, or address, at least in part, a major root cause behind the need. If I had to guess, I think the question they would ask is not so much 'What if this were built across the street from me?' but 'What is the overall effect on the Community if nothing is done to address the housing crisis?'

There are other elements of this project: the social enterprises that will be developed to employ and improve the lives of tenants; less demand on LRCA programs that translates into more people being helped; the ability of tenants to volunteer in the community because the stress of housing has been removed, etc. but none of them are really related to sightlines or the aesthetics of the building. So, how can a balance be struck between the broader community's needs and the immediate neighbours of 314 Buller? The reality is that this project will have a physical size greater than buildings immediately around it. Since it can not fall into the scale of its surroundings, it has to take quos from it. This is where David Poiron the Architect, shines - here is a link to a project (St. Paul's Nanaimo) of his that does just that - takes simple lines, details that reference its surroundings, and materials (in this case steel cladding) to produce a very attractive and appropriate building.

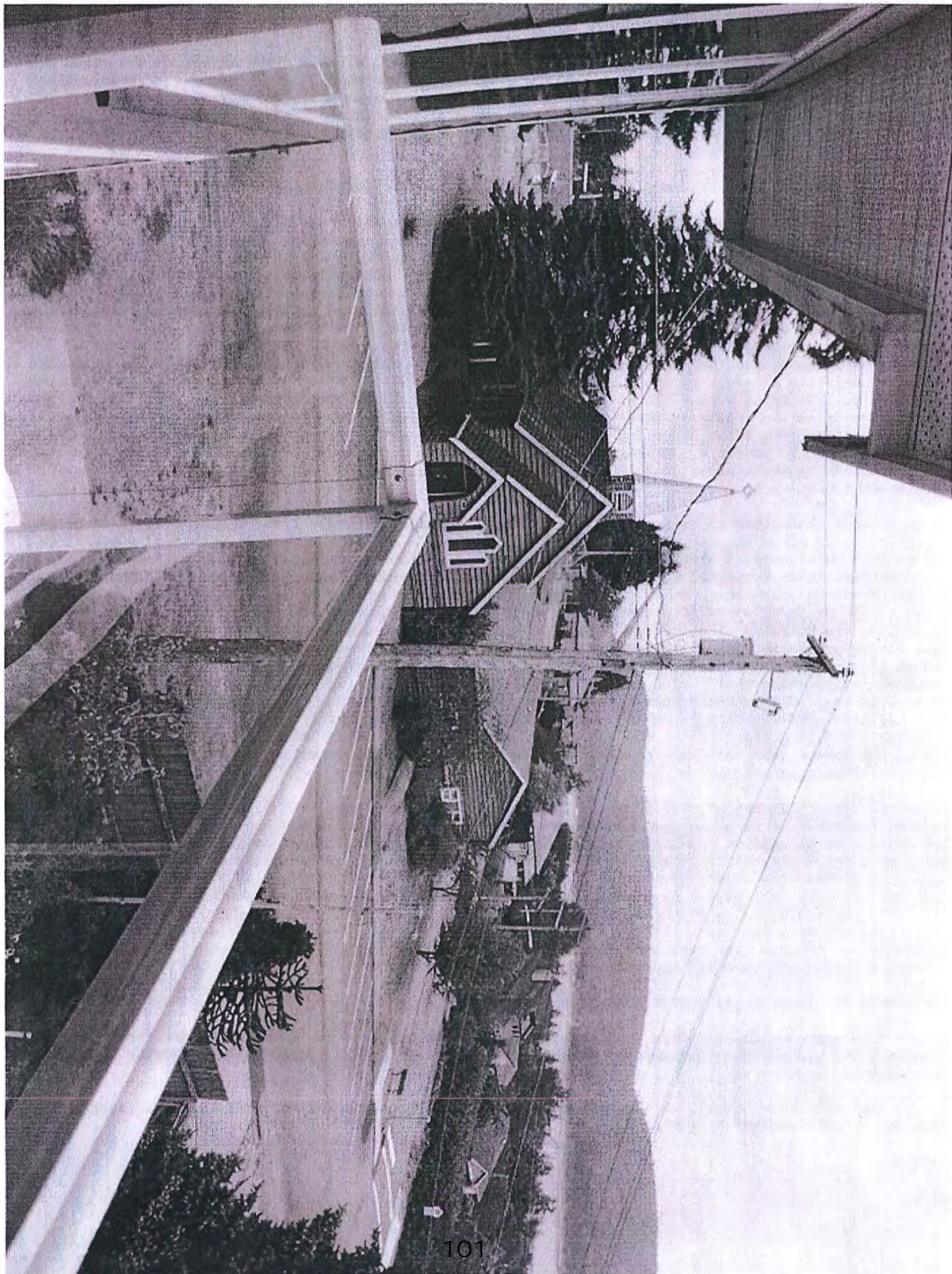
<http://www.cparch.ca/prj/1020STPC/STPC.html>

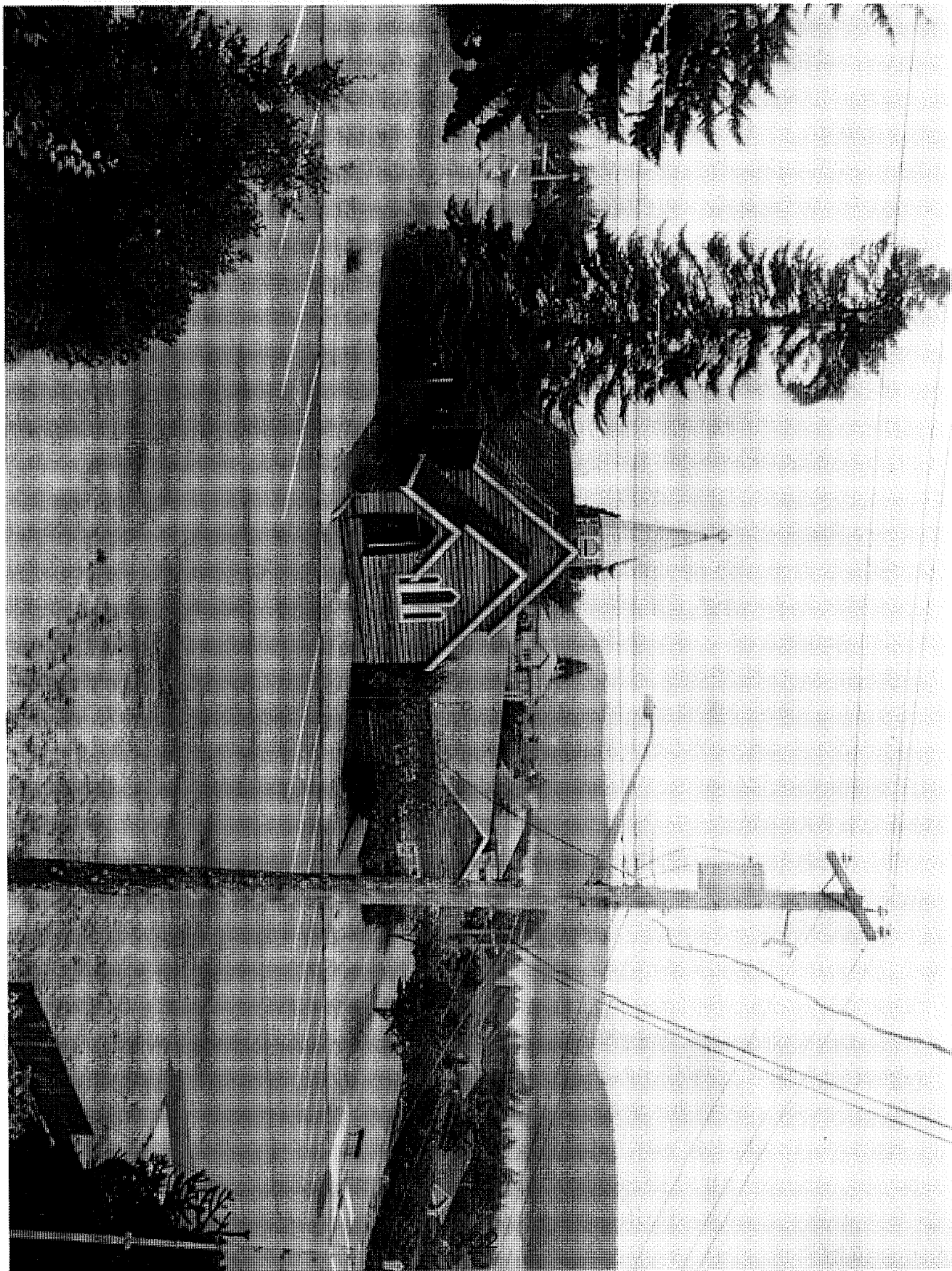
Couple this approach to aesthetics with improvements to the streetscape, amenities that the broader community can access, and the improved security that comes with more people having a vested interest in that security and the result will be an building that is nice to live by.

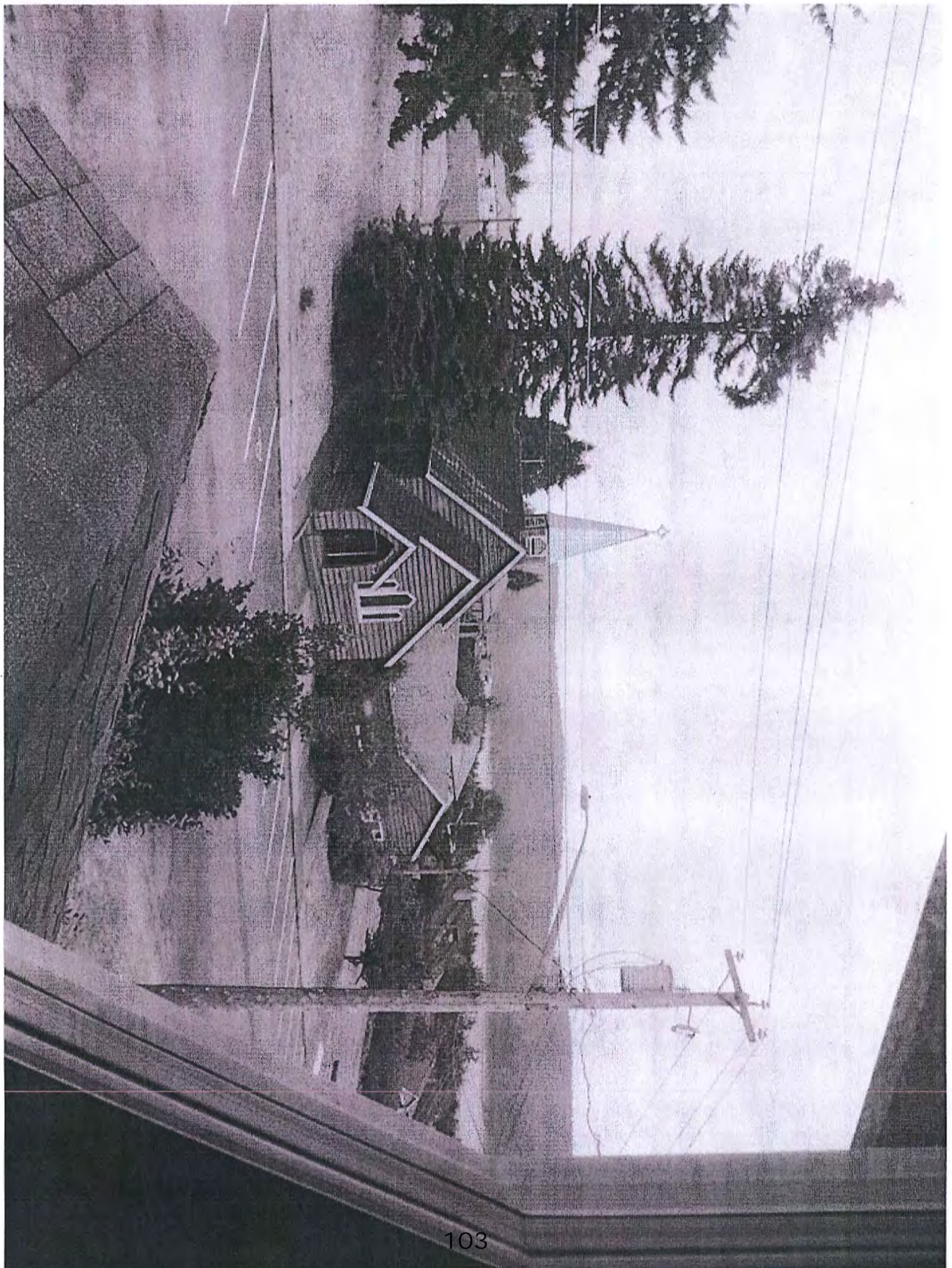
I hope this adds some clarity to the reasoning behind this project, and how this has been incorporated into the overall design.

Regards,

Marsh









TOWN OF LADYSMITH

**BYLAW NO. 1982**

**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 Schedule A 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. 55) 2018, No. 1982".

**READ A FIRST TIME**            **on the**                            **day of**                            , 2018

**READ A SECOND TIME**       **on the**                            **day of**                            , 2018

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

**on the**                            **day of**                            ,

**READ A THIRD TIME**        **on the**                            **day of**                            ,

**ADOPTED**                            **on the**                            **day of**                            ,

\_\_\_\_\_  
Mayor (A. Stone)

\_\_\_\_\_  
Corporate Officer (J. Winter)

**Bylaw No. 1982 - Schedule A**

1. Schedule "A" – "Town of Ladysmith Community Plan" is amended as follows:
  - (a) Section 3.2.3 'Land Use Planning and Community Design Policies' is amended by adding a new policy:

"27. Rental tenure housing units are encouraged as an affordable housing option in multi-unit developments."
  - (b) Section 3.8.1 "Land Use Designations" is amended by adding a new sentence to the paragraph 'Multi-Family Residential' following the sentence:

"The maximum density allowed in a Multi-Family Residential designation is 60 units per hectare.", as follows:

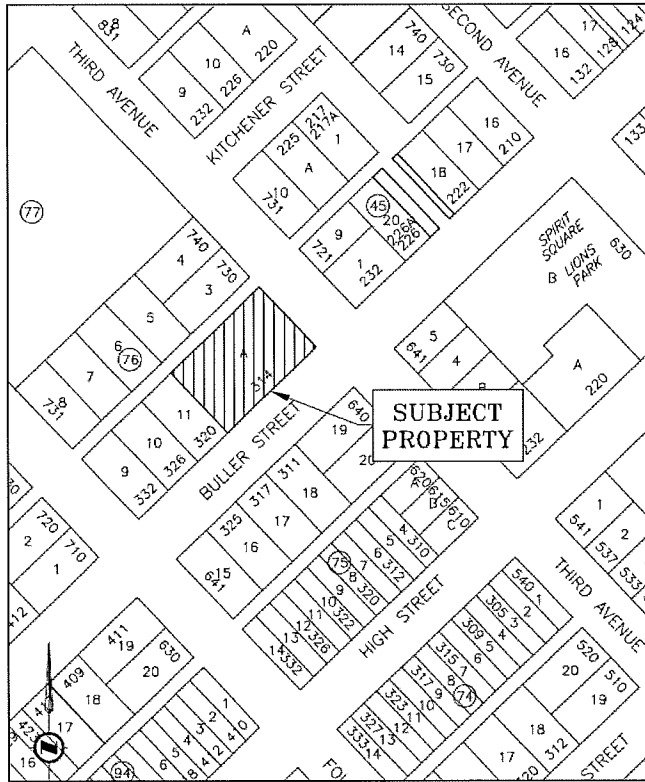
"A density of greater than 60 units per hectare may be achieved through amenity density bonusing through the provision of not-for-profit rental tenure housing in a community housing development where a housing agreement is established with the Town."
  - (c) Table 8 "Density Summary" is amended by adding:
    - (i) A new Note 5:

"5 Bonus density potential greater than 100uph for not-for-profit rental tenure."
    - (ii) Note 1 and 5 to Multi-Family Residential.
2. Official Community Plan "Map 1 – Land Use" is amended as follows:
  - (a) Placing the "Multi-Family Residential" land use designation on the subject property legally described as Lot A, (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A (314 Buller Street) as shown on **Schedule I** attached to and forming part of this Bylaw.
3. Official Community Plan "Map 2 – Development Permit Areas" is amended by:
  - (a) Placing the "Multi-Unit Residential Development Permit Area (DPA 4)" on the subject property legally described as Lot A, (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A (314 Buller Street) as shown on **Schedule I** attached to and forming part of this Bylaw.
4. Official Community Plan Schedule A.1 "Town of Ladysmith Development Permit Areas" is amended as follows:
  - (a) Adding the following to the list of guidelines in Section (2) *Building Siting & Massing* of DPA 4 Multi-Unit Residential:

"g) Requests for building and structure setback alterations or reductions should be augmented by improvements on adjacent Town land, such as enhanced street frontage improvements and boulevard landscaping designed by a landscape architect."
  - (b) Adding the following to the list of guidelines in Section (11) *Vehicle & Bicycle Parking* of DPA 4 Multi-Unit Residential:

"i) Requests for alterations or reductions of parking requirements should be augmented by improvements on adjacent Town land, such as enhanced street frontage improvements and boulevard landscaping designed by a landscape architect."

Bylaw No. 1982 - Schedule I



**TOWN OF LADYSMITH**

**BYLAW NO. 1983**

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** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

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

(a) Add a definition for “Residential Rental Tenure” following the definition of “Residential” as follows:

“**RESIDENTIAL RENTAL TENURE**: means the granting of a right to occupy a *Dwelling Unit* as living accommodation where the minimum occupancy period is thirty consecutive days, and where the *Dwelling Unit* is not owned by a *Dwelling Unit* occupant, but where regular payments are made to the owner for the use of the *Dwelling Unit*.”

(b) The table in Section 9.1 ‘Creation of Zones’ is amended by adding the following at the end of the Table:

“Community Housing Zone CD-5”

(c) Part 17: Comprehensive Development Zones is amended by adding a new zone as “17.5 Comprehensive Development 5 – Community Housing Zone (CD-5)” as shown in **Schedule I** which is attached to and forms part of this Bylaw.

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

(a) By adding the following comprehensive development zone to the end of the ‘Zoning Designations’ list:

“CD-5 Community Housing”

(b) By placing “Comprehensive Development 5 – Community Housing Zone (CD-5)” on the subject property legally described as Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A (314 Buller Street) as shown in **Schedule II** which is attached to and forms part of this Bylaw.

**CITATION**

(3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.21) 2018, No.1983”.

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2018

**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2018

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

on the \_\_\_\_\_ day of \_\_\_\_\_,

**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_,

**APPROVED** pursuant to s. 52(3)(a) of the *Transportation Act*.

on the                      day of

**ADOPTED**

on the                      day of

---

Mayor (A. Stone)

---

Corporate Officer (J. Winter)

**Schedule I – Bylaw 1983**

**17.5 COMPREHENSIVE DEVELOPMENT 5 - COMMUNITY HOUSING ZONE (CD-5)**

The purpose of the CD-5 Community Housing Zone is to accommodate multiple unit rental tenure housing to serve the community's diverse housing needs.

**1. Principal Uses**

- a) *Multiple-Unit Dwellings.*

**2. Accessory Uses**

- a) *Home Based Business*, subject to Part 6, Section 6.8.
- b) *Recreation Activity Space.*
- c) *Assembly.*

**3. Sizing and Dimension of Parcels**

- a) No *Parcel* shall be created which has a *Parcel Area* less than 2,023 square metres.
- b) No *Parcel* shall be created which has a *Frontage* less than 18.28 metres.

**4. Size and Density of the Use of Land, Buildings and Structures**

- a) The minimum *Finished Floor Area* for each different type of *Dwelling Unit* contained in a *Multiple-Unit* building shall be as shown in the Table below:

DWELLING UNIT TYPE	MULTI-UNIT MINIMUM FINISHED FLOOR AREA
<i>Studio Dwelling Unit</i>	32.0 square metres
<i>One Bedroom Dwelling Unit</i>	54.0 square metres
<i>Two Bedroom Dwelling Unit</i>	70.0 square metres
<i>Three Bedroom Dwelling Unit</i>	85.0 square metres

- b) The *Floor Space Ratio* shall not exceed 1.5.
- c) The maximum number of *Dwelling Units* permitted in this *Zone* is 180 units per hectare of *Land*.
- d) No *Building* or *Structures* shall exceed a *Parcel Coverage* of 50.0 percent.
- e) Despite Section 17.5 (4)(d) where all required off-street parking is provided underground, no *Buildings* or *Structures* in this *Zone* shall exceed a maximum *Parcel Coverage* of 60.0 percent.
- f) A *Parcel* may contain more than one *Principal Building*.

**5. Siting, Sizing and Dimension of Uses, Buildings and Structures**

- a) No *Principal Building* or *Structure* shall exceed a *Height* of 12.5 metres.
- b) No *Accessory Building* or *Structure* shall exceed a *Height* of 7.5 metres; except where the roof pitch is less than 4:12, in which case the maximum *Height* shall be 5.0 metres.

- c) No *Principal Buildings* or *Structures* shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK
<i>Front Parcel Line</i>	6.0 metres
<i>Interior Side or Exterior Side Parcel Line</i>	4.5 metres
<i>Rear Parcel Line</i>	4.5 metres

- d) No *Accessory Building* or *Structure*, with a *Finished Floor Area* (m<sup>2</sup>) as shown in the Table below, shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK ≤ 10.0 M <sup>2</sup>	MINIMUM SETBACK >10.0 M <sup>2</sup>
<i>Front Parcel Line</i>	6.0 metres	6.0 metres
<i>Interior or Exterior Side Parcel Line</i>	1.0 metres	1.5 metres
<i>Rear Parcel Line</i>	1.0 metres	1.5 metres

#### 6. Landscaping and Screening

- a) *Landscaping* and screening shall be provided in accordance with Part 7: Landscaping and Screening Regulations.

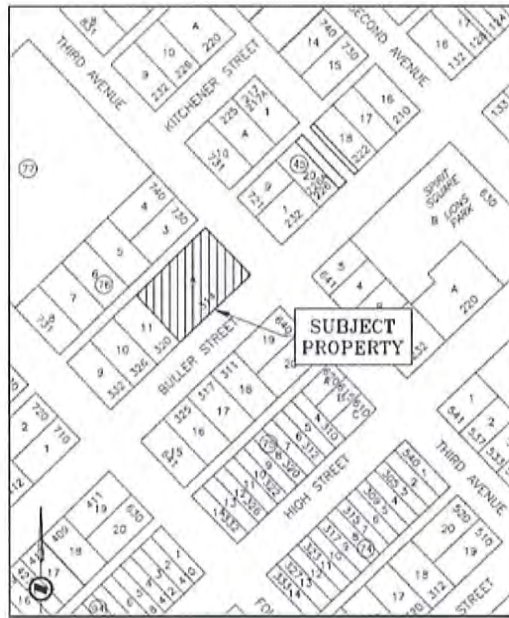
#### 7. Parking and Loading

- a) Off-street parking and off-street loading shall be provided in accordance with Part 8: Parking and Loading Regulations.

#### 8. Form of Tenure

- a) One hundred percent (100%) of the Dwelling Units in the CD-5 Zone shall be limited to *Residential Rental Tenure*.

Schedule II – Bylaw 1983





**TOWN OF LADYSMITH**

**BYLAW NO. 1984**

**A bylaw to authorize a Housing Agreement.**

---

**WHEREAS** Section 483 of the *Local Government Act* provides that Council may enter into a Housing Agreement with an owner which may include terms and conditions agreed to regarding the occupancy of the housing units identified in the Agreement;

**AND WHEREAS** the Council wishes to enter into such an Agreement with respect to certain housing units located in the Town of Ladysmith;

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

1. The Council of the Town of Ladysmith hereby authorizes the Mayor and Corporate Officer to enter into an Agreement, on behalf of the Town of Ladysmith, in substantially the form attached hereto as Schedule A; which sets out terms and conditions of the occupancy of the housing units identified in the Agreement. The land identified in the Agreement is legally described as "Lot A, (DD B923367) of Block 76, District Lot 56, Oyster District, Plan 703A".
2. Upon execution of the Agreement by the Mayor and Corporate Officer and application of the seal of the Town of Ladysmith, this Agreement shall be validly entered into as authorized by this Bylaw.
3. **Citation**

This bylaw may be cited for all purposes as "Housing Agreement Bylaw 2018, No. 1984".

**READ A FIRST TIME** on the                      day of                      ,                      2018

**READ A SECOND TIME** on the                      day of                      ,                      2018

**READ A THIRD TIME** on the                      day of                      ,                      2018

**ADOPTED** on the                      day of

\_\_\_\_\_  
Mayor  
(A.Stone)

\_\_\_\_\_  
Corporate Officer  
(J. Winter)

**SCHEDULE A**

**HOUSING AGREEMENT  
(Pursuant to Section 483 of the *Local Government Act*)**

**THIS AGREEMENT** is made the \_\_\_\_ day of \_\_\_\_\_, 2019.

**BETWEEN:**

**THE TOWN OF LADYSMITH**

410 Esplanade  
Ladysmith, BC  
V9G 1A2

(the "Town")

OF THE FIRST PART

**AND:**

**LADYSMITH RESOURCES CENTRE ASSOCIATION**

630 Second Avenue  
Ladysmith B.C.  
P.O. Box 1653  
V9G 1B2

(the "Owner")

OF THE SECOND PART

**WHEREAS:**

- A. Under section 483 of the *Local Government Act* the Town may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*;
- B. The Owner is the registered owner in fee simple of lands in the Town of Ladysmith, British Columbia, with a civic address of 314 Buller Street and legally described as:  
  
PID 008-705-968  
Lot A, (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A  
  
(the "Lands");
- C. The Owner has made application to the Town to rezone the Lands as set out in Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983 (the "Rezoning Bylaw");
- D. The Town and the Owner wish to enter into this Agreement, as a Housing Agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner to provide affordable housing as defined herein;

**NOW THIS AGREEMENT WITNESSES** that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "Agreement"), the parties agree each with the other as follows:

**1.0 Definitions**

1.1 In this Agreement:

"Affordable Unit" means a Dwelling Unit that is designated for residential rental tenure in accordance with Section 2.4 of this Agreement.

**"Average Market Rent"** means rents derived from Canada Mortgage and Housing Corporation's ("CMHC's") annual Rental Market Survey.

**"Development"** means the development and use of the Lands for a building containing up to thirty-six (36) residential rental tenure units that are owned and operated by an incorporated not-for-profit organization.

**"Dwelling Unit"** means one or more habitable rooms constituting a self-contained unit with its own entrance, a kitchen and bathroom, and is used as a residence for one or more persons.

**"HIL"** means Housing Income Limit for Nanaimo, British Columbia, published from time to time by B.C. Housing which represents the income required to pay the Average Market Rent for an appropriately sized unit in the private market. For year 2018, the annual HIL figures for Nanaimo are:

Bedrooms	Income
Bachelor	\$29,600.00
1 Bedroom	\$34,400.00
2 Bedroom	\$41,200.00
3 Bedroom	\$52,300.00
4 Bedroom	\$64,300.00

**"Residential Rental Tenure"**: means the accommodation of a Dwelling Unit where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a Dwelling Unit occupant, but where regular payments are made to the owner for the use of the Dwelling Unit.

## **2.0 Terms of the Housing Agreement – Covenants of the Owner**

- 2.1 The Owner covenants and agrees that one hundred percent (100%) of the Dwelling Units in the Development must be Residential Rental Tenure.
- 2.2 The Owner covenants and agrees to ensure that Dwelling Units must be owned and operated by an incorporated not-for-profit organization.
- 2.3 The Owner covenants and agrees to ensure that seventy percent (70%) of the Dwelling Units in the Development must be Affordable Units.
- 2.4 The Owner agrees that each of the Affordable Units in the Development shall only be occupied by a tenant whose annual income is equal to or less than the HIL.

## **3.0 Reporting**

- 3.1 The Owner covenants and agrees to provide to the Town's Director of Development Services, on the date a building permit for the Development is applied for, and on January 15 of each year, a report in writing setting out the following:
  - a) Confirmation that one hundred percent (100%) of the Dwelling Units in the Development are residential rental tenure;
  - b) Confirmation that seventy (70%) of the Dwelling Units in the Development are Affordable Units in compliance with Section 2.4 of this Agreement.
  - c) Outlining any changes or proposed changes that may affect the terms of this Agreement.

3.2 The Owner acknowledges that it is within the Town's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

#### **4.0 Notice to be Registered in Land Title Office**

4.1 Notice of this Agreement will be registered in the Land Title Office by the Town at the cost of the Owner in accordance with section 483(5) of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

#### **5.0 General Provisions**

##### Notice

5.1 If sent as follows, notice under this Agreement is considered to be received

- (a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and
- (b) on the date of delivery if hand-delivered,

to the Town:

Town of Ladysmith  
410 Esplanade  
Ladysmith, B.C.  
V9G 1A2  
Attention: Director of Development Services  
Fax: 250-245-6411

to the Owner:

President  
Ladysmith Centre Resources Association  
630 Second Avenue  
Ladysmith B.C.  
P.O. Box 1653  
V9G 1B2

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail service or facsimile service is interrupted by strike, work slow-down, force majeure, or other cause,

- (a) notice sent by the impaired service is considered to be received on the date of delivery, and
- (b) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

##### Time

5.2 Time is of the essence of this Agreement.

##### Binding Effect

5.3 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement is binding on all who acquire an interest in the Lands, and

the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

Waiver

5.4 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

Headings

5.5 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

Language

5.6 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

Cumulative Remedies

5.7 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

Entire Agreement

5.8 This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

Further Assurances

5.9 Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

Amendment

5.10 This Agreement may be amended from time to time upon terms and conditions acceptable to the parties.

Law Applicable

5.11 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

**IN WITNESS WHEREOF** the parties hereto have set their hands and seals as of the day and year first above written.

**THE CORPORATION OF THE TOWN OF** )  
**LADYSMITH** by its authorized signatories: )  
 )  
\_\_\_\_\_)  
Name: )  
 )  
\_\_\_\_\_)  
Name: )  
 )



**STAFF REPORT TO COUNCIL**

From: Erin Anderson, Director of Financial Services  
 Meeting Date: November 19, 2018  
 File No: 1760-20-MFA Water Filtration Plant  
 RE: **Long Term Borrowing – Water Filtration Plant**

**RECOMMENDATION:**

That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2019 Spring Borrowing Session, six million dollars (\$6,000,000) as authorized through Town of Ladysmith Water Filtration Plan Loan Authorization Bylaw 2016, No. 1920 and that the Cowichan Valley Regional District be requested to consent to our borrowing over a twenty-five (25) year term and include the borrowing in a Security Issuing Bylaw.

**PURPOSE:**

To seek Council approval to complete the long-term borrowing on the Water Filtration Plant.

**PREVIOUS COUNCIL DIRECTION**

CS 2018-050	2018-02-19	That Council adopt Bylaw 1931, cited as "Water Filtration Plant Temporary Borrowing Bylaw 2018, No. 1931".
CS 2017-138	2017-05-01	That Council receive the official results of the Alternative Approval Process for Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920.
CS 2017-143	2017-05-01	That Council adopt Town of Ladysmith Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920.

**INTRODUCTION/BACKGROUND:**

The construction of the Water Filtration Plant is underway. The total cost of the project is \$16.2 million with the project funded through grants (\$8.8 million), reserves (\$1.4 million) and borrowing (\$6 million).

The Municipal Finance Authority (MFA) executes long-term debt in the spring and fall each year. Normally, temporary debt is executed during the construction period and is converted into long-term debt at a future issuing. It is recommended to execute this borrowing now as the majority of the construction is occurring in the spring and there is a



risk of future interest rate increase.

**ALTERNATIVES:**

Council can choose to temporary borrowing for up to 5 years and then convert the temporary borrowing to long-term borrowing.

**FINANCIAL IMPLICATIONS:**

Debt payments of \$375,600 were included in the current Financial Plan. Actual debt payments will be calculation once the borrowing has been formally executed in the spring.

**LEGAL IMPLICATIONS:**

The *Community* Charter provides the authority and process to acquiring long-term debt.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

This borrowing was approved by the electors in 2017.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Finance will lead this project with the assistance with Legislative Services to execute the documentation.

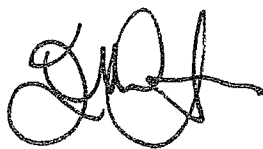
**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

**SUMMARY:**



Erin Anderson, Director of Financial Services

November 8, 2018  
Date



I concur with the recommendation.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke.

---

Guillermo Ferrero, City Manager

**ATTACHMENTS:**

Staff Report

**STAFF REPORT TO COUNCIL**

**From:** Clayton Postings, Director Parks, Recreation and Culture  
Kim Fowler, Project Manager, Waterfront Area Plan  
**Meeting Date:** November 13, 2018  
**File No:**  
**RE:** Machine Shop Restoration Project – Update

---

**RECOMMENDATION(S)**

That Council:

1. Receive the Machine Shop Pre-Design Report drafted by Hotson Architecture;
2. Receive the Machine Shop Structural Report drafted by Herold Engineering;
3. Direct Staff to commence the next phases of the Machine Shop Restoration Project relating to design and construction, focusing on identified structural and code improvements;
4. Direct Staff to contract with Hotson Architecture to continue project lead for Machine Shop Restoration Project, specific to implementation phases (design, securing contractor and construction) at a cost up to \$250,000 and that the Purchasing Policy be waived accordingly;
5. That the Machine Shop Users Advisory Group and tenants continue to be included in project updates.

**PURPOSE**

The purpose of this report is to provide Council with an update for the Machine Shop Restoration Project and obtain direction from Council regarding the remaining phases (design and construction).

**PREVIOUS COUNCIL DIRECTION/RESOLUTIONS**

CS 2018-087 (March 19, 2018)

*That Council direct staff to: 1. Contract with Hotson Architecture to undertake the Machine Shop Restoration Project pre-design phase, including working with staff and the main tenants to define the building program and preparing an implementation strategy to outline the scope of work at a cost of \$25,000 plus expenses (net of taxes), and that the Purchasing Policy be waived accordingly; 2. Invite the Machine Shop Users Advisory Group, with the addition of John Marston, to participate in the development of the building program with staff and the consulting team; 3. Include the Machine Shop Restoration Project within the scope of the Project Manager, Waterfront Implementation to represent the Town and liaise with the project team and stakeholder representatives during the*

*Machine Shop Restoration Project; and 4. Amend the Town of Ladysmith 2018-2022 Financial Plan to include the Machine Shop Restoration Project grant in the amount of \$1,752,553.00; 5. Invite the Industrial Heritage Preservation Society to join the Machine Shop Users Advisory Group.*

## **INTRODUCTION/BACKGROUND**

The Town received \$1,752,553.00 or 100% of actual eligible costs for the restoration of the Machine Shop project. This funding is through the Federal Government's 2017 Strategic Priorities Fund. Following the announcement, the Town obtained the services of Hotson Architecture to undertake the Machine Shop Restoration Project pre-design phase, which included working with staff and the Machine Shop User Advisory Group (MSUAG), which is comprised of representatives from Ladysmith Arts Council, Ladysmith Maritime Society, Ladysmith and Area Historical Society, Industrial Heritage Preservation Society, local artist and tenant John Marston and Mayor Stone.

Norm Hotson visited the site in May 2018 and held a meeting with the MSUAG to discuss options relating to the restoration project.

In July 2018 Norm Hotson presented to MSUAG the attached Pre-Design Report for review and feedback. After much discussion, it was concluded that MSUAG supports the technical building upgrade requirements as presented in the report, and the space usage concept is a good starting point but requires additional review. MSUAG requests that Council continue to allow the MSUAG to be involved in the design phase as it relates to the arts, cultural and heritage hub space usage. The space usage review phase will occur during the Arts and Culture HUB space usage project, which will commence November 23<sup>rd</sup>.

Following the meetings and review of the report, it was determined that further structural investigation was required prior to finalizing the report and determining next steps. Herold Engineering was retained to complete the assessment and completed the report in October 2018. The report provided further detail relating to specific structural and seismic requirements that have been determined to be critical.

It has been recommended by both the engineer and architectural consultants that the Town focus the restoration efforts on specific structural and code requirements. This is recommended to be completed prior to any change of use or improvements to the building. The information provided includes the possibility that certain areas within the building are currently not suitable to continue with the existing use, such as having assembly occupancy on the second floor for the art gallery, when the existing floor is not rated for assembly use. The intent will be by the consultant to determine how to resolve this within the existing budget, if this is not resolvable, Staff will advise Council and present various options.

The direction of focusing on structural and code requirements continues to align with the grant funding requirements and criteria. Hotson Architecture if awarded the contract

would continue to lead the team of sub-consultants for the project, including the engineer, code consultant, cost consultant, and possibly some minimal use of mechanical and electrical consultants. The \$250,000 estimate provided by Hotson Architecture includes the costs associated with all of the required sub-consultants for this project.

### **SCOPE OF WORK**

As noted in previous reporting, this project was not included in the 2018 work plan when the award of the grant occurred. Based on past Council resolutions Staff from the Parks, Recreation and Culture department are working in conjunction with the Waterfront Area Project Manager to manage this project. It continues to be Staff's recommendation that the Town continues to engage the services of Hotson Architecture as Project Lead to ensure the project continues to meet the defined deadlines.

### **ALTERNATIVES**

Council may choose to direct Staff not proceed with further work on this project.

### **FINANCIAL IMPLICATIONS**

Currently, the project is included in the 2018-2022 Financial Plan. The cost for the pre-design phase was \$25,000 plus expenses (net of taxes). This fee included architectural, structural, mechanical, electrical, code and costing services and is a grant eligible expense. Additional \$10,000 was allocated for structural and seismic review.

Moving into the design and construction phase, with the project focus being structural and code improvements the remaining grant funding of approximately \$1,725,000 would be allocated for this. This funding would cover costs associated with design, construction and project management. The estimates at this point indicate the construction being approximately \$1.3 to \$1.5 million, with consulting services being the remaining amount of the budget.

### **LEGAL IMPLICATIONS**

There are no legal implications identified at this time.

### **CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

The primary tenants (Arts Council, Ladysmith Maritime Society and Ladysmith Historical Society) will continue to be informed in order to help communicate to their membership and the community regarding the scope and phasing of the project as it relates to the arts, culture and heritage hub.

### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS**

It is expected that this project will require Staff resources from all departments throughout the process. Due to the fact the project is not part of the existing work plan, a project manager is recommended to ensure other existing projects are not impacted.

**RESOURCE IMPLICATIONS**

This is a major project and will require significant amount of Staff resources to manage over the next twelve to fourteen months. If other projects are impacted by this Staff will provide a report to Council.

**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**

The Town is fortunate to have received a significant grant for the restoration of the Machine Shop building. Recommendations are provided for Council to consider with respect to the next steps, in particular moving forward quickly with the next phases of the project. This Phase would be to award the design and project management work to Hotson Architectural to complete the Machine Shop restoration project.



\_\_\_\_\_  
Clayton Postings,  
Director Parks, Recreation and Culture

November 14, 2018  
Date Signed



\_\_\_\_\_  
Kim Fowler,  
Project Manager, Waterfront Area Plan

November 14, 2018  
Date Signed

I concur with the recommendation.



\_\_\_\_\_  
Guillermo Ferrero, City Manager



**The Comox Logging and Railway Co.  
1943 Shops Building**

**Pre-Design Report**

610 Oyster Bay Drive  
Ladysmith BC

Prepared for the Town of Ladysmith  
June 6, 2018

**HOTSON**

HOTSON Architecture Inc.  
215 - 35 West 5th Avenue  
Vancouver, BC V5Y 1H4  
604 558 6956  
www.hotson.ca

# The Comox Logging and Railway Co. 1943 Shops Building

## Pre-Design Report

Prepared for the Town of Ladysmith  
June 6, 2018

By:  
**HOTSON Architecture Inc.**

With the assistance of:

Herold Engineering Limited  
Rocky Point Engineering Ltd.  
RB Engineering Ltd.  
BTY Group  
GHL Consultants Ltd.

### CONTENTS

1.0	Vision and Intent	1
2.0	Building Program	3
3.0	Design Concept	5
4.0	Building Upgrades	7
5.0	Technical Reports	11
6.0	Seismic Upgrades	11
7.0	Estimated Cost	11
8.0	Implementation Process	13
9.0	Appendix	15
	Conceptual Floor Plans	2 Pages
	Structural Report	4 Pages
	Mechanical Report	6 Pages
	Electrical Report	3 Pages
	Code Consultant Report	4 Pages
	Cost Estimate	21 Pages



Railcar relics and view of the "West" elevation of the Machine Shop



View of the front ("North" elevation) of the Machine Shop



## 1.0 VISION AND INTENT

The Comox Logging and Railway Co. Shop Building, currently referred to as the Machine Shop, forms a strategic piece in the vision for the Ladysmith waterfront, as outlined in the 2017 Waterfront Plan prepared by DIALOG. The building forms the anchor for one of the precincts in the plan defined as the “Arts and Heritage Hub”. The Hub is intended to contain a variety of industrial, arts and community users such that a lively, cultural precinct is created at the front door to the waterfront. The site is intended to be interesting, educational and fun for all who use or visit the place.

The Machine Shop is in need of considerable upgrades to give it a long, purposeful life. At present, the building is largely occupied but does have empty, underutilized and inefficient space that could be repurposed. The Machine Shop has the potential to become a focus in the community, serving as a destination for both local residents and visitors to Ladysmith. To achieve this vision, key tenants should be added to the roster to heighten the creative energy and magnetism of the place in order to attract people to the site, and to entertain them while they are there.

The intent of this document is to provide potential conceptual ideas for the adaptive reuse of the Comox Logging and Railway Co. Shop, expanding upon the 2014 property condition assessment report prepared by Omicron Architecture Engineering Construction Ltd.

Further, this report has two objectives:

1. To make recommendations for a tenant mix and layout that will achieve this vision; and,
2. To outline the process for the phased implementation of improvements to the building

*Hotson Architecture did not perform any on-site testing or other detailed investigations into the existing condition of the building.*



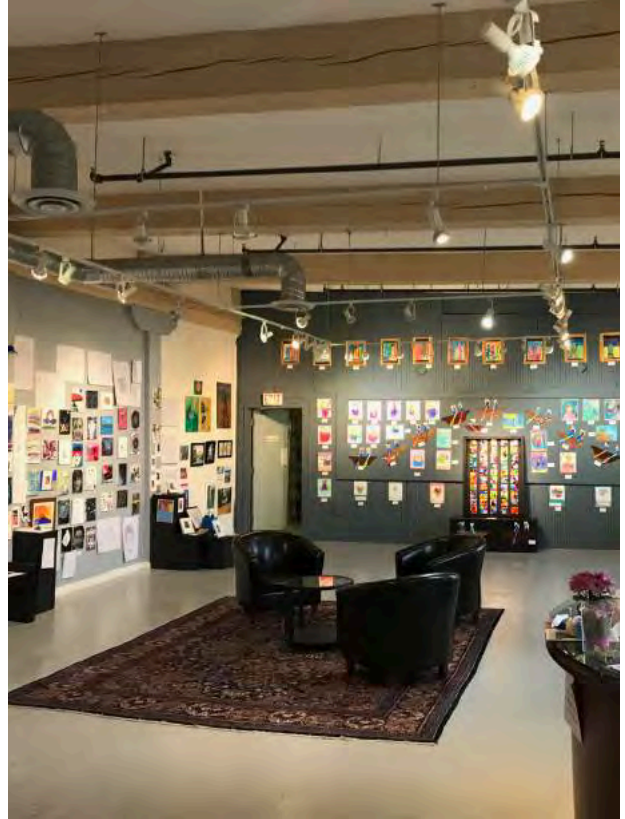
Interior of carving space with heritage windows



Harbour Heritage Centre Entry



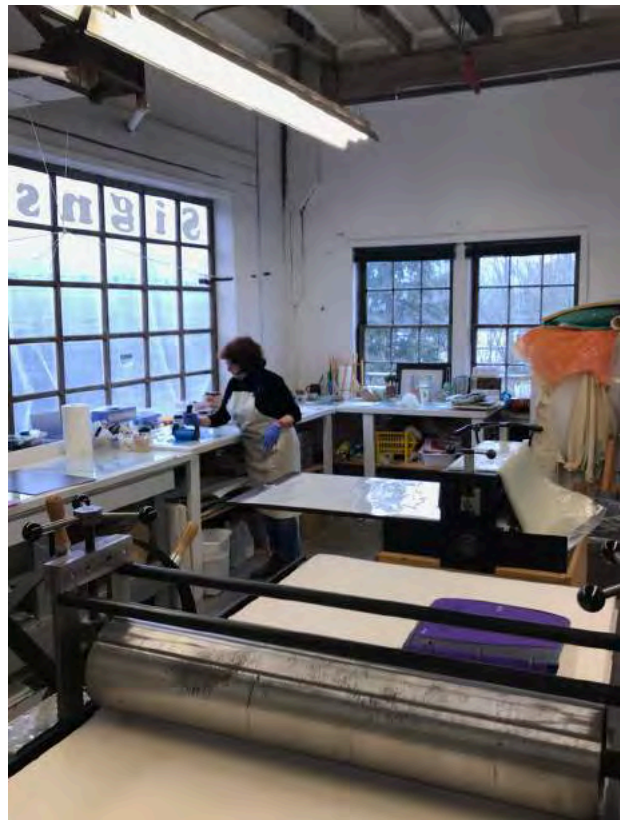
Ladysmith Martime Society exhibition space



Ladysmith Arts Council gallery space



Wood carving space



Artist studio

## 2.0 BUILDING PROGRAM

The roster of tenants currently occupying the building includes the following organizations and individuals:

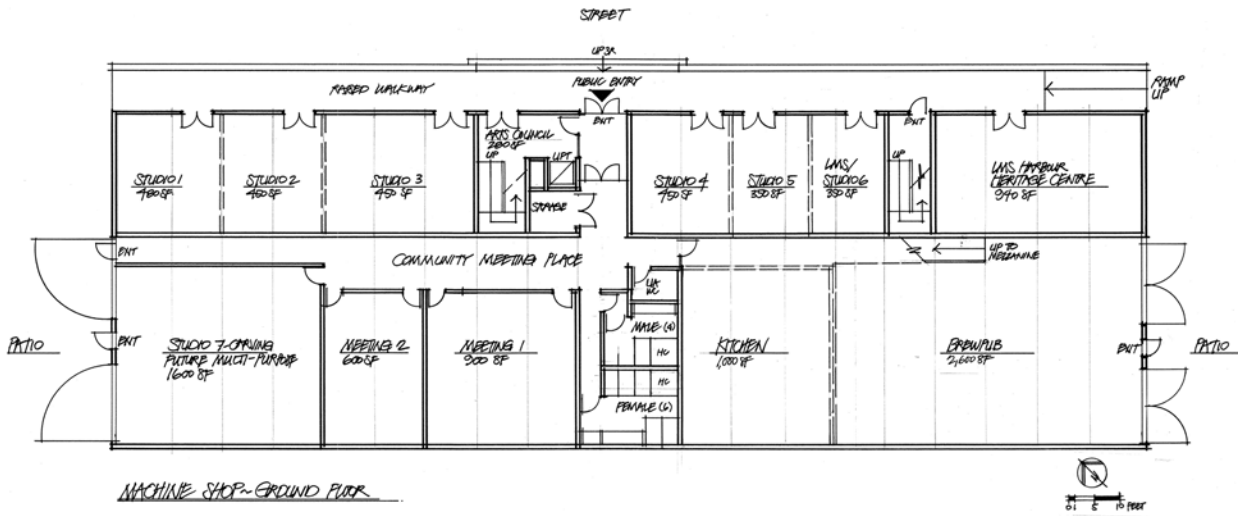
- Ladysmith Maritime Society
- Ladysmith Arts Council
- John Martson, Stz'uminus First Nation artist
- Independent artists (2)

The consultant met with representatives of these groups on April 5th, 2018 to discuss the current needs and interests of users, and to brainstorm future opportunities within the building. Support was expressed for the addition of tenants to the building that will provide a commercial component to the mix. This is an important strategy for two reasons. First, by including some commercial space in the project, people will be more likely to find the site attractive, particularly if food is offered. Second, these tenants can pay rents that will subsidize those who are less able to do so. The goal should be to have all tenants contributing to the basic costs of operating the facility.

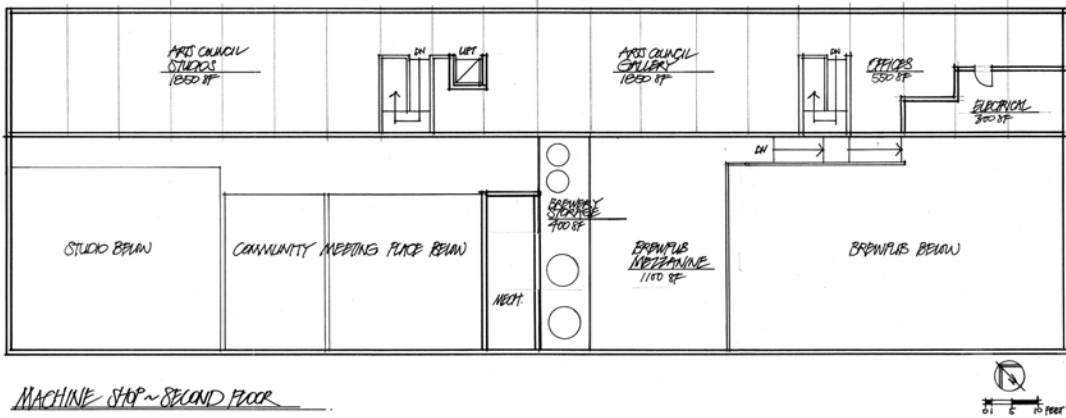
One of the strongest retail categories for drawing people to a location is food and beverage. It is therefore recommended that a use such as a brewpub, or similar food service, be included in the project. As well, it is suggested that more space be made available to small, independent artists. People love watching things being made. Artists on site will create a draw, allowing people to watch them at work, and giving the artists the opportunity to sell their wares on premise. The Town of Ladysmith will, in turn, share in the proceeds from both artists and commercial tenants through rent, operating cost charges, or a percentage of gross sales, or some combination of these subject to the tenant type.

In the longer term, it may be desirable to create a new location for the Stz'uminus art and carving function, and to develop better functioning space for this use, which will free up space in the Machine Shop. Ultimately, the best location for this use may be as part of the Stz'uminus Cultural Centre planned on the waterfront.

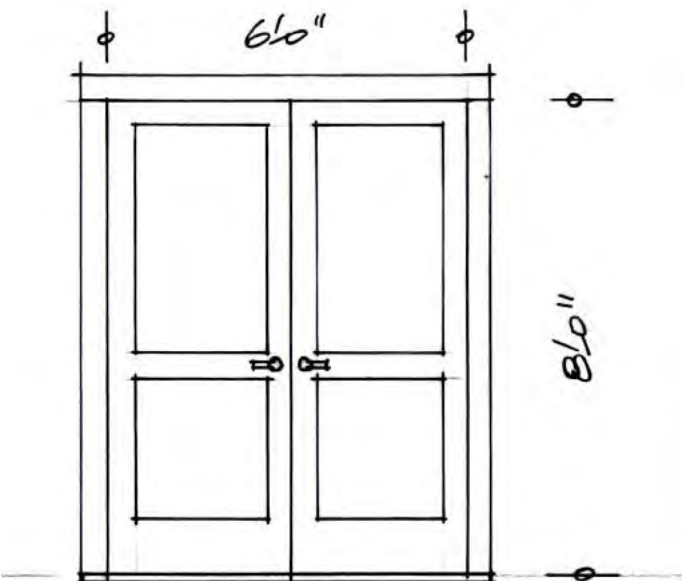
Finally, there are the buildings northwest of the Machine Shop that can ultimately add to the creation of the Arts and Heritage Hub. In particular, the railway restoration and artifact displays and the boat building and restoration functions currently on site should be developed as key attractions. When funding becomes available, the historic buildings can be renovated for these activities that will be of real interest to the public. And, over time, there is the potential to add other buildings with related activities to build a strong "sense of place" for the precinct.



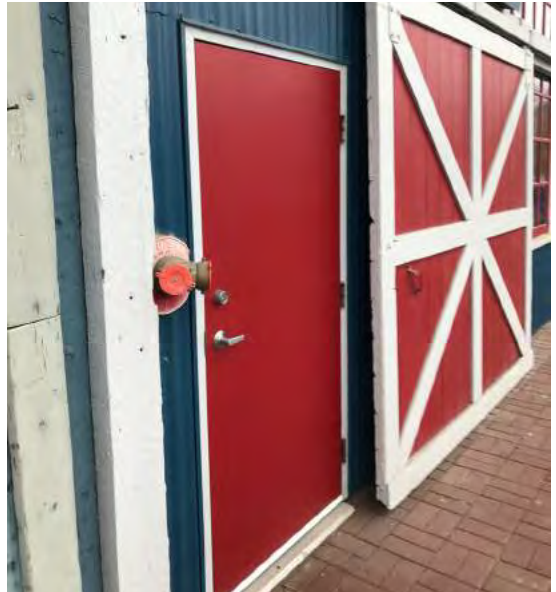
Main Floor - Proposed Floor Plan



Second Floor - Proposed Floor Plan



Sketch of New Studio Doors



Example Existing Studio Door

### 3.0 DESIGN CONCEPT

In response to the above program recommendations, plans have been developed for both levels of the Machine Shop. Three new “ingredients” are shown in the plans representing key strategies to add life to the project:

1. The south half of the backshop area, with its high-volume space, is ideally suited to a brewpub, or similar destination food service, with the potential to include mezzanine space. Additional seating could be accommodated in summer on a sunny patio on the southeast side of the building.
2. In the northwest half of the backshop, in addition to a relocated carving space, the idea of a “community meeting place” is shown that can serve as rental space for receptions, town meetings, displays and gallery functions.
3. At street level, the LMS Marine Heritage Centre is retained but all other space is repurposed for small, independent artist studios that will animate this important frontage.

In order to add these new and interesting uses in the building, the LMS office on the second floor is moved to grade and the Arts Council is relocated from the ground floor to an expanded, second floor space. This change has the added value of resolving the exiting from the second floor where a single tenant only requires two open stairs leading to ground floor exit doors.

On the ground floor, the carving space is reduced in size and relocated to the north end of the building to create room for the potential brewpub and the community meeting place. Another potential tenant in the long term would be the Ladysmith Museum, which could occupy space on the ground floor next to the Harbour Heritage Centre.

One of the deficiencies in the building is the lack of washrooms for both staff and the public. Currently, the Washroom Building north of the Machine Shop contains both male and female facilities. The piping and fixtures will need to be upgraded if this facility is to be retained. Alternatively, and the recommendation of this consultant, is the construction of new washrooms within the Machine Shop, accessible to both staff and the public. They are shown in the backshop, centrally located in the plan, where they can be shared with the food service use. This solution will result in the closure of the Washroom Building which can then be converted into another studio space.



Existing adjacent building



Existing adjacent building



Existing adjacent building

## 4.0 BUILDING UPGRADES

The changes to the uses in the building go hand in hand with a number of building upgrades. In general, the Building Assessment Report prepared by Omicron dated April 02, 2014 outlines the work that needs to be carried out in the building to extend its useful life for many years to come. The necessary upgrades can be carried out in packages. Some tasks must be completed immediately, to realize the building concepts outlined herein; others can wait for available funding.

The following items summarize the architectural changes that are recommended to realize the vision for the project. Those items marked with an asterisk (\*) are recommended for immediate consideration.

### 1. DEMISING AND INTERIOR FINISHES

- installation of full height demising walls to define tenant spaces \*
- construction of new male and female washrooms to serve all tenancies in the building \*
- replacement of wood floors in the ground floor studios with concrete and add concrete topping to existing slabs where they are rough or require levelling \*
- insulation, vapour barrier and gypsum wall board finish to the backshop space \*
- addition of Type X gypsum wall board on walls and ground floor ceilings between heavy timber floor framing where required to meet fire separations between occupancies \*
- painting of all interior columns, beams, walls and ceilings white \*

### 2. EXITING

- reconstruction of the wood stair in the existing LMS space to exit the second floor to grade \*
- reconstruction of the central stair to better serve the Arts Council space and to exit the second floor to grade \*
- addition of an exit corridor and exit door to serve the new community meeting space \*

### 3. OTHER LIFE SAFETY

- adjustment to sprinkler system to suit new demising \*
- exit signage and emergency lighting adjustments \*
- fire alarm synchronized with sprinkler zoning \*
- smoke detection upgrades \*

### 4. ACCESSIBILITY

- construction of one universally accessible washroom on the ground floor \*
- installation of a new handrail to the exterior ramp \*
- design and construction of a highway overpass, bridge, elevator and stair to connect the Arts and Heritage Hub to downtown Ladysmith

## 5. BUILDING ENVELOPE

- replacement of the large swing doors in the backshop to improve thermal performance \*
- retrofit, or replacement where necessary, all windows to improve thermal performance
- replacement of metal wall cladding on all exterior walls
- replacement of all street side man doors with eight feet high wood and glass French doors
- plywood diaphragm, insulation and standing seam metal roofing (alternate: SBS 2-ply torch-on membrane)

## 6. STRUCTURAL

- removal of the mezzanine in the north half of the backshop \*
- replacement of any rotting or undersized structural members as work takes place to floor and roof assemblies \*
- installation of a concrete foundation between footings under the street side exterior wall \*

## 7. MECHANICAL

- replacement of water distribution piping \*
- replacement of domestic hot water tanks \*
- addition of new washrooms on the ground floor \*
- installation of new HVAC system to suit tenant types and demising \*
- any other items as defined in the engineering report in section 5.

## 8. ELECTRICAL

- upgrade of panel boards as required \*
- provision of new general lighting to all tenant spaces \*
- additional smoke detectors at stairs \*
- adjustments to the fire alarm system to sync with the sprinkler system \*
- any other items as defined in the engineering report in section 5.

## 9. ADJACENT BUILDINGS

- begin a process of renewal of all other buildings on site, primarily for rail restoration / display and boat building / restoration
- investigation into the availability of other historic buildings that might be brought to the site
- addition of a new structure to accommodate carving and First Nation arts



## 10. STREETSCAPE/LANDSCAPE

- removal of the unit paving sidewalk finish on the street side of the building, as part of the foundation wall work, and replacement with a trowel finish and sawcut concrete slab
- preparation of a long-term landscape strategy for the reconstruction of the fronting street, parking areas and other exterior spaces of the Arts and Heritage Hub.

## 11. SEISMIC UPGRADES

- addition of new programs in the backshop area would likely require a change of use from the existing F2 Industrial Occupancy to A2 Assembly Occupancy.
- refer to section 6.0 Seismic Upgrades



Existing Condition of Double Height Space



Existing Condition of Double Height Space



Existing soffit on North-East facade



Existing South-East Facade



Existing entry door on North-East Facade



Existing entry door on South-East Facade

## 5.0 TECHNICAL REPORTS

The engineering team assisting in the preparation of this pre-design report has prepared letters with recommendations for improvements to the building. The building upgrades outlined in each discipline are in support of the changes proposed in the design plans included in this report. The engineering letters are attached in the appendix and include:

- Structural engineering: Herold Engineering Ltd.
- Mechanical engineering: Rocky Point Engineering Ltd.
- Electrical engineering: RB Engineering Ltd.
- Code Consulting: GHL Consultants Ltd.

## 6.0 SEISMIC UPGRADES

The new program additions in the back shop area will likely require a change of use from F2 Industrial to A2 Assembly, and this would require the building to be upgraded seismically to likely meet 60% of the current BC Building Code requirements. The new program additions to the backshop area could include a restaurant or brewpub, and community meeting rooms. The rest of the building is currently considered A2 Assembly occupancy and would not require a change of use. The details of the seismic upgrades are beyond the scope of this report, but it has been discussed with the code consultant, whose findings can be found in the attached appendix. The cost consultant report does not allow for include a seismic upgrade of the building.

## 7.0 ESTIMATED COST OF IMPROVEMENTS

An order of magnitude cost estimate for the upgrades most immediately required to the building has been prepared by the cost consulting firm, BTY Group. The cost estimate dovetails with the building upgrades identified in sections 4.0 and 5.0 above resulting in a total cost of \$4,189,900, including contingencies. The full cost estimate can be found in the attached appendix.



Existing South-West facade



Existing Electrical Room



Wood carving space

## 8.0 IMPLEMENTATION PROCESS

The next steps in the implementation of this project are outlined in this section of the report. There are three stages of work that are required to complete the construction of the first phase of this project.

1. Design;
2. Securing a contractor; and,
3. Construction

Each of these phases is elaborated upon to provide information to Town Council for their decision-making process.

### 1. DESIGN

The findings of this report are preliminary only, as part of a pre-design process. The next step in the implementation of the project is to carry out detailed design. This work will involve retaining a design team, under the direction of the architect as Coordinating Professional for the project, and comprised of the following disciplines:

- architect / coordinating professional
- structural engineer
- mechanical engineer
- electrical engineer
- code consultant
- envelope consultant

Other disciplines will be required for future phases, such as civil engineering and landscape architecture, to complete the streetscape and landscape design.

The stages of work to be completed by these firms for the first phase, include:

- Schematic design
- Working drawings and specifications
- Tendering, or negotiation, of a contract with a contractor or a construction manager
- Services during construction to occupancy

The work will also include acquiring the necessary permits for design and construction through the Town of Ladysmith as the authority-having -jurisdiction.

### 2. SECURING A CONTRACTOR

A project of this type can be delivered in various forms of construction contract:

METHOD 1. Undertake conventional tendering of the work, in either an open bid process or to an invited list of contractors; selection of the lowest bid; and, entering into a CCDC 2, Stipulated Price Contract monitored by Town staff and the architect during construction.

METHOD 2. Hiring of a construction management firm, specializing in project delivery, to act as the owner's representative to supervise the consultant team; tender bid packages for the work components; supervise construction activities; and, manage the financial aspects of the project.

METHOD 3. Retaining a construction management company where general contractors are invited to submit proposals for the work; entering into a cost plus contract using either CCDC 3, Cost Plus Contract or CCDC 5A, Construction Management Contract for Services monitored by Town staff and the architect during construction.

Experience has suggested that method 3 above is particularly well-suited to renovation projects where there are uncertainties in scope and where the unexpected is inevitable as work proceeds. Construction management affords the opportunity to fix the contractors fee, allows approximately 80% of the work to still be tendered, with the remaining 20% to be carried out by the contractor's own forces. A variant in option 3 is that at a point in time where the final scope is well defined, and precisely costed, the management contract can be rolled over into a CCDC 2 Stipulated Price Contract.

To select a construction management company, a short list is established of skilled and reputable general contractors capable of completing the work; a Request for Proposals issued; and proposals received that include their fixed fee, personnel, general conditions, and other details about their approach to the construction process. The owner then selects the preferred company based on the criteria set out in the tender.

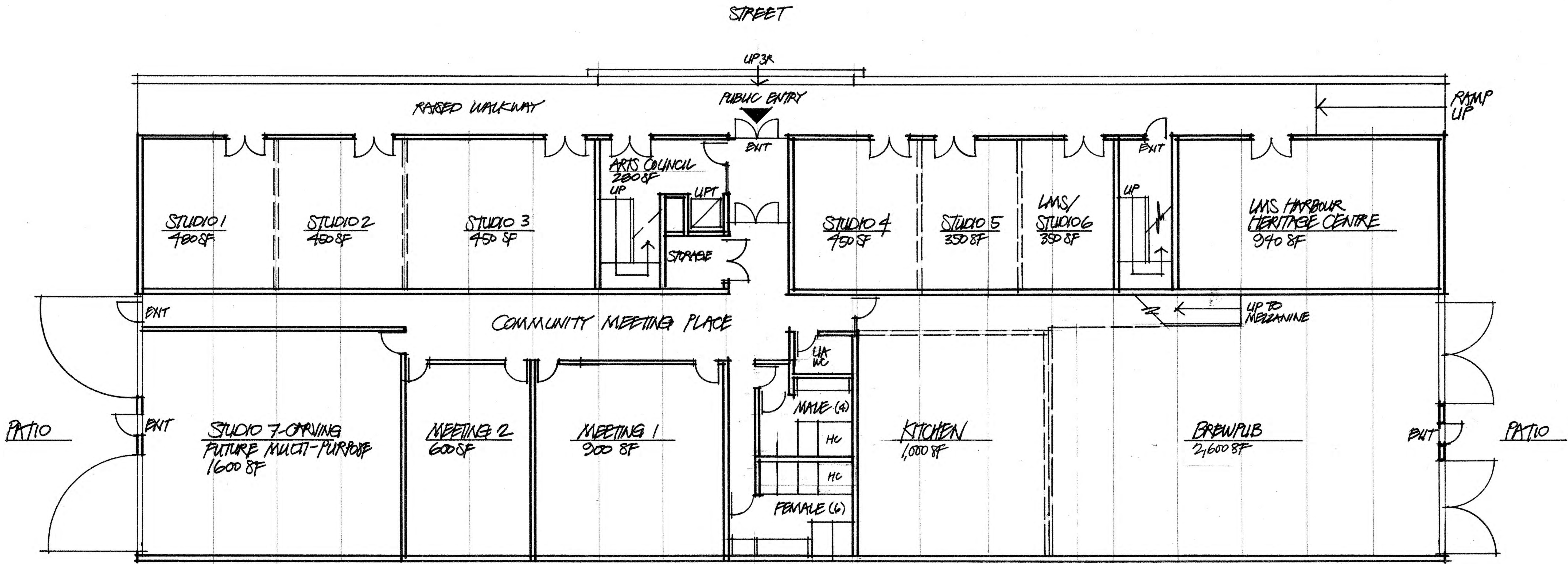
### 3. CONSTRUCTION

Construction typically proceeds in a construction management process on a cost plus basis as identified in method 3 above. Where sub-trade work is tendered it can be completed as a fixed price. The advantage to this form of contract is that the unexpected surprises that turn up on site can be priced, added to the scope of work and, where feasible, other items of work can be reduced in scope to offset the cost of the extra. The result is a more collaborative team approach where the owner, architect and contractor work together to achieve the end goals of the project. This approach is particularly well-suited to a renovation/restoration project where unknowns inevitably occur.

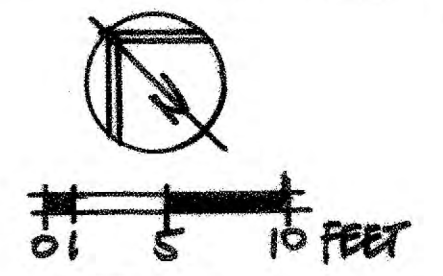
In future, as additional funding becomes available, the remaining items identified in this report can be implemented to complete the vision for the Arts and Heritage Hub.

**9.0 APPENDIX**

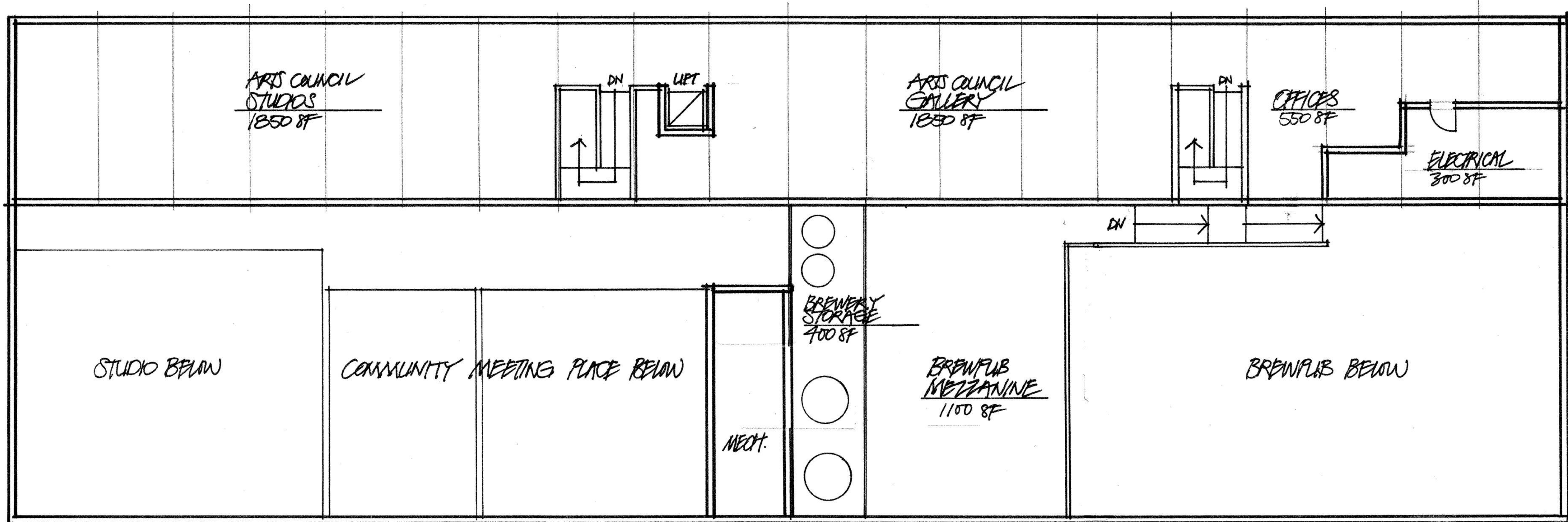
Conceptual Floor Plans	2 Pages
Structural Report	4 Pages
Mechanical Report	6 Pages
Electrical Report	3 Pages
Code Consultant Report	4 Pages
Cost Estimate	21 Pages



MACHINE SHOP - GROUND FLOOR







MACHINE SHOP ~ SECOND FLOOR

April 23, 2018

4598-001

Via email: norm@hotson.ca  
Kai@hotson.ca

Hotson Architecture Inc.  
215-35 West 5<sup>th</sup> Avenue  
Vancouver BC  
V5Y 1H4

Attn: Norm Hotson, AIBC, Architect

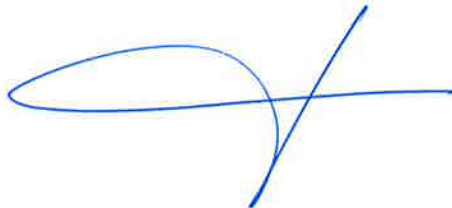
**Re: Structural Engineering Pre-Design Technical Report  
The Comox Logging and Railway Co.  
1943 Shops Building  
610 Oyster Bay Drive  
Ladysmith BC**

Dear Norm:

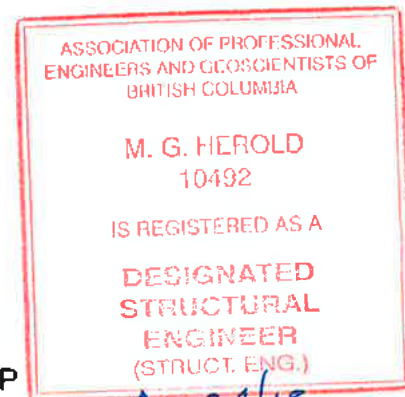
Further to our on-site inspection at the above site on April 13, 2018, attached please find a copy of our Structural Engineering Pre-Design Technical Report.

Please call with any questions regarding this report.

**HEROLD ENGINEERING LIMITED**



Mike Herold, P.Eng., Struct.Eng., M.I.Struct.E., LEED AP  
Principal



*Enclosure*

## STRUCTURAL ENGINEERING PRE-DESIGN REPORT

**The Comox Logging & Railway Co.  
1943 Shops Building  
610 Oyster Bay Drive  
Ladysmith BC  
April 23, 2018**

---

### 1.0 BACKGROUND

The existing two storey 24,000ft<sup>2</sup> wood frame building is approximately 180ft long x 66ft wide and for the purposes of this report the front of the building (2storey side) is the east elevation. The building was constructed in 1943 as a Railway Shop building and today is used for a variety of commercial spaces including Museum, Art Gallery and Carving Shop.

The building is divided into a two storey space on the east measuring approximately 25ft x200ft and a single storey high volume space on the west measuring approximately 41ft x 200ft. Building construction is of wood frame incorporating solid plank decking on the roof and floors.

The roof of the high volume space on the west is plank decking spanning to solid heavy timber purlins spanning north/south to clear span heavy timber beams spanning east/west. The roof of the two storey space on the east is plank decking spanning to heavy timber purlins spanning north /south to clear span heavy timber beams spanning east/west. The floor of the two storey space is plank decking on clear span timber floor beams spanning east/west.

The roof and floor beams are supported by heavy timber columns on the east and west elevations and along the interior demising wall between the single and two storey spaces. The bay spacing of heavy timber elements is 10ft o/c in the north /south direction.

It is assumed that exterior walls along the east and west and the interior demising wall are infill wall and are non-load bearing.

The main floor of the west single storey area is concrete slab-on-grade and the main floor of the two storey east section is a combination of concrete slab-on-grade construction and wood floor. It is our understanding that the concrete slab in the east area is a replacement to the original wood floor on timber sleepers as a result of deterioration of the wood floor due to rot.

The lateral load resisting system in the north/south direction is a series of timber V-bracing on the east and west exterior walls and the interior demising wall between the single storey and two storey spaces.

The lateral load resisting system in the east/west direction is via pairs of 3"x12" diagonal timber braces aligning with the exterior timber columns on the west elevation and connected at ground level to creosote treated 9" diameter driven timber piles.

It is noted that we have reviewed the report prepared by Omicron dated April 2, 2014 entitled "610 Oyster Bay Drive Property Condition Assessment" in our assessment of the structure.

## 2.0 INSPECTION

Our inspection included a visual inspection only of interior and exterior areas that were accessible and that there was no testing for timber deterioration in any of the timber elements or concrete testing of column footings or concrete slab-on grade.

The building design, detailing and construction was typical of heavy industrial buildings in the early 1900's incorporating plank floor and roof sheeting, and heavy timber purlins, beams and columns with timber column corbels supporting beams and heavy timber V-bracing.

It is noted that some areas of the original wood floor on the two storey and single storey area have been replaced with concrete slab-on-grade construction and some areas in the two storey sections on the east are showing deterioration and settlement of the wood plank floor which is supported by wood sleepers on dirt. Also there is some severe timber rot in the diagonal braces on the west elevation where they connect to the treated piles.

While it was beyond our scope of work to complete a thorough inspection of the timber elements for deterioration it is likely that there are areas in the roof, walls and floor where localized rot has taken place.

The upper floor of the two storey area is constructed of 4x12 @ 24" o/c. A design check on these beams indicate that they would be sufficient to support on office live load of 2.4 kPa (50psf) but would be 100% overstressed for a floor live load of 4.8kPa (100psf) which would be required for Assembly use by code.

As noted previously, the lateral load resisting system in the exterior walls and the interior demising wall between the single storey and two storey in the north/south direction was by heavy timber V-bracing. The lateral load resisting system in the east/west direction is the use of the double diagonal braces.

A lateral load design check for seismic and wind load is beyond our scope of work but we are confident that the existing building would not meet current seismic design loads of the 2012 British Columbia Building Code.

### 3.0 STRUCTURAL UPGRADING (CHANGE OF USE)

Most Municipalities require structural upgrading on existing buildings when there is a "change of use and occupancy" as defined in the Code. If the high volume single storey space changes from F-2 Occupancy (Industrial) to A-2 Occupancy (Assembly) then the building would need to be upgraded seismically to likely meet 60% of current Code requirements which would be onerous from a cost standpoint.


### 4.0 RECOMMENDATIONS

It is recommended that the following work be completed as part of the next phase of the project:

1. Detailed structural reviews of existing building elements to current climatic loading as per the 2016 British Columbia Building Codes.
2. Removal of a portion of the two storey lower main floor to determine the rot in the timber sleepers sitting on grade. Location should be at exterior east wall to determine detail of support of infill frame wall at foundation elevation.

Submitted by:

**HEROLDENGINEERING LIMITED**



Mike Herold, P.Eng., Struct.Eng., M.I.Struct.E., LEED AP  
Principal

## **INTRODUCTION**

Rocky Point Engineering Ltd. has been engaged to review the condition of the Mechanical Systems at the Comox Logging and Railway Co. Machine Shop Building located at 610 Oyster Bay Drive in Ladysmith, BC and provide recommendations to support the proposed design concept upgrades as referenced in a pre-design report prepared by HOTSON Architecture Inc., with consideration of the recent property condition assessment report prepared by Omicron in April of 2014.

Aaron Mullaley from Rocky Point Engineering attended a site review on Friday, April 13th, 2018 at 10:15am with representatives from the Town of Ladysmith, along with the architectural, structural and electrical consultant team members. No mechanical drawings were available for review.

## **EXISTING MECHANICAL SYSTEMS**

The site investigation included a non-invasive review of the existing mechanical system conditions with focus on the following:

- Plumbing (Domestic, Storm, Sanitary and Gas)
- Fire Suppression
- Heating
- Ventilation

There is no air conditioning included with the existing mechanical systems.

Details of each mechanical system are included below:

### **Plumbing Systems (existing)**

The plumbing systems were generally in poor condition with most of the components at or beyond their expected useful life. The main comments for plumbing system components reviewed are:

- Domestic water entry with 50mm water service is in the southeast area of the building in the current woodshop. Any new distribution of domestic water piping should come from this area. All redundant piping to be removed.
- Domestic water heaters located in a stand-alone washroom building are in fair condition. They appear to have been installed in 2005 and expected to be usable for two more years.
- Plumbing fixtures were in poor condition and due for replacement. Any new washroom layout would require new plumbing fixtures.

- Storm rainwater leaders from gutters were leaking in a couple of sections. Maintenance will need to be completed on the gutter system with repair of piping connections.
- Sanitary piping systems would be new for all renovated washroom areas. Existing to be abandoned in place where inaccessible, with redundant piping removed where possible. It is expected that the sanitary mains will be connected to municipal services at the north end of the building.
- Natural gas meters are located on southeast corner of the building. It is expected that new gas piping would be run from this location. Relocation of the gas meters to the south or east corners of the building may be required depending on the final tenant layout.

With any building renovation we would recommend upgrade of the associated plumbing systems. Refer to recommendation below.

### **Fire Suppression Systems (existing)**

The fire suppression sprinkler systems were in fair condition. They were recently upgraded in 2007 and would only require modification as part of a building renovation.

- The main fire service line enters the building on the northeast side of the building.
- It is expected that the sprinkler room would remain as is, but with any tenant improvements revisions to the fire suppression head layout would be required.

### **Heating Systems (existing)**

The heating systems were generally in poor condition with most of the components at or beyond their expected useful life. The main comments for heating system components reviewed are:

- The natural gas fired unit heaters in the shop areas are were not functional at the time of our review.
- Some areas included electric baseboard heaters which were also in poor condition and due for replacement.

The existing heating system would be fully replaced as referenced in building mechanical heating, ventilation and air conditioning (HVAC) system recommendation below.

## **Ventilation Systems (existing)**

The ventilation systems were in poor condition and due for replacement next year. The main comments for ventilation system components reviewed are:

- The atmospheric natural gas-fire furnaces served the two-level northeast side of the building. They do not include air conditioning and are not zoned for adequate temperature control in multiple tenant spaces.
- Washroom exhaust fans were functional but appeared to be past their expected useful life.
- The woodshop area included a non-functional dust collection system. It would not comply with current Worksafe and NFPA 664 code requirements for woodshop ventilation systems.

The existing ventilation system would be fully replaced as referenced in building mechanical heating, ventilation and air conditioning (HVAC) system recommendation below.

## **PROPOSED MECHANICAL SYSTEMS**

Based on the concept plans for the future renovation, we recommend the following mechanical system improvements to support this work:

### **Plumbing Systems (proposed)**

Provide new conventional plumbing systems to suit the renovated layout with consideration of:

- Grease interceptor for commercial kitchen grease drainage system
- Addition of backflow prevention separately for the kitchen and brew pub plumbing systems
- Tankless natural gas-fired condensing water heater for general purpose domestic water heating with recirculation piping system for improved hot water supply.
- Separate high efficiency gas-fired water heater for kitchen and brew plumbing systems
- Low flow plumbing fixtures will be used to conserve water supply.



## **Fire Suppression Systems (proposed)**

Provide new fire suppression sprinkler head layout to suit new tenant spaces in accordance with NFPA 13 (2013) Standard for the Installation of Sprinkler Systems.

- New sprinkler heads are required when the location is modified as reuse of existing heads is not allowed with the latest version of the NFPA 13 Code.

## **HVAC - Heating, Ventilation and Air Conditioning (proposed)**

Provide new HVAC system throughout building to provide improved temperature control, with increased ventilation to meet current ventilation (ASHRAE 62.1) and energy code (ASHRAE 90.1 and Step Code) requirements, along with meeting Worksafe regulations.

- Our recommendation would be to include dedicated outdoor air ventilation through an ERV (Energy Recovery Ventilator) to provide fresh air to each separate space and a commercial type VRF (Variable Refrigerant Flow) modular air conditioning and heating system to all spaces with the exception of the meeting rooms, brew pub, kitchen and wood carving rooms, which could have stand-alone HVAC.
  - Two commercial ERV's may be provided to serve:
    - Ground floor studio units and heritage center (800 CFM), drawing exhaust from the ground level washrooms
    - Second floor Arts Council/Gallery and offices (800 cfm), with direct relief air to outside.
    - ERV system to be Venmar, Renewaire or Aldes type
  - Commercial VRF system may be provided to serve:
    - Ground floor studio units with heritage center and second floor Arts Council/ Gallery with offices
    - Expected combined size of 20 tons, with the following components:
      - Exterior 20 condensing unit (two 10 ton twinned condensing units)
      - Ground floor studio units each with 1.5 ton ductless ceiling cassette or wall mounted fan coil. (six in total)
      - Ground Floor Heritage Center with a 2 – 3 ton ducted fan coil unit
      - Second Floor Arts Council/Gallery with two 3 – 4 ton ducted fan coil units
      - Second Floor Office area with 1.5 to 2 ton ducted fan coil unit
    - VRF system to be Mitsubishi, Daikin, Trane or Fujitsu type

- The two meeting rooms are expected to have intermitted use and could be provided with a light commercial 4 ton mini-split system with outside 4 ton condensing unit and 2 to 3 ton ducted fan coil units.
  - Mini split System to be Daikin, Trane or Fujitsu type.
- Kitchen ventilation will require a grease exhaust system (Greenheck or equivalent) from a kitchen exhaust hood in compliance with NFPA 96. A natural gas-fired make-up air unit (Engineered Air or equivalent) will supply tempered outdoor air ventilation.
  - Ventilation airflow rates to be based on size of hood required. Expected range between 2,400 to 3,000 cfm.
- The Brew Pub is expected to have an air conditioning load between a 6 ton and 7.5 ton. A separate packaged heat pump with economizer would be best suited for this case, due to the occupant load varying significantly throughout the day. Daikin, Trane or Lennox models.
  - Brew Pub mezzanine area to be provided with general exhaust air ventilation and gas-fired unit heater for space heat.
- The Wood Carving space is expected to require a Dust Collection system in compliance with Worksafe regulation and NFPA 664 (Standard for the Prevention of Fires and Explosions in Woodworking Facilities).
  - We would recommend a non-recirculating baghouse dust collector (Murphy, Torit or equivalent) with UL listed backflow device, explosion vent panels with flame diversion.
    - Size to be confirmed based on the type and number of connected devices. Expected range of 1,500 to 3,000 cfm.
  - A natural gas-fired make-up air unit (Engineered Air or equivalent) would be provided to provide tempered fresh air when the dust collection system is operational.
  - General ventilation would be by room exhaust fan and heating through a gas-fired unit heater.

## DISCLAIMER OF LIABILITY

The material in this report reflects our professional opinion based on information available to us, through a site tour with visual observations of the mechanical systems/equipment, and building operators comments. Any use which a third party makes of this report or reliance on decisions made based on it, are the responsibilities of such third parties. Rocky Point Engineering Ltd. accepts no responsibility for damages, if any suffered by any third party as a result of decisions made or actions based on this report.

A visual review has been carried out by Rocky Point Engineering Ltd. on readily accessible mechanical systems and equipment. No physical testing of systems/equipment capacities have been undertaken to ascertain the capacities to meet plumbing requirements or compliance with current code requirements.

Yours very truly,

Rocky Point Engineering Ltd.



Aaron Mullaley,  
Eng.L., ASCT, PTECH, LEED® AP  
Principal, Senior Project Manager  
e. aaron.mullaley@rpeng.ca  
c. 250.739.0692



April 18, 2018

Norman Hotson  
Hotson Architecture  
215 – 35 West 5<sup>th</sup> Avenue  
Vancouver, BC V5Y 1H4

Dear Norman,

**Re: Comox Logging and Railway Co. Machine Shop Building, Ladysmith, BC**

RB Engineering Ltd has been retained to review the electrical infrastructure at the above referenced building and site and make recommendations on upgrades to support potential revisions to the interior partitioning and usage as outlined in Hotson Architecture's Pre-Design Report. A recent building assessment report prepared by Omicron in March 2014 has also been reviewed for further description of the existing electrical installations.

I attended the site at 10:15 am on April 13, 2018 along with representatives from the owner as well as the architectural, mechanical and structural design team members and undertook a visual assessment of the building's electrical services and devices. As described in the Omicron report, the condition of this infrastructure varies from relatively new and fully functioning to original equipment that has reached the end of its useful life. In addition to upgrades required due to older equipment in poor condition, much of the existing infrastructure would need to be reconfigured and/or replaced to suit the proposed revisions to the building.

The following is a list of high level recommendations to support the design concept described in the Pre-Design Report:

1. The existing 600 amp, 600 volt 3-phase main service currently serves the main Machine Shop building and the smaller auxiliary buildings on site in addition to a separately metered feed to the marina to the northeast. The adequacy of the service's overall capacity will be determined pending a detailed review of the proposed new layouts and prospective tenancies. Recent demand information derived from the marina's BC Hydro bills would ideally be used to determine the remaining capacity on the service.

2. While a separate utility meter has been provided for the marina sub-feed, the distribution and metering for the remainder of the service should be upgraded to consist of a separately metered feeder for each proposed tenant as well as a “landlord” meter for all other loads (e.g., common service rooms, exterior lights, etc). All new feeders would be sized to accommodate the loads of the proposed tenants, with additional transformer(s) provided as required to provide 120/208 volt power to suit prospective tenant needs.
3. The extent to which existing distribution can be reused will be determined once the proposed reconfiguration of the space has been finalized. Depending on the age and condition of the infrastructure at hand, some of this equipment may prove to be adequate for areas which are to remain largely unchanged. Where appropriate, consideration should be given to organizing and consolidating the distribution layout to eliminate any obsolete or superfluous infrastructure that may no longer be needed subsequent to the proposed layout adjustments (e.g., 480 volt distribution). Any existing infrastructure that ultimately remains should, at a minimum, be upgraded to rectify the Canadian Electrical Code deficiencies identified in the Omicron report (e.g., missing disconnecting means, clearance issues, etc).
4. In general, new electrical devices (receptacles, branch circuit wiring, etc) would be installed throughout the renovated areas to suit the revised layouts.
5. New LED lighting would be installed throughout the facility to replace the existing fluorescent fixtures and to suit the revised layouts. Automatic lighting controls consisting of occupancy or motion sensors would be provided as per ASHRAE requirements. Consideration should also be given to replacing the exterior lighting with LED fixtures to realize energy savings and enhance performance.
6. BC Building Code life safety system layouts (i.e., fire alarm, emergency lighting and exit signage) would be upgraded with new devices to suit the new layouts throughout the building.
  - The existing conventional fire alarm panel is an older model that is at capacity for zones. In addition to providing new devices to support the revised layout noted above and rectifying deficiencies noted in the Omicron report (e.g., smoke detectors at the top of exit stairs, interconnection with sprinkler system, etc), an upgrade to a new addressable fire alarm panel might be considered to bring the system up to current industry standard functionality.

- Existing emergency lighting would be replaced with new LED emergency lighting units throughout the building to suit the revised layouts.
  - Existing exit signs would be replaced with new LED green pictogram “running man” exit signs throughout the building to suit the revised layouts.
7. The sole communication service currently consists of an overhead copper telephone service terminating in a demarcation panel located in an office area adjacent to the electrical room. Depending on prospective tenants consideration should be given to upgrading the communication services to include CATV and/or fibre services to suit tenant needs. New communication conduits from the demarcation point to each proposed tenant space would be provided through which tel and/or CATV services could be coordinated by each tenant.
  8. The existing intrusion system would be upgraded as desired to suit the owner’s needs based on the revised layouts.

This concludes our observations and high level recommendations for the electrical infrastructure at this building with respect to the proposed architectural upgrades. Please give me a call if you have any questions.

Regards,

**Arlen Brown, CTech**  
**Project Manager**

## OUTLINE APPROACH TO BUILDING CODE COMPLIANCE

<b>Project</b>	Ladysmith Machine Shop	<b>GHL File</b>	6904.00
<b>Address</b>	610 Oyster Bay Drive, Ladysmith, BC	<b>Date</b>	June 1, 2018

---

### PURPOSE

This report provides a summary of the proposed approach to Building Code compliance with respect to Division A, Part 1 and Division B, Part 3 of the BC Building Code 2012 as part of the feasibility study. We have not reviewed the building other than as specifically described in this letter, we have relied on information provided by Hotson Architecture Inc, and we have not visited the site.

### OUTLINE REVIEW

#### Project Description

We understand the project consists of a study to determine the feasibility of alterations to an existing building currently occupied by a mix of arts type occupancies; gallery, artists studios and community offices. The building is two storeys in height, 1360m<sup>2</sup> in area, and is sprinklered. The proposed occupancy will remain a mix of community offices and meeting spaces, galleries and arts studios and there is a desire to use some of the first storey space for a restaurant or pub type occupancy.

This report describes the Building Code's approach to its application to existing buildings and provides our interpretation of occupancy classifications. A more detailed report may be necessary at the Building Code stage to create a detailed approach to Building Code compliance regarding a specific approach.

#### Applicable Building Code

The applicable Building Code is the BC Building Code 2012 and all references are to this edition.

#### Application of the Building Code to Existing Buildings

There are no specific requirements, under either the Building or Fire Code, to bring existing buildings into compliance with the current Building Code, unless changes are proposed that would otherwise increase risk. Division A, Sentence 1.1.1.2.(1) requires that "...where a building is altered, renovated, rehabilitated or repaired, the level of life safety and building performance shall not be decreased below a level that already exists." The Building Code makes allowances for existing buildings and enables their useful life to be extended through repairs.

New construction is required to comply with the Building Code and existing conditions require a practical approach. Appendix A-1.1.1.1.(1) describes application of the Building Code to existing buildings and states that consideration of the level of safety required, similar to the method for alternative solutions, is necessary. Successful application is a matter of balancing cost with the importance of the requirement to the overall Building Code objectives. The User’s Guides published with the National Building Code are referenced as sources for further information. The User’s Guide commentary on application of Part 3 to existing building states that:

*“... an appropriate level of performance is considered to be achieved if the level of safety is adequate to ensure the safety of occupants should they be exposed to a hazardous situation. Under these circumstances, some requirements affecting property protection and items that do not directly affect occupants may not meet the standard intended by the current Building Code.”*

The User’s Guide describes the key elements for consideration as follows:

- general day-to-day safety of occupants (design of stairs, guards, handrails etc.),
- knowledge of fire (fire detection and alert),
- the ability to move to a safe place (number of exits, travel distance, fire separations),
- control of fire by building elements (fire separations, closures, firestopping), and
- protection of property (fire compartmentation, sprinklers and spatial separation).

Other than protection of property, all of the elements relate to evacuation of the building in an emergency.

### **Occupancy Classification**

We understand the existing building is classified both Group F, Division 2 or *medium hazard industrial*, and Group A, Division 2 or *assembly* major occupancy based on past building permit information provided by Hotson Architecture Inc.

The construction requirements in the Building Code are applied to the overall building based on the most onerous occupancy on a storey by storey basis.

Determining occupancy classification is the first step in designing in new construction however, as the approach to Building Code compliance at existing buildings is based more on first principles of fire protection and occupant safety, the occupancy classification is not as critical. The following summarizes the construction requirements in Subsection 3.2.2 for the two major occupancies based on a sprinklered building:

	<b>A2</b>	<b>F2</b>
Building Area	1360m <sup>2</sup>	1360m <sup>2</sup>
Building Height	2 storeys	2 storeys
Construction Article	3.2.2.26	3.2.2.77
Sprinklered	Yes	Yes
Floor Fire Resistance Rating	¾h	¾h
Roof Fire Resistance Rating	None	None





Based on the table above, the requirements under the current Building Code are the same for both occupancies.

Fire separation between suites is governed by Article 3.3.1.1 and is ¾h based on the fire resistance rating of the floor, unless the requirement for a separation between different occupancies is more restrictive. Separation of the assembly and industrial major occupancies is 2h, based on Table 3.1.3.1.

We understand there is some discussion around a brew pub, and brew pubs are a good example of major and subsidiary occupancies. Breweries present a unique combination of industrial (typically low hazard or Group F, Division 3) and assembly occupancies and include production, sales and tasting. One occupancy is subsidiary to the other; it is either a brewery with subsidiary tasting (F3) or a lounge with subsidiary brewing (A2), and there are Building Code appeals (1644 and 1793) that support both.

**SUMMARY**

This outline report has described the general approach to Building Code compliance for existing buildings, and discussion on occupancy classification for the building located at 610 Oyster Drive, Ladysmith, BC.

Prepared by,  
GHL CONSULTANTS LTD

Frankie Victor, EngL, BCQ



Reviewed by,

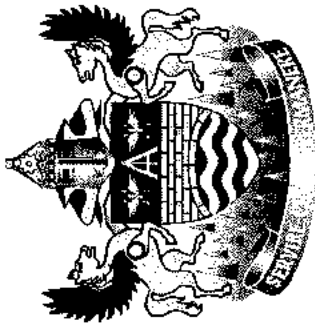
David W. Graham, P Eng, CP, FEC

**\* Limitation of Liability \***

This technical report addresses only specific Building Code issues under the GHL/Client agreement for this project and shall in no way be construed as exhaustive or complete. This technical report is issued only to the Authority Having Jurisdiction, the Client, Prime Consultants and Fire Suppression Designer to this project and shall not be relied upon (without prior written authorization from GHL) by any other party.

FV//k|

P:\PRJ\69\6904 - Ladysmith Machine Shop Heritage Feasibility Study\Report\2018-06-01 Outline Approach (GHL 6904.00).doc



The Association of  
**PROFESSIONAL ENGINEERS AND GEOSCIENTISTS**  
of the Province of British Columbia

## **LIMITED LICENCE**

**Frances Elaine Victor** has signed an undertaking and is therefore authorized to engage in the practice of Professional Engineering in the Province of British Columbia, within the limited scope as specified hereunder:

**Discipline:** Civil

**Field of Practice:** Building Code Consulting

**Limited to:**

1. Building code analysis, consulting, design and field review of alternative solutions, review and reporting on building construction for compliance to fire protection, occupant safety, and accessibility requirements of building and fire codes.
2. Division A, Division B Parts 1, 2, 3, 8 and 9 (and Part 10 of the Vancouver Building By-law) and Division C of the British Columbia Building Code, National Building Code of Canada and the Vancouver Building By-law, plus British Columbia Fire Code, National Fire Code of Canada, and the Vancouver Fire By-law (including associated appendices and other referenced standards).

**Exclusion:**

- a. Detailed design of fire protection and fire suppression systems.

Granted February 2, 2014



**COST MANAGEMENT REPORT**

*610 Oyster Bay Drive,  
Ladysmith, BC  
Class D Estimate*

REPORT NUMBER 1.0

MAY 8, 2018

**PREPARED FOR:**

*Hotson Architecture*

2288 Manitoba St., Vancouver, BC, V5Y 4B5  
T 604 734 3126

**BTY.COM**

*People to count on.  
Knowledge to build with.*



## Contents

1.0	Introduction	1
2.0	Executive Summary	2
3.0	Development Cost Summary	3
4.0	Basis & Assumptions	4
5.0	Exclusions	5
6.0	Construction Cost Summary	6
7.0	Areas	7
8.0	Taxes	7
9.0	Project Schedule & Escalation	7
10.0	Pricing	7
11.0	Risk Mitigation	8
12.0	Contingencies	8
13.0	Documents Reviewed	9

### APPENDICES:

APPENDIX I	Construction Cost Summary	1 page
APPENDIX II	Cost Plan	5 pages

Prepared By	Reviewed By	Date
Ping Pang	Eldon Lau	5/8/2018



## 1.0 Introduction

### 1.1 Instructions Received

This report has been prepared by BTY Group ("BTY") at the request of Hotson Architecture (the "Client").

Hotson Architecture has appointed BTY to provide a Conceptual Design estimate developed for the project at 610 Oyster Bay Drive, Ladysmith, B.C. (the "Project"). The Project delivery is yet to be determined, therefore, BTY strongly recommends that estimates are prepared at each of the key design milestones.

Information related to the Project for the purposes of this report was received by BTY on April 20, 2018. Please refer to Section 13.0 for a list of information received in producing this report.

### 1.2 Report Reliance

This report has been prepared in accordance with the scope of our Fee Proposal, dated April 20, 2018, which was prepared in response to the terms of that appointment. This report is for the sole and confidential use and reliance of the Client. BTY Group, its Directors, staff or agents do not make any representation or warranty as to the factual accuracy of the information provided to us on behalf of the Client or other third-party consultants or agents. BTY Group will not be liable for the result of any information not received which, if produced, could have materially changed the opinions or conclusions stated in this report. This report shall not be reproduced or distributed to any party without the express permission of BTY Group.

Any advice, opinions, or recommendations within this document should be read and relied upon only in the context of the report as a whole. The contents do not provide legal, insurance or tax advice or opinion. Opinions in this report do not advocate for any party and if called upon to give oral or written testimony it will be given on the same assumption.

### 1.3 Contacts

Should you have any queries regarding the content of this report, please do not hesitate to contact either of the following:

**Ping Pang**

Director

Tel: 604-734-3126

Email: pingpang@bty.com

**Eldon Lau**

Partner

Tel: 604-734-3126

Email: eldonlau@bty.com



## 2.0 *Executive Summary*

### 2.1 **Report Purpose**

The purpose of this report is to provide a realistic estimate of the Project cost based on the information available at the time of writing.

The opinion expressed in this report has been prepared without the benefit of detailed architectural, mechanical, electrical or structure drawings and should, therefore, be considered a Conceptual Design (Class D) estimate. Based on the documents reviewed, our estimate should be correct within a range of approximately +/- 25%.

In order to provide an accurate cost estimate for the Project, BTY Group strongly recommends that a professional Quantity Surveying organization, such as BTY Group, be retained to provide a detailed analysis of any design information produced on behalf of the Client during the remaining stages of design.

### 2.2 **Project Background and Description**

The proposed development consists of building upgrades and retrofit for new functional program.

The following are the three main concepts:

- 1) Renovation to the backshop area into Brewpub;
- 2) Renovation to the north half of the backshop into “community meeting place”;
- 3) Retain LMS Marine Heritage at street level and repurpose other space into small, independent artist studios.

The anticipated works comprise of following items:

- 1) Interior retrofit;
- 2) Structural reconfiguration for new exit;
- 3) Mechanical associated retrofit work;
- 4) Electrical associated retrofit work.



*Executive Summary (Cont'd)*

**2.3 Project Overview**

Construction Budget Status	Details
Budget	TBD
Current Estimate	\$4,189,900
Current Cost / m <sup>2</sup>	\$211 /ft <sup>2</sup>
Project Specifics	
GFA	19,858 ft <sup>2</sup>
Duration	TBD
Escalation	0.00%
Design Contingency	15.00%
Construction Contingency	10.00%

**3.0 Development Cost Summary**

The current estimated cost of the project may be summarized as follows:

Item	Estimated Costs (\$)
A Land Cost (Excluded)	0
B Construction	3,312,200
C Contingencies	877,700
D Professional Fees	0
E Municipal & Connection Fees	0
F Management & Overhead	0
G Project Contingency	0
H Furnishing, Fittings & Equipment	0
I Financing Costs	0
J Goods & Services Tax	0
<b>Total Project Cost (April 2018 Dollars)</b>	<b>\$4,189,900</b>
K Escalation (0%)	0
<b>Escalated Project Cost (April 2018 Dollars)</b>	<b>\$4,189,900</b>

*Please note that, where zero dollar values are stated, BTY has excluded these costs and the values should be carried in a separate budget (if applicable).*



## 4.0 *Basis & Assumptions*

The construction estimate is based on the following list of assumptions:

1. No work required to the foundation;
2. Allowance of \$20,000 for reconstruction of the central stair;
3. Allowance of \$15,000 included for addition of new enclosed exit stair;
4. No allowance for fit out to tenant space and BrewPub;
5. No requirement for out of hours work;
6. Floor to ceiling heights 3.6m;
7. Assumptions have been made in regard to the interior partitions, doors and fittings. Please refer to Appendix II for details.

Please note that BTY is not qualified to act as design consultant. The assumptions in our estimate should be reviewed and corrected by the design team.





## 5.0 Exclusions

The construction estimate includes all direct and indirect construction costs derived from the drawings and other information provided by the Consultants, with the exception of the following:

1. Professional fees and disbursements
2. Planning, administrative and financing costs
3. Legal fees and agreement costs / conditions
4. Building permits and development cost charges
5. Temporary facilities for user groups during construction
6. Removal of hazardous materials from existing site and building
7. Loose furnishings and equipment
8. Unforeseen ground conditions and associated extras
9. Environmental remediation outside building footprint
10. Upgrade of existing infrastructure including main sanitary, storm, water/fire main and electrical services
11. Phasing of the works and accelerated schedule
12. Decanting & moving
13. Costs associated with "LEED" certification
14. Project commissioning
15. Erratic market conditions, such as lack of bidders, proprietary specifications
16. Cost escalation past May 2018.



## 6.0 Construction Cost Summary

The estimated construction cost of the project may be summarized as follows:

Description	Estimated Cost \$	Cost/GFA \$/ft <sup>2</sup>	%
Structural	457,700	23.05	14%
Architectural	1,466,600	73.85	44%
Mechanical	441,900	22.25	13%
Electrical	344,000	17.32	10%
Site Work	50,000	2.52	2%
General Requirements & Fees	552,000	27.80	17%
<b>Net Construction Cost</b>	<b>\$3,312,200</b>	<b>\$166.79 /ft<sup>2</sup></b>	<b>100%</b>
Design Contingency (15%)	496,800	25.02	
Construction Contingency (10%)	380,900	19.18	
<b>Total Construction Cost</b>	<b>\$4,189,900</b>	<b>\$210.99 /ft<sup>2</sup></b>	
Escalation Allowance (0%)	0	0	
<b>Escalated Construction Cost</b>	<b>\$4,189,900</b>	<b>\$210.99 /ft<sup>2</sup></b>	
Gross Floor Area (ft <sup>2</sup> )	19,858 ft <sup>2</sup>		
Net Construction Cost /ft <sup>2</sup>	\$167 /ft <sup>2</sup>		
Total Construction Cost /ft <sup>2</sup>	\$211 /ft <sup>2</sup>		
Escalated Construction Cost /ft <sup>2</sup>	\$211 /ft <sup>2</sup>		



## 7.0 Areas

The gross floor area of the project, measured in accordance with the guidelines established by the Canadian Institute of Quantity Surveyors, is:

Location	Area	Total
Ground Floor	13,251 ft <sup>2</sup>	13,251 ft <sup>2</sup>
Second Floor	6,607 ft <sup>2</sup>	6,607 ft <sup>2</sup>
<b>Total Gross Floor Area</b>	<b>19,858 ft<sup>2</sup></b>	<b>19,858 ft<sup>2</sup></b>

## 8.0 Taxes

The estimate includes the Provincial Sales Tax (P.S.T.) where applicable.

The estimate excludes the Goods & Services Tax (G.S.T.).

## 9.0 Project Schedule & Escalation

No cost escalation allowance has been included in the estimate. BTY strongly recommends that the client establish a separate budget to cover the escalation cost from the date of this estimate to the mid-point of construction for the project.

Our current projected escalation rates are shown below.

Current BTY Group Forecast	2018	2019	2020
	5% - 6%	3% - 4%	3% - 4%

## 10.0 Pricing

The estimate has been priced at current rates taking into account the size, location and nature of the project. The unit rates utilized are considered competitive for a project of this type, bid under a stipulated lump-sum form of tender in an open market, with a minimum of five (5) bids, supported by the requisite number of sub-contractors.

The estimate allows for labour, material, equipment and other input costs at current rates and levels of productivity. It does not take into account extraordinary market conditions, where bidders may be few and may include in their tenders disproportionate contingencies and profit margins.



## 11.0 Risk Mitigation

BTY Group recommends that the Owner, Project Manager and Design Team carefully review this document, including exclusions, inclusions and assumptions, contingencies, escalation and mark-ups. If the project is over budget, or if there are unresolved budgeting issues, alternative systems/schemes should be evaluated before proceeding into the next design phase.

Requests for modifications of any apparent errors or omissions to this document must be made to BTY Group within ten (10) days of receipt of this estimate. Otherwise, it will be understood that the contents have been concurred with and accepted.

It is recommended that BTY Group design and propose a cost management framework for implementation. This framework would require that a series of further estimates be undertaken at key design stage milestones and a final update estimate be produced which is representative of the completed tender documents, project delivery model and schedule. The final updated estimate will address changes and additions to the documents, as well as addenda issued during the bidding process. BTY Group is unable to reconcile bid results to any estimate not produced from bid documents including all addenda.

## 12.0 Contingencies

### 12.1 Design Contingency

A design contingency of Fifteen Percent (15%) has been included in the estimate to cover modifications to the program, drawings and specifications during the design.

### 12.2 Construction Contingency

An allowance of Ten Percent (10%) has been included in the estimate for changes occurring during the construction period of the project. This amount may be expended due to site conditions or if there are modifications to the drawings and specifications.



### 13.0 Documents Reviewed

The list below confirms the information that we have reviewed in order to prepare our opinion contained within this report:

Description	Revised Date
Drawings & Specifications	
Existing Building Architectural Drawings (4 sheets)	December 14, 1987
Proposed Building Architectural Drawings (2 sheets)	
Report	
Pre-Design Report (6 pages)	April, 2018
Structure Report (4 pages)	April, 2018
Mechanical Report	April, 2018
Electrical Report	April, 2018



## COST MANAGEMENT REPORT

# *610 Oyster Bay Drive, Ladysmith, BC*

### APPENDICES

APPENDIX I	Construction Cost Summary	1 page
APPENDIX II	Cost Plan	5 pages



**APPENDIX I**

# *Construction Cost Summary*

**1 PAGE**



## Construction Cost Summary

Description	Estimated Cost \$	Unit Cost \$/ft <sup>2</sup>
A. Structural	457,700	23.05
B. Architectural	1,466,600	73.86
C. Mechanical	441,900	22.25
D. Electrical	344,000	17.32
E. Site Development	50,000	2.52
G1. General Requirements	414,000	20.85
G2. Fees	138,000	6.95
<b>SUB-TOTAL CONSTRUCTION COST</b>	<b>\$3,312,200</b>	<b>\$166.80</b>
H. Contingencies		
H1. Design Contingency (15%)	496,800	25.02
H2. Construction Contingency (10%)	380,900	19.18
J. Goods & Services Tax	0	0.00
<b>TOTAL CONSTRUCTION COST</b>	<b>\$4,189,900</b>	<b>\$211.00</b>
Escalation Contingency	0	0.00
<b>ESCALATED CONSTRUCTION COST</b>	<b>\$4,189,900</b>	<b>\$211.00</b>
<i>Gross Floor Area</i>	19,858 <i>ft<sup>2</sup></i>	
<b>Unit Cost</b>	<b>\$211 /ft<sup>2</sup></b>	





**APPENDIX II**

*Cost Plan*

5 PAGES

Description	Quantity	Unit	Rate	Amount
<b>A. Structural</b>				
Replacing existing wood floor at grade with concrete slab on grade / adding topping to existing concrete slabs	12,589	ft <sup>2</sup>	13.50	169,900
Allowance for upgrading rotting / undersized structural members to floor / walls and roof assemblies	19,858	ft <sup>2</sup>	7.50	148,900
Addition of new, enclosed exit stair towards the south end of the building	1	sum	15,000.00	15,000
Reconstruction of the central stair	1	sum	20,000.00	20,000
Removal of the mezz. in the north half of the backshop	4,901	ft <sup>2</sup>	5.50	27,000
New mezz. floor c/w access stair to Brewpub	1,957	ft <sup>2</sup>	29.00	56,700
Allowance for concrete foundation between footings under the street side exterior wall	202	ft	100.00	20,200

<b>Total Structural</b>				<b>\$457,700</b>
-------------------------	--	--	--	------------------

Description	Quantity	Unit	Rate	Amount
<b>B. Architectural</b>				
Replacement of the large swing doors in the backshop	4	ea.	12,000.00	48,000
Retrofit/replacement of all windows	2,282	ft <sup>2</sup>	75.00	171,200
Replacement of metal wall cladding on north, south and west walls	6,370	ft <sup>2</sup>	55.00	350,400
Replacement of all man doors with eight feet high wood and glass doors	6	ea.	4,500.00	27,000
New exit doors	4	ea.	2,500.00	10,000
Replace existing roofing with SBS 2-ply membrane roofing including new insulation and plywood diaphragm	13,251	ft <sup>2</sup>	26.00	344,500
New drywall furring to exterior walls	11,532	ft <sup>2</sup>	3.50	40,400
New interior partitions	15,095	ft <sup>2</sup>	13.00	196,200
New Type X drywall to ground floor ceiling	12,589	ft <sup>2</sup>	3.00	37,800
Allowance for new interior doors	20	lvs	1,800.00	36,000
Allowance for new floor finishes to corridor, lobby, meeting rooms	2,517	ft <sup>2</sup>	8.50	21,400
New floor tiles to washrooms	573	ft <sup>2</sup>	15.00	8,600
Concrete sealer to the rest of tenant spaces	14,781	ft <sup>2</sup>	1.00	14,800
Painting to all interior columns, beams, walls and ceiling - white	19,858	ft <sup>2</sup>	3.00	59,600
Allowance for wall tiles to washrooms	1,649	ft <sup>2</sup>	12.00	19,800
Allowance for misc. metals	19,858	ft <sup>2</sup>	0.50	9,900
Allowance for washroom vanities, mirrors, toilet partitions / washroom accessories	1	sum	26,000.00	26,000
Allowance for misc. wood trims / rough carpentry / finish carpentry	1	sum	20,000.00	20,000
Allowance for interior signage / window coverings / entrance mats / mech. Louvers	1	sum	25,000.00	25,000
<b>Total Architectural</b>				<b>\$1,466,600</b>

Description	Quantity	Unit	Rate	Amount
<b>C. Mechanical</b>				
Allowance for new conventional plumbing systems Grease interceptor	19,858	ft <sup>2</sup>	5.50	109,200
Backflow prevention for the kitchen and brew pub plumbing				
Tankless natural gas-fired condensing water heater for general purpose domestic water heating with recirculation piping system for improved hot water supply.				
High efficiency gas-fired water heater for kitchen and brew plumbing systems				
Low flow plumbing fixtures will be used to conserve water supply				
Provide new fire suppression sprinkler head layout to suit new tenant spaces including draining and recommissioning	19,858	ft <sup>2</sup>	1.50	29,800
Allowance for New HVAC system as per mechanical engineer's report	19,858	ft <sup>2</sup>	15.00	297,900
Energy recovery ventilator				
Commercial VRF system				
Split system to two meeting rooms				
Kitchen ventilation				
HVAC to The Brew Pub				
General ventilation and gas fired make-up air to The Wood Carving space				
Allowance for bag-in dust collection system	1	sum	5,000.00	5,000
<b>Total Mechanical</b>				<b>\$441,900</b>

Description	Quantity	Unit	Rate	Amount
<b>D. Electrical</b>				
Allowance to upgrade panel boards as required	1	sum	50,000.00	50,000
Allowance for lighting	19,858	ft <sup>2</sup>	6.50	129,100
New LED lighting to all spaces				
New receptacles, branch circuit wiring				
Automatic lighting controls				
Allowance for power receptacles and wiring	19,858	ft <sup>2</sup>	4.00	79,400
Allowance for fire alarm system upgrade	19,858	ft <sup>2</sup>	3.00	59,600
Allowance for communication to include CATV and/ or fiber services and communication conduits to tenant spaces	19,858	ft <sup>2</sup>	0.80	15,900
Allowance to upgrade intrusion system	1	sum	10,000.00	10,000
<b>Total Electrical</b>				<b>\$344,000</b>

Description	Quantity	Unit	Rate	Amount
<b>E. Site Development</b>				
Allowance for street scape / landscape including reconstruction of the fronting street, parking areas and exterior spaces of the Arts and Heritage Hub	1	sum	50,000.00	50,000
Changes / upgrade to adjacent buildings		excluded		

---

***Total Site Development*** ***\$50,000***

---



**CANADA**

Vancouver

Toronto

Calgary

Edmonton

Saskatoon

Montreal

Ottawa

St. Catharines

**UNITED STATES**

Phoenix

Los Angeles

Atlanta

Orlando

Seattle

Colorado

Cleveland

**TURKEY**

Ankara

**BTY.COM**

*People to count on.  
Knowledge to build with.*

STRUCTURAL ENGINEERING PRE-DESIGN REPORT  
GRAVITY & SEISMIC

The Comox Logging & Railway Co.  
1943 Shops Building /610 Oyster Bay Drive  
Ladysmith, BC

October 10, 2018

## **PREAMBLE**

This report is to be considered a preliminary study of the structural aspects of this building with emphasis on the lateral load resisting systems. The next steps for this structure would include a working-design level report covering a more descriptive and detailed structural upgrade of the building. This future report would necessarily be developed in concert with any proposed architectural plans and layout. At that time, structural retrofit alternatives, especially toward lateral load (seismic) upgrades and maintaining historical attributes, would be put forward together with comprehensive and more accurate cost estimates. Consideration toward construction phasing and related impact to stakeholder and/or user requirements are important to developing a final design.

Please consider the following as ball-park figures only and it is highly recommended that a cost consultant verify these figures. With the above in mind, we feel a seismic retrofit of this nature could cost in the realm of \$100 per square foot for a 60% of current code upgrade, meaning that dollars in the \$1.3 million range could be expected. There are some variables such as deterioration levels that could make a significant impact on costing either plus or minus for this stage of design development. However, perhaps some of the structural costs could be justified in consideration that the roof replacement is needed anyway. Roof replacement alone could cost in the order of \$15 per square foot, or in the order of 15% of the retrofit costs.



Photo A

This preliminary analysis was carried out by assuming Seismic Site Classification “E” and other related geotechnical parameters for the Town of Ladysmith. The Site Classifications between “C”, “D” and “E” have a significant impact on the seismic forces, so it is important to have a Geotechnical report completed to confirm these values. Please see the Recommendations at the end of this report.

## **1. BACKGROUND**

The existing two storey 24,000ft<sup>2</sup> wood frame building is approximately 200 ft. long x 66 ft. wide and for the purposes of this report the front of the building (2 storey side) is the east elevation. This historical building was constructed in 1943 as a Railway Shop building, accessed by rail tracks through the end wall openings, and today is used for a variety of commercial spaces including Museum, Art Galleries and Carving Shop.

The building is divided into a two storey space on the east measuring approximately 25ft x 200ft and a single storey high volume space on the west measuring approximately 41ft x 200ft. Building construction is of wood frame incorporating solid plank decking on the roof and floors.

The roof of the high volume space on the west is plank decking spanning to solid heavy timber purlins spanning north/south to clear span heavy timber beams spanning east/west.



The roof of the two storey space on the east is plank decking spanning to heavy timber purlins spanning north /south to clear span heavy timber beams spanning east/west. The floor of the two storey space is plank decking on clear span timber floor beams spanning east/west.

The roof and floor beams are supported by heavy nominal size 12" x 12" timber columns on the east and west elevations and along the interior demising wall between the single and two storey spaces. These columns are founded on concrete spread footings. The bay spacing of heavy timber bay elements is approximately 10 ft. o/c in the north /south direction.

It is assumed that exterior walls along the east and west and the interior demising wall are infill-walls and are non-load bearing. It is assumed that the building walls are founded on concrete strip footings.

The main floor of the west single storey area is concrete slab-on-grade and the main floor of the two storey east section is a combination of concrete slab-on-grade construction and wood floor. It is our understanding that the concrete slab in the east area is a replacement to the original wood floor on timber sleepers as a result of deterioration of the wood floor due to rot.

The lateral load resisting system in the north/south direction is a series of timber V-bracing on the east and west exterior walls and the interior demising wall between the single storey and two storey spaces.

The lateral load resisting system in the east/west direction is via pairs of 3"x12" diagonal timber braces aligning with the exterior timber columns on the west elevation and connected at ground level to creosote treated 9" to 10" diameter driven timber piles. These piles are driven into the old railway embankment that supports the railway roadbed.

It is noted that we have reviewed the report prepared by Omicron dated April 2, 2014 entitled "610 Oyster Bay Drive Property Condition Assessment" in our assessment of the structure.

## 2. SITE REVIEWS

Our site reviews on April 13, 2018 and September 27, 2018 included visual reviews only of interior and exterior areas that were accessible and that there was no testing for timber deterioration in any of the timber elements or concrete testing of column footings or concrete slab-on grade.

The building design, detailing and construction is typical of heavy industrial buildings in the early 1900's incorporating plank floor and roof sheeting, and heavy timber purlins, beams and columns with timber column corbels supporting beams and heavy timber V-bracing.

It is noted that some areas of the original wood floor on the two storey and single storey area have been replaced with concrete slab-on-grade construction and some areas in the two storey sections on the east are showing deterioration and settlement of the wood plank floor which is supported by wood sleepers on dirt. Also there is some severe timber rot in the diagonal braces on the west elevation where they connect to the treated piles.

While it was beyond our scope of work to complete a thorough inspection of the timber elements for deterioration it is likely that there are areas in the roof, walls and floor where localized rot has taken place.

It is observed that water ingress has been an ongoing problem over the years as evidenced by staining of roof beam, purlins and decking elements. In addition some of the roof beam elements are twisted and all the long span 12" x 18" beams (spanning 41 ft. are sagging at least 3" to 5" under dead load only.

### 3. STRUCTURAL ANALYSIS (PRELIMINARY)

#### 3.1. Gravity Loads Upper Interior Floor Purlins (25 ft. span)

The upper floor of the two storey area is constructed of nominal 4 x12 @ 24"o/c purlins (or floor beams) assumed to be equivalent to Douglas fir #1 grade. A design check on these beams indicate that they would be sufficient to support on office type live load of 2.4 kPa (50psf) but would be 100% overstressed for a floor live load of 4.8 kPa (100 psf) which would be required for Assembly occupancy use in accordance with the BC Building Code. However, deflection of this floor under a live load of 50 PSF does exceed the recommendations for directly applied gypsum board ceilings.

#### 3.2. Roof Beams Supporting Gravity Loads (41 ft. span)

The long span roof beams are nominal 12" x 18" and are assumed to be equivalent to Douglas fir #1 for analysis purposes. However, these beams are water stained and twisted and so structural properties may not necessarily be equivalent to D-Fir #1. A preliminary analysis indicates that the west side long span roof beams do not have adequate strength to support current Code requirements for snow loads. This is also evidenced by the noticeable sagging of the beams under dead load only.



Photo B

#### 3.3. Columns (24 ft. high)

##### 3.3.1. West Wall Columns:

West Wall Columns are assumed to be nominal 12" x 12" and equivalent to Douglas-fir #1 grade. The weaknesses identified in the preliminary analysis are two-fold;

1. The connections to the roof beams are likely not adequate for wind or seismic forces.
2. The braces on the west side are connected at approximately 2/3 height and these braces may impart substantial forces into these columns from seismic ground motions. This is a concern due to the connection of the brace to piles located on a steep embankment. See Recommendations below.

##### 3.3.2. Centre Wall and East Wall Columns:

As for the west walls, these nominal 12" x 12" columns are assumed to be equivalent to Douglas-fir #1 grade.

They are knee braced to the underside of the roof beams above for lateral support in the long direction of the building. This bracing system will not be adequate for Code level ground motions.

The centre and east columns are supported partially against buckling by the second floor beams so the gravity loads can likely be adequately resisted with some upgrading once the connections are verified.

### 3.4. Lateral Load Resisting Systems

#### 3.4.1. East-West (short direction):

As noted previously, the lateral load resisting system consists of external braces from the west columns, to piles located in the adjacent railway embankment. This system is not adequate for current Code level seismic forces. Also these braces, as previously noted, may impart substantial forces into the columns. Essentially, the lateral load system is inadequate and does not meet seismic requirements. Analysis indicates that a new lateral load resisting system is required that is designed in concert with future development plans. See Recommendations.



Photo C

#### 3.4.2. North-South (long direction):

The interior centre demising wall between the single storey and two storey in the north/south direction is currently by heavy timber V-bracing (knee bracing). There are essentially 3 lines of knee bracing at each of the column lines in the long direction at the underside roof level. A preliminary analysis indicates that these braces will need to be upgraded or replaced with either steel cross bracing or shear walls. A visual review of the knee bracing on the west side indicates that connections are not adequate and seismic drift will likely be excessive. Again, these braces will need to be upgraded or replaced with steel cross bracing. See Recommendations.



Photo D

#### 3.4.3. Diaphragms:

The roofing was identified in the Omicron Report as “critical” so roofing and diaphragm upgrades are required.

This work is also required for seismic and lateral load resistance upgrading. The second floor diaphragm will likely need to be upgraded as described in Recommendations. These upgrades are required because plank decking in itself does not provide adequate diaphragms for lateral loads to be transferred to braced bay or shear wall elements.

#### 4. STRUCTURAL UPGRADING (CHANGE OF USE)

Most Municipalities require structural upgrading on existing buildings when there is a “change of use and occupancy” as defined in the Code. If the high volume single storey space changes from F-2 Occupancy (Industrial) to A-2 Occupancy (Assembly) then the building would need to be upgraded seismically to at least 60% of current Code requirements.

The second floor is currently rated for 50 PSF floor live load but an assembly occupancy will require and upgrade to 100 PSF. See commentaries and recommendations below for further details.

#### 5. RECOMMENDATIONS

##### 5.1. Roof Beams (gravity loads):

Beams on the west side (long span) are not adequate for snow loads and are noticeably sagging. With respect to deflection, old wood long span beams sag due to wood creep over time, but it is recommended to measure the sag now and perhaps with a snow load. However, the grade of the beams is somewhat difficult to confirm due to the age, weathering, deterioration and shrinkage. One way to confirm the strength and deflection would be to load test the roof by adding some localized load to emulate snow. There are several alternatives here but it is necessary to strengthen the roof and attenuate further sag.

- 5.1.1. Option 1: Replace roof beams and deck with new: this may not be desirable from a historical point of view and also from a cost point of view.
- 5.1.2. Option 2: Remove roofing and inspect decking for deterioration. Repair deck as necessary and apply new plywood diaphragm. Install new roof beams in-between existing roof beams. This may require upgrade of edge beams between columns.
- 5.1.3. Option 3: Reinforce existing beams, perhaps with underslung steel rods. The roof diaphragm will require upgrading as in Option 2 above.

##### 5.2. Second Floor Beams (gravity loads):

The Herold Engineering Report of April 23, 2018 identified that the second floor can only support a 50 PSF load but only if the beams are Doug-Fir #1 grade and in good condition. Even with #1 grade confirmed, the deflections are at L/327 for 50 PSF which may be acceptable for office use but not good for an assembly load.

The existing system of beams and purlins will require upgrading if it is desired to change the occupancy to support assembly loads of 100 PSF. This can be done by installing beams in-between the existing.

### 5.3. Lateral East-West:

Remove the exterior braces and construct a new lateral load system. There are several alternatives:

5.3.1. *Option 1: Steel Brace Frames.*

5.3.2. *Option 2: Concrete, reinforced masonry or perhaps wood shear walls.*

The choice above between steel braced frames or shear walls may depend on the architectural layout and cost. Foundations for the above will be necessary but geotechnical requirements will need to be considered and may have a significant impact on the design choice. A preliminary review of the Hotson Architectural layout indicates that there are several locations for brace frames or shear walls. However, it would be necessary to line up some of the upper and lower walls. It may impact the layout somewhat but some coordination is warranted. It is likely that a detailed analysis of the exterior end walls for out-of-plane forces such as wind, will result in a requirement for some new columns and wind girts. However, these columns could be incorporated into the requirement for new brace frames or shear walls.

New foundations will be required in either brace frame or shear wall locations interior and exterior.

A question of whether there is a requirement to maintain the railway tracks through the end walls will need to be addressed.

### 5.4. Lateral North-South:

There are several options for upgrading the north south lateral system. A preliminary review of the knee brace system for the east and centre walls indicates that the knee braces could be upgraded, including connections that meet at least 60% of the current Code level forces. However, a detailed analysis is required to verify seismic drift and diaphragm force transfer. The east face has numerous windows, but the owners and/or Architect may accept having some braces appearing through the windows. The second floor level does not have adequate bracing, so added bracing of wood or steel or shear walls of either concrete, masonry or plywood will be required.

For the west side, preliminary analysis indicates that alternatives for seismic upgrade are required and will likely include constructing new brace frames or shear Walls.

### 5.5. Lateral Roof and Floor Diaphragms:

Preliminary analysis indicates that there is need for some substantial upgrading, including replacement of the roof diaphragm and repair and/or upgrading of the roof beams. The Omicron Report lists the roof condition as “critical” so it is recommended to include a complete diaphragm upgrade and connections to new lateral load resisting frames.

The roof diaphragm will need to transfer the forces into the brace or shear wall elements so connections are an important consideration. If the existing decking is not deteriorated beyond repair, plywood sheathing could be added on top.

New roofing membranes could then be installed above. It will be necessary to keep the lateral load resisting elements spaced so that connections to bracing or shear walls is made cost effective.

The existing roof beam strength issue will affect retrofit development options if it is desired to avoid replacement of these beams. See Item 5.1 above.

The second floor diaphragm will also require upgrading including upgraded connections to shear wall or brace frame elements. It is likely that the second floor upgrade would include either plywood over the existing floor or perhaps steel plan-bracing either below or within the existing floor framing thickness.

#### 5.6. Seismic Report:

A comprehensive report is recommended in concert with Architectural plans for the future of this structure. There are a number of things that need to be addressed including the development of upgrading options as outlined above.

#### 5.7. Geotechnical Report:

A comprehensive report and soil testing is recommended as follows:

- 5.7.1. Soil bore holes to determine soil classification(s), drainage and recommended foundation design values including bearing.
- 5.7.2. Seismic Site Classification.
- 5.7.3. Geotechnical report that address the stability of the west side embankment with respect to strong code level seismic ground motions.
- 5.7.4. Drainage of sub-soils.

#### 5.8. Building Envelope Investigations:

It is recommended that a plan to further determine the extent of deterioration due to water ingress, rot and insect infestation. This report would also address architectural and related requirements.

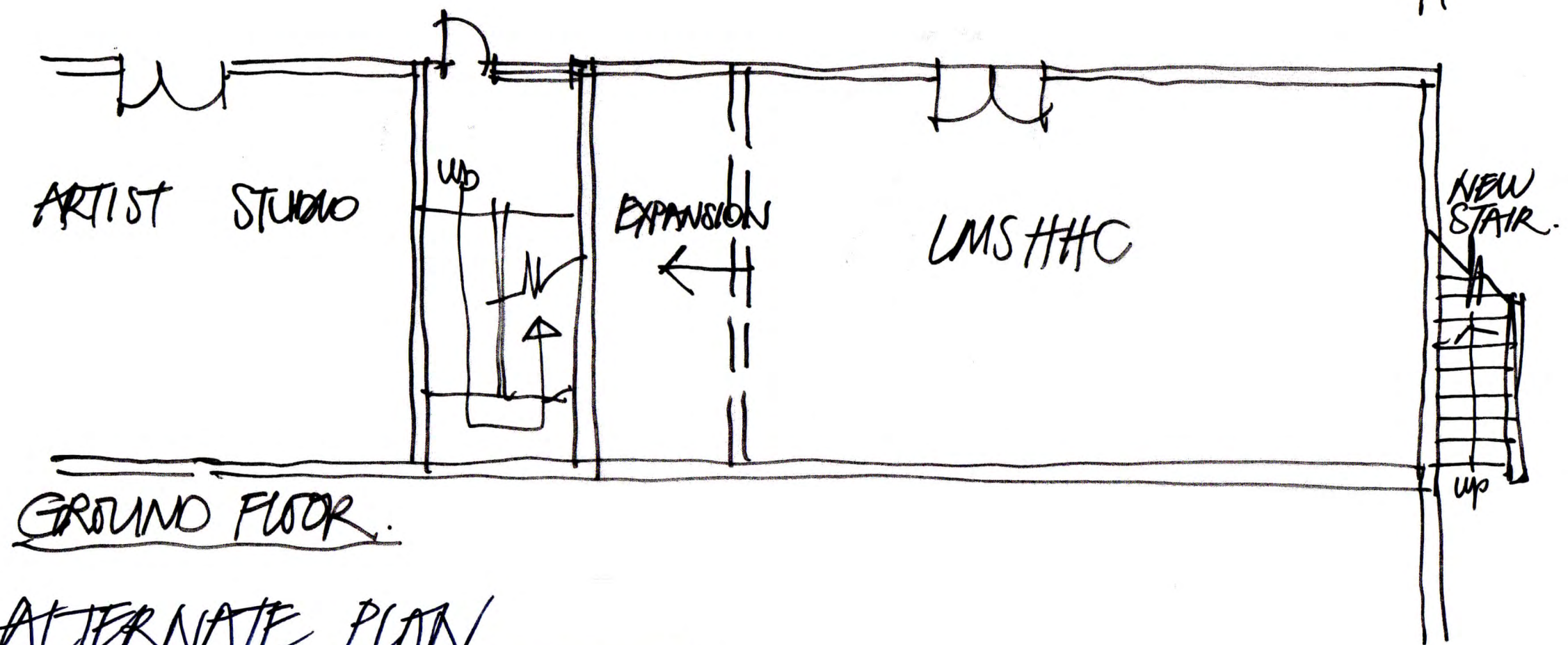
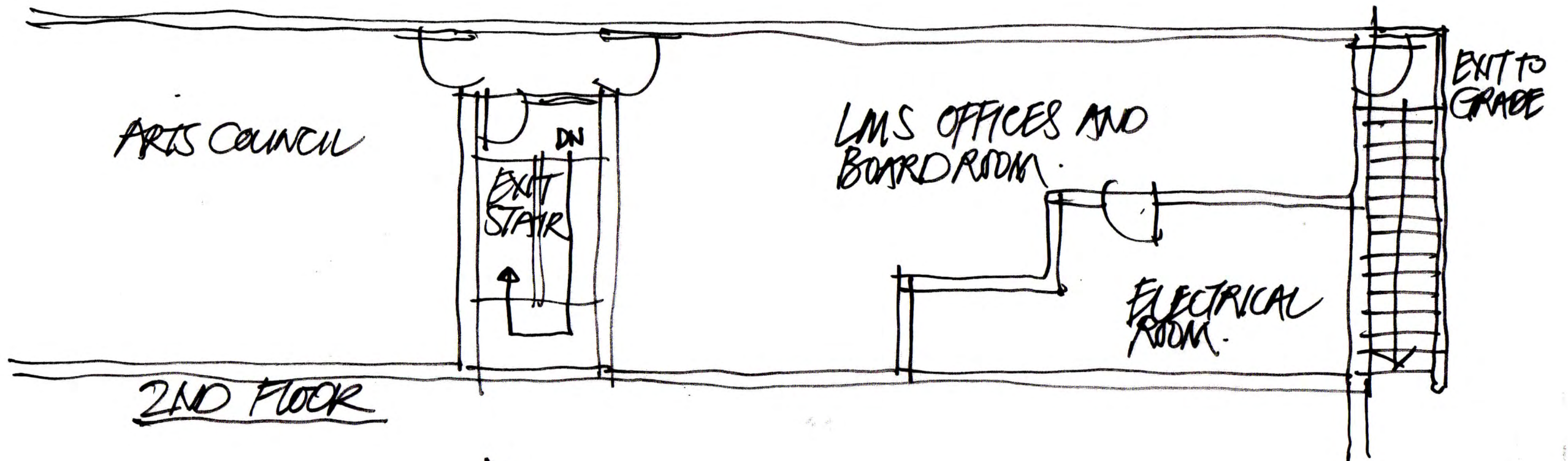
Should you have any questions please contact the undersigned.

Yours Truly,

**HEROLD ENGINEERING LIMITED**



Greg Beaveridge, P.Eng., Struct.Eng., M.I.Struct.E.



ALTERNATE PLAN  
 25 JULY 2010  
 HOBSON.

# HOTSON

HOTSON Architecture Inc.  
215 - 35 West 5th Avenue  
Vancouver, BC V5Y 1H4  
Canada  
604 558 6956  
info@hotson.ca

Principal  
Kai Hotson Architect AIBC

24 July 2018

Town of Ladysmith  
410 Esplanade  
P.O. Box 220  
Ladysmith BC  
V9G 1A2

Attention: Clayton Postings

**RE: MACHINE SHOP – SCOPE AND CONSTRUCTION BUDGET**

Dear Clayton,

In our Pre-Design Report dated 06 June 2018 the project construction cost was estimated at \$4,189,900, including contingencies for design and construction. This cost was based on a detailed breakdown of scope items to undertake sufficient upgrades to the building to provide it with a long and useful life. A seismic upgrade of the building was not included in this estimate.

Currently, there is funding available of approximately 1.8 million dollars. As such, we have undertaken a review of the costing to remove several “big ticket” items that might be phased in over time, assuming that additional funding could be made available to the project in the future. We have also separated out items that might rightfully fall under the responsibility of tenants as part of their own space improvements. The following tables list the items that could be completed now; the items that might be undertaken as tenant improvements, rather than as part of the base building; and, items that might be deferred to a later time.

## **1.0 REDUCED SCOPE FOR PHASE 1 CONSTRUCTION**

### **1.1 Structural**

• Replace wood floor	169,900
• Upgrade wood members	148,900
• New stairwell	15,000
• Remove mezzanine in Backshop	27,000
• Concrete footings at street face	20,200
Sub-total	\$381,000



## 1.2 Architectural

• Replace backshop doors	48,000
• Retrofit/replace all windows	171,200
• Replace streetside man doors	27,000
• New exit doors	10,000
• Drywall to exterior walls	40,400
• Interior partitions	196,200
• Drywall to ground floor ceiling	37,800
• Interior doors	36,000
• Floor finishes	21,400
• Washroom floor tile	8,600
• Washroom wall tile	19,800
• Miscellaneous metals	9,900
• Washroom trims	26,000
• Carpentry	20,000
• ADD NEW ITEMS:	
-close wall openings / patch metal cladding	5,000
-exterior painting	18,500
Sub-total	\$695,800

## 1.3 Mechanical

• Plumbing	109,200
• Sprinkler layout upgrade	29,800
• DELETE: items specific to Brewpub tenant	(40,000)
Sub-total	\$99,000

## 1.4 Electrical

• Panel board upgrade	50,000
• lighting	129,100
• Receptacles and wiring	79,400
• Fire alarm upgrade	59,600
Sub-total	\$318,100

**TOTAL PHASE 1 CONSTRUCTION SCOPE            \$1,493,900**

## 2.0     TRANSFER TO TENANT IMPROVEMENTS (TI's)

### Structural

• Central stair	20,000
• Brewpub mezzanine and stair	56,700
Sub-total	\$76,700

### Architectural

• Concrete floor sealer	14,800
• Interior painting tenant spaces	59,600
• Tenant signage, window coverings	25,000
Sub-total	\$99,400

**Mechanical**

• Dust collector to carving shop	5,000
• ADD: to Brewpub tenant:	
-grease interceptor	
-backflow preventer	
-water heater	
-brewery plumbing	40,000
Sub-total	\$45,000

**Electrical**

• Communication runs to tenants	10,000
Sub-total	\$10,000

**TOTAL SCOPE TRANSFERRED TO TI's                    \$231,100**

**3.0      FUTURE CONSTRUCTION PHASE(S)**

**Structural**

• Seismic upgrade, if required by the A-H-J                    TBD  
(this item to be further reviewed as part of the design services for Phase 1 Construction)

**Architectural**

• Wall cladding replacement	350,400
• New roof insulation and membrane	344,500
Sub-total	\$694,900

**Mechanical**

• New HVAC	297,900
Sub-total	\$297,900

**TOTAL FUTURE CONSTRUCTION SCOPE                    \$992,800**

The above figures do not include the Goods and Services Tax. Nor do they include project soft costs, such as consultant fees, insurance, permits, legal costs, advertising, et al.

In summary, a hard construction cost of approximately \$1.5 million, and consulting fees of approximately \$300,000, will result in a total that will match the Town's current funding for the Phase 1 project. We trust that this costing summary will be of assistance with the evaluation of the project.

Respectfully submitted.

**HOTSON Architecture Inc.**



Norm Hotson Architect AIBC, FRAIC, RCA, HonPIBC

**ATTACHMENT(S)**

Machine Shop Pre-Design Report – Hotson (2018)

Machine Shop – alternate plan (exterior stairs) – Hotson (2018)

Pre-Design review Letter from Architect, N. Hotson (2018)

Structural Pre-design report – Herold (2018)

**STAFF REPORT TO COUNCIL**

**From:** Kim Fowler, Project Manager, Waterfront Area Plan Implementation  
Clayton Postings, Director, Parks, Recreation & Culture

**Meeting Date:** November 19, 2018

**File No:** 1855-20 19P

**RE:** INVESTING IN CANADA PROGRAM FUND OPTIONS

**RECOMMENDATION:**

That, having considered the applicability of both the Lot 108/Forrest Field Expansion and the Waterfront Arts and Heritage Hub initiatives, Council direct staff to proceed with an infrastructure funding application to implement the Arts and Heritage Hub Concept Plan under the Investing in Canada Program.

**PURPOSE:**

To request a decision of Council on available options for funding under the new Investing in Canada funding programs.

**PREVIOUS COUNCIL DIRECTION**

<b>Resolution</b>	<b>MeetingDate</b>	<b>ResolutionDetails</b>
CS 2018-344	2018-09-17	That Council receive for information the Arts and Heritage Hub Concept Planning report.
CS 2018-045	2018-02-13	That Council authorize an application to the Island Coastal Economic Trust for up to \$400,000 to support the development of an Arts and Heritage Hub in the vicinity of the Machine Shop on the Ladysmith Waterfront.
CS 2018-186	2018-06-04	That Council:  1. Accept the Strategic Priorities Grant (Federal Gas Tax Fund) for the Machine Shop Arts, Heritage and Cultural Centre Restoration Project.  2. Authorize the Mayor and Corporate Officer to execute the funding agreement.
CS 2018-087	2018-03-19	That Council direct staff to: 1. Contract with Hotson Architecture to undertake the

Resolution	MeetingDate	ResolutionDetails
		<p>Machine Shop Restoration Project pre-design phase, including working with staff and the main tenants to define the building program and preparing an implementation strategy to outline the scope of work at a cost of \$25,000 plus expenses (net of taxes), and that the Purchasing Policy be waived accordingly;</p> <p>2. Invite the Machine Shop Users Advisory Group, with the addition of John Marston, to participate in the development of the building program with staff and the consulting team;</p> <p>3. Include the Machine Shop Restoration Project within the scope of the Project Manager, Waterfront Implementation to represent the Town and liaise with the project team and stakeholder representatives during the Machine Shop Restoration Project; and</p> <p>4. Amend the Town of Ladysmith 2018-2022 Financial Plan to include the Machine Shop Restoration Project grant in the amount of \$1,752,553.00.</p> <p>5. Invite the Industrial Heritage Preservation Society to join the Machine Shop Users Advisory Group.</p> <p>Motion carried.</p> <p>OPPOSED: Councillors Fradin, Friesenhan and Henderson</p>

Council received a briefing on September 17, 2018 advising that staff would proceed with work in the Arts and Heritage Hub for both the Machine Shop upgrading and the sub-area planning to provide full opportunity to apply for new infrastructure funding grants.

Resolution	MeetingDate	ResolutionDetails
CS 2018-235	2018-06-25	That Council provide a letter of support for the Lot 108 (Forrest Field) Expansion Initiative's grant application and direct staff to provide costing information.
CS 2018-236	2018-06-25	That Council refer to the Parks, Recreation and Culture Advisory Committee the Lot 108 (Forrest Field) Expansion Initiative and related correspondence for information and discussion.
CS 2018-171	2018-05-14	<p>That Council:</p> <p>1. Receive the letter from the Forrest Field Upgrade Initiative Committee regarding the proposed improvements at the Forrest Field Sports Complex; and</p> <p>2. Appoint Councillor Arnett , to represent the Town of Ladysmith on the committee, with Councillor Hutchins as alternate.</p>

## INTRODUCTION/BACKGROUND:

On September 12, 2018, the Canadian and British Columbian governments committed up to \$134 million towards an initial intake of the Community, Culture, and Recreation (CCR) Program that supports cost sharing of infrastructure projects in communities across the province. Eligible projects will support public infrastructure, defined as a tangible capital asset primarily for public use and benefit that will improve “access to and/or increased quality of cultural, recreational and/or community infrastructure for Canadians, including Indigenous peoples and vulnerable populations”. Funding is available for up to 73.33% of the eligible project costs (40% Government of Canada, 33.33% Province of British Columbia). Municipalities may submit one application.

Also on September 12, 2018, the Canadian and British Columbian governments committed up to \$95 million towards an initial intake of the Rural and Northern Communities (RNC) Program. Eligible projects will support public infrastructure, defined as a tangible capital asset primarily for public use and benefit, including “improved access to and/or increased quality of cultural, recreational and/or community infrastructure for Canadians, including Indigenous peoples and vulnerable populations”. Funding is available up to 90% of eligible project costs (50% Government of Canada, 40% Province of British Columbia). Municipalities may submit one application.

Given borrowing limits and human resource capacity, the Town has capacity to submit one application to one of the funds. Two eligible projects are recommended for consideration by Council: implementing the Arts and Heritage Hub concept plan; and the playing fields at Lot 108. Each of the projects are briefly described below.

### *The Arts and Heritage Hub*

The Arts and Heritage Hub is a key component of the Waterfront Area Plan. Two property condition assessments (Omicron 2014, WSP 2018) and a pre-design and structural report (Hotson Architecture and Herold Engineering) have been undertaken. Earlier in 2018, the Town received a grant of \$1.8 million to support upgrade to the Machine Shop building. The studies indicate that most, if not all, of the funding grant will have to be spent on structural upgrades, such as replacing the roof and seismic stabilization requirements.



At the Machine Shop Advisory Committee meeting held July 23<sup>rd</sup> where the initial Hotson report was presented, it became apparent that there is an interest in the Arts and Heritage Hub being planned concurrently (i.e. inside the building and outside uses) consistent with the Waterfront Area Plan. Hotson Architecture was asked to provide a proposal for a concept design for the overall Arts and Heritage Hub, which would include the Machine Shop. The concept design will undertake the work in two phases -- a visioning workshop and then concept development. The concept plan will enable the Town to make an application for infrastructure funding

under the Investing in Canada Infrastructure Program announced on September 12<sup>th</sup> at UBCM with an application deadline of January 23, 2019.

The visioning workshop is being held on November 23<sup>rd</sup>, facilitated by architect Norm Hotson, with representatives from the Arts Council, Historical Society, Maritime Society and the two resident artists, all of whom are tenants in the Machine Shop and immediate surroundings. The workshop will develop ideas for the uses, outdoor activities and design ideas for the Hub District in a conceptual design, including: building types, floor areas, use allocations, pedestrian and traffic circulation, parking, loading and emergency access, open space network, street design, materials, plantings, lighting and furnishing. This will build on the conceptual direction provided in the Waterfront Area Plan. A basic outline of the Hub District is shown on the previous page. This District is referenced as Area #9 in the Waterfront Area Plan.

Mr. Hotson will then prepare a draft conceptual design for review by the visioning workshop participants, Town of Ladysmith Council and the general public in late November or early December. Based on feedback and direction, he will then provide a final conceptual design in early January. This will enable the Town of Ladysmith to meet a January 23<sup>rd</sup> deadline for newly announced infrastructure funding from the Federal Government. The timeline is tight but if funding is obtained, it will enable further work to be done on the conceptual design.

#### Lot 108 Playing Fields

Lot 108 was acquired for future development of playing fields within the community. Continued growth in participation numbers for both soccer and football has demonstrated that the demand for these facilities is increasing rapidly.

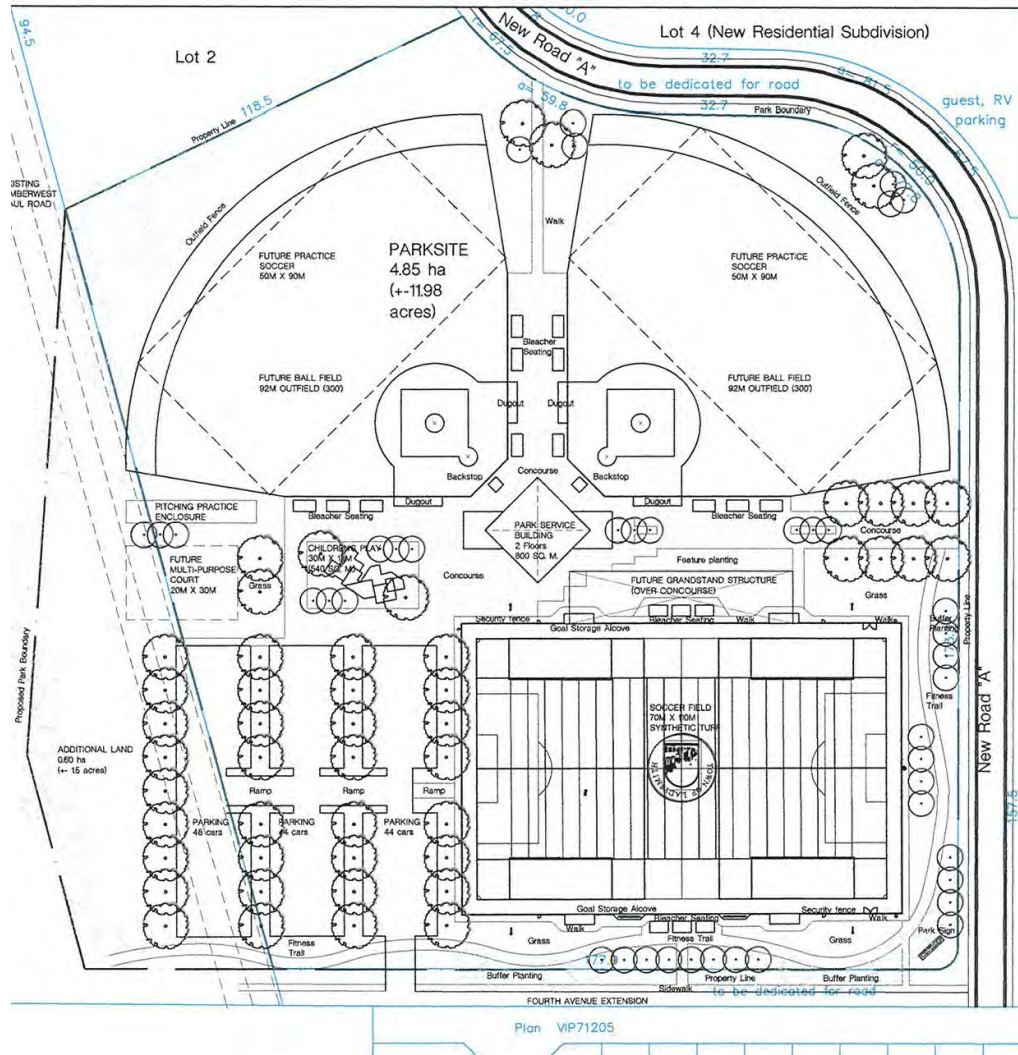
In June 2016, the Town completed the Parks, Recreation and Culture (PRC) Master Plan wherein the community described the need for improved playing fields, as existing fields were not usable for a large portion of the winter, due to limited light and poor drainage. Through discussions, the community clearly preferred the fields to be located at Lot 108; however, a short term solution such as improving the existing fields at Ladysmith Secondary would be adequate. Staff has been working with the School District to accomplish this and recent discussions have shown an interest by the School District to explore further. If this short term solution is possible, this would allow further time to seek additional funding for new playing fields at Lot 108.

Currently, the Town does not have updated information on expanding Lot 108 facilities, as existing concept drawings are outdated, and cost estimates are almost 10 years old. If this project was selected to proceed within this grant application, updated site drawings and cost estimates would be required at a cost estimate of approximately \$25,000.

Also, Council may in the future want to direct staff to complete a more detailed sports field review, as the baseball and softball organizations also are experiencing participation growth and their field usage should be considered as well. Such a review would look at anticipated costs of upgrades/maintenance to existing fields (Holland Creek, Aggie, High Street) in addition to consideration of Lot 108. By considering all fields within the Town

including the School District fields, the Town can better plan how to approach future development of sport fields.

The following drawing shows the 2010 Lot 108 concept plan, which requires acquisition of land currently not owned by the Town.



**Staff Recommendation**

While both projects qualify for the program funding, staff recommend proceed with a funding application for the Arts and Heritage Hub project under the Investing in Canada program. Which of the two funds is appropriate will be determined at a later date. The reasons for this recommendation are:

1. Implementation of the Waterfront Area Plan adopted in 2018. The Arts and Heritage Hub is one of the key areas of the new plan.
2. Following the infrastructure funding to upgrade the Machine Shop, space allocation and use for the whole Hub area is needed which is being addressed through the concept plan. Additional infrastructure funding will be required to implement the concept plan.
3. The Arts and Heritage Hub is the first priority in the Ladysmith Economic Development Strategy released in September.



4. Given the work progress noted above, the Arts and Heritage Hub project is much further advanced than work on playing fields on Lot 108.
5. The Arts and Heritage Hub project may also leverage additional grant funds, such as Rural Dividend and Island Coastal Economic Trust.
6. While the 2016 Parks, Recreation and Culture Master Plan outlines the future completion of Lot 108, the primary purpose was to increase sport field availability and usage. Subsequent work has determined this may be possible with a partnership with the School District.

Staff will continue to monitor and advise Council of any new funding opportunities for Lot 108.

**ALTERNATIVES:**

Council may direct staff to pursue funding of the Lot 108 playing fields project or provide other direction as determined.

**FINANCIAL & LEGAL IMPLICATIONS:**

New funding grants were announced in September at the UBCM Convention and provided a short timeline to January 23, 2019 for submission. The financial funding options will be brought to Council at a later date.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation         |
| <input type="checkbox"/> Green Buildings                        | <input checked="" type="checkbox"/> Multi-Use Landscapes   |
| <input 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 checked="" type="checkbox"/> Natural & Built Infrastructure |
| <input checked="" type="checkbox"/> Watershed Protection & Water Management | <input checked="" type="checkbox"/> Partnerships                   |
| <input checked="" type="checkbox"/> Communications & Engagement             | <input type="checkbox"/> Not Applicable                            |

**SUMMARY:**

Staff have been proceeding with work in the Arts and Heritage Hub for both the Machine Shop upgrading and the sub-area concept planning to provide full opportunity to apply for new infrastructure funding grants in January 2019. The playing fields on Lot 108 also meet the funding criteria but this project is far less advanced and the funding deadline is very short.




---

Kim Fowler, MCIP, RPP  
Project Manager, Waterfront Area Plan Implementation

November 13, 2018



---

Clayton Postings  
Director, Parks, Recreation and Culture

I concur with the recommendation.



---

Guillermo Ferrero, City Manager

**STAFF REPORT TO COUNCIL**

From: Joanna Winter, Manager of Legislative Services  
 Meeting Date: November 19, 2018  
 File No: 0550-01  
 RE: **2019 COUNCIL MEETING SCHEDULE**

**RECOMMENDATION:**

That Council

1. Confirm the following schedule of regular Council meetings and Municipal Services Committee meetings for 2019 and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

**Council Meetings**

January 7	April 1	July 15	November 4
January 21	April 15	August 19	November 18
February 4	May 6	September 16	December 2
March 4	June 3	October 8**	December 16
March 18	June 17	October 21	

\*\*Tuesday, to accommodate Tour de Rock in Ladysmith

**Municipal Services Committee Meetings**

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

**PURPOSE:**

The purpose of this staff report is to establish the Council meeting schedule for 2019 and to seek Council direction to publish the schedule in accordance with the *Community Charter*.

**INTRODUCTION/BACKGROUND:**

As stipulated in the Town’s Procedure Bylaw No. 1666, regular Council meetings are held on the first and third Monday of each month, unless the meeting falls on a Statutory Holiday.

The *Community Charter* requires a local government to notify the public of the schedule



of regular Council meetings annually before December 31 for the coming year. The notice will be published in the November 29<sup>th</sup> and December 6<sup>th</sup> editions of The Chronicle newspaper, and posted on notice boards as well as on the Town's website and social media. The notice will also include reference to Municipal Services Committee (Committee of the Whole) meetings. Meetings may be cancelled or re-scheduled throughout the year as required provided that sufficient notice of the change in schedule is issued.

**SCOPE OF WORK:**

Staff will prepare and place the required public notices.

**ALTERNATIVES:**

Council can choose to:

1. Approve the schedule as outlined OR
2. Consider amending the meeting schedule. Council should be aware that changing meetings to a different time or day of the week or will require an amendment to the Council Procedure Bylaw, which includes a public notice period before the amendment is adopted. It is therefore recommended that, should Council wish to consider changing the meeting schedule, the proposed schedule be adopted and advertised first, and alternatives be considered in 2019.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

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

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Council is required by legislation to provide notice of the year's coming Council meetings. This is an opportunity to encourage citizens to attend meetings and watch their council at work for the community.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

N/A

**RESOURCE IMPLICATIONS:**

No additional resources are required.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

N/A

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

N/A

**SUMMARY:**

Staff also request Council's approval of the 2018 Council Meeting schedule to be advertised before December 31 as required by the *Community Charter*.



---

Joanna Winter, Manager of Legislative Services

I concur with the recommendation.



---

Guillermo Ferrero, City Manager

**STAFF REPORT TO COUNCIL**

**From:** Kim Fowler, Project Manager, Waterfront Area Plan Implementation  
**Meeting Date:** November 19, 2018  
**File No:** 0230-20 LMS / DL2016 Holdings Corporation  
**RE:** PARKING LOT REQUEST FROM LADYSMITH MARITIME SOCIETY

---

**RECOMMENDATION:**

That Council consider whether it wishes to:

1. Refer the request from the Ladysmith Maritime Society regarding provision of a marina parking lot to staff for investigation and to report back to Council
2. Refer the request from the Ladysmith Maritime Society regarding provision of a marina parking lot to DL 2016 Holdings Corporation for investigation and to report back to Council; OR
3. Respond that it is not able to consider the request from the Ladysmith Maritime Society regarding provision of a marina parking lot at this time, pending the outcome of planning and implementation for upcoming phases of the Waterfront Area Plan.

**PURPOSE:**

To respond to the parking lot request from the Ladysmith Maritime Society (LMS).

**PREVIOUS COUNCIL DIRECTION**

This is a new request.

**INTRODUCTION/BACKGROUND:**

Staff met with LMS Board members on October 4, 2018 to provide an update on Arts and Heritage Hub sub-area planning. At the meeting, LMS advised a sub-committee had been created to find additional parking for marina users and inquired about creating a parking lot in the Waterfront Area Plan for marina parking. Staff advised that the Town did not have any available funds for this request and LMS advised they did not have any available funds either. As agreed, however, at the October 4<sup>th</sup> meeting, the Project Manager for Waterfront Area Plan Implementation met on site with two LMS members on October 12<sup>th</sup> to review potential locations for a parking lot. The Project Manager then advised LMS members to make a request to Council in writing. A letter from LMS regarding creation of a secure parking lot was received on October 31, 2018 and is attached to this report.

Funding options include establishing a capital budget request for 2019, advising LMS to make the funding request to the DL2016 Holdings Corporation (DL2016), or to refuse the request.

The License Agreement (Agreement) between DL 2016 Holdings Corporation (DL 2016) and the Ladysmith Maritime Society (LMS), dated July 1, 2009, contains a clause regarding annual license fees to be paid by LMS to DL 2016 on or before July 1<sup>st</sup>. Specifically, Section 4 of the Agreement states:

The Licensee shall pay to the Licensor in advance an annual license fee (the “License Fee” as follows:

1. 3.5% of Potential Gross Income of the marina operation, as defined in the Head Lease, to the Province.
2. 5% of gross income from moorage, based on the actual from year-end annual audited financial statement of the Licensee’s most recent fiscal year, which will be remitted to the Licensor to be used only for the Town of Ladysmith waterfront improvements of a capital or operating nature, after consultation with the Licensee.

In 2012, Council Resolution #CE 2012-107 redirected the license fee revenues for 2012-2014, as follows:

It was moved, seconded and carried that DL 2016 Holdings Corporation license fee revenues for the years of 2012, 2013 and 2014 be directed to be used for the purposes of:

- The recovery of specific costs of the Ladysmith Maritime Society
- Reduction of the Ladysmith Maritime Society project debt and payment of ongoing accounting and legal fees of DL 2016 Holdings Corporation

As a note, the liveaboard fees cited in section 5 of the agreement were waived via Council resolution #CE 2012-106 effective July 1, 2012.

**ALTERNATIVES:**

Council may provide other direction as determined.

**FINANCIAL & LEGAL IMPLICATIONS:**

The Town does not have available funding to construct and operate a secure parking facility. As LMS operates the marina under DL2016 Holdings Corporation, a loan by DL2016 could be considered for construction and operation of a parking lot. This would have to be considered by the directors of DL2016 and may follow a similar process to the recent construction and mortgaging of the Visitor Reception facility in the marina.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- Employment & Tax Diversity
- Watershed Protection & Water Management
- Communications & Engagement

- Natural & Built Infrastructure
- Partnerships
- Not Applicable

**SUMMARY:**

LMS has requested a secure parking lot be constructed in the Waterfront Area Plan for use by the marina. Funding options include establishing a capital budget request for 2019, advising LMS to make the funding request to DL2016 H or to refuse the request.



---

Kim Fowler, MCIP, RPP  
Project Manager, Waterfront Area Plan Implementation

November 13, 2018

I concur with the recommendation.



---

Guillermo Ferrero, City Manager

**ATTACHMENTS:**

1. Letter dated October 31, 2018 from Ladysmith Maritime Society to Town of Ladysmith.





LADYSMITH  
MARITIME  
SOCIETY

610 Oyster Bay Drive  
PO Box 1030, Ladysmith BC, V9G 1A7  
T: 250.245.0109 F: 250.245.0108  
E: [admin@lmsmarina.ca](mailto:admin@lmsmarina.ca)  
[www.lmsmarina.ca](http://www.lmsmarina.ca)

Town of Ladysmith  
410 Esplanade  
PO Box 220  
Ladysmith, BC  
V9G 1A2  
Attention: Kim Fowler

Oct. 31, 2018

Kim, good to speak with you a few days ago regarding parking issues at the Ladysmith Maritime Society (LMS), and this communication is in response to your request that I send a letter to you (which you agreed to circulate to Mayor and Council) outlining our parking issues.

The LMS has numerous functions, including permanent boat moorage, visitor moorage, heritage programs and exhibits, food services, handicapped sailing, paddling programs, festivals and public events. The LMS has taken its responsibility as a "community marina" extremely seriously. These functions have created a demand for parking that adjacent parking facilities simply cannot accommodate.

A brief overview of the problem. Industry and regulatory parking standards vary according to location and nature of marina, however we reviewed the parking by-laws for Vancouver, Sechelt, Oak Bay and Nanaimo and determined that a requirement of .4 stalls per permanent moorage location would in line with the average from these communities. We have 163 permanent moorage locations; this would indicate a parking requirement of 65 stalls. We have a seasonal restaurant with approximately 52 seats. Normal industry standards would dictate a requirement for at least 13 stalls. We have the ability to accommodate approximately 25 visiting boats, which probably drives a minor parking requirement of 2 stalls. Our heritage and exhibit programs likely require 4 stalls. The handicapped sailing program requires 2 stalls. The paddling program requires 8 stalls. Staff parking requires 2 stalls. And, the wild card, our community dock festivals, which are hugely popular, completely overwhelm our parking availability. To summarize, our cumulative parking requirement is in the range of (65+13+2+4+2+8+2) 96. To deal with festivals on the docks and waterfront area we have traditionally frozen out parking for our regular users, leaving virtually all available parking for community use, and we believe this would remain appropriate going forward.

Parking, in all areas in the vicinity of the marina totals approximately 63 stalls. This includes parking at the lower level; parking along the upper roadway (Oyster Bay Drive); parking adjacent to the work shed; and a portion of the parking across from the historic machine shop. Our shortage is apparent. Approximately 33 additional parking stalls are needed for our current level of activity. While you may say that all parking requirements generally aren't needed simultaneously and consistently, we feel that parking should be incorporated into our facilities as it is incorporated into a shopping centre... for peak use. And during the 3-4 months of summer peak use, our additional requirement is not at all overstated.

Additionally, we have another issue regarding parking that must be reconfirmed with you. Security is a major concern. In the marina industry there is a rather unusual requirement... for ongoing overnight parking. Boaters are often away on their boats for several days/ weeks and their vehicles are left in our "long term" parking area overnight. Also, staff and 'live aboards', who often use vehicles at later times are vulnerable with the current lack of security. There are numerous cases of vandalism to vehicles, break-ins, and theft of valued items and gasoline (with the accompanying damage to the fuel tanks, windows, etc.). As a result, the vehicle owners are reluctant to park their vehicles in the long term parking for overnight stretches and prefer to park in our lower parking, which is exclusively for day use. This completely overtaxes our very limited parking available for day use. Finally, the lack of lighting and a general feeling of lack of safety has led to visiting boaters feeling less inclined to visit downtown if they think they might be returning after dark. So, what is needed is not only additional parking, but the general area lit and a parking area that is fenced, lit, and electronically monitored.

The LMS has become proactive in endeavouring to make the best use of the scarce parking resource. Rules are attached to the moorage agreement dictating how parking is to be used. Vehicles have been ticketed for inappropriate parking. And the LMS even instituted a program of valet parking, ie. escorting boaters back home to leave their cars at home rather than at the marina.

Various potential solutions exist. We consider that solutions are short term and/ or long term. The long term solutions, we believe, are driven by the ultimate configuration of the waterfront development. However, inasmuch as this is likely several years in the future we are forced to look at immediate term solutions, and/ or solutions that might compliment the waterfront plan. In this regard we have walked the site and discussed this matter amongst ourselves and with you.

Possible short term solutions include:

- 1) Lot 5, identified in red on the attached site plan. We have had preliminary discussions with the owners of lot 5 who have expressed an initial interest in accommodating parking on the lower portion of their site. This would yield approximately 8 stalls, which would be extremely well located. We accept that this would be short term in nature, however, this area would be very strategic for us.
- 2) West side of Oyster Bay Drive, identified in green on the attached site plan. This would require excavating part of the widest portion of the bank between Oyster Bay Drive and the railway line; then parking at right angles to the road rather than parallel to the road. This excavated area would be approximately 145 ft. long and permit approximately 5 addition vehicles, when parked at right angles rather than parallel to the roadway.

Possible long term solution:

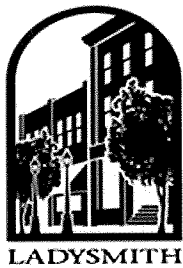
- 1) At the intersection of Oyster Bay Drive and "the gravel road", identified in blue on the attached site plan. This is a large, unused area that would require significant excavation, however, it is identified as parking on the present Water Front Plan; is adjacent to power (for lighting and monitoring); and is of such a size that all LMS parking shortage could be located in this area. Depending on ultimate configuration it is estimated that 50 plus vehicles could be parked in this area.

Kim, the LMS is the major tourism generator in Ladysmith; is a substantial economic generator, is a major historical repository, and is a major volunteer force in our town. The LMS is truly a "Community Marina" and we wish to maintain and expand our community focus. The LMS is appreciative of your time to consider our dire situation and appreciative of your offer to pass this communication forward to members of council for consideration. There might be other solutions that materialize, however, when pressed by our short term requirements and the reality that the Water Front plan substantially directs our solution, we feel that some combination of the solutions above could be a starting point.

Best regards.

John Craig  
Chairman of the LMS ad hoc Parking Committee





## Town of Ladysmith

### **STAFF REPORT TO COUNCIL**

From: Erin Anderson, Director of Financial Services  
Meeting Date: November 19, 2018  
File No:

---

**RE: Third Quarter - Operating & Capital Budgets 2018**

---

#### **RECOMMENDATION(S):**

That Council:

1. Direct staff to install a hygiene facility at the Bio-solids composting site in the amount of \$50,000 with funds to come from cost savings in the sewer department, and amend the financial plan accordingly.
2. Receive the financial report for the period ending September 2018 for information purposes.

#### **PURPOSE:**

The purpose of this report is to continue to inform Council of the financials.

#### **INTRODUCTION/BACKGROUND:**

Continuing with the objective of transparency and providing good information to Council and the taxpayers, this report is completed to provide regular financial information. This is the third report for the year and written based on the amended 2018 Financial Plan. The next report for 2018 will be the presentation of the audited financial statements in April of 2018.

#### *Overall*

The Town is forecasted to be under budget at year-end. Much of this is due to a projected surplus due to the un-executed borrowing for the Water Filtration Plant. Construction on the Plant is now underway.

#### **OPERATING BUDGET**

As shown in Table 1, the Operations Budget with Projections to December 31<sup>st</sup> show an overall projected surplus due to un-issued debt payments.

Table 1: Operations

Operations	Actuals			Forecast		
	Actuals to Sep 30, 2018	Budget 2018	Actual Variance %	Year-End Forecast	Year-End Forecast Variance	Forecast Variance %
<b>Revenues</b>						
Taxes	10,759,000	10,685,000	101%	10,692,000	- 8,000	100%
Sale of Services	2,015,000	3,625,000	56%	3,624,000	-	100%
Licence, Permits, Rentals & Penalties	698,000	737,000	95%	853,000	-117,000	116%
Development Fees	-	43,000	0%	-	43,000	0%
Donations	6,000	-	0%	6,000	- 6,000	0%
Grants	656,000	650,000	101%	676,000	- 26,000	104%
Investment Income	141,000	138,000	102%	148,000	- 10,000	107%
<b>Revenue Totals</b>	<b>14,274,000</b>	<b>15,877,000</b>	<b>90%</b>	<b>16,000,000</b>	<b>-123,000</b>	<b>-</b>
<b>Expenses</b>						
General Government Services	1,618,000	2,258,000	72%	2,241,000	17,000	99%
Protective Services	883,000	1,741,000	51%	1,654,000	87,000	95%
Transportation Services	851,000	1,356,000	63%	1,357,000	- 2,000	100%
Cemetery Operations	24,000	31,000	77%	31,000	-	100%
Development Services	411,000	622,000	66%	546,000	76,000	88%
Garbage Services	346,000	509,000	68%	513,000	- 4,000	101%
Parks	548,000	712,000	77%	690,000	21,000	97%
Recreation & Cultural Services	1,885,000	2,542,000	74%	2,544,000	- 2,000	100%
Sewer Services	923,000	1,330,000	69%	1,237,000	93,000	93%
Water Services	614,000	1,105,000	56%	931,000	174,000	84%
Debt Payments	821,000	1,330,000	62%	931,000	399,000	70%
Transfers	1,482,000	2,342,000	63%	2,342,000	-	100%
<b>Total Expenses</b>	<b>10,406,000</b>	<b>15,878,000</b>	<b>0%</b>	<b>15,017,000</b>	<b>-860,000</b>	<b>95%</b>
<b>Surplus/ (Deficit)</b>	<b>3,868,000</b>			<b>983,000</b>		

**Revenue – Taxes & Parcel Taxes** **Projected to be \$8k above budget**

Property taxes were levied in May. Supplementary adjustments have reduce the taxation by \$7,000 though water and sewer parcel taxes and Grants in Lieu of taxation have exceeded budget projects.

**Revenue – Sale of Services (Fees & Charges)** **Projected to be on budget**

- Water revenues within the Town are below budget revenues though water provided to our neighbours outside of the Town (Diamond and Stz'uminus First Nations) are expected to make up for any revenue variance by year-end.
- Sewer and Solid Waste revenues are expected to continue to be above budget revenues.

- Some recreation revenues, such as aquatic passes, recreation programs and fitness admission, are less than in previous years and are expect to be under budget by year-end.
- Cemetery revenues continue to be greater at this time in comparison to last year, and are expected to exceed budget, though this is offset by a corresponding expense.

**Revenue – Licence, Permits, Rentals & Penalties      Projected to be \$117k above budget**

- Licencing revenue has increased and is now expect to be 97% of budget by year-end.
- Tax penalties were levied as of July 3<sup>rd</sup>. Projections are expected to be within budget.
- Permit revenues are greater than this period in 2017 with the largest increase in Subdivision approvals and Building Permits.
- Rental revenues are expected to exceed budget projections such as aquatic pool rentals and the rental fees received from RCMP detachment as this fee is a percentage of the previous years’ operating costs.

**Revenue – Investment Income      Projected to be \$10k above budget**

- Interest earned on the capital funds invested will be greater than budgeted.

**Revenue – Operating Grants      Projected to be \$26k above budget**

- Traffic Fine Revenue sharing and Small Community Protection Grants were received, resulting slightly more revenue received than budgeted. The CVRD grants for recreation services to Areas G & H was \$6k greater than budgeted.

**Expenses - General Government Services      Projected to be \$17k under budget**

Overall, this area will be slightly under budget by year-end. There have been a few vacancies that will be filled in the coming months as well as some cost savings in expenses which will result in the are being 99% of budget by year-end.

**Expenses - Protective Services      Projected to be \$87k under budget**

Fire fighter calls continue to be greater in 2018 than in 2017. To date, fire calls are 92% of budget and are expected to be over budget by approximately \$12k by year-end. Cost savings will be found in other area, such as debt payments on the new pumper truck as the debt was executed later in the year than expected.

The largest variance in this area is the result of the RCMP billings. The first and second quarterly RCMP billings were lower than budget and will result in significant (\$80k) cost savings at year-end. These savings will be reserved at year-end as there is often a reconciliation by E-Division at the close of the Federal year-end that adjusts for differences in populations under \$15,000 billings.

**Expenses - Transportation/Public Works      Projected to be \$2k over budget**

At the end of Q3, it is expected that this department will be slightly over budget by year-end. This is contingent on a similar snow and ice clearing costs as last year at this time.

**Expenses – Solid Waste** **Projected to be \$4k over budget**

Garbage, Recycling and Organics collection expenses are expected to be slightly above budget as at year-end due to increase number of collections. This is offset by increased revenue for the service.

**Expenses – Cemetery Operations** **Projected to be on budget**

Cemetery fees are expected to be on budget by year-end.

**Expenses – Development Services** **Projected to be \$76k under budget**

Overall, this area is currently under budget. One of the largest reason was a vacancy in the area (Planning) as well as difficulty in filling vacation coverage for the Building Inspector. There are 3 projects that are not expected to be complete by year-end which adds to the department surplus, though these projects are expected to carry-forward into 2019.

**Expenses – Parks** **Projected to be \$21k under budget**

Parks materials and supplies are lower in 2018 than 2017 which resulted in this area projected to be under budget at year-end.

**Expenses – Recreation & Culture Services** **Projected to be \$2k over budget**

It is expected that maintenance costs will greater than budget by the end of the year due to backfilling, but there will be savings in other areas to minimize this impact.

**Expenses – Sewer Services** **Projected to be \$93k under budget**

Overall, this area is under budget due to an unfilled position. If Council approves staff's recommendation, a portion of this department's surplus will be used to install washroom & shower facilities as well as insulate and drywall the interior of the building at the Bio-solids composting facility.

**Expenses – Water Services** **Projected to be \$174k under budget**

There is a savings in water currently as the Water Treatment Plant is not operational. This has resulted in a savings in operations for hydro, materials and supplies and equipment. Also, the additional position budgeted to operate the Water Treatment Plant has not been hired, resulting in a budget surplus.

**Expenses – Debt Payments** **Projected to be \$399k under budget**

The Water Filtration Plant construction has not progressed as expected. As such, there is a significant cost savings in debt payments. Borrowing will occur in early 2019. As well, the

new Fire truck debt will only have a portion of the budgeted debt servicing paid in 2018 resulting in a surplus in 2018.

**Capital Projects**

Below is a summary of all of the capital projects to the end of September as well as projection of status at the end of the year.

Not Started	On Track	Delayed	Requires add't funds	Complete

General:

Project	YTD	BUDGET	Variance	% variance	Status as of Sep	Expected status at year-end
1260 Churchill Rd	900,804	900,000	-804	100%	complete	complete
1st Ave Irrigation Vault	0	10,000	10,000	0%		
1st Ave Safety Upgrades	5,781	30,000	24,219	19%		
2018 Tree Replacements	0	12,000	12,000	0%		
2nd Ave/High St Crosswalk	0	42,207	42,207	0%		
4th Ave Improvements (Hambrook north)	151,817	1,233,542	1,081,725	12%		
Age Friendly Walkability & Accessibility	9,000	15,000	6,000	60%		
Aggie Hall Floors	9,310	11,000	1,690	85%		
Aggie Parking & Signage	149,730	183,064	33,334	82%		
Amphitheatre Tank Lid Replacement	0	10,000	10,000	0%		
Asset Management	15,612	39,000	23,388	40%		
BC Summer Games	66,925	70,000	3,075	96%		
Cannabis Public Consultation	0	20,000	20,000	0%		
CH Air Conditioning System	7,370	10,000	2,630	74%		
Churchill Road Work	0	100,000	100,000	0%		
City Hall Photocopier	0	22,000	22,000	0%		
Clarke Rd Storm	3,224	50,000	46,776	6%		
City Hall Renovations	3,189	22,958	19,769	14%		
DCC Review	560	34,755	34,195	2%		
Derelict Vessels	70,565	95,388	24,823	74%		
Dogwood Bridge Inspection	8,239	10,000	1,761	82%		
Engineering Standards Review	9,925	10,000	75	99%		
Equipment Replacements	54,512	51,000	-3,512	107%		
Fire hall Front Truck Bay	94,141	99,031	4,890	95%		
FJCC Sports Lights - contract services	0	60,000	60,000	0%		
FJCC Water Main Valve	10,650	10,794	144	99%		
Fleet Replacements	0	270,000	270,000	0%		
Golf Course Netting	0	7,846	7,846	0%		
Golf Course Trail	349	20,000	19,651	2%		



GPS Reference Station	14,377	27,000	12,623	53%	
HC Trail Switchback	0	10,000	10,000	0%	
Rezoning	4,883	5,008	125	97%	
Knight's Clock	2,851	10,000	7,149	29%	
Machine Shop	35,678	1,753,553	1,717,875	2%	
Mobile Version of Website	0	35,000	35,000	0%	
Open for Business	15,930	15,939	9	100%	
Pool Stairs & Slide	12,324	14,000	1,676	88%	
Pool Surge Tank Upgrade	8,086	20,000	11,914	40%	
Public Art Strategy	8,000	20,000	12,000	40%	
Public Washroom	0	70,000	70,000	0%	
Pumper Truck	0	682,212	682,212	0%	
PW Emergency Generator	0	90,000	90,000	0%	
PW Storm Water Improvements	39,623	40,000	377	99%	
RCMP Emergency Back-up Generator	64,141	65,961	1,820	97%	
RCMP Storage Container	6,283	10,000	3,717	63%	
Recreation Software Upgrade	21,541	23,213	1,672	93%	
Rocky Creek Culvert	104,211	1,032,000	927,789	10%	
Rocky Creek Rd Storm	0	97,345	97,345	0%	
Rotary Picnic Shelter	4,665	6,635	1,970	70%	
Russell Rd Paving	0	100,000	100,000	0%	
Self Retracting Lifeline & Tripod	6,901	10,000	3,099	69%	
Spray Park Pump	15,058	15,100	42	100%	
Storm Drainage	0	70,000	70,000	0%	
Transfer Beach Pole	682	2,900	2,218	24%	
Walkem Rd Sidewalk	119,428	150,000	30,572	80%	
WAP Eco Partnership	2,188	18,982	16,795	12%	
Waterfront Comprehensive Dev Agreement	11,780	39,500	27,720	30%	
Waterfront Jewel Contract Services	0	2,972	2,972	0%	
Waterfront Land Use Approvals	0	5,000	5,000	0%	
Waterfront Studies	100,597	165,000	64,403	61%	
Waterfront Zoning Update	0	10,000	10,000	0%	
Youth Strategy	17,364	17,835	471	97%	

Sewer:

Not Started	On Track	Delayed	Requires add't funds	Complete

Account Name	Year to Date including commitments	Budget Amount	Variance	% Variance	Status as of September	Expected status at year-end
Composting Facility Upgrade	395,340	412,531	17,191	96%		
Fleet Replacements	48,150	48,150	0	100%		
Flow Monitoring	14,534	73,675	59,141	20%		
Gill Rd Lift Station Upgrade	66,650	319,396	252,746	21%		
Lift Station Condition Assessment	5,775	6,086	311	95%		
Sandy Beach Lift Station Upgrade	6,831	8,000	1,169	85%		
Pumpstns Emergency Ops Review	-	25,000	25,000	0%		
Sewer Outfall	48,150	300,000	251,850	16%		
Sewer UV Pilot Study	-	100,000	100,000	0%		
Stage 2 Environmental Study	-	160,000	160,000	0%		

Water:

Not Started	On Track	Delayed	Requires add't funds	Complete

Account Name	Year to Date including commitments	Budget Amount	Variance	% Variance	Status as of September	Expected status at year-end
Baden-Powell Main Replacement	-	250,000	250,000	0%		
Data Connection	11,252	11,500	248	98%		
Holland Dam Construction	-	12,860,000	12,860,000	0%		
Holland Dam Inundation Study	19,713	20,083	370	98%		
Holland Dam Storage Feasibility	5,483	92,000	86,517	6%		
Holland Lake Generator & Controls	11,455	24,740	13,285	46%		
Holland Lake Vegetation Control	-	28,150	28,150	0%		
Holland Supply Main PW-Colonia	8,865	393,637	384,772	2%		
SCADA Upgrades	-	22,500	22,500	0%		
Stocking Lake Dam Repair	-	250,000	250,000	0%		
Stocking Lake Meter Vault	803	70,000	69,197	1%		
Thicke Rd Water Main	48,020	53,597	5,577	90%		
Water & Sewer Rates Bylaw	6,357	40,000	33,643	16%		
Water Filtration Plant	849,835	13,972,195	13,122,360	6%		

Water Meter Handheld Reader	-	10,000	10,000	0%		
Water Meter Replacements	12,334	50,000	37,666	25%		

**ALTERNATIVES:**

Not applicable.

**FINANCIAL IMPLICATIONS:**

Keeping Council informed of the financial state of the organization.

**LEGAL IMPLICATIONS:**

This is a snapshot of the Town’s finances for a point in time. Payments and deposits continue to be received which will change the financial figures. These statements are not audited.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

The public is encouraged to review the report and provide comments.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

There is coordination among the various departments to ensure all information is coded properly and received in a timely manner by the Finance Department.

**RESOURCE IMPLICATIONS:**

The majority of this work is done by the Finance Department.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

Not applicable.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

This is within the Town strategy of “Wise Financial Management”.

**SUMMARY:**

It is recommended that Council receive this report.



Report Author: Erin Anderson, Director of Financial Services

November 14, 2018

Date

I concur with the recommendation.



Guillermo Ferrero, City Manager

**ATTACHMENTS:**

Consolidated Statement of Operations September 30, 2018

Consolidated Statement of Financial Position – as of September 30, 2018

Listing of Vendor Payments over \$25,000 Jan 1 – September 30, 2018

**TOWN OF LADYSMITH  
CONSOLIDATED STATEMENT OF OPERATIONS  
AS AT September 30, 2018**

	<b>Actuals 2018</b>	<b>Budget 2018</b>	<b>% of Budget</b>
Revenue			
Taxes:			
Municipal purposes taxation	6,719,520	\$ 6,731,607	100%
Policing taxation	1,234,840	1,229,504	100%
Parcel taxes	2,539,783	2,557,527	99%
Grants in Lieu	167,917	165,877	101%
Sale of Services:			
General - other	- 2,321	30,800	-8%
Recreation	434,889	563,705	77%
Protective Services	82,152	73,508	112%
Cemetery	24,250	30,500	80%
Solid Waste	333,463	637,936	52%
Sewer	649,601	1,264,505	51%
Water	492,725	1,023,628	48%
Investment Income	149,937	138,000	109%
Licence, Permits, Rentals & Penalties	703,948	736,827	96%
Grants	1,200,110	10,756,080	11%
Donations and contributed property	62,384	151,635	41%
Gain (loss) on foreign exchange	-	-	
Gain (loss) on disposal of tangible capital asse	-	-	
Development Cost Charges utilized	-	323,000	0%
Gas tax funds utilized	286,342	1,142,972	25%
	<u>15,079,539</u>	<u>27,557,611</u>	55%
Expenses: (excluding amortization)			
General government services	1,813,711	3,160,350	57%
Protective services	926,448	1,803,800	51%
Transportation services	952,626	1,409,728	68%
Garbage services	345,808	508,761	68%
Cemetery services	23,877	30,619	78%
Development services	439,497	737,913	60%
Recreation and cultural services	1,977,799	2,645,311	75%
Parks operation services	558,876	751,546	74%
Sewer	1,065,013	2,131,703	50%
Water	689,286	1,563,815	44%
Operating Expenses	<u>8,792,941</u>	<u>14,743,546</u>	60%
General Capital Projects	1,582,328	6,008,515	26%
Water Capital Projects	592,227	14,989,429	4%
Sewer Capital Projects	532,413	919,927	58%
Proceeds from New debt (capital financing)	(682,000)	(5,016,472)	14%
Principal Payments	629,041	835,237	75%
Internal Funding	(2,473,665)	(4,922,571)	50%
	<u>6,106,255</u>	<u>-</u>	
<b>BALANCE</b>			

**TOWN OF LADYSMITH  
CONSOLIDATED STATEMENT OF FINANCIAL POSITION  
AS AT September 30, 2018**

	<b>2018</b>
<b>Financial Assets</b>	
Cash and short term deposits	24,070,866
Accounts receivable:	
Property Taxes	911,059
User Fees	187,464
Other	775,426
	<u>25,944,815</u>
<b>Liabilities</b>	
Accounts payable and accrued liabilities	937,410
Taxes payable to other agencies	96,574
Post-employment benefits	234,100
Deferred revenue	396,049
Refundable deposits and other	695,827
Restricted reserves - other	442,782
Development cost charge reserve	3,057,521
Federal gas tax reserve	1,405,998
Obligations under capital lease	-
Equipment Financing	1,002,441
Short term debt (financing)	-
Debenture debt	11,639,356
	<u>19,908,059</u>
<b>Net Financial Assets</b>	<b>6,036,756</b>
<b>Non-Financial Assets</b>	
Tangible Capital Assets	93,885,690
Capital Projects in Current Year	2,706,968
Prepays	18,523
Inventory	88,780
	<u>96,699,961</u>
<b>Accumulated Surplus</b>	<u><b>102,736,717</b></u>

Vendor Payments over \$25,000  
January 1, 2018 - September 30, 2018

Supplier Name	Total
512 PARKS DRIVE HOLDINGS LTD	41,248
AFD PETROLEUM LTD	52,071
ANDREW SHERET LTD	33,906
ART COUNCIL OF LADYSMITH & DISTRICT	25,995
ASSOCIATED ENGINEERING (BC) LTD	838,336
BC ASSESSMENT AUTHORITY	77,053
BC HYDRO	374,959
BC LIFE & CASUALTY COMPANY	83,149
BUTLER BROTHERS SUPPLIES LTD	29,917
CATALYST PAPER	36,696
CLEARTECH INDUSTRIES INC	41,255
COAST ENVIRONMENTAL LTD	29,124
COASTAL ANIMAL CONTROL SERVICES OF BC LTD.	28,114
COWICHAN VALLEY REGIONAL DISTRICT	2,308,064
COWICHAN VALLEY REGIONAL HOSPITAL DISTRICT	889,479
CUPE LOCAL 401	55,957
DISTRICT OF NORTH COWICHAN	63,317
DUNCAN ELECTRIC MOTOR LTD	38,040
F&M INSTALLATIONS LTD	93,307
FINNING (CANADA)	61,229
FLOCOR INC	27,883
HAZELWOOD CONSTRUCTION SERVICES INC	181,362
HEROLD ENGINEERING LTD	90,519
HOTSON ARCHITECTURE INC	26,263
HUB CITY PAVING LTD	31,676
ICBC	47,326
KOERS & ASSOCIATES ENGINEERING LTD	62,565
LADYSMITH & DISTRICT HISTORICAL SOCIETY	30,970
LADYSMITH CHAMBER OF COMMERCE	34,199
LADYSMITH RESOURCES CENTRE ASSOCIATION	43,899
LAFARGE ASPHALT TECHNOLOGIES A DIV OF	27,008
LEUCO CONSTRUCTION INC	146,648
MEDICAL SERVICES PLAN	29,625
MID VALLEY MANUFACTURING INC	466,073
MINISTRY OF SMALL BUSINESS AND REVENUE	285,268
MUNICIPAL FINANCE AUTHORITY	39,480
MUNICIPAL INSURANCE ASSOCIATION OF BC	138,755
MUNICIPAL PENSION FUND	625,050
OPUS INTERNATIONAL CONSULTANTS (CANADA) LTD	82,205
OSPREY ELECTRIC LTD	79,210
PACIFIC BLUE CROSS	157,501
RECEIVER GENERAL	1,084,371
RECEIVER GENERAL FOR CANADA	791,608
RF BINNIE & ASSOCIATES LTD	56,531
ROBSON O'CONNOR (IN TRUST)	90,045

RUSHWORTH ELECTRICAL SERVICES INC	33,743
SALTAIR MARINE SERVICE LTD	75,275
SOFTCHOICE CORP	46,565
STEWART MCDANNOLD STUART-IN TRUST	810,804
STEWART MCDANNOLD STUART	25,849
TRANSFORM COMPOST SYSTEMS LTD	26,775
US BANK	183,139
VAN-ISLE AGGREGATES LTD	32,414
VANCOUVER ISLAND REGIONAL LIBRARY	290,133
VANCOUVER ISLAND TREE SERVICE LTD	25,386
VEER HOLDINGS INC	27,941
VIMAR EQUIPMENT LTD	35,819
WASTE CONNECTIONS OF CANADA INC	379,138
WHOLESALE FIRE & RESCUE LTD	38,624
WORKSAFE BC	92,648
WORLD WATER WORKS INC	316,799
WSP CANADA INC	26,017
ZENN DEVELOPMENTS LTD	111,394



## INFORMATION REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services  
 Meeting Date: November 19, 2018  
 File No:  
 RE: COUNCIL REMUNERATION BYLAW AND POLICY

### RECOMMENDATION:

That Council:

1. Adopt the draft Council Remuneration Policy
2. Under the Bylaws section of this agenda, give first, second and third readings to Council Remuneration Bylaw 2018, No. 1986.

### PURPOSE:

The purpose of this report is to seek Council approval of a new Council Remuneration Policy and Bylaw to reflect the October 2018 recommendations of the Council Remuneration Committee adopted by Council at its October 15, 2018 meeting.

### PREVIOUS COUNCIL DIRECTION

- |                    |   |
|--------------------|---|
| <b>CS 2018-388</b> | That Council consider separately each recommendation from the Select Committee on Council Remuneration.   |
| <b>CS 2018-389</b> | That Council amend "Council Remuneration and Expenses Bylaw 2001, No. 1427" to include wording that states that the daily meal allowances for Council will match those of staff.                      |
| <b>CS 2018-390</b> | That effective January 1, 2019, Council make Council remuneration whole in terms of the 1/3 tax exemption by establishing the Mayor remuneration at \$34,320 and Councillor remuneration at \$14,940. |
| <b>CS 2018-391</b> | That effective January 1, 2019, Council implement an annual remuneration increase based on the immediate three year average of the Victoria Consumer Price Index up to a maximum of 2%.               |
| <b>CS 2018-392</b> | That Council direct staff to provide corporate cell phones to Council members as well as include the members on the Town's corporate cell phone plan.   |
| <b>CS 2018-393</b> | That Council include in the Financial Plan \$1,000 per term toward  |



the purchase of a corporate tablet device for the Mayor and each Council member, with the dollar amount to be reviewed during the next term of Council.

**CS 2018-394**

That Council continue with the current practice of not providing health benefits to Council.

**CS 2018-395**

That Council reconvene a Select Committee on Council Remuneration in October 2019 to review Council remuneration in the municipalities used as a comparison basis, after the change in Canada Revenue Agency rules regarding the tax exemption on one third of the remuneration has been applied.

<b>CS 2018-149</b>	That Council appoint a Select Committee on Council Remuneration, to report to Council with recommendations prior to September 30, 2018.
<b>CS 2016-014</b>	That a regular review (survey) and Select Committee on Council Remuneration appointments and recommendations be completed prior to September 30 in the final year of a Council term.

**DISCUSSION:**

In spring 2018, Council convened a Select Committee on Council Remuneration as previously resolved. The Committee was tasked with reviewing Council remuneration, including benefits and other services, in comparison with several other communities, and developing recommendations for review by Council. Resolutions 2018-388 through 395 (above) reflect the Committee’s recommendations as adopted by Council on October 15, 2018.

A review of approaches to Council remuneration bylaws and policies in other communities shows that best practice is to have a simple Council remuneration bylaw that sets out base salary for Council, with a corresponding policy for other related items such as expense reimbursement, equipment and other benefits.

Staff have developed Council Remuneration Bylaw 1986, together with the attached draft policy, to align with the previously adopted resolutions.

**ALTERNATIVES**

Council can choose to revisit the recommendations of the 2018 Select Committee on Council Remuneration if it so wishes.

**SUMMARY POINTS**

A bylaw and policy regarding Council remuneration are presented for Council’s consideration, in alignment with previously adopted recommendations from the 2018 Select Committee on Council Remuneration.

  
Erin Anderson, Director of Financial Services

November 13, 2018

I concur with the recommendation.

  
Guillermo Ferrero, City Manager

**ATTACHMENT(S)**

Bylaw 1986

Draft Council Remuneration Policy

TOWN OF LADYSMITH

**BYLAW NO. 1986**

A Bylaw to provide for Council member remuneration.

---

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

**Remuneration**

1. There shall be paid in monthly installments out of the annual revenue, remuneration to Council members for discharge of the duties of office as follows:
  - a. Commencing January 1, 2019,
    - i. The Mayor will be paid the sum of \$34,320 per annum;
    - ii. Each Councillor will be paid the sum of \$14,940 per annum.
  - b. For the calendar year 2020, and for each subsequent year thereafter, the annual remuneration set out in subsection (a) shall be increased from the remuneration for the immediately preceding calendar year by a percentage based on the immediately preceding three year Victoria Consumer Price Index average to the current compensation amount to a maximum of 2 per cent

**Expenses and Other Benefits**

2. Council may, from time to time, establish policies for reimbursement of expenses related to Town of Ladysmith business and other benefits, services and use of equipment to assist Council members in fulfilling their duties.

**Repeal of Previous Bylaw**

3. The Town of Ladysmith Council Remuneration and Expenses Bylaw 2001, No.1427, and all amendments thereto, are hereby repealed.

**Citation**

4. This bylaw may be cited for all purposes as "Council Remuneration Bylaw 2018, No. 1986."

READ A FIRST TIME      on the                      day of                      , 2018  
READ A SECOND TIME   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)

**TOWN OF LADYSMITH**  
**POLICIES AND PROCEDURE MANUAL**

<b>TOPIC:</b>	<b>COUNCIL REMUNERATION POLICY</b>	
<b>APPROVED BY:</b>	Council	<b>DATE:</b>
<b>RESOLUTION #:</b>		
	<i>(Amended from)</i>	

**Purpose**

The purpose of this policy is to establish guidelines for Council remuneration and the procedure for providing remuneration, including but not limited to financial compensation and related services and benefits.

**Persons Affected**

The following people are affected by this policy: Mayor, Council, Financial Services & Corporate Services staff.

**Policy**

1. Annual Remuneration Adjustment

Effective January 1<sup>st</sup> of each year The Finance Officer shall revise the base compensation for the Mayor and Councilors by applying the Victoria Consumer Price Index average for the preceding three years to the current compensation amount, to a maximum of 2 per cent.

If the application of the Consumer Price Index results in a decrease, there will be no change to the remuneration amount.

2. Health Benefits for Council Members

The Town will not provide health benefits to members of Council.

3. Members of Council may elect to join the Union of British Columbia Municipalities (UBCM) Benefits Plan with the full costs borne by the individuals. Membership eligibility and requirements will be decided by the UBCM. Travel Expenses

Council members are authorized for reimbursement of travel expenses incurred on matters related to their Council duties in accordance with Policy #05 1790 Travel Expenses.

4. Meals

While conducting Town business, meals of the guests of the Mayor or Council members shall be reimbursed at cost including applicable taxes and gratuities.

5. Cell Phones

Each member of Council will receive a corporate cell phone and belong to the applicable Town of Ladysmith data and cellular minutes plan, for the sole purpose of conducting Town business.

6. Tablets

Each member of Council will receive a corporate tablet for the sole purpose of conducting Town business.

7. Review of Policy

This policy shall be reviewed six months before the end of each Council term.

**Procedure**

*Council*

1. Should a member of Council choose not to accept all or part of his or her remuneration, he or she must:
  - (a) advise the Director of Financial Services in writing;
  - (b) specify the requested amount of remuneration; and
  - (c) specify the date this request will come into effectSuch a request cannot be retroactive
  
2. At the beginning of the Council term, newly elected Council members shall provide the requested relevant information to the Payroll department within the first two weeks following the inaugural meeting.

*Finance*

1. The net remuneration shall be paid via electronic funds transfer monthly to each Council member.

2. The Finance Officer shall calculate the annual remuneration adjustment once the CPI figures are available and apply any retroactive increases on the next remuneration payment.
3. The Payroll department shall administer the applicable UBCM Health Benefits deductions per the UBCM agreement to facilitate premium payments.
4. Financial Services shall administer the procurement of the corporate tablet for each member of Council for the duration of the Council term. Replacement of the corporate cell phone is at the discretion of the CAO.

*Corporate Services*

1. Corporate Services shall administer the procurement of the corporate cell phone and protective case for each member of Council for the duration of the Council term. Replacement of the corporate cell phone is at the discretion of the CAO.

TOWN OF LADYSMITH

BYLAW NO. 1986

A Bylaw to provide for Council member remuneration.

---

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

**Remuneration**

1. There shall be paid in monthly installments out of the annual revenue, remuneration to Council members for discharge of the duties of office as follows:
  - a. Commencing January 1, 2019,
    - i. The Mayor will be paid the sum of \$34,320 per annum;
    - ii. Each Councillor will be paid the sum of \$14,940 per annum.
  - b. For the calendar year 2020, and for each subsequent year thereafter, the annual remuneration set out in subsection (a) shall be increased from the remuneration for the immediately preceding calendar year by a percentage based on the immediately preceding three year Victoria Consumer Price Index average to the current compensation amount to a maximum of 2 per cent

**Expenses and Other Benefits**

2. Council may, from time to time, establish policies for reimbursement of expenses related to Town of Ladysmith business and other benefits, services and use of equipment to assist Council members in fulfilling their duties.

**Repeal of Previous Bylaw**

3. The Town of Ladysmith Council Remuneration and Expenses Bylaw 2001, No.1427, and all amendments thereto, are hereby repealed.

**Citation**

4. This bylaw may be cited for all purposes as "Council Remuneration Bylaw 2018, No. 1986."

READ A FIRST TIME	on the	day of	, 2018
READ A SECOND TIME	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)





Ref. 45522 & 45753

October 16, 2018

Mayor Aaron Stone  
Town of Ladysmith  
PO Box 220  
410 Esplanade  
Ladysmith BC V9G 1A2

Dear Mayor Aaron Stone and Council:

I am writing to express my appreciation for our meeting at the Union of British Columbia Municipalities Convention on September 12, 2018 and to acknowledge the receipt of your email of September 20, 2018.

During our meeting, you provided me an update on the work you've done with Stz'uminus First Nation on your Waterfront Area Plan. It is inspiring to hear about the partnership you have established and collaborative process you have undergone; this is an important step towards reconciliation. As I mentioned in our meeting, I recently met with my federal counterparts, and I was able to describe the important reconciliation efforts being made between local governments and First Nations in BC.

We are actively working on the meeting request you sent to me and Ministers Donaldson and Heyman on September 20, 2018. In the interim, there are various funding options offered through the Provincial Government that are accessible to you to assist in the wide array of components within the Waterfront Area Plan. We have passed on the information you provided to Cheryl McLay, Regional Manager, Ministry of Forest Lands and Natural Resource Operations and Rural Development. For convenience, Cheryl's phone number is (250) 751-3217 and she is willing to help you with ideas on potential next steps to move forward with this exciting project.

.../2

---

**Ministry of  
Indigenous Relations  
and Reconciliation**

Office of the  
Minister

Mailing Address:  
Box 9151 Stn Prov Govt  
Victoria BC V8W 9E2  
email: [IRR.Minister@gov.bc.ca](mailto:IRR.Minister@gov.bc.ca)  
website: [www.gov.bc.ca/irr](http://www.gov.bc.ca/irr)

Telephone: 250 953-4844  
Facsimile: 250 953-4856

Local governments play an important and unique role in building and improving relationships with Indigenous peoples in British Columbia. You have invaluable insights related to matters such as land management and land use planning, service agreements and economic development. Collaboration among local governments, Indigenous peoples, and the Province on shared values of prosperity and healthy communities offers a promising path forward for reconciliation and economic growth for all British Columbians.

Again, thank you for your time at the convention.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Fraser', with a stylized flourish at the end.

Scott Fraser  
Minister

pc: Cheryl McLay  
Regional Manager  
Ministry of Forest Lands and Natural Resource Operations  
and Rural Development

October 19, 2018

Geoff Goodall, P. Eng.  
Director of Infrastructure Services  
Town of Ladysmith  
330 6th Avenue  
Ladysmith BC V0R 2E0



Dear Mr. Goodall

**Re: Notice of Proposed Changes to Terms and Conditions of Operating Permit**

The ***Drinking Water Protection Act*** requires Drinking Water Officers to exercise discretion in their oversight of drinking water systems. Specific requirements may be made of a water supplier to ensure that the system is operated in a manner that protects the health of water users. Permit terms and conditions can often help to clarify the expectations and responsibilities associated with being a water supplier.

Section 8(4) of the ***Drinking Water Protection Act*** states:

*The drinking water officer or an issuing official may change the terms and conditions of an operating permit if the officer or issuing official considers this advisable, but must first consult with the water supplier respecting the proposed changes and must consider any comments of the water supplier in response.*

I have reviewed the updated construction schedule outlined in your September 12, 2018 electronic mail transmission. As an issuing official, I propose to attach the following term and condition under Section 2 (Future Treatment Specifications) to Appendix A of your operating permit. I have extended the completion date of the construction schedule because the Ministry of Environment delayed the start of construction due to the extreme fire hazard conditions in the area. The proposed timeline completion of this project will be reflected in the new terms and conditions of your operating permit.

The remaining terms and conditions of Appendix A, dated July 7, 2014 of your Operating Permit would remain unchanged. A draft document is attached for your perusal. Upon completion of the water treatment plant, your Operating Permit and Appendix A will need to be amended to reflect the new works, and to establish performance standards for the operation of the water treatment plant and distribution system.

Monthly updates are required as to the progress, delays or impediments that may arise. Notification of the updates can be made by electronic mail or meeting notes.

Please note, your **Water Supply System Construction Permit (W-CN-3035)** for the water treatment plant has a March 31, 2019 deadline. If your construction will go past this deadline, you'll have to make a request to the Public Health Engineer for an amendment to the Construction Permit. Please be advised that granting of this operating permit does not guarantee issuance of an amended Construction Permit.

I would like to bring to your attention that Dr. Paul Hasselback is no longer the Drinking Water Officer for the Town of Ladysmith. The duties of the Drinking Water Officer migrated to Dr. Shannon Waters and does not impact your work.

Please respond in writing within 30 days of receiving this notice if you wish to comment on the proposed changes to your permit. Your comments will be considered before a final decision is made.

Be advised that, short of judicial review, this is your only opportunity to influence the outcome of this process. Changes to the terms and conditions of an operating permit are not subject to reconsideration or review under Section 39.1 of the *Drinking Water Protection Act*.

If you have any questions, please contact me.

Yours truly,



Tim Bilyk, CPHI(C)  
Environmental Health Officer

e.c.: Dr. Shannon Waters, Medical Health Officer, Central Island, Island Health, Nanaimo  
Murray Sexton, Public Health Engineer, Island Health, Nanaimo

Enclosure

TB/jd

**APPENDIX A**  
**Water System Operating Conditions for**  
**Town of Ladysmith Water Works**  
**330 6th Avenue,**  
**Ladysmith BC V0R 2E0**



Compliance with these Operating Permit Terms and Conditions do not relieve the operator of other legislated responsibilities and obligations.

The specific items and conditions of this operating permit are listed below as:

1. Existing Performance Standards

The Water System Owner (Town of Ladysmith) shall ensure the disinfection system is in good working order and provide the following:

- a 4-log inactivation of viruses, and
- Raw water turbidity must be recorded on a continuous basis and shall not exceed 1NTU in more than 5% of the average daily measurements in each calendar month. If the raw water exceeds an average of 5 NTU for a period of more than 12 hours, the Drinking Water Officer must be contacted immediately.

2. Future Treatment Specifications

- On or before August 30, 2019, the Water System Owner shall construct a water treatment plant consisting of coagulation, flocculation, dissolved air flotation (DAF), ultrafiltration membrane filtration, chlorine disinfection and other related appurtenances to achieve a 4-log removal/inactivation of viruses, a 3-log removal/inactivation of Giardia cysts and Cryptosporidium oocysts, and produce a finished water with a turbidity less than or equal to 0.1 NTU in at least 99% of the measurements per month and no detectable levels of Escherichia coli, fecal coliform or total coliform bacteria.

The Water System Owner is required to meet the Start-up and Commissioning date of August 30, 2019.



# WATERFRONT GALLERY

610 OYSTER BAY DRIVE (ON THE WAY TO TRANSFER BEACH), LADYSMITH  
OPEN 7 Days a week 11 am - 4 pm  
250.245.1252 | [www.ladysmithwaterfrontgallery.com](http://www.ladysmithwaterfrontgallery.com)

October 8, 2018



Mayor Aaron Stone and Town Council

Main Office  
410 Esplanade, PO Box 220  
Ladysmith, British Columbia  
V9G 1A2

Dear Mayor Stone and Town Council:

Re: Town of Ladysmith's first Poet Laureate

The Art Council's board would like to recommend John Edwards as the first poet laureate in our community.

A poet laureate is someone who would be officially appointed by the Town of Ladysmith and would typically be expected to compose poems for special events and occasions. The poet is the peoples poet, their job would be to raise awareness of Literature in the community, and create poems about community events. The position is typically a four years appointment and a small stipend can awarded during their tenure but not always required.

The arts council would like the Town of Ladysmith to consider accepting this proposal and that we implement it in 2019 for a four year period. We are putting forward the name of John Edward who is an outstanding member of the Arts Council. Below is a brief Bio:

Robert John Conway Edwards (Conway is an honorific granted to my family by Queen Victoria); Born in 1946 in London, England.

Education: six degrees; Rhodes Scholar in classical languages at Oxford University.

Occupation: Poet, Painter, organic quince and hay farmer on 100 acres in Yellow Point.

Publications: Many scholarly articles; and books of poems and translations: *Jordan River Poems*; *The Roman Cookery of Apicius, Roman Cookery Revised*; *the Immortal Satires of Juvenal*; *The Iconoclastic Satires of Persius*; *The Urbane Satires of Horatius*; *the Love Poems of Sappho and Anakreon*; and an epic poem, *The Straits of Anian*, which describes life on Vancouver Island from 1588 until today. It is presently being illustrated before publication

Since 2014 John has been composing 1,000 poem sequence about life here in the Cowichan. Poem #728 attached.

To create awareness of literature the Arts Council will be hosting a poetry walk January 28 to February 15th . We will be asking other poets, students and budding poets to write a poem a *Love poem to Ladysmith* and we will display some of them in business windows, Doctors offices, meeting places and ask our residents to take the walk. A map will be supplied and we have a media sponsor. It will be the first official duty of the Poet Laureate.

The Arts Council is looking forward to working with Town Council in nominating our first Poet Laureate.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kathy Holmes'.

Kathy Holmes

President, Arts Council of Ladysmith and District

Sonnet 727

“Neighbours”

These fences I built were meant to keep in cows  
On the footprints of earlier ones dug by farmers before me  
Century old split cedar posts sleeping under Yellow Point moss  
But now they only keep in hay that never wanders off  
In search of sweeter grass or cool shade or to escape flies  
As they march down my valley and stop at the reserve line  
Although the alders that grow along them sometimes bend and break  
When the wet December snow comes as Pacific rain meets the Cariboo  
And then they'll always find a piece of fence to break and die on  
    You can count on it

But in August when shorn waves of hay are gathered into bales  
By Gordon's compactor and dropped row upon precise row  
Like some giant prehistoric insect shedding scales as he ponderously walks  
They always seem to be left a thousand green buttons down a giant's coat  
And when we need help to load the wagons to stock his barn for winter  
My neighbours come to work dressed from head to toe in black,  
Despite the heat, polite of course, but loquacious only in their silence,  
And so we sweat and reap the bounty of this ancient land together  
Without speaking much and not missing it either  
And even though the fence we walk along as we haul and bale  
Is real enough and tries to keep some sort of order between forest and field  
I realize its the divisions people never see but only think they do  
    Is what's kept us apart for so long  
    And you can count on that too



November 12, 2018

Hello Joanna,

The Ladysmith & District Historical Society requests that the Town Council write a letter of support for the Ladysmith Museum to accompany a grant application to the Canada Cultural Spaces Program for specialized equipment.

The multi-purpose room in the Museum needs audio-visual equipment and screen, track lighting, exhibit panels and interactive stations to better deliver learning programs, temporary exhibits and activities for families, youth, seniors and community groups.

We appreciate your assistance in this request.

Regards,

ED Nicholson

President

Ladysmith & District Historical Society

November 14, 2018

Town of Ladysmith  
PO Box 220  
Ladysmith, B.C.  
V9G 1A2

Dear Mayor of Ladysmith and Town Council

I am writing to ask that this council reconsider the decision made by the previous council and reopen the road between Churchill and McKinley until the bridge construction is completed on 4<sup>th</sup> Ave.

Thank you for your consideration.

Cynthia Damphousse  
1327 Cedarwood Rd.  
Ladysmith, BC



175 Ingram Street  
Duncan, BC V9L 1N8  
www.cvrld.bc.ca

Office: 250.746.2500  
Fax: 250.746.2513  
Toll Free: 1.800.665.3955

November 15, 2018

Mayor Aaron Stone & Council  
Town of Ladysmith  
410 Esplanade  
LADYSMITH BC V9G 1A2

via email: [gferrero@ladysmith.ca](mailto:gferrero@ladysmith.ca)

Dear Mayor & Council:

**RE: LADYSMITH INVESTMENT ATTRACTION STRATEGY**

I am writing today to request your support for an *Investment Attraction Initiative* that we are developing on behalf of the Project Steering Committee members involved in the recently completed *Ladysmith Economic Development Strategy*. The strategy strongly recommended the development of an investment attraction program for Ladysmith.

This initiative will profile the competitive advantages of living, working and investing in Ladysmith. Our partners in this initiative include the Ladysmith Chamber of Commerce, Ladysmith Downtown Business Association, Town of Ladysmith, Community Futures Central Island, Stz'uminus First Nation and the Nanaimo Airport. It is our hope that each of the project partners will make a contribution to the project.

At this time, we are requesting a contribution of \$10,000 from the Town of Ladysmith, subject to confirmation of funding from other partners, to support this initiative. This contribution represents one-sixth of the anticipated \$60,000 project budget. Your contribution will help to leverage our application for support to Island Coastal Economic Trust for 50% of the overall project budget.

Thank you for your generous consideration of our request. We look forward to working in partnership with the Town of Ladysmith on this exciting initiative.

Sincerely,

Amy Melmock, Manager  
Economic Development Division

AM:jm