

**A REGULAR MEETING OF THE  
COUNCIL OF THE TOWN OF LADYSMITH  
AGENDA**

Monday, March 18, 2019  
Council Chambers, City Hall

Pages

**1. CALL TO ORDER**

Call to Order 5:00 p.m. in Open Session, in order to retire immediately into Closed Session.

*Members of the public are welcome to attend all Open Meetings of Council, but may not attend Closed Meetings.*

**2. 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:

- Committee Applications -- 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)

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

**4. AGENDA APPROVAL**

**5. RISE AND REPORT- Items from Closed Session**

**6. MINUTES**

6.1 Minutes of the Regular Meeting of Council held March 4, 2019 8

6.2 Minutes of the Special Meeting of Council held March 11, 2019 15

**7. DELEGATIONS**

7.1 Judy Stafford, Cowichan Green Community

2018 Year in Review

**8. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING**

- 8.1 Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 55) 2018, No. 1982** 17

Recommendation

That Council adopt "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 55) 2018, No. 1982".

- 8.2 Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, No. 1983** 20

Recommendation

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.21) 2018, No.1983".

- 8.3 Housing Agreement Bylaw 2018, No. 1984** 25

Recommendation

That Council adopt "Housing Agreement Bylaw 2018, No. 1984"

- 8.4 Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.22) 2018, No. 1985** 31

Recommendation

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.22) 2018, No. 1985".

**9. COMMITTEE REPORTS**

- 9.1 Municipal Services Committee Recommendations** 36

Recommendation

That Council:

1. Approve the following list of 2019 Grants-in-Aid :

|  |              |
|--|--------------|
| Ladysmith & District Historical Society      | \$ 7,000.00  |
| Ladysmith Citizens on Patrol                 | \$ 1,500.00  |
| Ladysmith Fire Rescue - Santa Parade         | \$ 1,200.00  |
| Old English Car Club Central Island Branch   | \$ 250.00    |
| Ladysmith Golf Club Society                  | \$ 5,000.00  |
| Ladysmith Show and Shine                     | \$ 1,000.00  |
| Ladysmith Festival Of Lights                 | \$ 10,000.00 |
| Ladysmith and District Marine Rescue Society | \$ 2,500.00  |
| Ladysmith Ambassador Program                 | \$ 1,000.00  |

|  |             |
|--|-------------|
| Ecoforestry Institute Society                              | \$ 0.00     |
| LDBA (Grand Christmas)                                     | \$ 0.00     |
| LDBA (Old Time Christmas)                                  | \$ 1,500.00 |
| Art Council of Ladysmith and District- Arts on the Avenue  | \$ 500.00   |
| Art Council of Ladysmith and District Waterfront Gallery   | \$ 1,000.00 |
| Art Council of Ladysmith and District - Fine Art Show 2020 | \$ 0.00     |
| Cowichan Family Life Association                           | \$ 0.00     |
| Cowichan Family Caregivers Support Society                 | \$ 750.00   |
| St Philips Church - Open Table                             | \$ 500.00   |
| Ladysmith Maritime Society                                 | \$ 1,500.00 |
| Ladysmith Community Gardens Society                        | \$ 650.00   |
| Ladysmith Little Theater                                   | \$ 2,000.00 |
| Ladysmith Celebrations Society                             | \$ 8,000.00 |
| Ladysmith Family and Friends Society                       | \$ 2,500.00 |
| <br>   |             |
| LSS - Frank Jameson Bursary                                | \$ 1,500.00 |
| Stz'uminus First Nation Aboriginal Day                     | \$ 2,500.00 |
| Waiving of Fees  | \$ 4,000.00 |

2. Direct staff to amend the Grants-in-Aid Policy's deadline to apply for funding requests from February 28 to December 31st of each year.

3. Limit the number of Grants-in-Aid applications received to one (1) per organization.

## 10. REPORTS

### 10.1 Development Cost Charge (DCC) Review 38

#### Recommendation

That Council:

1. Receive the feedback from the DCC Review Open House.
2. Direct staff to prepare a new DCC Bylaw with the rates outlined in the Staff Report dated March 18, 2019 from the Director of Infrastructure Services.

### 10.2 Community-Driven Capital Project Policy 67

#### Recommendation

That Council refer the Community-Driven Capital Project Policy to the Parks, Recreation and Culture Advisory Committee and request that the Committee provide Council with comments and feedback.

### 10.3 Public Art Strategy 72

#### Recommendation

1. That Council receive the Public Art Strategy and

recommendations from the Parks, Recreation and Culture Advisory Committee and Town Staff.

2. That the recommendations from the Public Art Strategy be included in the 2019 Council Strategic Planning Discussions and referred back to staff to develop the work plan.

**10.4 Machine Shop Space Allocation 120**

Recommendation

That Council direct staff to:

1. Finalize negotiations for space allocation with tenants of the Machine Shop, based on Machine Shop Layout Option 2 as presented;
2. Prepare draft lease agreements for all spaces within the Machine Shop and outer buildings and present to Council for consideration; and
3. Prepare, issue and assess a call for industrial use proposals for the west portion of the building and return to Council with recommendations based on best practice and market viability.

**10.5 Watermain Replacement, Colonia to Public Works 169**

Recommendation

That Council:

1. Adopt the alternate route as presented in the Koers & Associates Engineering Ltd. report dated March 19, 2019 for the replacement of the watermain located along the Holland Creek Trail between Colonia and Public Works.
2. Direct Staff to have Koers & Associates Engineering Ltd. complete the design for adjusted Phase 1 as outlined in the staff report and proceed to tender.

**11. BYLAWS**

**11.1 Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #6, 2019, No. 1993 173**

Recommendation

That Council adopt "Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #6, 2019, No. 1993".

**11.2 Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, 175**

## **Amendment Bylaw 2019, No. 1996**

### Recommendation

That Council adopt "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 1996".

- 11.3 Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 1997** 178

### Recommendation

That Council adopt "Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 1997".

- 11.4 Town of Ladysmith Sewer Connection Bylaw, 1966 No. 411, Amendment Bylaw #4, 2019, No. 2002** 180

### Recommendation

That Council adopt "Town of Ladysmith Sewer Connection Bylaw, 1966 No. 411, Amendment Bylaw #4, 2019, No. 2002".

- 11.5 Ticket Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2019, No. 2003** 182

### Recommendation

That Council adopt "Ticket Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2019, No. 2003".

- 11.6 Commission Repeal Bylaws** 183

### Recommendation

That Council:

1. Give first, second and third readings to Town of Ladysmith Heritage Revitalization Advisory Commission Repeal Bylaw 2019, No. 2005;
2. Give first, second and third readings to Town of Ladysmith Economic Development Commission Repeal Bylaw 2019, No. 2006; and
3. Give first, second and third readings to Town of Ladysmith Environment Commission Repeal Bylaw 2019, No. 2007

## **12. CORRESPONDENCE**

- 12.1 Cheryl Fenner: Request to Reverse Late Fee for October to December 2018 Utilities Bill 188

Recommendation

That Council deny the request to waive penalties for account number 1200003 in the October to December 2018 Utility Bill.

- 12.2 Request for Letter of Support Regarding a Memorandum of Understanding with Vancouver Island University to Help Construct a Trail Around Lot 108 189

Recommendation

That Council support in principle the application by the Lot 108 Trail Community Committee to the Vancouver Island University sponsorship program for trail building assistance, and provide a letter confirming its support if appropriate.

13. NEW BUSINESS

14. UNFINISHED BUSINESS

- 14.1 Freighters in Ladysmith Harbour 190

After a presentation from the public about this issue at the December 3, 2018 Council meeting, Council agreed to refer the matter to an upcoming meeting.

Recommendation

That Council write a follow-up letter to the federal Minister of Transport reiterating concerns with the lack of consultation with local residents and requesting an update on the interim protocol for use of southern BC anchorages which permits multiple freighters to anchor in and near Ladysmith Harbour.

- 14.2 Meeting with the Board of School Trustees, School District 68 (Councillor Jacobson)

Recommendation

That Council:

1. Request a formal joint meeting with the Board of Trustees of School District 68, to be held in Ladysmith by the end of April 30, 2019; and
2. Direct Mayor Stone and Councillor Jacobson to work with School District representatives to develop the agenda for the meeting.

## 15. 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.

## 16. ADJOURNMENT



## MINUTES OF A REGULAR MEETING OF COUNCIL

Monday, March 4, 2019

7:00 P.M.

Council Chambers, City Hall

### **Council Members Present:**

Mayor Aaron Stone  
Councillor Duck Paterson  
Councillor Amanda Jacobson  
Councillor Rob Johnson

Councillor Tricia McKay  
Councillor Marsh Stevens  
Councillor Jeff Virtanen

### **Staff Present:**

Guillermo Ferrero  
Felicity Adams  
Erin Anderson  
Geoff Goodall

Clayton Postings  
Joanna Winter  
Sue Bouma

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### **1. CALL TO ORDER (7:00 p.m.)**

Mayor Stone called this Meeting of Council to order at 7:00 p.m., recognizing the traditional territory of the Stz'uminus People.

### **2. AGENDA APPROVAL**

#### **CS 2019-069**

That Council approve the agenda for this Regular Meeting of Council for March 4, 2019.

*Motion Carried*

### **3. MINUTES**

#### **3.1 Minutes of the Special Meeting of Council held February 13, 2019**

**CS 2019-070**

That Council approve the minutes of the Special Meeting of Council held February 13, 2019.

*Motion Carried*

**3.2 Minutes of the Special Meeting of Council held February 27, 2019**

**CS 2019-071**

That Council approve the minutes of the Special Meeting of Council held February 27, 2019.

*Motion Carried*

**4. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING**

**4.1 OCP & Zoning Bylaw Amendment Application (379 Davis Road):  
Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488,  
Amendment Bylaw (No. 57) 2019, No. 1994; Town of Ladysmith  
Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 24) 2019, No.  
1995**

**CS 2019-072**

That Council:

1. Give first and second reading of Bylaw 1994, cited as “Town of Ladysmith Official Community Plan Bylaw 2003, No.1488, Amendment Bylaw (No.57) 2019, No. 1994”;
2. Give first and second reading of Bylaw 1995, cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.24) 2019, No. 1995”; and
3. Refer Bylaws 1994 and 1995 to public hearing.

*Motion Carried*

**5. REPORTS**

**5.1 Union of British Columbia Municipalities Community to Community (C2C) Forum Program Application**

**CS 2019-073**

That Council:

1. Authorize staff to apply to the Union of BC Municipalities, for up to \$2,000 during the September 2019 application intake for the Regional Community to Community Forum Program to support a community forum with the Stz'uminus First Nation Council, to be held prior to March 31, 2020; and
2. Approve the allocation of up to \$2,000 as the Town's contribution, funded through Council's Public Relations budget.

*Motion Carried*

**5.2 Town of Ladysmith Poet Laureate**

**CS 2019-074**

That Council refer the Draft Poet Laureate Terms of Reference to the Parks, Recreation and Culture Advisory Committee for comment.

*Motion Carried*

**5.3 4th Avenue Rocky Creek - Culvert Option**

**CS 2019-075**

That Council:

1. Direct staff to tender a pipe arch culvert for the 4th Avenue Rocky Creek crossing;
2. Direct staff not to include the acquisition of the pipe arch in the tender, and to purchase the pipe arch directly after obtaining a minimum of two competitive quotes; and
3. Waive the purchasing policy for item 2 above.

*Motion Carried*

**6. BYLAWS**

**6.1 Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #6, 2019, No. 1993**

**CS 2019-076**

That Council proceed with first, second and third readings of Bylaw 1993 cited as “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw # 6, 2019, No. 1993.”

*Motion Carried*

**6.2 Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 1996; Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 1997; Sewer Connection Bylaw 1966, No. 411, Amendment Bylaw 2019, No. 2002**

**CS 2019-077**

That Council give first, second and third readings to:

1. Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 1996; and
2. Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No.1299, Amendment Bylaw 2019, No.1997; and
3. Town of Ladysmith Sewer Connection Bylaw, 1966 No. 411, Amendment Bylaw #4, 2019, No. 2002.

*Motion Carried*

**6.3 Ticket Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2019, No. 2003**

**CS 2019-078**

That Council proceed with first, second and third readings of Bylaw 2003, cited as “Ticket Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2019, No. 2003”.

*Motion Carried*

**6.4 Town of Ladysmith Road Closure and Dedication Removal Bylaw 2019, No. 2004**

**CS 2019-079**

That Council:

1. Authorize that a portion of Farrell Road located on the property at 674 Farrell Road be closed and that the highway dedication be removed;
2. Give first, second and third readings to Town of Ladysmith Road Closure and Dedication Removal Bylaw 2019, No. 2004;
3. Direct staff to refer Bylaw 2004 to the Ministry of Transportation and Infrastructure in accordance with applicable legislation; and
4. Direct staff to provide public notice of its intent to adopt Bylaw 2004 in accordance with the *Community Charter*.

*Motion Carried*

## **7. CORRESPONDENCE**

### **7.1 Bruce Gibbons, Merville Water Guardians: Request that the Town of Ladysmith Amend the Zoning Bylaw to Prohibit the Bottling of Groundwater**

Council received the correspondence from Bruce Gibbons requesting an amendment to the Zoning Bylaw to prohibit the bottling of groundwater, noting that the matter will be considered at the upcoming Association of Vancouver Island Coastal Communities Convention.

### **7.2 Ladysmith and District Historical Society: Capital Allocation to Ladysmith and District Historical Society for Archives and Museum Operation**

Councillor Johnson declared a conflict of interest with the next agenda item due to his role on the board of the Ladysmith and District Historical Society and left the meeting at 7:50 p.m.

#### **CS 2019-080**

That Council refer to staff for review and recommendations the request by the Ladysmith and District Historical Society to increase annual funding for the operation of the Archives/Community and Culture Museum from the current \$23,500 (plus 2 per cent) to \$45,250.

**Amendment:  
CS 2019-081**

That Council refer to staff for review and recommendations the request by the Ladysmith and District Historical Society to increase annual funding for the operation of the Archives/Community and Culture Museum from the current \$23,500 (plus 2 per cent) to \$45,250 and provide options as to how the Town may accommodate this request within the existing preliminary budget.

*Motion Carried*

*Main Motion as Amended Carried*

**8. NEW BUSINESS**

Councillor Johnson returned to the meeting at 8:01 p.m.

**8.1 Notice of Motion**

Councillor Jacobson gave notice of her motion to request a joint meeting with the Board of Trustees of School District 68 and summarized its intent, stating that the goal was to champion the needs of Ladysmith students and enhance Ladysmith's influence regarding educational decisions made by School District 68.

**9. UNFINISHED BUSINESS**

**10. QUESTION PERIOD**

Members of the public requested Council's support of the Ladysmith and District Historical Society's request for funding, as well as their consideration of the deadlines given to repair broken water connections. A member of the public also enquired about consultant and grant writing costs, particularly as they relate to the waterfront area plan implementation.

**11. ADJOURNMENT**

**CS 2019-082**

That this regular meeting of Council adjourn at 8:11 p.m.

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Mayor (A. Stone)

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Corporate Officer (J. Winter)

Subject to Adoption



## MINUTES OF A SPECIAL MEETING OF COUNCIL

Monday, March 11, 2019  
5:00 P.M.  
Council Chambers, City Hall

### Council Members Present:

Mayor Aaron Stone  
Councillor Duck Paterson  
Councillor Amanda Jacobson  
Councillor Rob Johnson

Councillor Tricia McKay  
Councillor Marsh Stevens  
Councillor Jeff Virtanen

### Staff Present:

Guillermo Ferrero  
Felicity Adams  
Erin Anderson  
Mike Gregory

Geoff Goodall  
Joanna Winter  
Sue Bouma

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### 1. CALL TO ORDER

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

### 2. CLOSED SESSION

#### CS 2019-083

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:

- Property Expropriation - section 90(1)(e), the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality
- Request for Access to Information - section 90(1)(m), a matter that, under another enactment is such that the public may be excluded from the meeting.

*Motion Carried*

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

Council rose from closed session at 5:45 p.m. without report.

**4. ADJOURNMENT**

**CS 2019-084**

That this Special Meeting of Council adjourn at 5:46 p.m.

*Motion Carried*

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Mayor (A. Stone)

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Corporate Officer (J. Winter)

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 19<sup>th</sup> day of November, 2018

**READ A SECOND TIME** on the 19<sup>th</sup> day of November, 2018

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

on the 21<sup>st</sup> day of January, 2019

**READ A THIRD TIME** on the 21<sup>st</sup> day of January, 2019

**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:

"<sup>5</sup> 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."



**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 19<sup>th</sup> day of November, 2018

**READ A SECOND TIME** on the 19<sup>th</sup> day of November, 2018

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

on the 21<sup>st</sup> day of January, 2019

**READ A THIRD TIME** on the 21<sup>st</sup> day of January, 2019

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

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

**ADOPTED**

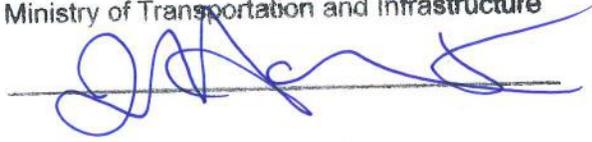
on the \_\_\_\_\_ day of \_\_\_\_\_

Approved pursuant to section 52(3)(a) of  
the *Transportation Act*

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

this 25<sup>th</sup> day of February, 2019  
Ministry of Transportation and Infrastructure

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



**JAMIE LEIGH HOPKINS**  
A Commissioner for taking affidavits  
within the Province of British Columbia  
2100 Labieux Road, Nanaimo BC V9T 6E9

## 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<br>≤ 10.0 M <sup>2</sup> | MINIMUM SETBACK<br>>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.

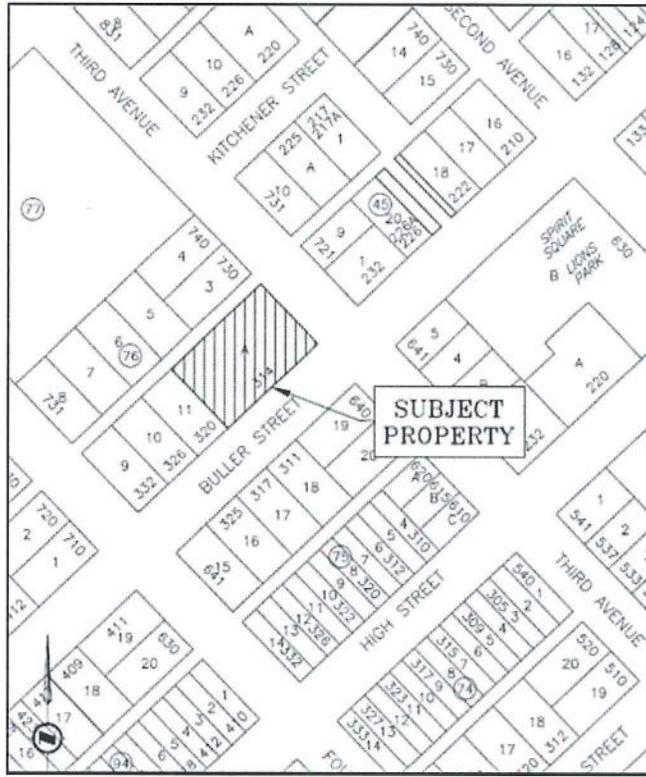
#### 7. Parking and Loading

- 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 19<sup>th</sup> day of November, 2018

**READ A SECOND TIME** on the 19<sup>th</sup> day of November, 2018

**READ A THIRD TIME** on the 19<sup>th</sup> day of November, 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: )  
 )

**[Insert Name]** by its authorized signatories: )  
)  
)  
\_\_\_\_\_)  
Name: )  
)  
)  
\_\_\_\_\_)  
Name: )  
)  
)

## TOWN OF LADYSMITH

### BYLAW NO. 1985

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

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**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) Part 4: Definitions is amended by:

(i) Amending the definition of Mobile Home by adding the words "that carries a Canadian Standards Association Certification (CSA Z240) and is" so that the definition reads:

"Mobile Home: means a factory manufactured *Dwelling Unit* that carries a Canadian Standards Association Certification (CSA Z240) and is transported on its own foundation, and does not include a *Recreation Vehicle*."

(ii) Amending the definition of Public Utility Use by deleting the words "composting of municipal generated bio-solids;" so that the definition reads:

"Public Utility Use: means the *Use of Land, Buildings or Structures* for the provision of community water services; community sewer services; community surface water drainage services; public access; natural gas pipeline serving the community; gas, electric, and telecommunication service; district energy or heat systems; or other similar *Uses* or services.

(b) Part 5: General Regulations is amended by:

(i) Adding a new (iii) to section 5.10 as follows:

"iii) Despite section 5.10 (a), a *Recreation Vehicle* may be placed on a *Parcel* for the purpose of providing a temporary *Caretaker Dwelling* during the construction of a *Public Utility Use*."

(ii) Amending section 5.16 (b) by inserting the words "not more than one" so that the section reads:

"b) No *Parcel* in a *Residential Zone* shall be used for the unenclosed storage of not more than one *Derelict Vehicle*."

(iii) Amending section 5.18 (a)(iii) so that it reads:

"iii) When sited in an institutional *Zone* shall be limited to *Accessory* storage for the *Principal Use*."

(c) Part 6: Specific Use Regulations is amended by:

(i) Amending section 6.5 (a)(i) by replacing "668 square metres or greater" with "660 square metres or greater" so that it reads as follows:

"i) Where a *Parcel* is located on a *Lane*, a *Coach House Dwelling* is permitted when the *Parcel Area* is 660 square metres or greater."

(ii) Deleting section 6.6 (a)(ii) and replacing it with the following:

“ii) May be located within the same *Building* as the *Principal Use*, an *Accessory Building* or a *Mobile Home*.”

(iii) Amending 6.6(a) by adding a new (v) as follows:

“v) Despite section 5.9(c), a *Caretaker Dwelling* located in an *Accessory Building* or in a *Mobile Home* may have a maximum *Gross Floor Area* of 90 square metres.”

(iv) Amending section 6.7(a) by adding a new (iii) as follows and renumbering the section:

“iii) Shall be first established in the *Single Unit Dwelling* as a condition of locating an *Accommodation Unit* in an *Accessory Building* located on the *Land*.”

(d) Part 12: Industrial Zones is amended by:

(i) Amending section 12.3 by deleting the words “and shall only be located on the second *Storey*, except that the entrance to the *Caretaker Dwelling* may be located within the *First Storey*.” from (8)(b) so that it reads:

“(8)(b) A *Caretaker Dwelling Use* shall be limited to one *Dwelling Unit* per *Parcel*.”

(ii) Amending section 12.3 by adding a new (8)(d) as follows:

“(8)(d) Despite Section 12.3(1), composting of municipal generated bio-solids is a *Principal Use* on the *Parcel* legally described as Lot 3, District Lot 72, Oyster District, Plan 50979 (4142 Thicke Road).”

(e) And by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering, ordering of alphabetical lists, and Table of Contents of the Zoning Bylaw.

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

(a) By placing the R-1-A Zone on the subject properties legally described as:

- (i) Lot A, Section 67, Oyster District, Plan VIP72077 (601 Craig Road);
  - (ii) Lot 1, Section 67, Oyster District, Plan VIP72331 (603 Craig Road);
  - (iii) Lot A and Lot B, Section 67, Oyster District, Plan VIP80902 (605 and 607 Craig Road);
  - (iv) Lot 1, Section 67, Oyster District, Plan VIP73733 (609 Craig Road);  
and
  - (v) Lot 1, Section 67, Oyster District, Plan VIP73362 (611 Craig Road)
- as shown in Schedule 1 attached to and forming part of this Bylaw.

(b) By placing the R-1 Zone on the subject property legally described as That Part of District Lot 43, Oyster District shown on Plan VIP52455 except part in Plan EPP68873 as shown on Schedule 2 attached to and forming 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.22) 2018, No. 1985”.

**READ A FIRST TIME** on the 3<sup>rd</sup> day of December, 2018

**READ A SECOND TIME** on the 3<sup>rd</sup> day of December, 2018

**PUBLIC HEARING** waived pursuant to s. 464(2) of the *Local Government Act*

on the 3<sup>rd</sup> day of December, 2018

**READ A THIRD TIME** on the 4<sup>th</sup> day of February, 2019

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

on the day of

**ADOPTED** on the day of

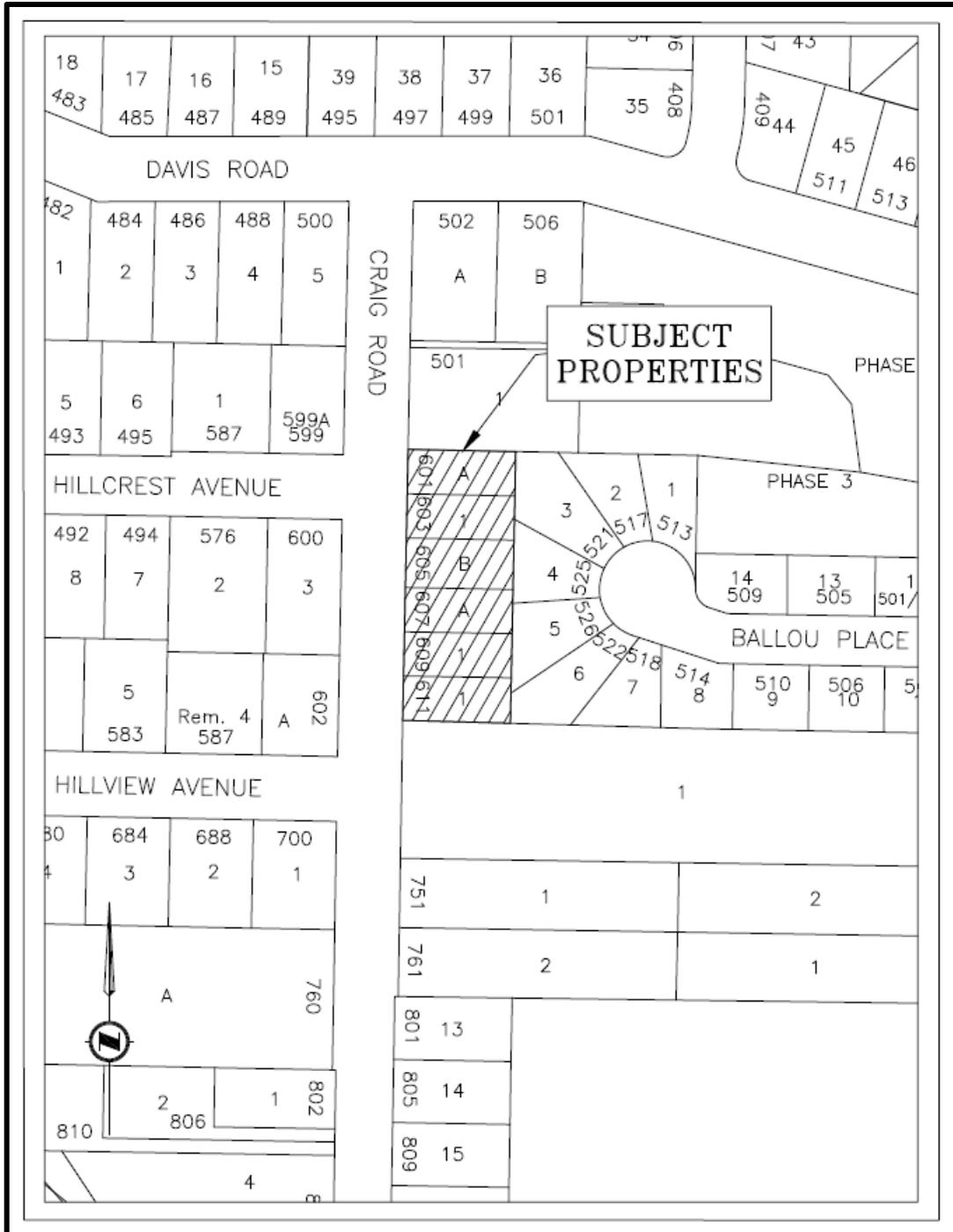
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Mayor (A. Stone)

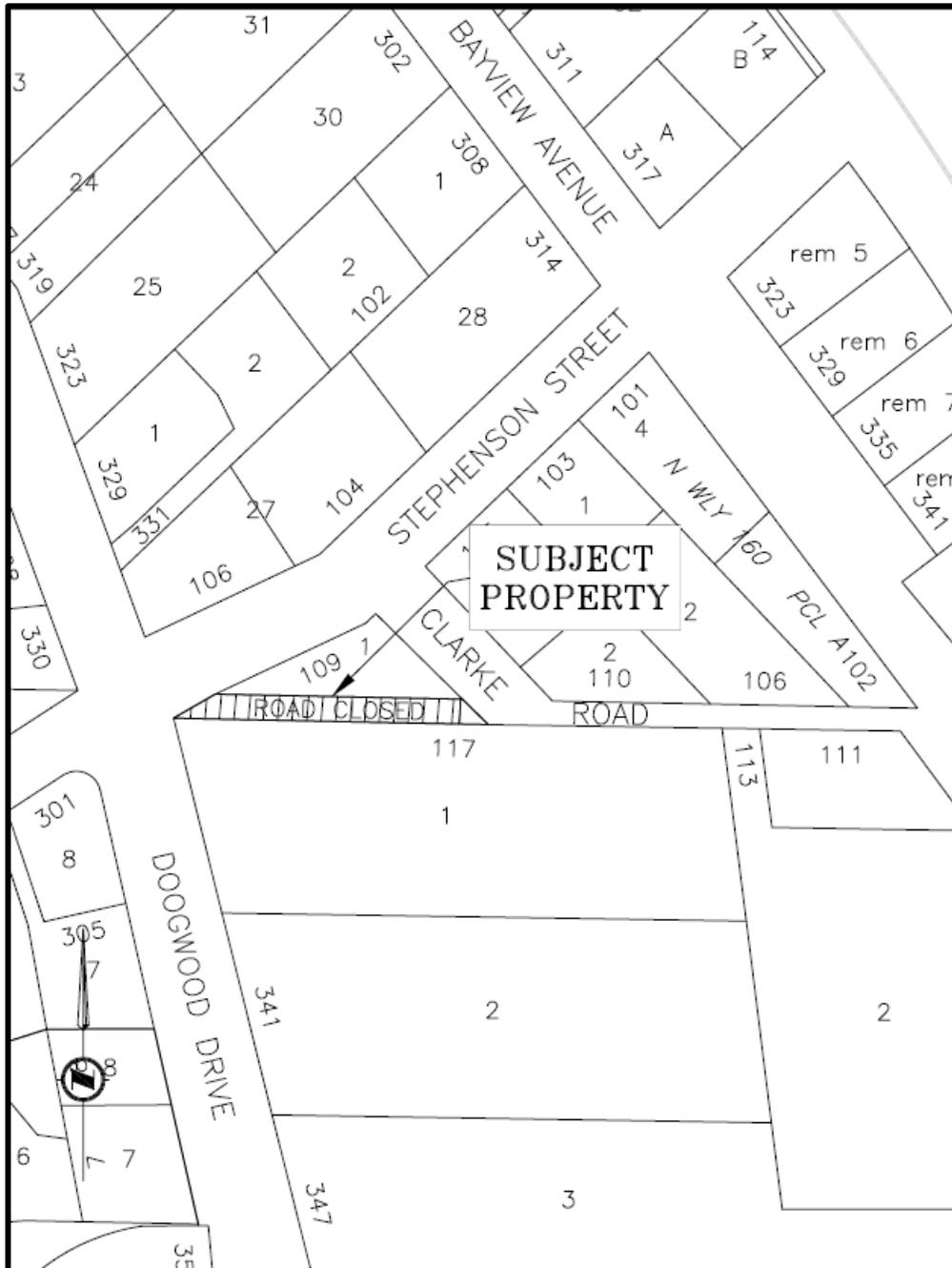
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Corporate Officer (J. Winter)

Schedule 1 of Bylaw 1985



Schedule 2 of Bylaw 1985



**Municipal Services Committee: 2019 Grants-in-Aid Recommendations to Council March 18, 2019**

**2019 Grants in Aid Request**

That Council:

1. Approve the following list of 2019 Grants-in-Aid :

|  |              |
|--|--------------|
| Ladysmith & District Historical Society                    | \$ 7,000.00  |
| Ladysmith Citizens on Patrol                               | \$ 1,500.00  |
| Ladysmith Fire Rescue - Santa Parade                       | \$ 1,200.00  |
| Old English Car Club Central Island Branch                 | \$ 250.00    |
| Ladysmith Golf Club Society                                | \$ 5,000.00  |
| Ladysmith Show and Shine                                   | \$ 1,000.00  |
| Ladysmith Festival Of Lights                               | \$ 10,000.00 |
| Ladysmith and District Marine Rescue Society               | \$ 2,500.00  |
| Ladysmith Ambassador Program                               | \$ 1,000.00  |
| Ecoforestry Institute Society                              | \$ 0.00      |
| LDBA (Grand Christmas)                                     | \$ 0.00      |
| LDBA (Old Time Christmas)                                  | \$ 1,500.00  |
| Art Council of Ladysmith and District- Arts on the Avenue  | \$ 500.00    |
| Art Council of Ladysmith and District Waterfront Gallery   | \$ 1,000.00  |
| Art Council of Ladysmith and District - Fine Art Show 2020 | \$ 0.00      |
| Cowichan Family Life Association                           | \$ 0.00      |
| Cowichan Family Caregivers Support Society                 | \$ 750.00    |

|  |             |
|--|-------------|
| St Philips Church - Open Table         | \$ 500.00   |
| Ladysmith Maritime Society             | \$ 1,500.00 |
| Ladysmith Community Gardens Society    | \$ 650.00   |
| Ladysmith Little Theater               | \$ 2,000.00 |
| Ladysmith Celebrations Society         | \$ 8,000.00 |
| Ladysmith Family and Friends Society   | \$ 2,500.00 |
|  |             |
| LSS - Frank Jameson Bursary            | \$ 1,500.00 |
| Stz'uminus First Nation Aboriginal Day | \$ 2,500.00 |
| Waiving of Fees                        | \$ 4,000.00 |

2. Direct staff to amend the Grants-in-Aid Policy's deadline to apply for funding requests from February 28 to December 31st of each year.
3. Limit the number of Grants-in-Aid applications received to one (1) per organization.

STAFF REPORT TO COUNCIL

From: Geoff Goodall, Director of Infrastructure Services  
 Meeting Date: March 18, 2019  
 File No: 3900-07-2017  
**RE: DEVELOPMENT COST CHARGE (DCC) REVIEW**

**RECOMMENDATION:**

That Council:

1. Receive the feedback from the DCC Review Open House.
2. Direct staff to prepare a new DCC Bylaw with the rates outlined in the Staff Report dated March 18, 2019 from the Director of Infrastructure Services.

**PURPOSE:**

The purpose of this staff report is to present feedback from the DCC Review Open House held on February 27<sup>th</sup> and to seek further direction from Council.

**PREVIOUS COUNCIL DIRECTION**

| Resolution  | Meeting Date | Resolution Details   |
|-------------|--------------|--|
| CS 2018-504 | 12/10/2018   | That Council direct staff to proceed with consultation on the proposed DCC program with a single family dwelling development cost charge of approximately \$17,572.  |
| CS 2018-492 | 12/03/2018   | That Council refer to staff for review the request by Guido Weisz, Chair of the Building Committee for the Ladysmith Resources Centre Association, dated November 21, 2018, to amend the "Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2012, No. 1804". |
| CS 2018-409 | 10/15/2018   | 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.  |
| CS 2018-241 | 06/28/2018   | That the separate Small Lot Single Family Development Cost Charge be removed.  |
| CS 2018-242 | 06/28/2018   | That Council direct staff to draft a development cost charges program with a charge between \$18,000 and \$22,000 per single family lot, and vary the Municipal Assist Factor to achieve this rate.  |

## **INTRODUCTION/BACKGROUND:**

An open house was held on February 27, 2019 as part of the development of the Town's new DCC program. Advertising about the open house was placed in the Chronicle newspaper, on notice boards, on the Town's social media channels and directly emailed to Ladysmith developers and builders. The open house was attended by members of the development community and the public (22 signed-in) and 11 feedback forms/written submissions were received.

The written feedback is attached to this report and summarized below by stakeholder type.

### Builder/Developer/Landowner

- I believe that raising DCCs by over 30% is far too great a jump and if the Town does this I think it will be felt by all in the development industry in Ladysmith. You mention that the cost increased since 2011? How much 5-10%? I think 38% increase for a residential lot is too big a jump.
- Beware of killing the golden goose and remember it all becomes an expense to the project that adds to the price and affects affordability. I do realize that costs for the Town increase due to inflation so maybe index the DCCs.
- If infrastructure funding is what you require it can be obtained by the property taxes from new housing, as an example the property tax from a 40 unit condo can generate from 100K to 130K a year in just property tax, which is enough to fund over 3.5million of infrastructure funding.
- It is my opinion that the proposed increase to the DCCs in the Town of Ladysmith will result in a significant "dampening" of development in the Town, and; a corresponding increase in the retail cost of SFD lots to accommodate the tax increase for those developers "still standing", who can afford to pay the increased taxes within their gross margin profit/risk tolerances. ... What I notice most about the Development Cost Charges Review, was a feature that was NOT included, and that was a Program for a Local Area Specific DCC framework for the Holland Creek Local Area Plan area.

### Resident:

- Rates for developer are the cost of doing business. The average person here do not want a much larger. But happened to all those meeting and input? Developer pay cost of doing business.
- The Town needs water, better roads and shopping family expansion – needs infrastructure first then encourage builders to come here. I would like to see a plan for water treatment plant or repaired roads. Ladysmith is growing 2.5% per year for 5-years. That is something. What is needed is multi-family dwelling.

Please don't increase property taxes again – it will drive out seniors as they can't afford.

Other:

- I see value in increased DCC cost for servicing but I welcome seeing DCC and other planning tools used to create realistic incentives to ensure developments are more appropriate for future generations.
- Single family home sites take more frontage distance and roads/pipes for water and sewer, electrical. Why are they not more expensive? Multiple housing less expensive. What about affordable housing?
- I hope the new rates reflect cost of new infrastructure for new development.
- Was glad to see it came down from the high of ~\$22K that was originally considered. Wondering if there could be a graduated implementation over a few years that might help developers plan accordingly. A gradual implementation over a few years might be helpful.
- Growth presentation – based on current development in the pipeline and housing on mainland, is this low?

### **DISCUSSION:**

The proposed DCC rates are based on a growth-related capital program to serve the community over the next 20-years. The projects were presented to Council previously. The growth rates are more conservative than the previous program to better reflect actual growth over the past ten years (Census data) and expected patterns. Over the next 20-years, about 30% of the total new residential growth (single family and multi-family) will be located outside of the new Holland Creek neighbourhood. The growth in single family lots is expected to be evenly split between Holland Creek and the rest of the Town.

The consideration of the Town-wide DCC program does not impact Council's ability to consider any additional DCC programs, such as the review of the current waiver programs that is being undertaken or the input received from one land owner with respect to a separate Holland Creek Area DCC.

### **ALTERNATIVES:**

Council can choose to direct staff to further modify the municipal assist factor.

### **FINANCIAL IMPLICATIONS:**

Once the new DCC bylaw is adopted the new rates would come into effect. However, projects that are in-stream have a one-year period when the old DCC rates will continue to apply. For example, the one-year exemption of new rates applies to in-stream **complete** subdivision applications as long as the subdivision is completely finished and deemed ready for registration by the Approving Officer within one-year of the date of the bylaw adoption. The one-year exemption also applies to instream **complete** building permit applications and rezoning and development permit applications that result in a complete building permit application within one year after bylaw adoption.

The earlier direction from Council to increase the municipal assist factor from 1% to 50% for the sanitary sewer, water and parkland DCC programs has positively impacted the proposed rate of \$17,569.45 per new single family lot.

**Proposed DCC rates:**

|              | Single Family Per unit | Multi-Family Per unit | DT Multi-Family Per unit | Commercial Per m2 | DT Commercial Per m2 | Industrial Per m2 | Institutional A Per bed | Institutional B Per m2 |
|--------------|------------------------|-----------------------|--------------------------|-------------------|----------------------|-------------------|-------------------------|------------------------|
| Roads        | \$2,319.15             | \$1,420.08            | \$916.03                 | \$54.53           | \$36.35              | \$16.48           | \$644.61                | \$36.11                |
| Storm        | \$647.43               | \$175.35              | \$140.28                 | \$2.43            | \$1.46               | \$2.08            | \$86.32                 | \$5.10                 |
| Sanitary     | \$3,897.80             | \$2,490.26            | \$2,490.26               | \$6.50            | \$3.90               | \$5.52            | \$1,353.40              | \$14.73                |
| Water        | \$9,347.12             | \$5,971.77            | \$5,971.77               | \$15.58           | \$9.35               | \$13.24           | \$3,245.53              | \$35.31                |
| Parkland     | \$1,357.95             | \$1,086.36            | \$1,086.36               | \$0.00            | \$0.00               | \$0.00            | \$678.97                | \$0.00                 |
| <b>Total</b> | <b>\$17,569.45</b>     | <b>\$11,143.82</b>    | <b>\$10,604.70</b>       | <b>\$79.03</b>    | <b>\$51.05</b>       | <b>\$37.32</b>    | <b>\$6,008.84</b>       | <b>\$91.24</b>         |

**LEGAL IMPLICATIONS:**

The new DCC bylaw cannot be adopted until it has been approved by the Inspector of Municipalities (Province).

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Feedback from the development community and members of the public was invited and has been reported earlier in this staff report.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Directors of Financial Services and Development Services are also part of the DCC staff team working alongside the project consultant.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- Complete Community Land Use
- Low Impact Transportation
- Green Buildings
- Multi-Use Landscapes

- Innovative Infrastructure
- Healthy Community
- Not Applicable

- 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:**

Developer and public input has been received on the proposed DCC rates. Staff recommends that Council proceed with the rates presented at the February 29, 2019 open house.

**Signature** \_\_\_\_\_

Geoff Goodall, Director of Infrastructure Services

**Date the report is written** \_\_\_\_\_

Development Cost Charge (DCC) Open House – February 27, 2019

Feedback Form

1. The information provided at the open house helped me better understand (check any that apply):

- How development cost charges (DCCs) are calculated
- Why the Town is updating its DCC bylaw
- The proposed changes in the DCC bylaw
- What the proposed DCC rates are
- How the Town’s DCC rates compare with other communities’ rates
- The next steps in the DCC Bylaw approval process

2. What comments do you have on the Town of Ladysmith’s proposed new DCC rates?

RATES FOR DEVELOPER ARE THE COST OF DOING BUSINESS. THE AVERAGE PERSON HERE DO NOT WANT A MUCH LARGE V. BUT HAPPENED TO ALL THOSE MEETINGS + IN PUT?



3. What changes, if any, would you like to see in the proposed rates, and why?

Developer pay - COST OF DOING  
BUSINESS -

4. Any other comments?

5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
- Development Industry Professional (e.g. engineer, architect, planner, surveyor, project manager)
- Resident of Ladysmith
- Other

**Thank you for taking the time to attend the DCC Open House.**

Presentation boards will be available on the Town's website ([www.ladysmith.ca](http://www.ladysmith.ca)).

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2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

① Single family home sites take more frontage distance roads/pipes for water + sewer, electrical + + why are they not more expensive +

multiple having less expensive

② what about affordable housing?

Lorin Fullerton



3. What changes, if any, would you like to see in the proposed rates, and why?

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4. Any other comments?

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5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
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2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

I believe that raising the DCC's by over 30% is far to great a jump. and if the town does this I think it will be felt by all in the Development Industry in Ladysmith



3. What changes, if any, would you like to see in the proposed rates, and why?

you mention that the cost has increased since 2011?  
How much 5% - 10%? ~~5%~~ I think 38% increase  
for a residential lot is too big a jump.

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4. Any other comments?

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5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
- Development Industry Professional (e.g. engineer, architect, planner, surveyor, project manager)
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2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

*I hope the new rates reflect cost of new infrastructure for new development*

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3. What changes, if any, would you like to see in the proposed rates, and why?

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4. Any other comments?

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5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
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Development Cost Charge (DCC) Open House – February 27, 2019

Feedback Form

1. The information provided at the open house helped me better understand (check any that apply):

- How development cost charges (DCCs) are calculated *Well - very confusing. I want to know how it affects me.*
- Why the Town is updating its DCC bylaw *I believe to attract builders - but not too sure*
- The proposed changes in the DCC bylaw *why the emergency. I believe to have builders pay more 80/20 split*
- What the proposed DCC rates are *was 12000 - now 17000 something*
- How the Town's DCC rates compare with other communities' rates *I see where we are but don't understand.*
- The next steps in the DCC Bylaw approval process *really. council meetings / workshops etc.*

2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

*The town needs water, better roads, shopping facility expansion - needs infrastructure 1st than encourage builders to come here.*



3. What changes, if any, would you like to see in the proposed rates, and why?

So I would like to see a plan for  
water treatment plant - or repaired roads,

...

Ladysmith is growing 2.9% /yr x 5 years -  
that is something. What we need is  
multi family dwelling -

4. Any other comments?

But please don't increase property taxes  
again - it will drive out the seniors as  
they can't afford.

5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
- Development Industry Professional (e.g. engineer, architect, planner, surveyor, project manager)
- Resident of Ladysmith
- Other

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2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

I see the value in increased DCC cost for servicing but I welcome seeing DCC & other planning tools used to create realistic incentives to ensure developments are more appropriate for future generations.



3. What changes, if any, would you like to see in the proposed rates, and why?

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4. Any other comments?

*Tap Kim Fowler's wisdom*

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5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
- Development Industry Professional (e.g. engineer, architect, planner, surveyor, project manager)
- Resident of Ladysmith
- Other



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2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

WAS GLAD TO SEE IT CAME DOWN FROM THE HIGH OF ~\$22K THAT WAS ORIGINALLY CONSIDERED.

~~WAS~~ WONDERING IF THERE COULD BE A GRADUATED IMPLEMENTATION OVER A FEW YEARS THAT MIGHT HELP DEVELOPERS PLAN ACCORDINGLY.



3. What changes, if any, would you like to see in the proposed rates, and why?

As mentioned, a gradual implementation  
over a few years might be helpful.  
~~Consider~~ ~~adding~~

4. Any other comments?

5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
- Development Industry Professional (e.g. engineer, architect, planner, surveyor, project manager)
- Resident of Ladysmith
- Other

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## Development Cost Charge (DCC) Open House – February 27, 2019

## Feedback Form

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2. What comments do you have on the Town of Ladysmith's proposed new DCC rates?

- a) I would like to see amendment to title on PROPOSED RATES: single family "APNs" 'small lots'. This would explain the blank column.
- b) Growth Presentation: based on current development in the pipeline + housing on mainland, is this low?

3. What changes, if any, would you like to see in the proposed rates, and why?

Would like/need to review the presentation at leisure on-line.

4. Any other comments?

Not at this time. I look forward to reviewing online to allow me to digest the information.

5. Please tell us about yourself. Check all that apply.

- Builder / Developer / Land Owner
- Development Industry Professional (e.g. engineer, architect, planner, surveyor, project manager)
- Resident of Ladysmith
- Other LADYSMITH RATEPAYERS ASSOC.

**Thank you for taking the time to attend the DCC Open House.**

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## Felicity Adams

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**From:** Rob MacCallum  
**Sent:** February 12, 2019 6:26 PM  
**To:** Felicity Adams  
**Subject:** Re: DATE CHANGE DUE TO WEATHER CONDITIONS - DCC OPEN HOUSE - NEW DATE FEB. 27

Hi Felicity - Good luck with the open house. My two cents is beware of killing the golden goose and remember it all becomes an expense to the project that adds to the price and affects affordability. I do realise that costs for the Town increase due to inflation so maybe index the DCCs.

Thanks for the invite!

Rob

On Tue, Feb 12, 2019 at 10:55 AM Felicity Adams <[fadams@ladysmith.ca](mailto:fadams@ladysmith.ca)> wrote:

\*\*\*\*\*PLEASE NOTE - CHANGE OF DATE DUE TO WEATHER CONDITIONS\*\*\*\*\*

**Subject:** YOUR INVITATION TO AN OPEN HOUSE ABOUT THE TOWN OF LADYSMITH'S DEVELOPMENT COST CHARGES (DCCS)

Dear member of the Town of Ladysmith Development Community,

You are invited to attend an **Open House** about the proposed update to the Town's **Development Cost Charge (DCC)** program.

Please attend to learn about the Town's capital project list for **growth-related infrastructure** and the proposed **new DCC rates**.

Your input is important. Please plan to attend or, if you cannot attend, visit the Town's website following the Open House to view the open house display boards.

Feedback is welcome and encouraged. Town Council will consider your input in its decision-making process.

Background information can be viewed on the Town's website ([www.ladysmith.ca/city-hall/dcc-review](http://www.ladysmith.ca/city-hall/dcc-review)).

## **DCC OPEN HOUSE**

**DATE:** Wednesday, February 27, 2019 (NEW DATE)

**TIME:** 4:00pm – 6:00pm

**PLACE:** Frank Jameson Community Centre (FJCC)

**Lower Program Room**

**810 Sixth Avenue , Ladysmith**

Kind regards,

Felicity Adams

Director of Development  
Services

Geoff Goodall

Director of Infrastructure  
Services

Erin Anderson

Director of Financial  
Services

## Felicity Adams

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**From:** Chuck Meagher  
**Sent:** February 4, 2019 6:51 PM  
**To:** Felicity Adams; Aaron Stone; Amanda Jacobson; Rob Johnson; Tricia McKay; Duck Paterson; Marsh Stevens; Jeff Virtanen  
**Cc:** Erin Anderson; Geoff Goodall  
**Subject:** YOUR INVITATON TO AN OPEN HOUSE ABOUT THE TOWN OF LADYSMITH'S DEVELOPMENT COST CHARGES (DCCS)

Are you guys serious?

You are giving 9 days notice for a meeting like this.

In a normal process there should be at least 30 to 60 days. This is unacceptable, in my opinion it makes whatever you are doing invalid at all levels. This is not proper notice to the stake holders/ landowners for a meeting like this.

One would assume with the dismal amount of Development occurring in Ladysmith at this time everyone would understand that there is no incentive for the Development Community to prioritize Ladysmith as a viable option.

The notice seems to suggest that an increase of DCC's will some how make Ladysmith a better place to invest in?

If infrastructure funding is what you require it can be obtained by the property taxes gained from new housing, as an example the property tax from a 40 unit condo can generate from 100k to 130k a year in just property tax, which is enough to fund over 3.5 million of infrastructure funding .

I would request that you reconsider both your short notice and what appears to be a predetermined out come before open and fair consultation has been given the proper time to occur.

Lets see some innovation here and stop copying the unsuccessful templates of other Municipalities that have not created enough affordable and timely housing for our citizens.

Sincerely Richard C (Chuck) Meagher

**From:** Felicity Adams <fadams@ladysmith.ca>  
**Sent:** February-04-19 5:47 PM  
**To:** Felicity Adams <fadams@ladysmith.ca>  
**Cc:** Erin Anderson <eanderson@ladysmith.ca>; Geoff Goodall <ggoodall@ladysmith.ca>  
**Subject:** YOUR INVITATON TO AN OPEN HOUSE ABOUT THE TOWN OF LADYSMITH'S DEVELOPMENT COST CHARGES (DCCS)

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## **DCC OPEN HOUSE**

**DATE:** Wednesday, February 13, 2019  
**TIME:** 4:00pm – 6:00pm  
**PLACE:** Frank Jameson Community Centre (FJCC)  
Lower Program Room  
810 Sixth Avenue , Ladysmith

Kind regards,

Felicity Adams  
Director of Development  
Services

Geoff Goodall  
Director of Infrastructure  
Services

Erin Anderson  
Director of Financial  
Services



Virus-free. [www.avast.com](http://www.avast.com)

Feedback to the Town of Ladysmith “Open House” for the  
**Development Cost Charges Review**, held on  
February 27, 2019.

by:

William B. Eller, President  
1399 Developments, Inc.

March 7, 2019

**General Observations:**

While I have a clear understanding of Development Cost Charges [DCCs], including how they are calculated and applied, I am deeply troubled by the aggregate, Town-wide DCC budget rising from \$30 Million in 2000, to \$90 Million in 2019 ... A 300% increase during a period which saw the Consumer Price Index [CPI] rise a corresponding 37%. Accordingly, the same period is expected to see a rise in direct DCCs by 300%. While it's difficult to draw a direct comparison to the rise in the retail value of Single-Family Dwelling [SFD] lots during the same period, I can safely say that it's well below 300%, and, while it may be somewhat higher than the CPI, DCCs are contributing an exponential increase to the un-affordability of housing in Ladysmith, and elsewhere ... DCCs are a tax, and as much as they may be considered a necessary tax, developers must; a) pass along this tax cost to the consumer, if there's sufficient gross margin to do so ... or; b) stop development if there's no margin to pay the additional tax.

It is my opinion that the proposed increase to the DCCs in the Town of Ladysmith will result in a significant “dampening” of development in the Town, and; a corresponding increase in the retail cost of SFD lots to accommodate the tax increase for those developers “still standing”, who can afford to pay the increased taxes within their gross margin profit/risk tolerances.

For all the hand-wringing discussions surrounding the affordability of housing in British Columbia, it's my opinion that municipalities are the most significant driver to increasingly make housing more *un-affordable*.

### Specific Observations:

What I noticed most about the Development Cost Charges Review, was a feature that was NOT included, and that was a Program for a Local Area Specific DCC framework for the Holland Creek Local Area Plan area.

During the period between mid-2015 and the end of 2017, the Town initiated a planning collaboration including all three of the developers with a financial interest in the Holland Creek Local Area Plan area, being 1399 Developments Inc., MPH Developments Ltd., and the Holland Creek Partnership, into what was generally referred to as the Holland Creek Development Area Technical Committee. The Committee was chaired by the Town, and all developers and their engineering staff were involved to review the scope of infrastructure would be needed to facilitate the build-out of the Holland Creek Local Area Plan area ... which was a “blank slate” at that time, comprising approximately 200 acres and anticipated to yield an estimated 1,000 Single-Family Dwellings [or equivalent]. I know that my portion of the costs associated with this Technical Committee initiative, mostly to engineering consultants, was in excess of \$50,000.

Infrastructure requirements in the form of roadways, watercourse-crossing structures, domestic water and sanitary sewer were considered for the area. During this two-year, Town-sponsored Technical Committee’s work, the development owners and their engineering consultants collaborated to set about to determine; 1) the precise needs for this infrastructure, and; 2) determine the anticipated cost of the required infrastructure, and; 3) determine which development costs did not yield “development frontage”, and; 4) determine an equitable framework to fairly apportion among all of the area-specific developers, costs that did not directly contribute to “development frontage”.

Several cost-sharing framework models were considered by the Committee, including a “late-comers” arrangement, a “joint development agreement”, and, a “local-area-specific DCC program”. The one thing that all developers agreed upon during this process, was that “late-comers” was too time constrained to be financially satisfying, and, that there wasn’t sufficient trust between the developers to enter into a joint development agreement. All developers agreed in principle, at that time, that a DCC framework provided a device that; 1) would be fairly administered by the Town, and; 2) provided a long-term certainty to DCC-eligible project funding recovery.

To be clear, this device was transparently discussed as being nothing more than an environment in which developers with differing interests would share in the costs associated with building infrastructure that was not “developing frontage”, and, even though the DCCs were not earmarked for specific future Town-benefiting infrastructure, the DCC legislation and working environment could capture and serve to provide this framework for the disproportionate and long-term cost-sharing.

On the matter of “disproportionate”, there are elements of both *timing* and *magnitude of capital expenditures* on infrastructure that was not “developing frontage”. The easiest element to look at first, is the magnitude of capital expenditures. Of the entire capital plan forecast for the Holland Creek Local Area Plan area, for aggregate infrastructure costs that did not “develop frontage”, was \$5.6 Million. Of the \$5.6 Million in jointly-formulated estimates, approximately 64% were associated with the developer starting their development from Colonia Drive [1399 Developments, Inc.], and 36% were associated with the developer starting their development from Dogwood Drive [Holland Creek Partnership].

Secondly, is the disparity in the timing and capital risk associated with this spending. The Colonia Road developer would have to fully invest \$3.5 Million into non-frontage developing infrastructure before achieving access to their first lot. On the other hand, the Dogwood Drive developer could defer most of their non-frontage developing capital expenditures of \$2.1 Million, toward the end of their build-out, or, largely off-load that expenditure onto the “middle developer”, should they wish to initiate development before a full build-out by the Dogwood Drive developer was achieved. It’s important to note that the “middle developer” property owner, now Zhongjian International Holdings Ltd. [formerly owned by MPH Developments Ltd.], has no non-frontage development costs associated with their lands, and, would ultimately benefit from the non-frontage development costs incurred by both neighbouring developers. It’s further important to note that Zhongjian has no immediate interest in development, nor has their development agenda been disclosed to the Town or neighbouring developers, in the context of how reasonably the notion of a late-comers arrangement might serve for the “spending developers” on each side.

In the context of financial risk and security of the Colonia Drive developer “front-ending” an expenditure of \$3.5 Million to achieve access to their first lot, and, the Dogwood Drive developer spending \$2.1 Million, all for the benefit of the “middle developer”, who could wait 15 years and “get it all free”, a DCC framework was agreed between the developers, during this period, to be a far superior financial framework when compared to a late-comers arrangement; in that the Town was effectively the financial trustee [providing unparalleled confidence in the *fact* of the existence of an “account receivable”], and, the recovery of shared costs by the “spending developers” was not subject to the statutory, 15-year expiry of a late-comers arrangement [providing unparalleled confidence to the *value* of the “account receivable”, *regardless of how long it may take to repatriate the shared costs*].

Where the notion of a late-comers arrangement really fails, is in two parts ... Firstly, given the financial uncertainty of EVER recovering costs-intended-to-be-shared through a late-comers arrangement, the Colonia Road developer’s increased “receivable risk” requires that the development lenders must consider that the front-end costs of \$3.5 Million are NOT a [secure] receivable, and must be considered part of the aggregate development cost per lot, probably rendering the project “not financially feasible”.

Secondly, if the Colonia Road developer is unable to proceed with development as a result of this change in the security of the receivable, becoming an at-risk sunk cost instead of a receivable, (in a lender’s reality), the Colonia Road developer can only wait for development to complete from the actions of the developers working from the Dogwood Drive heading. Further, as a result of the Town failing to provide a reciprocal Easement to/from Lot A of Lot 110, and Lot 5 of Block 1399 [circa 2005], the Colonia Road developer, 1399 Developments Inc., cannot independently proceed with development by extending the Dogwood Drive infrastructure into its Lot 5. Accordingly, it’s possible to foresee that the developer(s) working from Dogwood Drive could complete their build-out before the Colonia Road developer even “has a chance” to begin, potentially leaving no late-comers to assist in the intended-to-be-shared costs of the Holland Creek crossing. At the same time, however, the likelihood that the developer(s) would defer the construction of the Heart Creek crossing into a period to which the Colonia Road developer would be vulnerable to a late-comers charge associated with the Heart Creek crossing, would place an unreasonable financial burden on the Colonia Road developer to both pay a late-comer charge on the Heart Creek crossing, and, be without late-comers to assist in the funding of the Holland Creek crossing.

This brings me back to why the Town initiated the Technical Committee from the beginning, which was to formulate an environment in which there would be a reasonably equitable evolution to the development of the Holland Creek Local Area Plan area. This cannot be achieved through an entanglement of late-comer arrangements. At present, I'm in my 17<sup>th</sup> year of working toward a development fruition for my Lot 5 of Block 1399, and the notion of being vulnerable for the next 15 years to a collision of late-comer arrangements is categorically unacceptable, and, contrary to the intended outcome of the Town-initiated Technical Committee participants.

Finally, it's important to note that a local area-specific DCC is only paid among the developers operating in that area, and no other taxpayers or developers are burdened by this additional *cost*. Further, since this DCC *cost* is a framework for developers to cost-share, it is not an additional "tax" in the same way as downstream capital costs borne by the municipality are funded through Town-wide DCCs. For this reason, a local area-specific DCC does not contribute to the tax burden that I've addressed in my "General Observations" noted at the beginning of this feedback narrative, but, does reflect that the Holland Creek Local Area Plan area has higher overall capital costs associated with development, and is the last "greenfield" development in Ladysmith, given that all major, lower unit-cost, low-hanging fruit properties in Ladysmith have already been largely developed.

I implore Town Staff, Mayor and Council to implement the Holland Creek Local Area Plan area-specific DCC framework, which was diligently prepared during the work efforts of the entire Technical Committee.

Thank you for your patience and consideration in this important matter.

Sincerely,

William B. Eller, President

*William B. Eller*

1399 Developments, Inc.

STAFF REPORT TO COUNCIL

From: Clayton Postings, Director of Parks, Recreation and Culture  
Meeting Date: March 18, 2019  
File No:  
RE: **Community-Driven Capital Project Policy**

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**RECOMMENDATION:**

That Council refer the Community-Driven Capital Project Policy to the Parks, Recreation and Culture Advisory Committee and request that the committee provide Council with comments and feedback.

**PURPOSE:**

The purpose of this staff report is to present for Council's consideration a draft Community-Driven Capital Project Policy.

**PREVIOUS COUNCIL DIRECTION**

CS2018-34 Moved and seconded:

That Council direct staff to draft a Community Driven Capital Project Policy for Council's approval that will provide clarity for community groups, staff and the public regarding the process to determine the feasibility of a community driven capital project and manage expectations of the parties involved if projects are supported.  
Motion carried.

**INTRODUCTION/BACKGROUND:**

The Town of Ladysmith supports the development of community-driven capital projects and has a strong history of partnering with the community groups to deliver capital projects to enhance parks, recreation, sport and culture experiences. Some past examples include: picnic shelters, playgrounds, score boards, batting cage, etc. In these cases, community groups contributed to the capital projects and in some cases assist in maintaining the assets. Generally all capital assets on municipal lands are owned by the Town of Ladysmith regardless of who established and manages the asset.

The development of a policy with clear guidelines will provide clarity for community groups, staff and the public regarding the process and aid in the determination and feasibility of a community-driven capital project while managing expectations of the parties involved if projects are supported.

**ALTERNATIVES:**

Council may choose not to support this Policy as presented.

**FINANCIAL IMPLICATIONS:**

There are no financial implications at this time.

**LEGAL IMPLICATIONS:**

There are no legal implications identified at this time.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

There are no citizen / public relation implications identified at this time.

As part of the 2016 Parks, Recreation and Culture Master Plan, a number of recommendations referenced the importance of a clear process for community organizations wishing to present capital projects to Council for consideration.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Parks, Recreation and Culture, Development Services, and Finance may all play a role dependent on the project.

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

**SUMMARY:**

The Town of Ladysmith has supported the development of community-driven capital projects and has a strong history of partnering with the community groups to deliver capital projects to enhance parks, recreation, sport and culture experiences. The development of a policy with clear guidelines will provide clarity for community groups, staff and the public regarding the process and aid in the determination and feasibility of a community-driven capital project while managing expectations of the parties involved if projects are supported.



---

Clayton Postings, Director Parks, Recreation and Culture

March 7, 2019

---

I concur with the recommendation.



---

Guillermo Ferrero, City Manager

**ATTACHMENTS:**

Draft Community-Driven Capital Project Policy

**TOWN OF LADYSMITH**  
**POLICIES AND PROCEDURE MANUAL**

|                                  |  |
|----------------------------------|--|
| <b>TOPIC:</b>                    | <b>DRAFT – COMMUNITY-DRIVEN CAPITAL PROJECT POLICY</b> |
| <b>APPROVED BY:</b>              | <b>DATE:</b>   |
| <b>RESOLUTION #:</b> CS 2018-457 |  |
| <i>(Amended from)</i>            |  |

**Purpose**

The purpose of this policy is to establish guidelines for partnering with the community groups to deliver capital projects to enhance parks, recreation, sport and culture experiences.

These guidelines will provide clarity for community groups, staff and the public regarding the process and aid in the determination and feasibility of a community-driven capital project while managing expectations of the parties involved if projects are supported.

**Principles**

The following principles will be applied to projects:

- Facilities developed with Town funding and / or on Town land must be open and accessible to all residents of Ladysmith
- Projects will only be considered for approval where they are supported by a business plan that indicates that the completed project is sustainable over the long term
- Any projects that require capital funding from the Town are subject to the availability of funding within the Department’s capital budget.

The following items are eligible for requested cost sharing:

- Concept and detailed design costs
- Construction costs including contingencies
- Site development costs
- Development and building permits
- Fixed equipment

Community partners must be legally constituted, incorporated non-profit organizations such as, but not limited to community associations, sports organizations, or clubs. Due to capital budgets being developed in the summer and fall of the previous year with Council approvals in April/May it will be recommended that projects are best proposed in the winter/spring one year prior to budget approvals by Council.

**Application Guidelines for Major Capital Projects (exceeds \$10,000)**

These guidelines apply to major capital projects for new facilities and expansions on Ladysmith owned or leased property that result in a fixed asset (renovations or additions to existing facilities may be exempt if they do not create significant change in use and no significant impacts to park users and

neighbours).

### **Step 1 – Determining Project Feasibility**

A community organization or group considering a community driven capital project that would be constructed on Town land and/or require the Town's financial assistance, is to present its idea to the Director of Parks, Recreation and Culture. The Director will provide advice and guidance on the process.

The proposal would then be submitted to Council for consideration. If Council determines that the project is in the community's and Town's interest and helps achieve the goals of the Town, staff will be directed to work with the community group to develop a project agreement outlining the proposed public process, preliminary budget, and alignment with Parks, Recreation and Culture Master Plan.

### **Step 2 – Approval in Principle**

The community may be required to present a project business plan to Council for approval in principle. The presentation may include any of the following or other information requested by Council:

1. A description of the project, its benefit to the community including reference to community master plans if applicable, and any potential environmental impacts
2. A conceptual drawing and a site plan
3. An estimated project budget including all funding sources (cash, grants, loans, donations and volunteer hours) and any financial assistance that is being requested from the Town
4. An estimated operating budget and how the project will be operated and/or maintained
5. A detailed fundraising plan
6. An estimated project timeline
7. A public engagement plan

### **Step 3 – Approval to Proceed**

If Council approves the project, the organization may then initiate the public engagement process, a fundraising campaign and develop more detailed project plans. Before the project proceeds, the community organization must present to Council:

1. Results of public engagement
2. Construction drawings and specifications
3. A detailed site plan
4. A project budget including written quotes for all work
5. A construction plan and schedule
6. An operating plan and budget

Based on these items, a partnership agreement stating the intentions of each party, shared project objectives and outcomes will be developed and signed off prior to project start up. All capital projects built on Town property become the property of the Town of Ladysmith.

### **Minor Capital Projects**

In cases where the project is deemed to be minor capital project and where it aligns with existing department plans and does not require Town funding or resources. The Director may be assigned the responsibility to work with the organization presenting the project to confirm all requirements are in place and the Director has the authority to approve the project.

**STAFF REPORT TO COUNCIL**

From: Sue Glenn, Supervisor Programs and Services  
 Meeting Date: March 18, 2019  
 File No:  
**RE: PUBLIC ART STRATEGY**

**RECOMMENDATION:**

1. That Council receive the Public Art Strategy and recommendations from the Parks, Recreation and Culture Advisory Committee and Town Staff.
2. That the recommendations from the Public Art Strategy be included in the 2019 Council Strategic Planning Discussions and referred back to staff to develop the work plan.

**PURPOSE:**

The purpose of this staff report is to present Council with the updated Public Art Strategy.

**PREVIOUS COUNCIL DIRECTION**

| Resolution                          | Meeting Date | Council Resolution Details   |
|-------------------------------------|--------------|--|
| CS 2018-268                         | 2018-07-16   | That Council authorize the awarding of the contract to the Ladysmith Arts Council for the development of a Community Public Arts Strategy for the Town of Ladysmith. |
|                                     | 2019-01-14   | Draft Public Art Strategy presentation to Council.   |
| <b>PRCAC Recommendation Details</b> |              |  |
|                                     | 2019-02-20   | Committee members discussed the strategy and agreed that there was strong engagement with the community and that in turn creates strong expectations.                |

**INTRODUCTION/BACKGROUND:**

In September 2018, the Arts Council of Ladysmith and District was awarded a contract by the Town to help develop a broad-based public art strategy, anticipated to guide future decisions related to installations and donated works.

The product deliverables for the Public Arts Strategy include: the definition of “Public Art”; an inventory of existing and potentially public art; a directory of stakeholders; community engagement process and sessions; process for accepting donations and legacy gifts; and recommendations for next steps.



Since September, the group has hosted various engagement workshops and open houses and collected hundreds of ideas and inspirations from all ages and backgrounds in the community.

The Draft Public Art Strategy was presented to Council on January 14, 2019 and referred to the Parks, Recreation and Culture Advisory Committee on January 16, 2019. Updates have since been made to the Public Arts Strategy.

**ALTERNATIVES:**

Council can choose to:

- Not to proceed with the Public Art Strategy at this time.

**FINANCIAL IMPLICATIONS;**

Currently in the 2019 Financial Plan, there is \$10,000 allocated towards high priority recommendations. Any future recommendations will be presented through future years financial plans.

**LEGAL IMPLICATIONS;**

None identified at this time.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

None identified at this time.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

None identified as this time.

**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 checked="" type="checkbox"/> Partnerships        |
| <input checked="" type="checkbox"/> Communications & Engagement  | <input type="checkbox"/> Not Applicable                 |

**SUMMARY:**

The Arts Council of Ladysmith and District was awarded a contract by the Town to help develop a broad-based public art strategy, anticipated to guide future decisions related to installations and donated works.

The Draft Public Art Strategy was presented to Council on January 14, 2019 and referred to the Parks, Recreation and Culture Advisory Committee on January 16, 2019. Updates have since been made to the Public Arts Strategy.



---

*Clayton Postings, Director of Parks, Recreation and Culture*

*March 13, 2019*

---

I concur with the recommendation.



---

Guillermo Ferrero, City Manager

**ATTACHMENTS:**

Appendix A – Draft Public Arts Strategy

# Ladysmith Public Art Strategy: Defining Public Art from the Ground Up

Report created for the Town of Ladysmith  
Parks, Recreation & Culture  
by Arts Council of Ladysmith & District  
and Thoughtful Place Design  
February 2019



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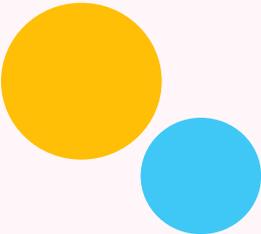
## **APPENDIX**



**Arts and culture make considerable and necessary contributions to the well-being of communities. Arts and culture are powerful tools with which to engage communities in various levels of change. They are a means to public dialogue, contribute to the development of a community's creative learning, create healthy communities capable of action, provide a powerful tool for community mobilization and activism, and help build community capacity and leadership.**



**- Creative City Network of Canada**





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# 1.1

## Executive Summary

The Arts Council of Ladysmith & District was awarded a contract to complete the Public Art Strategy for the Town of Ladysmith.

The origins of this initiative were presented as a recommendation stemming from the Parks, Recreation and Culture Master Plan completed in 2016. Through extensive community engagement and consultation it was identified that developing a Public Art Strategy was a high priority for the community.

The Public Art Strategy process began in September 2018 with community engagement and involvement being a top priority.

Creative grass roots community-based research has shaped and defined the outcomes of this report with guiding principles, recommendations for next steps, and measuring success being

tailored specifically to the Town of Ladysmith & District and its diverse population.

An integral component of this process was to listen to the diverse members of the community to determine what public art meant to them and how they would define 'public art'. In order to accurately reflect the community's input, public art for Ladysmith includes but is not limited to:

- visual art
- performance art
- theatre and improv
- community-based arts
- infrastructure art
- visual storytelling
- sculpture
- murals
- street art
- unexpected art
- Indigenous art
- creative placemaking
- heritage and cultural works
- art trails and parks, and
- socially-engaged art

These various forms of public art will be explained in further detail under Section 1.3 - Defining Public Art.

The Guiding Principles that will shape the implementation of public arts projects, programming and events for the future are:

- To **celebrate and commemorate** local stories of place
- To **create or select** works with genuine intentions to ensure authenticity
- To **showcase** a variety of art forms and creative methods including temporary & performance arts
- To **balance** local community-based projects with regional, national or international submissions
- To **support and enhance** the visual heritage and stories of Stz'uminus First Nation
- To **enhance** the public realm
- To **spark** conversation and gathering in public places
- To **promote** belonging, social cohesion, & inclusivity

“

Art is unquestionably one of the purest and highest elements in human happiness. It trains the mind through the eye, and the eye through the mind. As the sun colours the flowers, so does art colour life.

- John Lubbock, *The Pleasures of Life*

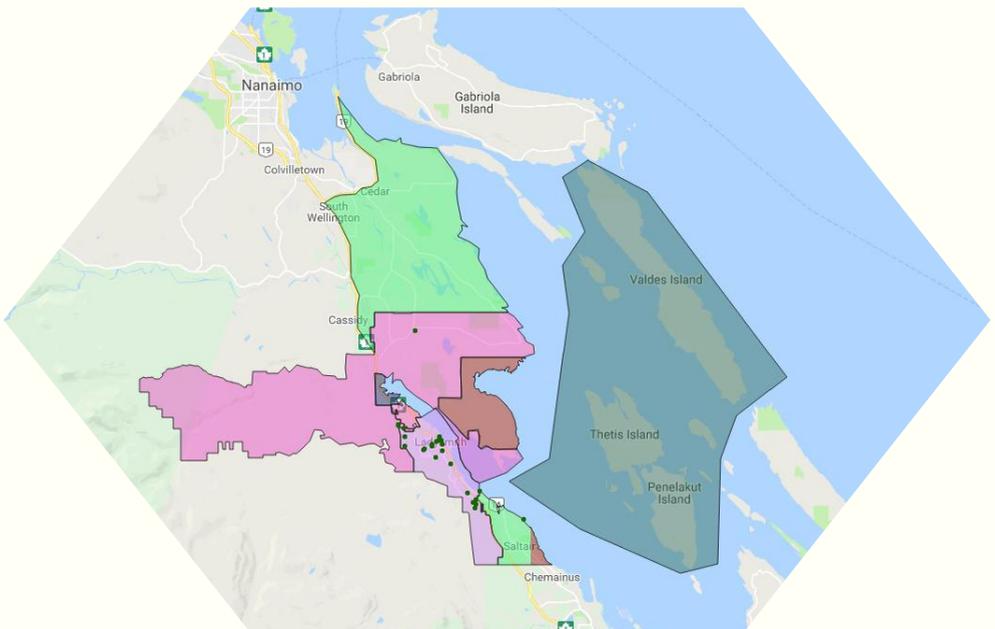
”

# 1.2

## Project Scope and Background

### 1.2.1 Defining Project Area

The project area is roughly defined to reflect the local community served by arts & cultural programs and facilities in the town of Ladysmith. The area is broadly defined as the space between Nanaimo and Chemainus. This area includes Cedar, Yellowpoint, Cassidy, current day Stz'uminus First Nation lands, the Diamond, Ladysmith, and Saltair.



## 1.2.2 Deliverables

The Public Art Strategy was born out of the Parks, Recreation & Culture Master Plan, 2016. Town Council approved the deliverables presented by the PRC department in 2018 with a project timeline of approximately four months. The draft report strategy set out to include the following:

- community engagement process
- define public art
- identify key stakeholders
- create an inventory of existing public art in Ladysmith
- background research and document review
- best practices
- process for receiving donations and gifts
- report on community engagement process
- implementation strategy including long-term budget
- draft public arts strategy to present to community for feedback
- draft public arts strategy to present to Council for review and feedback
- recommendations for next steps

# 1.3

## Defining Public Art

Creating for Everyone



This section reviews how other communities have defined public art and takes a best practice approach to tailor the definition of public art for the Town of Ladysmith. In order to accurately define public art for Ladysmith and District a two-pronged approach has been used combining best practice of neighbouring communities models with extensive community input from Ladysmith and District residents. As policy is set following this strategy, it is encouraged to adopt this same approach integrating community definitions from Section 1.4 with aspects of the North Vancouver model shown on the following pages.

**A possible working definition for Ladysmith and District:** Public art or art in public places are creative works, programs, or events that are accessible and original that enrich the community and evoke meaning in the public realm. These works can be of a variety of forms and take into consideration the site, its location and context, and the audience. Public art may possess functional as well as aesthetic qualities.

According to the City of North Vancouver Public Art Program completed in 2009, public art can be related to the site in three different ways: integrated, semi-integrated and discrete.

**Integrated Public Art:**

Public Art that becomes part of the urban infrastructure of a City or a community. It reflects the social, cultural, architectural and historic nuances of the space thereby creating a sense of place.

**Semi Integrated:**

Public art that derives to some degree its conceptual inspiration from some aspect of the site and displays a heightened degree of physical and conceptual integration. These works may exist in a number of locations provided that all possess the same requisite physical and conceptual conditions, i.e. a piece which must be located in a windy open field condition could be located in any windy open field anywhere.

**Discrete:**

Public art that is not integrated with the site either in a physical or conceptual manner. Usually this type of public artwork only relates to the site from a location and scale point of view and is often created off site and moved into the place.



Examples: Integrated, Semi-Integrated, Discrete

Ladysmith and District is encouraged to adopt a similar outlook to encourage successful implementation and longevity of its public art policy and programming: *“Each public art piece is an original, one-of-a-kind work that creatively reflects North Vancouver’s unique culture, heritage and natural environment. A distinctive cultural asset, public art provides a deep-rooted sense of place and serves as an artistic legacy for future generations.”* (City of North Vancouver Public Art Program 2009)

The following pages share some visual examples of the types of public art that is encouraged for Ladysmith and District. These best practice examples were sourced from a variety of communities who have made real efforts to elevate and showcase arts and culture in the public realm.

- **Art Trails & Parks:** these projects incorporate artistic elements into parks and trails, either at the planning and development stage, or by adding artistic elements to existing parks and trails to encourage increased participation and/or a new experience for the user



- **Art & Infrastructure:** these projects use an integrated approach to enhance the public realm by encouraging artistic additions to urban infrastructure such as bus stops, tree grates, stormdrain covers, sidewalks, benches, etc

- **Interactive Art:** these types of works tend to be very inviting and encourage public participation; they can be static or kinetic works, performances or objects yet they invite community members to touch, play, sing, dance, film and interact with them, some would say that the public becomes a part of the art when they are engaged





- **Indigenous Art & Stories:** these contemporary works share visual history, stories, and traditions of local Indigenous communities and people; these projects typically share untold stories of place and are created by Indigenous artists or collectives

- **Performance Art:** these works involve programmable public or semi-public space for dance groups, theatre professionals, drama and improv clubs, musicians, singers, etc to perform in the public realm



- **Community-based art:** these works are typically collaborations between local user groups, artists, and clubs who have an idea for animating public space, these works do not necessarily need pre-planning for use of space and can pop-up at any moment

- **Unexpected art:** these projects are created to surprise the audience, make them stop and think, or been taken away to another place; these works can occur at any scale



# 1.4

## Community & Key Stakeholder Engagement

Through varied and rigorous engagement tools diverse community groups within Ladysmith & surrounding area were invited to participate in the Public Arts Strategy process.

In addition to public presentations, workshops, walking tours, online surveys, and social media engagement this process included over 30 individual interviews with local emerging and professional artists, arts and culture not-for-profits, service clubs and other non-profit organizations, local business owners, storytellers, Elders, primary and secondary students, post-secondary educators, local arts teachers and principals, development planners, former and current members of Town Council, current members of Stz'uminus First Nation Band Council, and other community members who had been involved in public art projects prior to this initiative.

### Mixed & Rigorous Engagement Tools

 **2 platforms** **Online Surveys**  
LIVE from Oct 26th- Nov. 23rd  
18 PlaceSpeak  
59 SurveyMonkey  
= 77 completed surveys

 **120 subscribers** **eNewsletter**  
October 8th Sign up began  
Oct 10 1st eNewsletter sent to the first 7 subscribers TODAY!

 **Email**  
September 1st  
ladysmithartsstrategy@gmail.com  
**Postcard Project**  
Share your ideas on public arts for Ladysmith.  
**38 postcards returned**

 **Webpage** **Other**  
<http://www.ladysmithwaterfrontgallery.com/ladysmith-arts-strategy/>  
Over 97 page views

 **Eventbrite** **Advertising**  
an event listing page created for all events  
A non social media outlet  
Ladysmith Chronicle  
Chamber of Commerce  
Ladysmith PRC  
Harbour Living  
Cowichan Culture  
Whiffs on Digest  
Stz'uminus Newsletter  
Word of Mouth

### Social Media: Totals to Date

|   |   |   |   |
|---|---|---|---|
| <br>64 views<br>3 videos | <br>68 likes<br>71 followers | <br>683 people reached | <br>11 new followers |
| <b>Video</b>  | <b>Facebook</b><br>Created 13 October 14  | <b>Instagram</b><br>Set 14 10 present   | <b>Twitter</b>  |

## Milestones & Key Events

**SEPT 14**

Facebook live

**SEPT 17**

Project Kick-Off & Walk  
at Aggie Hall

**SEPT 28**

Meet with Stz'uminus  
First Nation

**OCT 10**

1st eNewsletter sent  
to 7 subscribers

**OCT 11**

update at Interagency  
meeting

**OCT 13**

250 postcards

**OCT 17**

presentation to Service  
Clubs & local business

**OCT 18/19**

presentation & walk:  
Back Alleys

**OCT 24**

presentation to PRC  
committee

**OCT 26**

both online surveys  
go live

**NOV 6**

LSS highschool  
workshops

**NOV 8**

Pop-Up Booths at FJCC &  
LSS

**NOV 15**

presentation to  
Heritage Committee

**NOV 20**

Pop-Up Booth at  
LAFF for Child Day

**NOV 20**

Key Stakeholder  
Workshop

**NOV 22**

Community  
Workshop

**NOV 25**

Presentation to  
Newcomers & Probus

**DEC 5, 6, 9**

Public Open Houses



# 1.5

## Key Findings & Community Priorities

### 1.5.1 Defining Public Art from the ground up

This section sets out the input and common themes shared by key stakeholders and the greater community. Here, we will review how the community defines public art; which items they consider public art in Ladysmith and District; and what types of public arts they would enjoy, and in which locations. These findings were sourced from the SurveyMonkey and PlaceSpeak surveys, the postcard project, workshops, pop-up booths, and individual interviews as well as any comments received through social media or via email.

Below are some comments from community members who completed the survey and their definitions of public arts:

- Outside and accessible to everyone
- Public Art is accessible to the general public by way of sculpture, paintings, photographs or items of historical/community importance
- Public art can also be performance art
- Art in the public realm (streets, parks, marinas, community buildings) lend voice to the community identity, give residents a sense of ownership and pride and visitors a sense of what the community is
- Art exhibited in unexpected locations. Art that encourages touching, feeling texture. Art that makes you think & why here
- Sharing creativity. To inspire others. To beautify the place we live with art. To showcase, enjoy and appreciate local talent. To express thoughts and opinions through art
- Sculptures, historical signage, pictorial displays, historical artifacts displayed outdoors
- Art displays, concerts, theatre productions
- The purposeful display of art installations and historical artifacts (i.e. steam train,



1.5.2 Existing Public Art Inventory - Works Installed Pre-Public Art Strategy 2019

| IMAGE  | TITLE                 | ARTIST/MAKER  | DESCRIPTION   | LOCATION   | OWNED AND MAINTAINED BY | YEAR INSTALLED | BACKGROUND   | POTENTIAL CONTACT FOR MORE INFO                                  |
|--|-----------------------|---|---|--|-------------------------|----------------|--|--|
|    | unknown               | various Ladysmith Secondary School students   | FJCC Street Mural   | 6th Avenue along retaining wall at Frank Jameson Community Centre  | Town of Ladysmith       | unknown        | unknown  | LSS teachers, PRC commission members                             |
|    | Salish Wind           | master carver: Manny Sampson<br>assisted by: Elmer Sampson (brother)<br>painted design: Edward Joe<br>waves: Dan Richey | cedar canoe with waves and heritage sign description and commemoration of Stz'uminus First Nation heritage site | Transfer Beach   | Town of Ladysmith       | 2018           | Indigenous non-Indigenous collaboration as a part of Canada 150                            | Shirley May Louie,<br>Duck Paterson<br>Anita McLeod              |
|   | 49th Parallel Markers | unknown   | two wooden posts with metal sign description marking 49th parallel  | Symonds and 1st Avenue<br>Aggie Plaza  | Town of Ladysmith       | 2018           | unknown  | Town Planning Department, LDBA,<br>Ladysmith Chamber of Commerce |
|  | Ship Anchor           | see Heritage Walk I brochure  | see Heritage Walk I brochure  | roundabout at Symonds and 1st Avenue   | Town of Ladysmith       | unknown        | see Heritage Walk I brochure   | Ladysmith Heritage Society,<br>Ladysmith Maritime Society        |
|  | unknown               | unknown   | colourful fish pavers   | in downtown core on west sidewalk along 1st Avenue near T-intersection of Gatacre and 1st Avenue                   | Town of Ladysmith       | unknown        | a paving company requested to showcase the variety of paving techniques they can implement | Felicity Adams   |
|  | unknown               | unknown   | LGBTQ Pride pedestrian crossing and bench   | pedestrian crossing at intersection of 1st Avenue and Gatacre Street, bench at SE corner of 1st Avenue and Gatacre | Town of Ladysmith       | 2018           | unknown  | Mayor and Council  |
|  | unknown               | unknown   | face in rock  | Transfer Beach   | unknown                 | unknown        | unknown  | unknown  |

| IMAGE  | TITLE                             | ARTIST/MAKER   | DESCRIPTION   | LOCATION  | OWNED AND MAINTAINED BY                                  | YEAR INSTALLED       | BACKGROUND   | POTENTIAL CONTACT FOR MORE INFO      |
|--|-----------------------------------|--|---|---|--|----------------------|--|--------------------------------------|
|    | unknown                           | John Marston   | Salish design door handles                                  | Ladysmith Marina  | LMS ?  | unknown              | LMS commissioned John Marston to create an integrated piece as a part of the marina expansion project              | John Marston                         |
|    | Tour De Rock Wall of Heroes mural | unknown  | Tour De Rock Wall of Heroes mural                           | Ladysmith Credit Union parking lot retaining wall           | Ladysmith Credit Union ?                                 | unknown              | unknown  | Town of Ladysmith, LCU               |
|    | unknown                           | unknown  | gratitude ceramic tree in frame                             | downtown core on Pharmasave north wall along Gatacre Street | unknown  | unknown              | unknown  | Rob Hutchins                         |
|   | unknown                           | unknown  | outdoor life-size chess game                                | west sidewalk along 1st Avenue in front of bakery           | Town of Ladysmith  | unknown              | unknown  | Mayor and Council                    |
|  | Arts on the Avenue                | various artists, organized by Arts Council of Ladysmith & District | annual arts festival for one day in August along 1st avenue | 1st avenue from Symonds to Buller                           | ACLD in partnership with Town of Ladysmith               | ongoing for 21 years | starting 21 years ago and predating the ACLD this event has become the largest outdoor arts festival in the region | Kathy Holmes, ACLD                   |
|  | Ladysmith Festival of Lights      | various entries, organized by Festival of Lights Society           | annual Christmas light-up parade                            | along 1st avenue  | Festival of Lights in partnership with Town of Ladysmith | ongoing              | annual Christmas light-up festival   | Ladysmith Festival of Lights Society |
|  | Canada 150 street banners         | John Marston, Kendra Forester, Eve Lovett                          | two street banner designs                                   | public buildings around town                                | Town of Ladysmith  | 2017                 | Canada 150 project with John Marston and LSS Grade 9 students  | Town of Ladysmith                    |

| IMAGE  | TITLE          | ARTIST/MAKER | DESCRIPTION   | LOCATION                  | OWNED AND MAINTAINED BY | YEAR INSTALLED | BACKGROUND | POTENTIAL CONTACT FOR MORE INFO |
|--|----------------|--------------|---|---------------------------|-------------------------|----------------|------------|---------------------------------|
|  | marina banners | various      | handpainted banners along dock in summer                | Ladysmith marina          | LMS                     | unknown        | unknown    | Ladysmith Maritime Society      |
| no image   | unknown        | unknown      | container box mural behind LSS                          | on LSS grounds near track | School district ?       | unknown        | unknown    | LSS staff                       |
| no image   | unknown        | unknown      | statue of girl and dog at entrance to Veterinary Clinic | 1st Avenue                | unknown                 | unknown        | unknown    | unknown                         |
|  |                |              |   |                           |                         |                |            |                                 |
|  |                |              |   |                           |                         |                |            |                                 |
|  |                |              |   |                           |                         |                |            |                                 |

## 1.5.3 Key Stakeholder Response

The following six key stakeholder groups were identified throughout the process:

- **youth** attending schools within the project area including Stz'uminus First Nation primary and community school, North Oyster, Ladysmith Primary School, Ladysmith Intermediate School, Ladysmith Secondary School
- **emerging and established artists** working and/or living within Ladysmith and district
- **Stz'uminus First Nation Chief and Council**, community members, artists, arts educators
- **local businesses**
- **arts and culture non-profits**
- **service clubs and non-profit organizations** within the project area

Through a series of workshops, surveys, and individual interviews key findings were drawn out from each of the groups. Although each group has a diverse set of

interests and stake in the success of a public arts program in Ladysmith & District, these groups brainstormed on how to leverage resources and form partnerships to ensure that public arts program could benefit all in the future.

Youth recommended:

- a need for creative public places to gather and hang out
- a place to sell and showcase their work - ie. A student art sale/market in the community
- an area where they could experiment with public arts outdoors - there is a desire to take pride and ownership in an outdoor creative space for youth (murals, street art, temporary stage for improv)
- the freedom for Grade 12s to paint their parking stalls
- continued involvement in the process and opportunities for mentorship and development
- a desire to see socially reflexive art that inspires, makes one feel good, and is interactive and fun!



Local professional artists recommended:

- the Public Art Selection Committee would be unbiased in their selection of art and would step down if there presented a conflict of interest
- the artists rights would be a top priority during the process
- the artists would have freedom to create to their vision
- the Town would provide a contract for the artist to complete, install, and sign-over the work
- the Town and artist would enter into contract before project begins
- the artists shortlisted would receive an adequate honorarium for their time and concept designs
- the artists would receive fair compensation for to create their work from concept to implementation
- the Town would support artists in their submissions and provide a clear and succinct application process
- the Town would respect current copyright laws

- that works selected reflected the local community
- that works selected were regarded as having high quality of artistic merit, excellence, authenticity and integrity.

Stz'uminus First Nation Council and community members recommended:

- oral stories of Stz'uminus First Nation are shared visually throughout the territory to foster a sense of welcoming and belonging from members
- Hul'qu'min'um place name projects get off the ground
- public arts and visual storytelling has a way to show the community collaboration at a grass-roots level
- romanticizing first contact only repeats harms of the past
- truth-telling through visual stories are imperative
- there is a sense of urgency to create a space to support and welcome public works from local First Nations artists
- pole raising and ceremony must be differentiated from public art



- food can be a form of art
- there is a willingness to come together to heal both communities in visual way
- mapping project sharing local First Nations culturally significant places
- Elders and artists wishes must be respected and upheld on every project from concept to installation.

Local business owners, Ladysmith Chamber of Commerce board and the Ladysmith Downtown Business Association recommended:

- the need for understanding the economic benefits of arts and culture in a community
- large-scale photo opportunities for tourists and residents alike to drive business
- creative and more prominent gateways into the community from the north and south exit off the highway and from the waters edge
- public arts programming, works, and events to increase tourism and relocation of business and residential to the area
- public arts and gathering places

- community marketing rebranding combined with public art, wayfinding, and signage in the downtown core and edges
- businesses can provide resources such as space, marketing and promotions and bodies
- reviewing a business tax to fund public art in the downtown that animates the street and encourages tourists to gather and shop for longer periods of time
- reviewing development cost charges as to not deter new development to the area
- copycatting what the film brought to the downtown
- continue to create partnerships with artists to paint a large wall on their building, or create a temporary window display
- vacant buildings are wonderful opportunities for pop-up public arts displays until building changes hands.



Arts and culture non-profits recommended:

- arts and culture to be taken seriously with sustainable funding measures in place similar to other Town programs
- create a fund for the arts that people can contribute to
- make community arts and culture a priority and understand the incredible benefits of arts and culture for a community
- pay artists adequately for their work
- matching funding from the Town and region to assist with current arts and culture programming
- assistance from the Town's grant writer to apply to arts and culture grants annually or more frequently
- increased and adequate space for growing program needs.

Local service clubs and non-arts volunteer organizations recommended:

- they could use public arts as a tool to fundraise for park and public space improvements
- they could provide a host of volunteer services to support any public art event, program or public work
- this is an exciting time and they could see themselves benefitting greatly from collaborating on public arts initiatives
- this would give fresh take to common fundraising efforts
- they can partner with local businesses or artists on grant writing to secure funding through their organization
- animating places and enhancing public parks and streets would be a great idea.



## 1.5.4 Broad Community Response

The broader community was able to share their voices a number of ways. Two surveys were created in partnership with the Town of Ladysmith and the Arts Council of Ladysmith and District, using Survey Monkey and PlaceSpeak; 250 pre-paid postcards were distributed throughout local businesses in the community;

Of the questions posed to the community we found the most significant in terms of shaping future public art planning to be:

- what types of public art would the community enjoy?; and,
- where would they like to experience these art forms?

By combining the survey responses with input from comment cards at pop-up booths and comments received from the postcard project as well as input from the community workshop it was noted that the community would most enjoy the following types of public art:

- street art
- music or sound installations, events, programming or performances
- First Nations art
- theatre or performance art
- and sculptural or three dimensional works of art.

In terms of locating or experiencing these works, the majority of respondents would prefer they take place:

- in public spaces, places, parks, trails, gardens
- in or near public buildings or public building sites
- unexpected places such as back alleys, sidewalk corners, in a tree, under a tunnel, etc
- and by the waterfront or Transfer Beach area.



# 1.6

## Local Opportunities & Challenges

This section outlines a number of opportunities and challenges presented by key stakeholders, the broader community, and existing planning framework and context. The local planning documents that were reference for this section were:

- *The Parks, Recreation & Culture Master Plan 2016*
- *The Ladysmith Economic Development Strategy 2018*
- *The Ladysmith Youth Plan 2018*
- *The Naut'sa mawt Community Accord: Joint Community Report 2016*
- *The Official Community Plan 2016*
- *The Waterfront Area Master Plan 2018*
- *The 2018 Community Profile*
- *Council Strategic Priorities 2016-2019*

### Opportunities

- The existing planning framework and local context is primed to develop and implement arts and culture projects. For example, the following plans set the stage for prioritizing the development and implementation of arts and culture projects and programming in Ladysmith and District:
  - *The Economic Development Strategy* included the Arts and Heritage Hub on the waterfront as an *Immediate Priority Project*.
  - Under Section 8.6.2 of the *Ladysmith Youth Plan* the youth in the community identified arts and culture as having a significant positive impact on their daily lives and they wished for more opportunities to be involved in arts and cultural opportunities in the community.
  - As the *Waterfront Area Master Plan* continues towards implementation, the Arts, Culture & Heritage Hub was identified as a priority area providing a heart and vibrancy to the surrounding plan. Public art

can be incorporated into walking trails, open space planning, wayfinding, and programming of performance spaces.

- *The Naut'sa mawt Community Accord* mentions a number of priority joint initiatives that have yet to be implemented, specifically a Stz'uminus First Nation place names project.
- Two out of the four objectives from *The Parks, Recreation & Culture Master Plan* are centred around arts and culture. These objectives are to encourage greater participation and appreciation of Ladysmith's arts and cultural events and facilities, and enhance support to Ladysmith's diverse arts, cultural and heritage venues and events. The indicators from the plan recognized the need for more funding for arts and cultural activities, organizations, and programming in the community.
- Community members and organizations beyond the arts are ready to collaborate on creative projects

- Local businesses, youth, local professional artists, Stz'uminus First Nation, arts and culture organizations and other non-profits are excited about the possible benefits public art can bring to the community and are willing to be involved in supporting projects along the way.

## Challenges

Some challenges that were identified during the community engagement process were:

- funding projects - long-term annual funding
- gaining consensus from community on projects
- positioning the artworks appropriately throughout the Town - north and south
- showcasing the artworks properly so not lost in space
- forming a diverse and unbiased selection committee
- lack of community organizing to deliver next steps of project
- competing priorities at Town level
- lack of understanding on the positive impacts of public art for a community
- breaking down status quo thinking to understand the variety of forms of public arts.

# 1.7

## Best Practices

In this section we will review best practices for selection, funding, maintenance, deaccessioning, and receiving donations or gifts of artworks. The following public art documents have been referenced:

- City of Sydney Acquisition and Deaccession Guidelines (2010)
- City of North Vancouver Public Art Policy Procedures (2009)
- City of North Vancouver Public Art Policy Procedures Manual (2009)
- City of Nanaimo Community Plan for Public Art (2010)
- City of Victoria Art in Public Places Policy and Guidelines (2011)
- Squamish Public Art Policy (2014)

### 1.7.1 Selection Process

Municipalities that have successful and sustainable Public Art Programs form a Public Art Advisory Committee to select public art works, programming and events to occur annually. These committees are typically comprised of one or more local professional public artist(s), an architect, a landscape designer/ architect, a member of Town Council, a cultural planner/ coordinator, a representative from the local arts council, one or more community members.

These committees develop a set of criteria for public arts submissions based on the local community priorities set out in a public arts strategy, policy, or plan. The guiding principles within the public arts strategy assist in determining the criteria for selecting successful works.

Some communities distinguish between annual public art calls for large-scale projects and community public arts programming for small to medium-scale projects with specific application guidelines for each. This ensures that the Public Art Advisory Committee selects a balance of community-generated works as well as professional artists submissions reaching beyond the community.

## 1.7.2 Funding

In order to fund public art projects, programs and events a Public Art Fund is recommended.

Some municipalities create a Public Art Fund incorporating public art to future infrastructure and a Community Arts Fund to differentiate between types and scales of projects. This is not necessary however; and is possible to implement once the public art program is becoming established and growing.

Municipal or Regional Councils will allocate funds to the Public Art Fund on an annual basis - this forms the base of the funding to implement public art projects.

A large-scale professional work can cost anywhere from \$50,000 to \$500,000 while community-based arts projects could be awarded between \$1000 to \$15,000 depending on scale and magnitude.

In order to ensure sustainable funding, especially in a smaller town with less development cost charge opportunities, a variety of funding sources are necessary to review such as:

- Community Amenity Fund contributions;
- parkland and trail upgrades and improvements;
- public realm upgrades and improvements;
- civic building expansions, developments and retrofits;
- local area plan development and implementation;
- density bonusing and transfer;
- infrastructure improvements;
- a local tax - business, residential, commercial, industrial;
- external event donation such as film or other large privately-run event;
- regional opportunities; and
- local, regional, national grants received through partnerships with local non-profit organizations.

In addition to locating the potential for existing funding in the current town planning and operating framework many municipalities are able to receive cash gifts to the Public Art Fund.

## 1.7.3 Maintenance

### Maintenance

At the submission phase, the artist must provide a rough estimate of the cost to be incurred by the Town to maintain a public artwork annually.

In larger municipalities with rapid private development, there is typically a 1% development cost charge that goes towards maintaining public artworks.

In other municipalities, the public works and/or infrastructure budget covers the cost of maintaining public art projects.

In other cases, depending on location and creation of the work, a business owner, service club, or non-profit organisation may be responsible for maintaining the project.

Temporary public arts programming can significantly reduce the cost of maintaining works longterm.

*Please see the Appendix for an example of maintenance funding.*

## 1.7.4 Deaccessioning

### Deaccessions

In order to minimize controversy, best practice is to have a clear and transparent procedure for deaccessioning public artworks.

This procedure should clearly state the reasons for deaccessioning an artwork and should make reasonable attempts to contact the artist and inform the community prior to removal.

A report for deaccessioning an artwork is typically referred to the Public Art Advisory Committee with a clear rationale stating the reason for removal, relocation, or demolition.

Municipalities that act in good faith with the artist and the community are faced with less consequences by maintaining a transparent process.

In cases where the project was temporary, the initial contract between the artist and municipality will determine the time and process for removal or return to the artist.

## 1.7.5 Donations & Offers

Some municipalities are able to receive donations of public art or art that is considered fine art that is to be on public display. The process for receiving these donations, bequests, or gifts is the same as receiving a public arts submission through an open call.

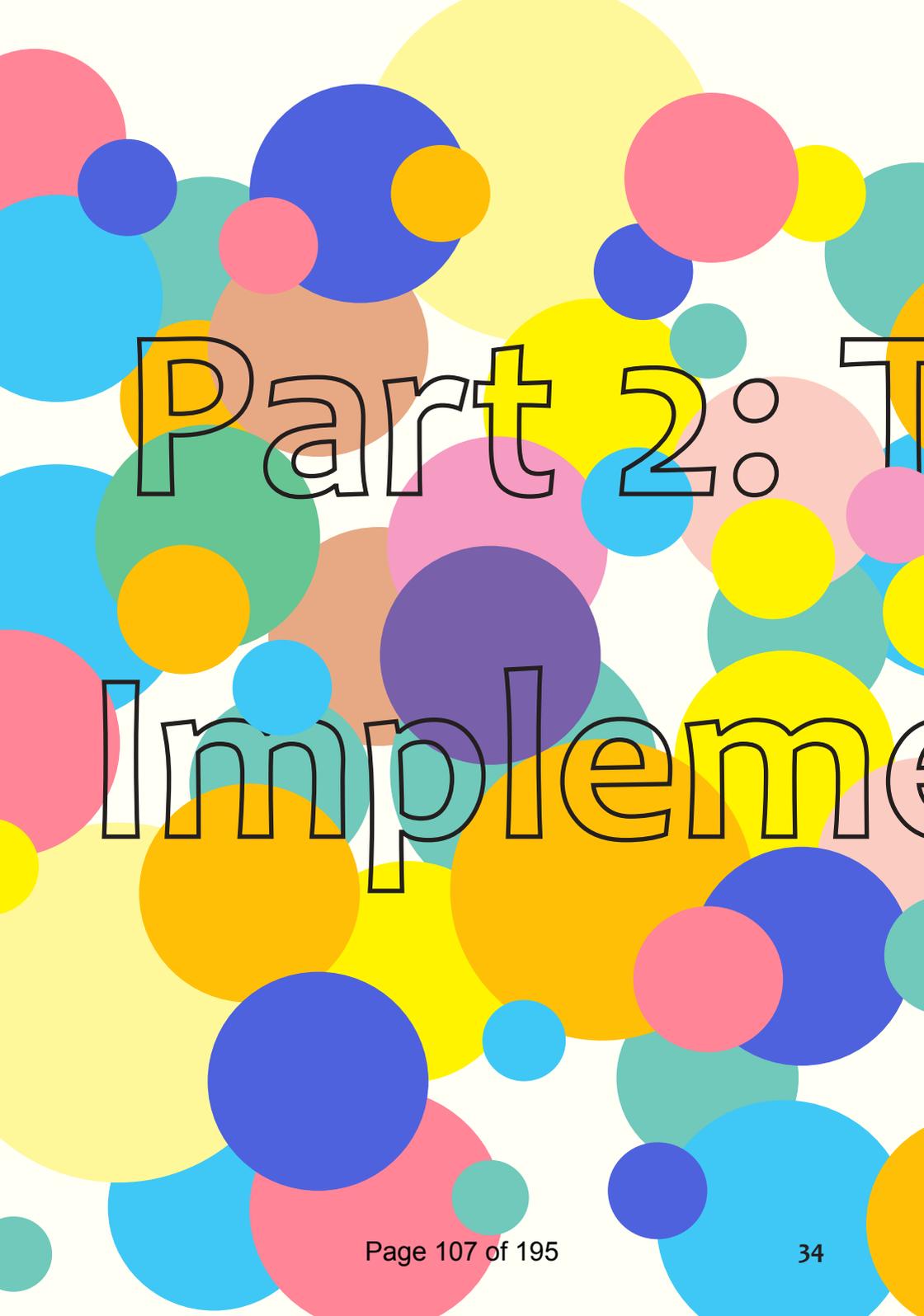
There is typically no funding or resources provided by the municipality to receive donations. All donations are required to complete a donation application form which will be reviewed by the Public Art Advisory Committee and the Town.

In order for an offer to be accepted it must meet a set of criteria that is reflective of the local communities priorities and interests. It must also incur no cost to the Town nor its staff for placement, installation, development, etc.

If the donation does not meet the requirements as set out in the application form, the donation may be refused.

The donation may also be refused if it does not represent the local community context, is offensive or harmful to any potential public audience, is unsafe, or if there is no meaningful benefits to the local community.

Municipalities may also wish to temporarily close the donation program if they so choose. This could be due to lack of resources, lack of funding for maintenance of donated items, lack of storage, or other reason.



# Part 2: T

# Implemente



# owards entation

# 2.1

## Guiding Principles

This section provides an overarching framework to assist in selecting public works of art, programming, events, and performances. These guiding principles should be referenced by the Town and the Public Art Advisory Committee prior to selecting a work of public art for the community. Eight principles have been distilled from the community input in combination with best practices, current planning framework and local context.

“

During my 30 years at Americans for the Arts, I have had the great privilege to visit and learn about a different community nearly every week. While they differ vastly from one another, there is one common strength I have observed: the arts have made a profound impact on the health of each community.

”

~ Robert L. Lynch, President, Americans for the Arts

- To **celebrate and commemorate** local stories of place



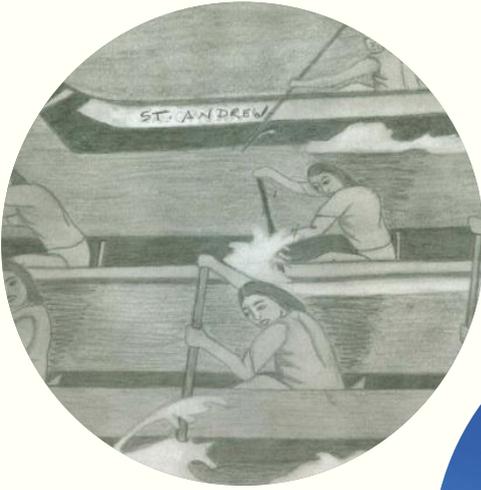
- To **create or select** works with genuine intentions to ensure authenticity

- To **showcase** a variety of art forms and creative methods including temporary & performance arts



- To **balance** local community-based projects with regional, national or international submissions





- To **support and enhance** the visual heritage and stories of Stz'uminus First Nation

- To **enhance** the public realm



- To **spark** conversation and gathering in public places

- To **promote** belonging, social cohesion, & inclusivity



A large, bold, black opening quotation mark icon centered within a white square.

If art is to nourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him... We must never forget that art is not a form of propaganda; it is a form of truth.

~ John F. Kennedy

A large, bold, black closing quotation mark icon centered within a white square.

# 2.2

## Recommendations for Next Steps

These recommendations form a flexible working document that may adapt and shift depending on local context and regional or national best practices over the next five years.

### Recommendation

- **Create a Public Art Fund including percentage for maintenance:** identify all possible revenue streams - local and regional grants, grant-in-aid, partnerships, sponsorships, community amenity fund contributions, density bonusing, density transfer, rezoning, variance, donations, etc
- **Create a walking/cycling/rolling tour and brochure of Public Art Icons in Ladysmith & District:** to be available on Town's website
- **Select members to a Public Art Task Force:** to begin review of Public Arts Strategy, creating calls for artists, and/or developing a plan to implement the first project
- **Create a Public Arts FAQ sheet:** to be available on Town's website addressing key contacts, and general questions about the Public Arts process in Ladysmith
- **Create toolkits tailored to key stakeholder groups:** available on Town's website with instructions for local business, artists, developers, not-for-profits to foster ease and clarity of implementing public arts projects

### Priority & Timing

high priority  
2-3 years

medium priority  
2-3 years

high priority  
1 year

medium priority  
2-3 years

medium priority  
2-3 years

## Recommendation

- **Review funding options to hire an arts and culture coordinator:** This could be a partnership between the local arts council and the Town or an independent contractor
- **Draft Community Public Art Policy to direct and guide implementation:** based on character areas and local area plans, including a detailed phased approach for implementation - build-in two-year review
- **Amend current planning policy to incorporate public art:** Official Community Plan, PRC Master Plan, etc
- **Maintain and strengthen partnerships to harness momentum from existing community events:** Light Up, Arts on the Avenue, Student Art Show, Spring Art Tour, Little Theatre events
- **Showcase existing community projects in public realm:** Hul'qum'in'um Signage Project, Project Reel Life, youth and community projects, other
- **Develop a maintenance plan:** banners rotated seasonally, murals change annually, % from capital public works budget, PRC budget, adequate storage for rotating community projects
- **Build-in a review process:** monitoring the ongoing achievements of the program, keeping current with best practices, and updating the Town and greater community on the annual state of the arts

## Priority & Timing

medium priority  
4-5 years

high priority  
1 year

medium priority  
4-5 years

high priority  
1 year  
(ongoing)

medium priority  
1 year  
(ongoing)

medium priority  
2-3 years

ongoing priority  
4-5 years

# 2.3

## Measuring Success

**This section provides a phased approach targeting program objectives and outlines a checklist for managing a successful and sustainable public art program over the next five years.**

### **1 year**

- creation of a Public Art Fund so that those who would like to donate or gift to the Public Arts Program are able to do so prior to a project being determined
- selection of a Public Art Task Force to guide the process until funding becomes available for an arts and culture coordinator
- completion of a Public Arts Walking Tour brochure available on the Town's website
- key stakeholder working groups identified to begin showcasing local talent - youth, LAFF, Stz'uminus First Nation, service clubs, artists, local business
- public spaces identified for grass-roots community art projects to blossom
- first public call for community arts project goes live with budget from \$1000 - \$5000
- student artists are selling their work to the community at local markets and events
- the Town has formalized their Poet Laureate process and is selecting a new poet annually

### **2-3 years**

- Public Arts Advisory Committee meets to set project priorities for year
- a number of funding streams have been identified to encourage ongoing funding for program
- there is \$15,000 - \$50,000 held in the reserve fund\*
- the first community arts project is complete and accessible for all to see\*

- there is at least one public space where youth can create street art, stage improv or drama sessions, through a mentorship program
- there is a Public Arts FAQ sheet available on the Town’s website including a “Hire an Artist” initiative
- the Town has created an artist-in-residency program to encourage the production of socially-engaged arts practice and meet needs of community
- current policy is being reviewed to incorporate public arts
- the community is beginning to see a combination of temporary artworks, community artworks, and increased performances held in public spaces
- the Stz’uminus First Nation place names and/or visual storytelling project is complete
- businesses are hiring artists to create murals on their walls to deter graffiti artists
- the Public Art Walking tour is well-attended and fun!
- there is \$50,000+ in the operating fund\*
- a Public Arts coordinator has been hired\*

#### **4-5 years**

- civic building expansion projects are seeing public art in their common outdoor spaces
- parks and trails, playgrounds are incorporating creative methods into infrastructure and development
- public works is working with local artists, poets, youth on an ongoing basis to encourage creativity in infrastructure projects, sidewalk upgrades, etc
- the Town is using public art to define specific character areas - banners, street furniture, lighting, etc
- the first large-scale permanent work has been unveiled and is on display
- all members of the community are feeling they have a voice and are being heard through selection process

## 5+ years

- the public art program is well-underway and process and roles and responsibilities have been clearly identified for ongoing success
- the artist-in-residency program is well-underway and has successfully created four projects for the community
- local businesses are seeing tourists drawn to the downtown core to take photos of public art and shop
- tourists are finding the waterfront with ease thanks to creative landmarks and wayfinding projects
- numerous and varied public art projects have been implemented
- maintenance of works is ongoing and no projects look run down or tired
- public spaces are lively and animated even during winter months and after daylight hours
- sense of community pride is at an all-time high
- more public squares and gathering places have been designed and people of all ages, from all walks of life are stopping each other on the street and having conversations
- youth are feeling welcome and supported in community
- artists are feeling welcome and supported in community
- members of Stz'uminus First Nation are feeling welcome and supported in community
- performing artists are feeling welcome and supported in community
- collaboration and community connectivity is better than ever



# Ladysmith Public Art Strategy 2019



STAFF REPORT TO COUNCIL

From: Kim Fowler, Project Manager, Waterfront Area Plan Implementation

Meeting Date: March 11, 2019

File No:

**RE: MACHINE SHOP SPACE ALLOCATION**

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**RECOMMENDATION:**

That Council direct staff to:

1. Finalize negotiations for space allocation with tenants of the Machine Shop, based on Machine Shop Layout Option 2 as presented, and;
2. Prepare draft lease agreements for all spaces within the Machine Shop and outer buildings and present to Council for consideration;
3. Prepare, issue and assess a call for industrial use proposals for the west portion of the building and return to Council with recommendations based on best practice and market viability.

**PURPOSE:**

To determine space allocation in the Machine Shop so grant-funded renovations may proceed.

**PREVIOUS COUNCIL DIRECTION**

Support for a Gas Tax funding application was provided by Council. The Town was successful in obtaining a grant of just over \$1.7 million to rehabilitate/upgrade the Machine Shop.

**INTRODUCTION/BACKGROUND:**

The Town received a \$1.75 million grant for capital improvements to the Machine Shop building with a condition the renovations be completed by the end of this year. To keep on the renovation schedule, determination of building space allocation for users is required as the engineering and architectural team is waiting for this information to begin the building renovations.

Following award of the \$1.75 million Gas Tax grant for Machine Shop renovations, the Town facilitated numerous meetings in 2018 and 2019 with existing tenants, both in a collective group and individually to consult with them on various aspects of the renovations, including space allocation.

A key issue raised during the consultation meetings was planning for the entire Arts & Heritage

Hub (the Hub). In September 2018, a new federal infrastructure funding program was announced, which the Town decided to submit an application by developing a concept plan for the Hub. Norm Hotson was hired to facilitate and design a Hub concept plan. Several workshops and meeting with Hub tenants were held, including a user needs survey. A community open house, web page info and comment section, and two presentations to council were also part of the review process. Following council approval of the concept plan, the Town submitted an application to the funding program by the January 23, 2018 deadline.

For the Machine Shop renovation grant, the grant funds must be fully expended by the end of this year. Scheduling contractors and sub-contractors are in short supply on Vancouver Island, so requests for contract bids or proposals must be completed as soon as possible. In February, Mr. Hotson prepared a space allocation layout following all the professional, technical and community input to date from both the Hub and Machine Shop processes. Staff met with the existing Machine Shop occupants during the week of February 4<sup>th</sup> to receive feedback, which was provided to Mr. Hotson. In response, Mr. Hotson provided two new layouts that were sent to Machine Shop occupants with a request for written comments by March 14<sup>th</sup>. The existing floor layout and 3 options with all responses to date are appended to this report.

Mr. Hotson considered the building assessments undertaken by his team of engineers, architects and consulting consultants, including:

- Seismic Upgrade to 610 Oyster Bay Drive – Geotechnical Desktop Study, February 8, 2019
- Structural Engineering Pre-Design Report – Gravity and Seismic, October 11, 2018
- Pre-Design Report, June 6, 2018
- Property Condition Assessment, April 2014

A few key findings from the reviews are:

- Most of the budget will be used to replace the roof due to condition and Building Code upgrade standards.
- The second floor requires two stairwell exits with two or more tenants.
- The layout must follow the structural components shown as cross-hatched letters from A-U in one direction and 1-3 in the other.
- The mezzanine in the back portion of the building must be removed due to Building Code requirements.
- Staff and consultants are reviewing if the electrical/communications room on the second floor may be moved to an external location on the first floor. This would provide a significant addition of floor area on the second floor.

With this information, Mr. Hotson prepared a floor layout based on the following criteria:

- The selected tenants currently occupy space in this, or adjacent, buildings on the site;
- The tenants represent a broad cross-section of arts, community and historical uses adding to the diversity of cultural types in the complex;

- The ground floor contains uses that are of interest to the passing public;
- The second floor contains a single tenant simplifying the fire exiting from that level. Multi-tenants on this floor would necessitate an exit corridor between stairs, reducing leasable floor area, and increasing the cost of construction;
- There is no major change of use in the building (e.g. industrial to meeting space or storage), simplifying code upgrades and lowering construction cost;
- The Backshop contains uses that carry on the industrial character of this part of the building;
- A brewery and/or coffee roaster is proposed in the Backshop to provide revenue to the Town.

The first set of layouts shows the existing floor allocation on the first and second floors. Layout 1 is the proposal shown to existing users in February. Staff met with each user to receive comments. The general comments received were relocation was not supported, and in several cases, more space allocation was requested. The carving shed user did not need any additional space and would support moving to the north end of the building provided loading access was available.

Tenant Layout 2 proposes a shared services model to better use building space. Shared services are a sales area on the first floor, and meeting/board room and classroom on the second floor. The meeting/board room and classroom can be designed to open to one large room that may be used for larger events, such as small conventions or community events. The walls fronting the windows and exit corridor may have some glass to let in natural light. Dennis Brown's studio remains in its current location. The back portion of the building may be leased to light industrial leaseholders. This will provide needed revenue income, enhance the use and diversity of the building and be consistent with Arts & Heritage Hub Concept Plan.

Tenant Layout 3 proposes 5 studios on the first floor that may be leased by artisans. The back portion of the building may be leased to full occupancy (same as Layout 2). The second floor has at least two tenants, so must have a connecting corridor between exit stairs. An additional three studios would be available for lease. This layout would likely provide the most revenue from leases. The studios 1-8 may be leased out to existing or new users.

Staff recommend that:

1. Tenant Layout 2 as it is the highest use of building space and provides improved revenue through leases. This layout is consistent with vision of the Arts & Heritage Hub of mixed use, tourism development and heritage preservation. Tourism development through new leases in the short-term will also assist in marketing Town land.
2. Minimize construction impacts on existing tenants until the restoration project is complete.

3. Following completion of renovations, the Town enter into multi-year lease agreements with existing and future tenants. The lease agreements will outline the responsibilities of the tenants and the Town, and identify and allocate costs associated with space usage.
4. Prepare and issue a call for proposals for potential tenants in the back portion of the building. The Town has existing requests for the space (see attachments from a coffee roaster).

The next step will be bringing a staff report to council when the schematic report is received.

**ALTERNATIVES:**

Council can provide other direction as determined.

**FINANCIAL & LEGAL IMPLICATIONS:**

The grant awarded to the Town of \$1.75 million for the Machine Shop upgrades will be fully allocated. Controls are being implemented to restrict cost overruns. The building renovations need to be kept on the scheduled timeline to meet the grant funding requirements.

**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:**

Building space allocation layout is now required to proceed on the timeline for the Machine Shop building upgrade. The \$1.75 million grant requires renovations must be completed by year end.




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Kim Fowler, MCIP, RPP  
Project Manager, Waterfront Area Plan Implementation

March 14, 2019

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Clayton Postings  
Director, Parks, Recreation and Culture

I concur with the recommendation.



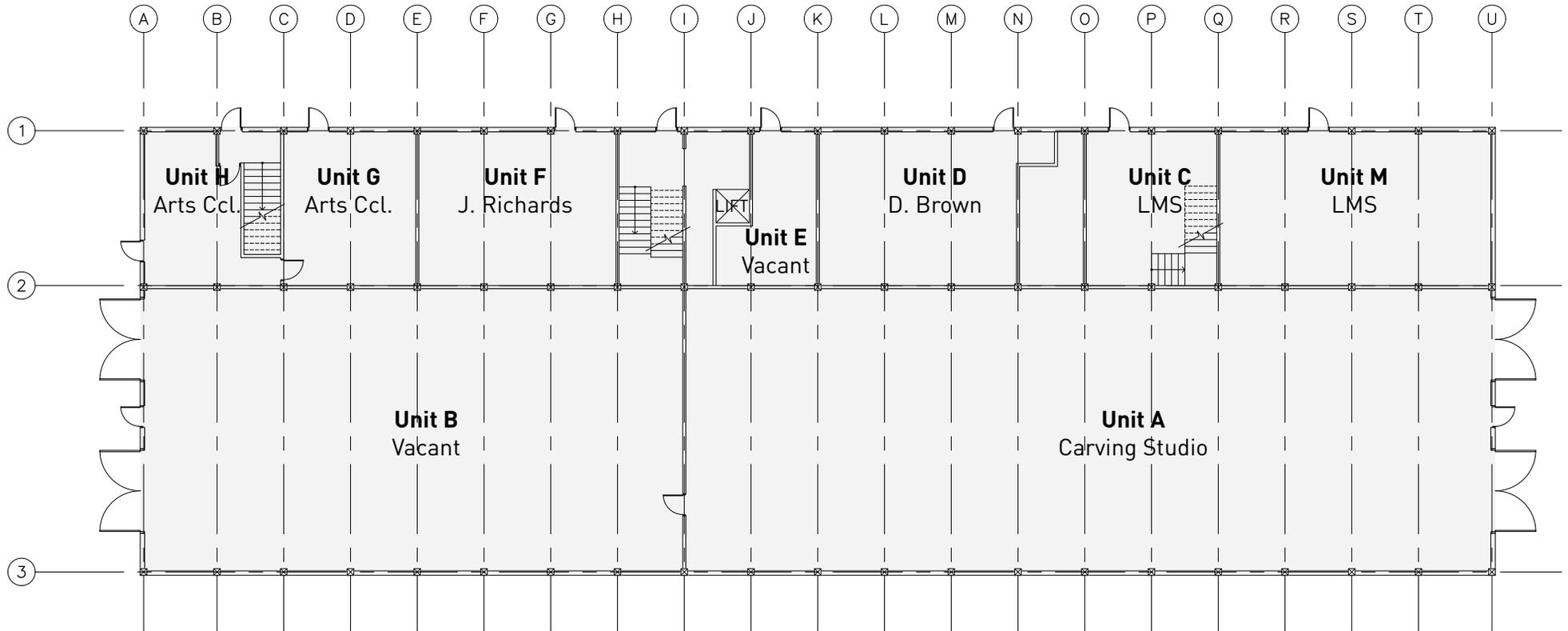
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Guillermo Ferrero, City Manager

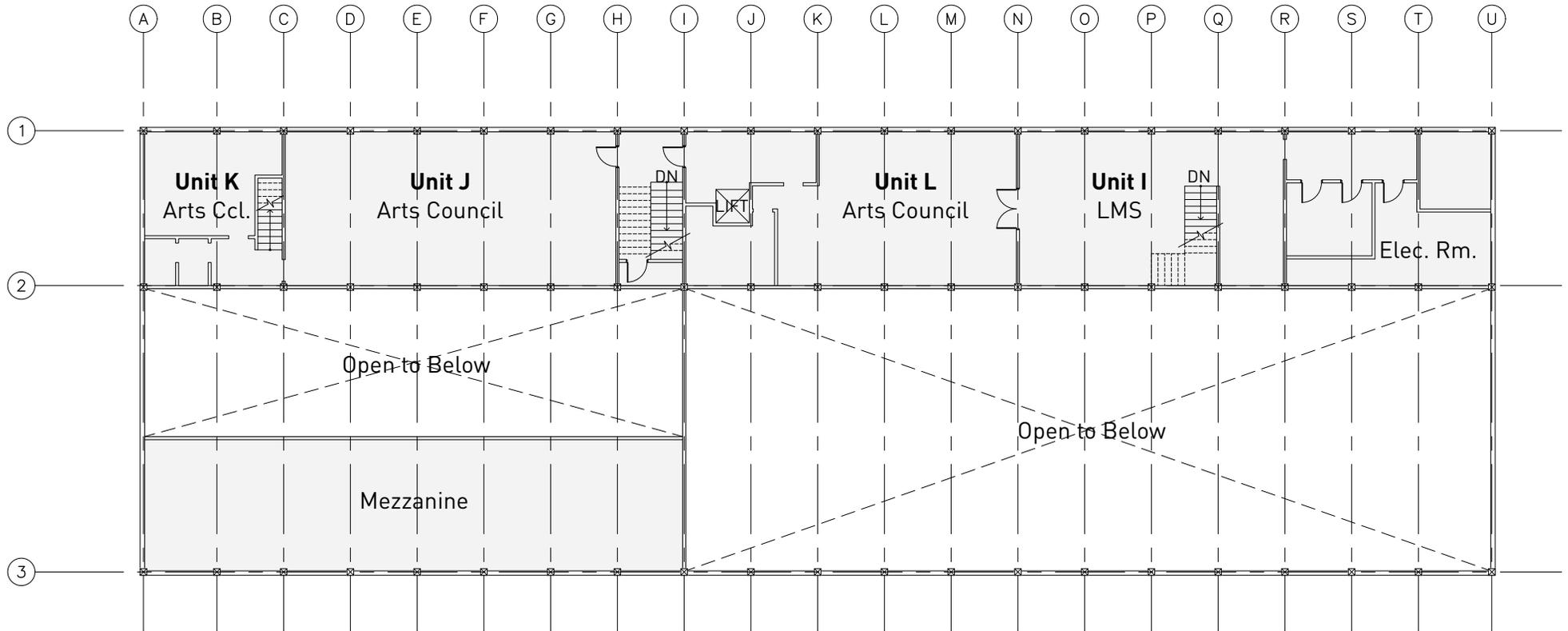
**ATTACHMENTS:**

Existing Machine Shop Layout, first & second floor  
Proposed Tenant Layout1  
Proposed Tenant Layout 2  
Proposed Tenant Layout 3  
Comments from Arts Council of Ladysmith and District  
Comments from John Marston and Dennis Brown  
Comments from Ladysmith and District Historical Society  
Comments from Ladysmith Maritime Society  
Coffee roaster proposal and letter from Karma Coffee

# EXISTING MAIN FLOOR

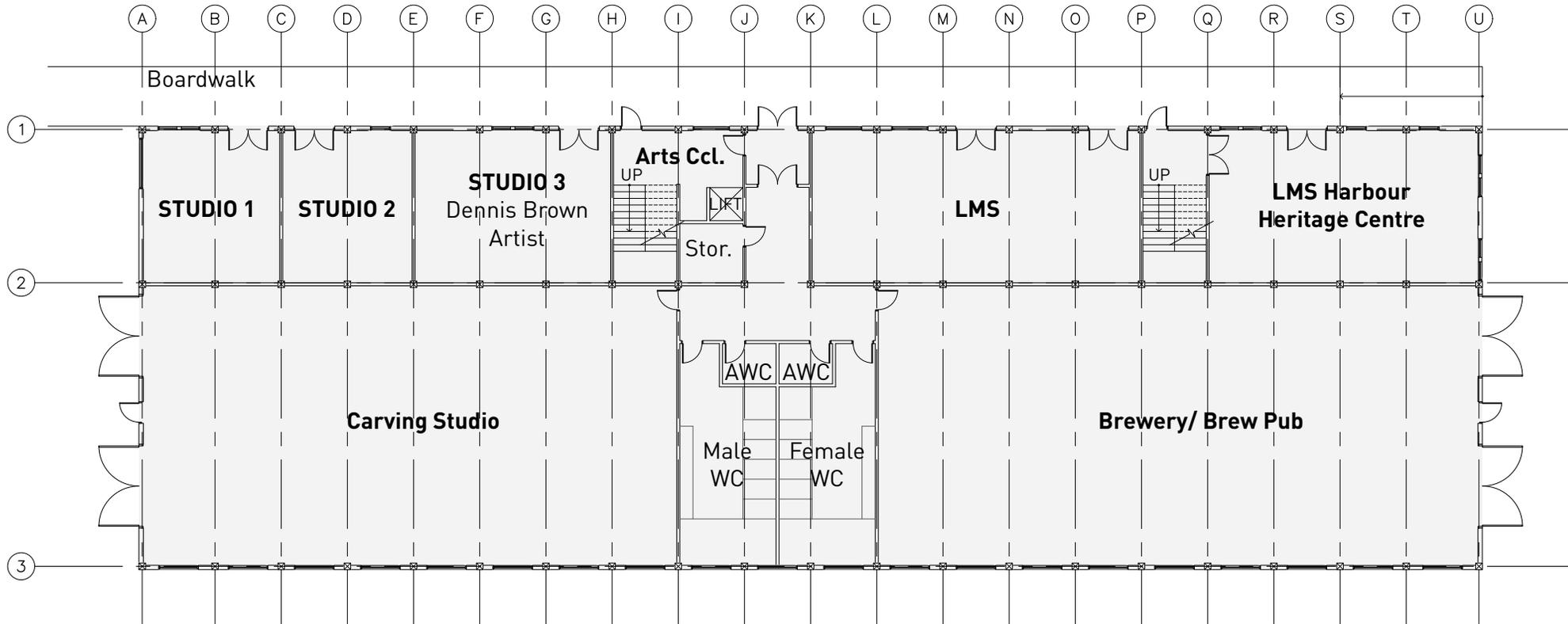


# EXISTING SECOND FLOOR



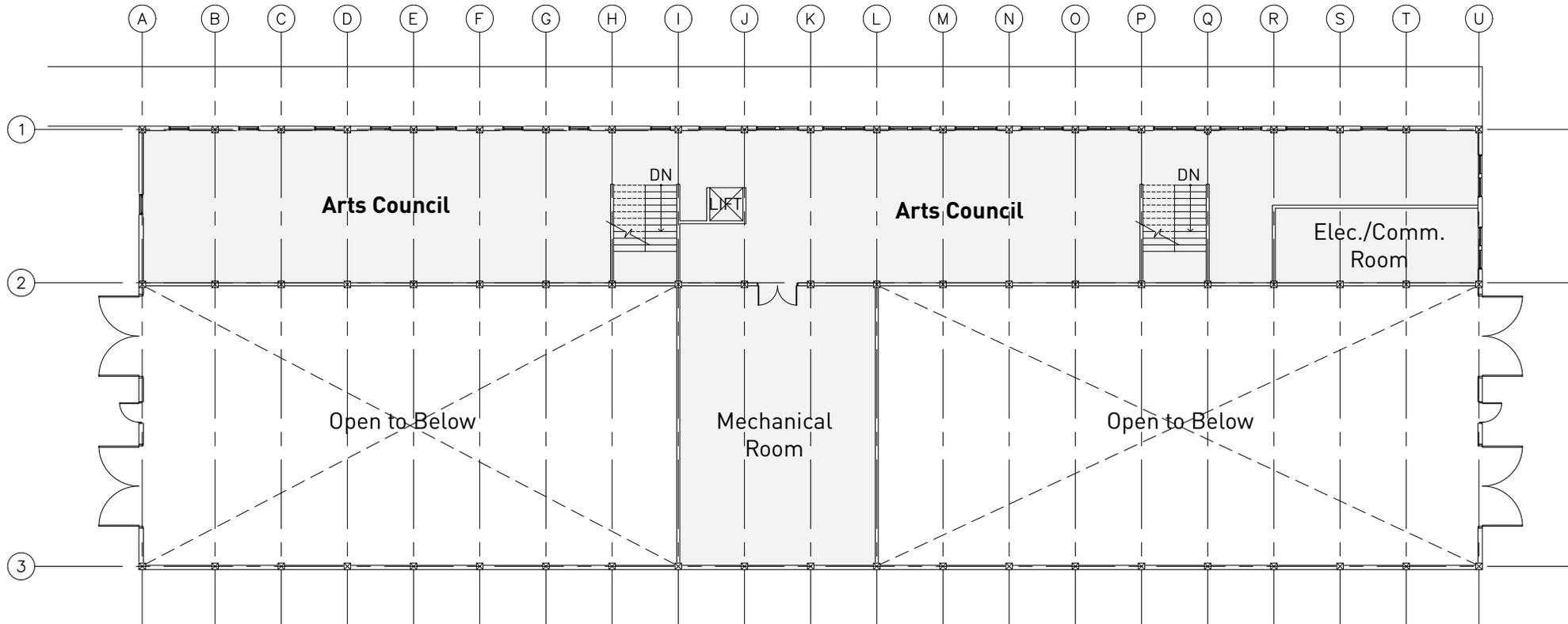
# TENANT LAYOUT 1

Proposed Main Floor



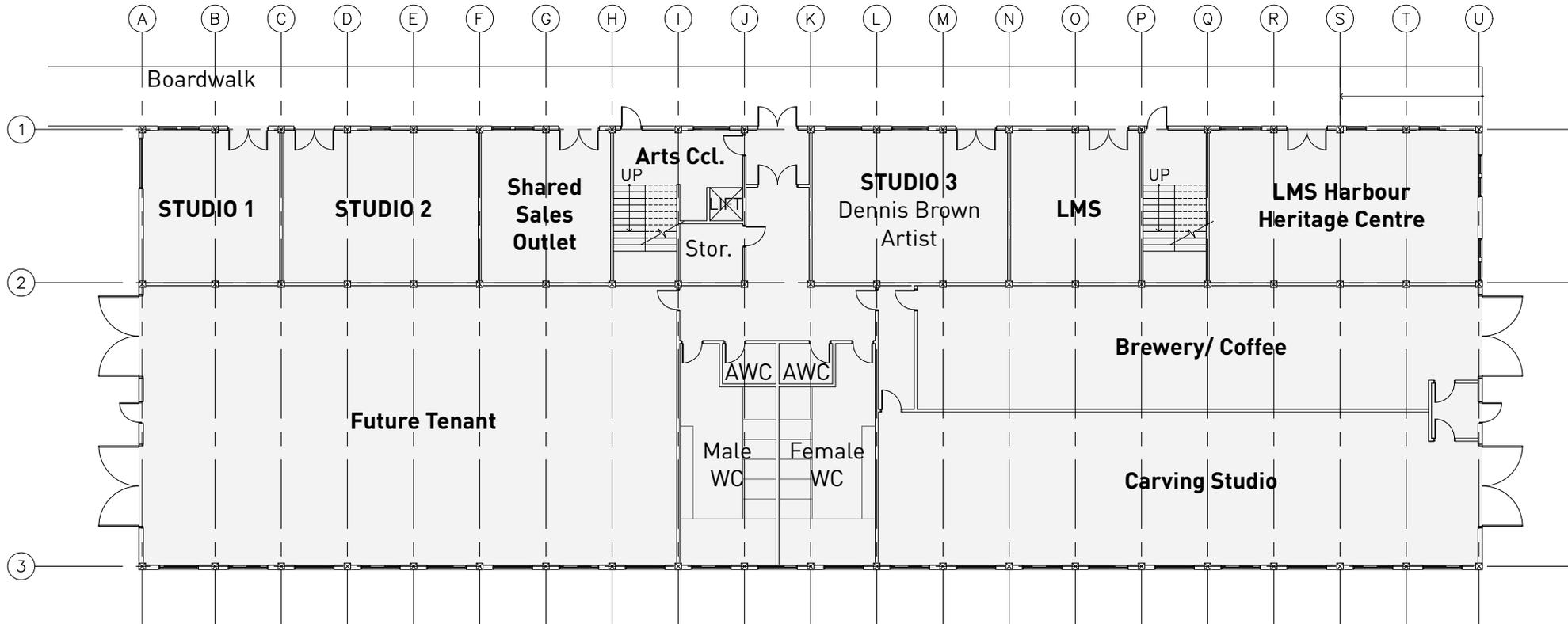
# TENANT LAYOUT 1

## Proposed Second Floor



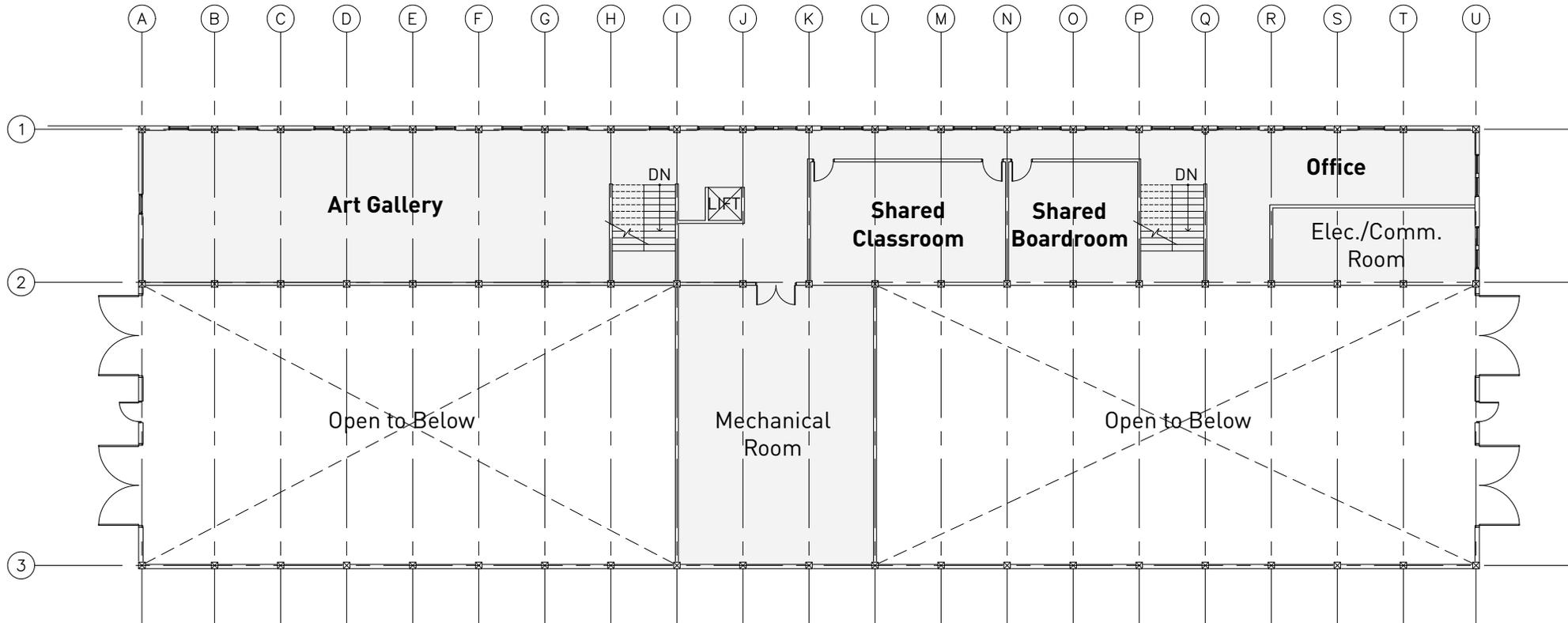
# TENANT LAYOUT 2

Proposed Main Floor



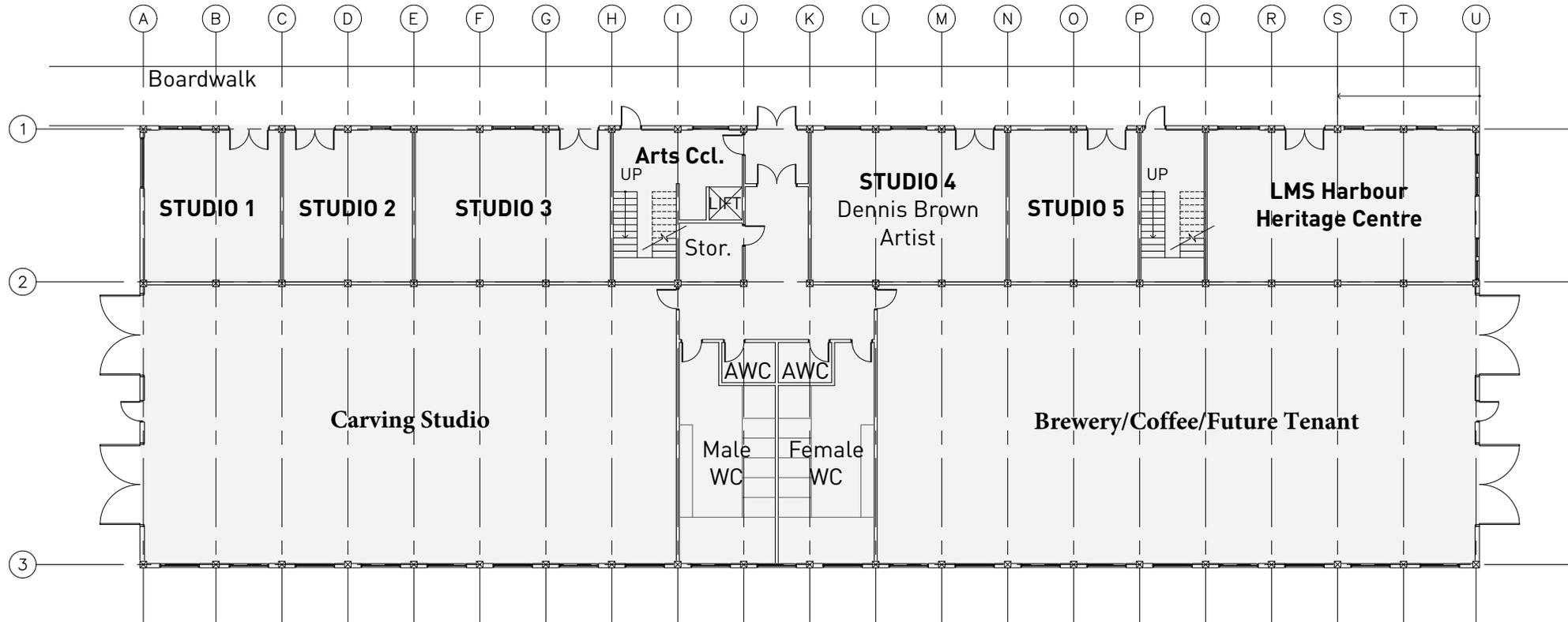
# TENANT LAYOUT 2

Proposed Second Floor



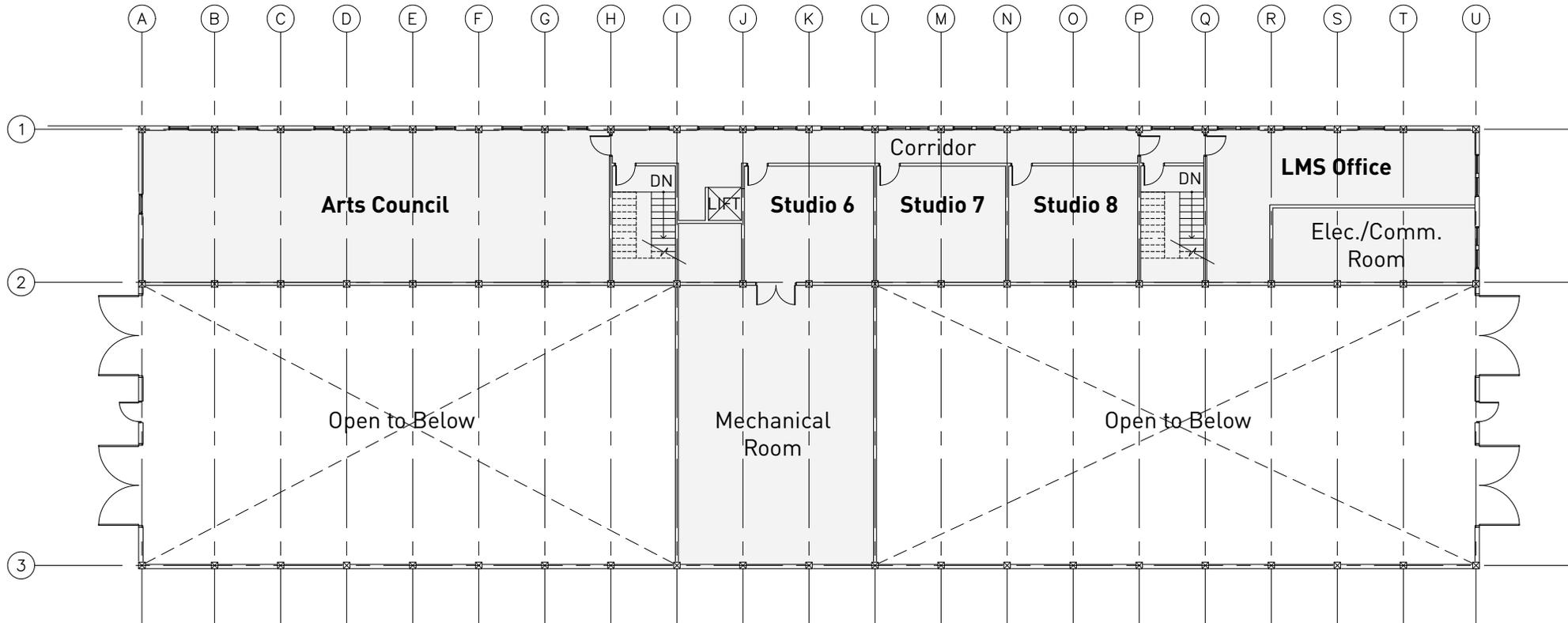
# TENANT LAYOUT 3

## Proposed Main Floor



# TENANT LAYOUT 3

Proposed Second Floor



**Meeting Notes on Machine Shop Post Renovation Space Allocation – Layout 1  
(notes taken by staff)**

February 6, 2019

Dennis Brown

- Wants to remain in same space as he has set it up
- Needs at least the same floor area which is estimated at 675 sq. ft.
- Also needs windows for light and no wooden floor
- End unit on corner may be OK

LMS

- Wants to stay upstairs for view
- Wants to keep boat storage in back half of building (Clayton advised that was only temporary) and additional boat storage area

Arts Council

- The print shop should stay in the corner as the machine is very heavy and needs a cement floor – it is also a busy studio
- Studio 2 is in disrepair – the wood floor sags and termites were seen
- Can put art display in corridor to washrooms
- Need more classroom space and upstairs office space

John Marston

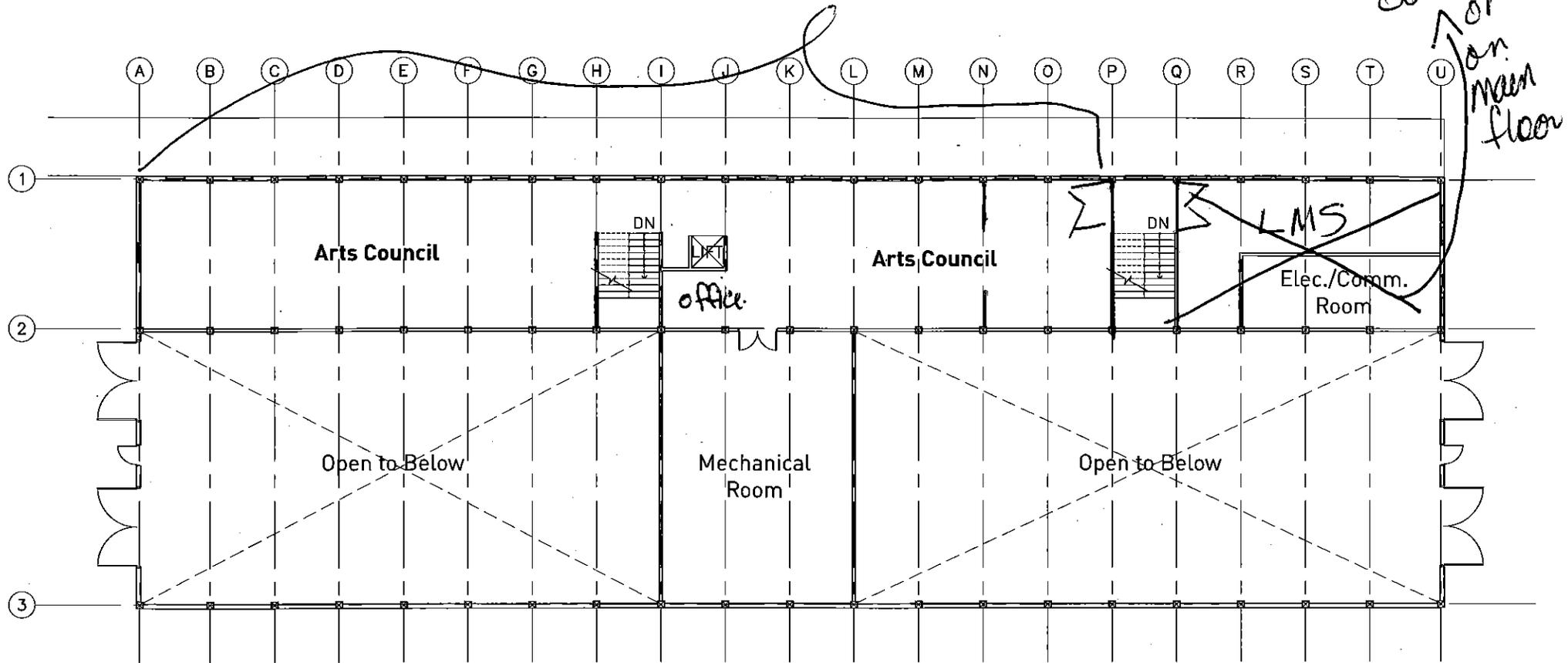
- If moved to the north end, he needs loading access through the outer building about 4x per year, which means the train will have to be moved
- Likes the top floor lighting on the mezzanine – is it staying?
- Wants retail space
- Currently uses about 2/3 of current space
- Needs heat, and space for tools, equipment and working space

LHDS

- Looks like Arts Council is the big winner and hopes LMS doesn't lose any floor area
- Hopes industrial back area can be divided into 3-4 sub-areas
- Wants a museum concept in cooperation with LMS
- Display must be active – not stationary
- Need to put windows in loci shop so public can view

# TENANT LAYOUT 1

Proposed Second Floor

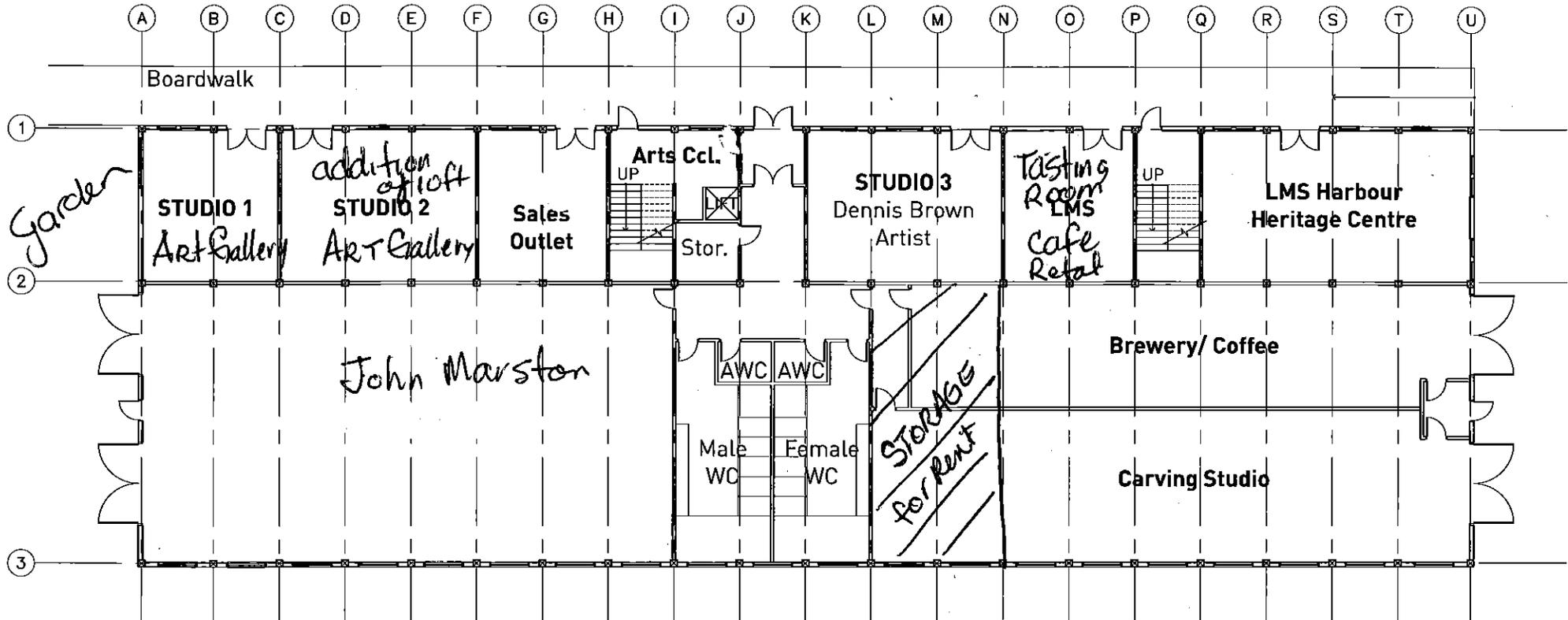


There is no services on the second floor other than the single washroom on the NW portion of the second floor  
We would require water/sewer for a classroom



# TENANT LAYOUT 2

Proposed Main Floor



**Submission from The Arts Council of Ladysmith and District**  
**RE: Space Allocation and possible changes to the Machine Shop.**

**WHO WE ARE**

The Arts Council of Ladysmith and District is a registered not for profit with a board of directors. The council was formed in 2003 and we entered into an agreement with the Town of Ladysmith in 2006 (13 years ago) to create a gallery in the abandoned Machine Shop. The volunteers of the day turned this industrial use building into a gallery to provide much needed exhibition space for the region.

The gallery is currently 98% volunteer run with the exception of a part-time maintenance person (8 hours per month) and one part-time book-keeper (20 hours per month). The ACLD will enter into contracts for special projects.

**WHAT WE DO**

The ACLD has three streams of activities: Exhibitions, Education and Events.

**EXHIBITIONS**

- Presents 13 themed member artists shows and 8 professional artist rental exhibits
- Program 2 off-site exhibit spaces; Royal LePage and Ladysmith Health Centre.
- The biannual Fine Art Show (Feb 2020) breaks all records for attendance.
- Artists in Residence Program features 4 Member Studios in which artists work and interact with visitors on a daily basis. These members play an integral role in the operations of the day to day activities at the Centre.

**EDUCATION**

**Art Classes:**

- Program 10 classes per season and registration is 80 students per month, 960 per year
- Qualified instructors teach arts education classes and each instructor receives 70% of the proceeds. The City receives a 20% registration fee and the ACLD receives the remaining 10%.
- We operate one of only two publicly operated print-shops on Vancouver Island, 240 artists visits are logged per year. In addition to classes the Print-shop is open 3 days per week for drop-in access.
- Art Splash is a partnership with Community Link that provides arts instruction to up to 10 students with limited abilities each week.

**Speaker Series:**

- Our free speaker series, held once a month at each Gallery Exhibit Opening is to inform and educate various topics from design, archeology, culture and arts. Attendance 750 per year.

**Art Critique Series:**

- Drop-in group, held once a month, to critique artworks supplied by the participants free of charge. Artists present their work to be critiqued in a safe non-threatening and informative atmosphere.

**Magazine:**

- As part of our arts education and outreach we produce a free "Arts Magazine" circulated three times a year coming out in January, May and September. The magazine features a prominent artist from the District including articles about other arts and community events in the area.

**EVENTS**

- **Light Up the Night:** Started in 2014 this event takes place in the evening ahead of Arts on the Avenue and is focused on family.
- **Arts on the Avenue:** An annual event started in 1998 and taken over by ACLD in 2010 featuring 55 booths of fine art, crafts, artisan food and community information booths.
- **Spring Art Tour:** A three day studio tour involving studios in Ladysmith, Chemainus, Cedar and Yellowpoint.
- **Love Poems:** this new event is a literacy event for all ages including First Nations participation to promote why we love our community.

**BENEFITS TO THE COMMUNITY**

**Visitor experience and Economic Development:**

- Galleries are popular destinations for international and national tourism. A Tourism Market Research Project conducted in 2003 by Tourism Vancouver Island visitors were asked on what type of attractions they visited, 53% said Local Shops and Artisans and 31% indicated Art Galleries.

- Open 7 days per week with the exception of a one-week closure during the Christmas holidays for annual maintenance and painting.
- In our 2018/2019 fiscal year (April to March) our visitors numbers have climbed to 13,000 from 11,000 a 9% increase over the previous year.
- Exhibits change 22 times per year so that frequent visitors are treated to something new each time they visit.
- Our gallery hosts are often asked about the history of the building by visitors, we provide a handout and information on our website.
- Many visitors to the print shop are fascinated by learning how prints are made.

**Member Arts Studios**

- Visitors like to tour the studios. These members play an integral role at the Centre answering questions for visitors and in helping with the operations of the day to day activities at the Centre.

**Artists in Residence John Marston:**

- In 2015, local Coast Salish carver John Marston was encouraged by the Gallery to be a tenant at the Machine Shop.
- John also acts as a teacher and mentor to High School groups and to the Arts Council regarding protocol with First Nations.
- John’s valuable presence at the Gallery offers a cultural experience for international tourism and has attracted other First Nation artists to the ACLD by breaking down barriers and misconceptions and encouraging them to display in the gallery and at our events.

**Contribution to the Facility**

Since the ACLD has occupied the space, they have raised 141,000 dollars through their activities, art sales, fundraising and grants to upgrade the space. Some of the projects include:

- New Lighting in the classes and studios \$8,000
- Gallery Lighting for the main exhibit area \$10,000
- Installing accessible features such as a wheelchair accessible front door and lift to the second floor – Door \$7600.00 and Lift \$86,000
- Renovation for accessibility to the upstairs bathroom and kitchen \$32,000
- Water to classrooms and sinks - \$3,000
- Installation of Washer and Dryer to serve our classrooms \$1,600
- Yearly painting \$ 500

**Volunteer Hours**

Upgrades to the building would not be possible without the dedication of our many volunteers.

- In 2018/2019 fiscal year we have logged 9,197 hours of volunteer time to operate and run the Society a total value of \$203,320 of labour dollars.

**Our preferred Options**

The ACLD would like to thank the Town for the work that they have put into the Cultural Hub and the possibility of upgrades to the Machine Shop. After reviewing the submitted plans for the allocation of space our preferred options are:

|  |  |
|--|--|
| <p>Tenant Layout 1<br/>Proposed Second<br/>Floor</p> | <p>In this layout for the second floor of the building we would like to suggest that additional space be added (up to the existing stairwell) A door on the landing of the staircase will provide emergency exit for the south end of the building.</p>  |
| <p>Re additional Space<br/>Gained by ACLD</p>        | <p>This additional space will provide us with an additional classroom for scheduled classes as well as a drop-in creation space for the community. (As there is no water available in that space, we will undertake the fundraising and improvement should this option be chosen by the City.)</p>   |
| <p>Tenant Layout 2<br/>Proposed Main Floor</p>       | <p>The main floor currently houses our print studio, which is one of the only two publically accessed print studios on the island. Due to the weight of the equipment the print studio can only be allocated on the main floor. We would request keeping the studio in its current space.<br/>Next to the print studio is a space that currently houses our multi purpose classroom. We would like to maintain that and would like</p> |

|  |  |
|--|--|
|  | to ask for an expansion by 10 feet as it is currently cramped and limits registration numbers. This space is in dire need of new flooring and it would be part of our fundraising effort to help the City with this substantial upgrade. |
|  | We are supportive of the Sales outlet as a storefront perhaps a shared gift-shop for all tenants   |
|  | Apart from that we would like to suggest the possibility of a tasting room/café in the area N-P  |
|  | We would like to see a storage unit in the back area between L-N be allocated for a fee (rented) for tenants in the building.  |
|  | We are supportive for John Marston to continue to operate in the A -I area in the back.  |
|  | We support the separate art studio rental space Dennis Brown, currently located on this floor.   |

When looking at the various proposals presented by the Town we considered the challenges in some the changes (ie lack of water service) for our activities. As a board we are confident that we will be able to overcome such challenges by fundraising, grant proposals for funding improvements.

### Comments on Layouts from John Marston

March 11, 2019

#### Layout 1 - Main Floor

- Dennis shouldn't be moved
- The goal of having the front boardwalk be active use is not achieved with LMS office taking up ¼ of the length
- Carving studio in north end is OK
- Any space division in the back should be east/west not north/south

#### Layout 2

- Works best but want the carving studio space split on east/west gradient
- He would like to have his own sales area but a shared area may also work
- He is worried about disruption from adjacent commercial use, so the east/west division will enable him in the back ½ of south portion to access the exit to the front area of the building. Realizes there may need to be a hallway to a second exit.

#### Layout 3

- This provides best options for the future.
- If electrical room moved or reduced in area, this would allow meeting space for LMS

### Comments on Layouts from Dennis Marston

March 13, 2019

- Prefers Layout 3
- Requests his studio remain in its current location

To:  
Ms. Kim Fowler  
Project Manager,  
Waterfront Area Plan Implementation  
Town of Ladysmith  
British Columbia

From:  
Ladysmith & District Historical Society

March 10<sup>th</sup> 2019

Dear Ms Fowler,

This letter is to state the current position of the Ladysmith & District Historical Society (LDHS) with regard to the ongoing processes of 1/. Planning of the Arts & Heritage Hub within the Waterfront Development Plan, and 2/. Allocation of space in a renovated Machine Shop.

The LDHS was delighted to be involved, along with all other stakeholders, in the Visioning Workshop of November 25<sup>th</sup> 2018 and in the subsequent meeting of January 8<sup>th</sup> 2019, the purpose of which were to prepare a phased 'Concept' for development of the Arts & Heritage Hub in time for the Town's January 23<sup>rd</sup> Infrastructure (Community, Culture and Recreation Stream) Grant Application.

The presence of all parties in these 'Visioning' meetings allowed for open discussion and collaboration, and we believe promoted co-operation between all parties and understanding of individual stakeholder wants and concerns. It also provided an opportunity for groups with in-depth knowledge of the physicalities and history of the site to provide information which was otherwise missing from, and is of value to, the planning process.

The LDHS wishes to express its surprise regarding the format of the February 8<sup>th</sup> meeting between the Town (Kim Fowler, Clayton Postings) and the LDHS (Ed Nicholson) regarding space allocation in the Machine Shop. We understand that the Town had met with other stakeholders separately prior to this meeting. Why wasn't there a single meeting arranged between all stakeholders to facilitate a joint discussion?

The LDHS is astounded by its complete absence in the Machine Shop Interior Space Allocation diagrams received from the Town on March 7<sup>th</sup>. By this absence is the LDHS to understand that the Town is not planning to allocate any space to the Society within the remodeled building? If not, where will the Society be allocated indoor space? This matter is critical to the continuance of the society's current restoration of industrial artifacts belonging to the Town.

The LDHS strongly recommends a return to inclusive meetings of all stakeholders to discuss the matter of space allocation in the Machine Shop, a known contentious issue.

The LDHS currently holds the following position with regards to the Arts & Heritage Hub Concept:

**Overall outcome of Nov 2018 and Jan 2019 meetings between stakeholders & Consultants:**

- The product was a working concept to facilitate Infrastructure Grant Application by the Town in Jan 2019. It is not a final plan.
- General support amongst all stakeholders for A&HH Concept and proposed Phase 1.

**Stakeholder Concerns expressed in the January 8th meeting include:**

- Inadequate parking
- Studio building has to be an immediate 'success' as it is the first face of the project.
- Concept of artisans being 'on show' in Studio Building while working may not be acceptable to artisans (Marston stating concerns).
- Proposed overpass lands too far from the 'Meeting Place'.
- Space allocation within the Machine Shop is yet to be addressed.

**LDHS position on A&HH Concept:**

- It's a concept. Detailed planning remains.
- The current Phase 1 Concept is adequate for the Infrastructure Grant application.
- Actual activity will reflect the capital granted. Modular pre-planning will allow for flexibility given uncertainty regarding the level of success with the grant application.
- The LDHS is most willing to advise the Town regarding the historical aspects of the site/buildings (statement of significance / heritage value / character-defining elements as stated in 'Historic Places in BC' and 'Canada's Historic Places').
- The LDHS wishes to continue to liaise with the Town and other stakeholders regarding detailed planning of the A&HH.

**LDHS 'likes' regarding the planning process and A&HH Concept include:**

- Collaborative behavior of all stakeholders.
- Retention / Restoration of all heritage buildings.
- Concept shows retention of required trackage inside and outside of the A&HH.

**LDHS Concerns/Uncertainties include:**

- The Town vision for the Museum needs to be clarified. The Museum consists of two parts: Industrial Heritage and Community/Culture. The former requires space in the Waterfront A&HH as the exhibits (railway artifacts) require significant trackage. Where will the Community/Culture portion of the Museum be housed?
- Not enough indoor space has been 'nominated' within the present A&HH Concept for Industrial Heritage Exhibits/Activities (4000sq ft nominated vs 10,000sq ft requested).
- There is no indication in the diagrams provided March 7<sup>th</sup> that the Industrial Heritage interactive exhibits (steam engine etc.) will be guaranteed space in the NW portion of the Machine Shop. If they are not going to be there – where else will they be? Note that the continued presence of trackage inside the NW part of the building, coupled with the historical use of this building for rolling stock maintenance, makes this the ideal space for restored rolling stock which will act as the focus for interactive educational exhibits.

- Immediate designation of indoor space for restored Industrial Heritage artifacts is required for continuation of the ongoing restoration of Loci 11 and other rolling stock. Volunteers will not continue restoration activities just to have the restored artifacts rolled outside to face the elements and vandals once again.
- The size/dimensions of the inside space allocated for Industrial Heritage needs to be commensurate with the size of the rolling stock. Note that the steam engine (Locomotive 11) and its tender are approximately 65' long.
- Timing of availability of this inside space needs to be considered – the IHPG intends on having the steam engine restored and interactive exhibits in place in time for the engine's 100<sup>th</sup> anniversary (2023).
- The LDHS will request from the Town a long term lease on the Loci Shed (Roundhouse). This heritage space is required for rolling stock restoration activities. The current 'Use Agreement' for the building ends in October 2019 and is non-renewable.
- The Loci Shed itself is a heritage artifact and is in need of restoration. The IHPG would like to assist the Town with this; assurance of long term availability of this space to the Society would facilitate.
- Covered secure outside space is required for protection/exhibition of large rolling stock (Jordan spreader etc.).
- Secure outside space is required for the rare Humdirgen whose size/shape precludes it being under cover.
- The potential for future rail track connection to the E&N line needs to be retained.
- Clarification is required of the planned location of the reconstructed Diamond Tower – along with allocation of suitable adjacent space for laying out Diamond trackage allowing for the planned associated interactive exhibit.
- The LDHS is very concerned that there be an appropriate level of retention of the heritage characteristics of the railyard buildings.
- The Society is concerned that there are too many new buildings 'planned' – which will clutter up and mask the heritage railyard aspect of the site.
- The Society questions whether there is enough space in the area for the Studio Building while at the same time allowing for retention of useable track.
- The LDHS wishes to express its concern about the Studio Building concept. This needs very careful consideration as it would be the 'face' of the Hub and has to be successful. It cannot end up being vacant or open only part of the year.

The LDHS sees development of the Arts & Heritage Hub as a great step toward the Town honoring its *'Heritage by the Sea'* motto. The Society is committed to being a constructive partner in its development. We are very excited about the prospect of the Hub in part fulfilling our Museum Vision *"We make history speak and inspire our audiences to listen and engage"* and facilitating our Industrial Heritage Mission Statement *"We promote understanding, interest and pride in the rich industrial heritage of our area through the preservation of buildings and artifacts and the preparation of exhibits and presentations which highlight the methods, skills and ingenuity applied by those who worked and are working in local industry."*

Capable and dedicated volunteers belonging to the Industrial Heritage Preservation Group within the Ladysmith and District Historical Society are committed to preserving and showcasing the Town's industrial heritage artifacts and buildings. The original and custom designed Comox Logging & Railway Co. waterfront buildings are just as important to the Town as are the heritage buildings on First Avenue. The steady progress of the Industrial Heritage Preservation Group is demonstrated in the LDHS IHPG Update Monthly Reports submitted to the Town Director, Parks, Recreation and Culture (Clayton Postings). The group's goal has always been to use the Locomotive Shop for restoration work and a part of the Machine Shop for display and associated interactive exhibits of restored artifacts.

The absence of any space allocation in the Machine Shop to the LDHS in diagrams supplied by the Town on March 7<sup>th</sup> has already been commented on. By way of replying to the Town's request for comment on the supplied space allocation options proposed by Hotson the LDHS herein submits a further proposal for space allocation in the renovated building. We feel this proposal is worthy of consideration for the following reasons:

- It is 'cost conscious' by minimizing expensive renovations.
- It considers ALL stakeholders
- It has a number of access/security benefits over the Hotson proposals.
- It fittingly uses part of the Machine Shop for the very purpose which the heritage building was originally designed for – the housing of forest industry rolling stock and rare large shop machinery.

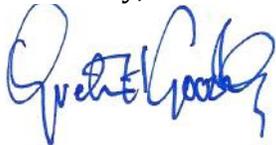
While not averse in principle to the presence of a Carving Studio in the Machine Shop, the LDHS raises several concerns:

- We caution the Town against custom planning part of the building for a specific tenant rather than for a group or society without that tenant providing assurance of long term occupancy.
- The potential for dust contamination throughout the building needs to be mitigated.
- Use of power tools constitutes a potential noise nuisance and fire hazard.

Because of these concerns we provide two layout options for the Main Floor – one with and one without a Carving Studio.

The LDHS would welcome an opportunity to discuss the points laid out in this letter with all stakeholders, and requests the Town call an 'all stakeholder' meeting to table comments from all parties.

Yours truly,



Quentin Goodbody  
Secretary LDHS; Chairperson, LDHS Industrial Heritage Preservation Group

LDHS PROPOSAL FOR  
WATERFRONT  
ARTS & HERITAGE HUB

MACHINE SHOP LAYOUT  
AND  
PUBLIC TOILET LOCATION

MARCH 10<sup>TH</sup> 2019

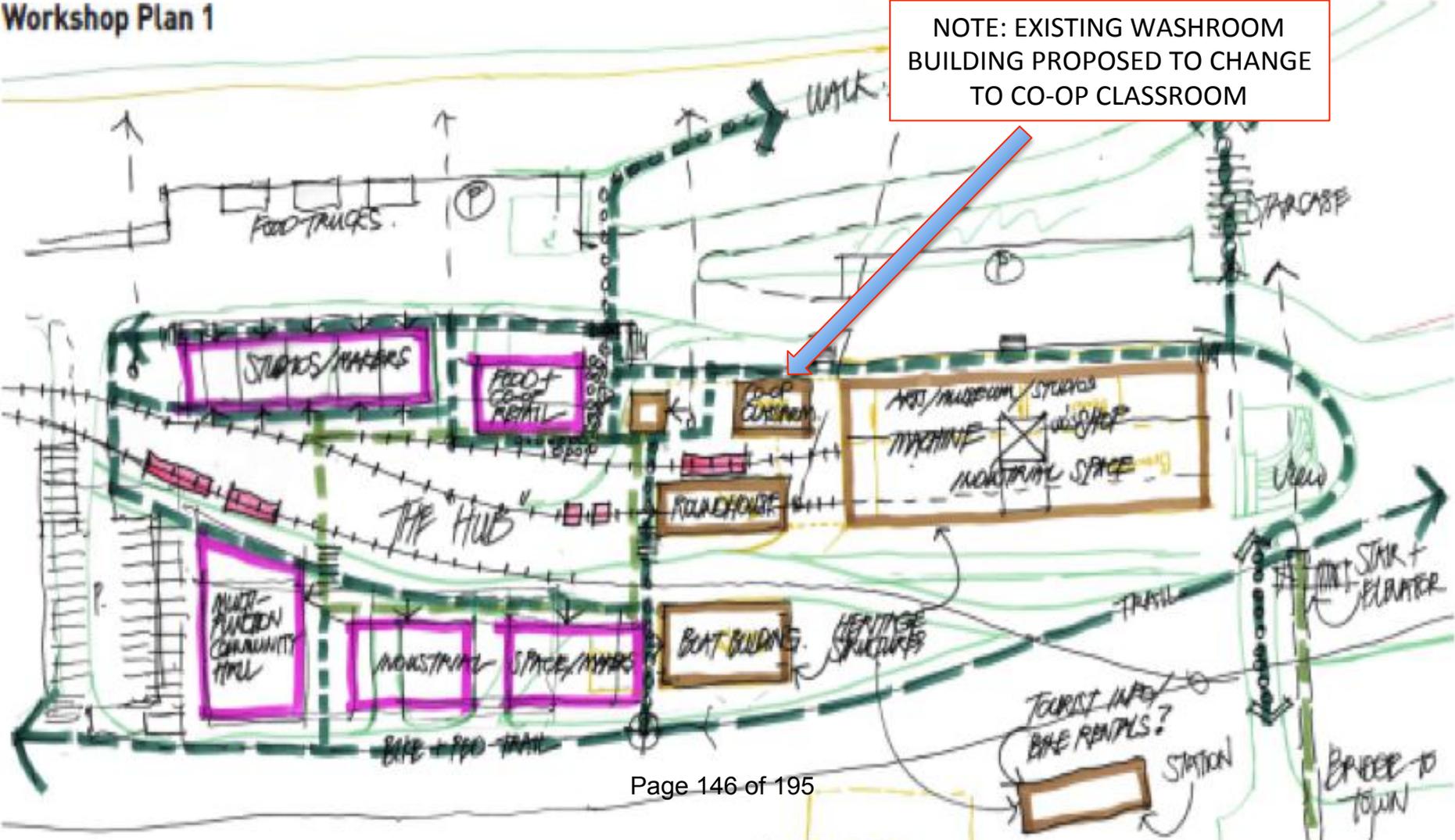
## **SALIENT POINTS OF THIS PROPOSAL:**

- **CHANGES TO MACHINE SHOP MINIMISED TO KEEP COSTS DOWN**
- **PUBLIC TOILET LOCATED IN THE EXISTING WASHROOM BUILDING**
  - CHEAPEST ALTERNATIVE
    - EXISTING PLUMBING
    - NO MASSIVE EXCAVATION OF MACHINE SHOP FLOOR REQUIRED
  - CENTRAL LOCATION BETWEEN CAFÉ, MACHINE SHOP, OUTSIDE EXHIBITS AND LMS CAR SHOP
  - ACCESS FROM OUTSIDE: LESS SECURITY ISSUES FOR MACHINE SHOP
- **ALL STAKEHOLDERS CONSIDERED IN SPACE ALLOCATION**
  - TWO MAINFLOOR VERSIONS (WITH/WITHOUT CARVING STUDIO)
  - LDHS INDUSTRIAL HERITAGE ALLOCATED SPACE IN BUILDING WHERE TRACKAGE ALREADY EXISTS, THUS FACILITATING ACCESS FOR ROLLING STOCK.

# ARTS & HERITAGE HUB CONCEPT PUBLISHED JANUARY 2019

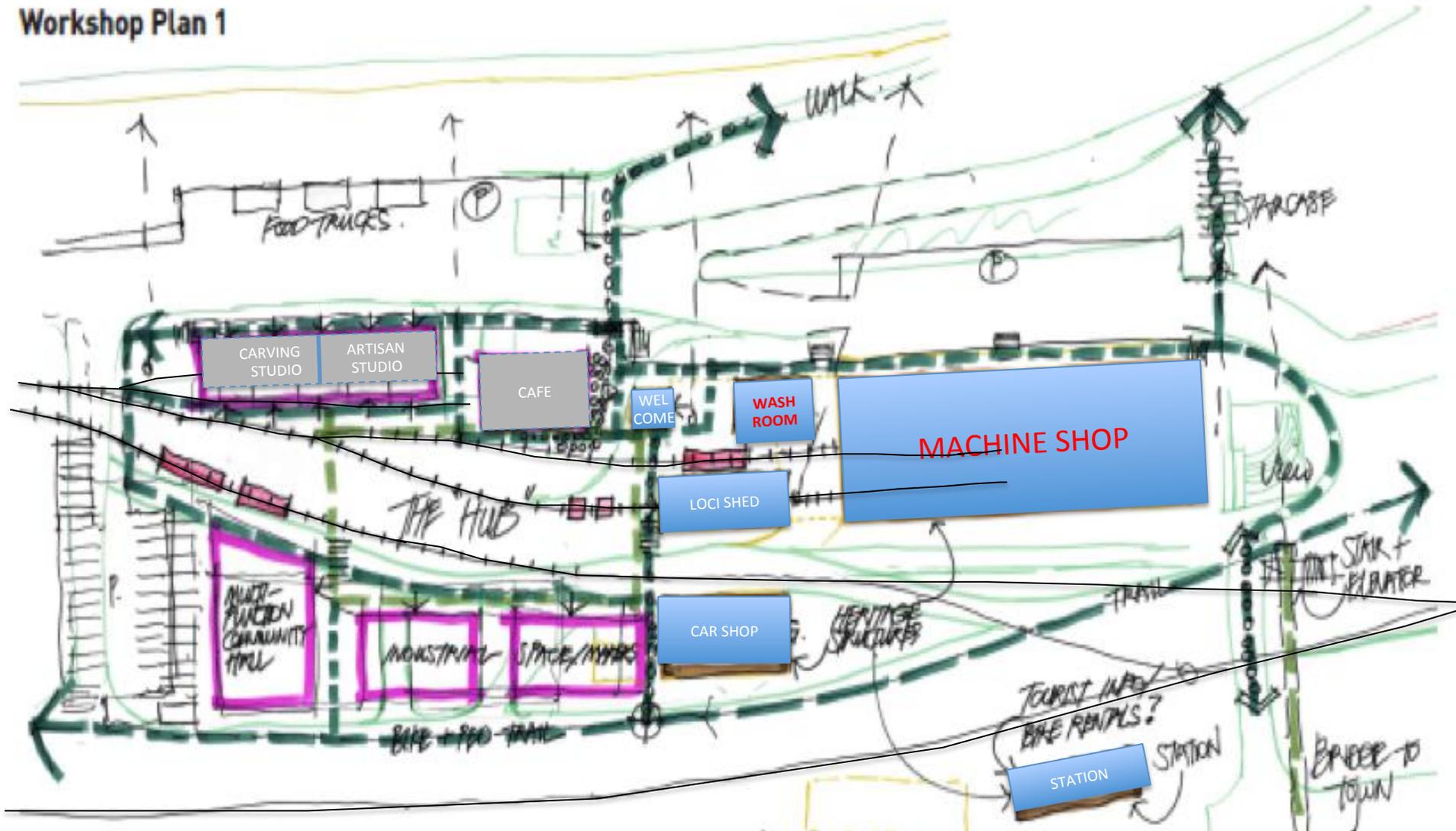
## Workshop Plan 1

NOTE: EXISTING WASHROOM BUILDING PROPOSED TO CHANGE TO CO-OP CLASSROOM

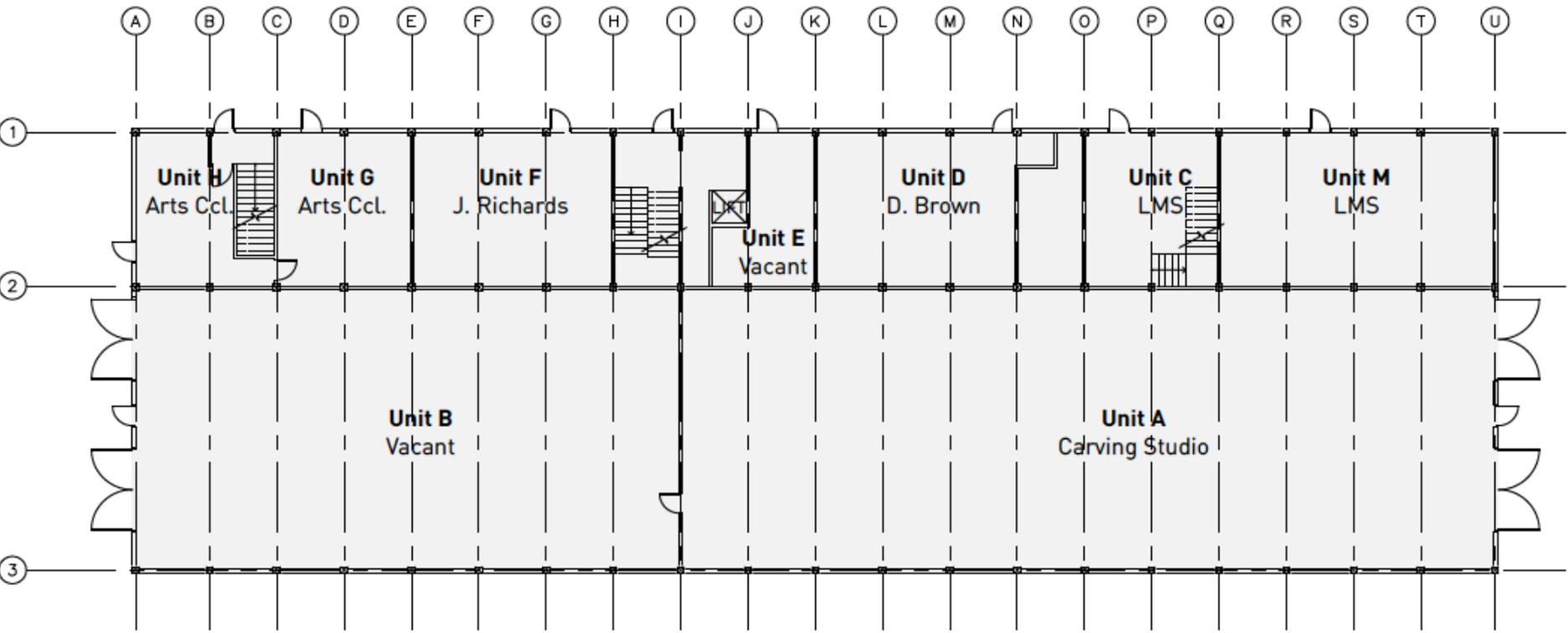


# ARTS & HERITAGE HUB BUILDING USEAGE THIS PROPOSAL

## Workshop Plan 1



# MACHINE SHOP EXISTING MAIN FLOOR

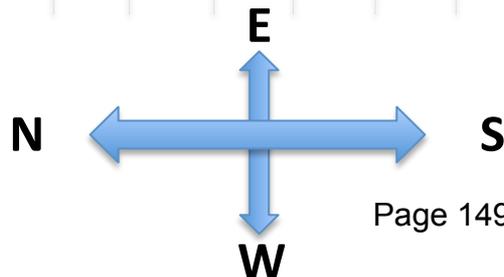
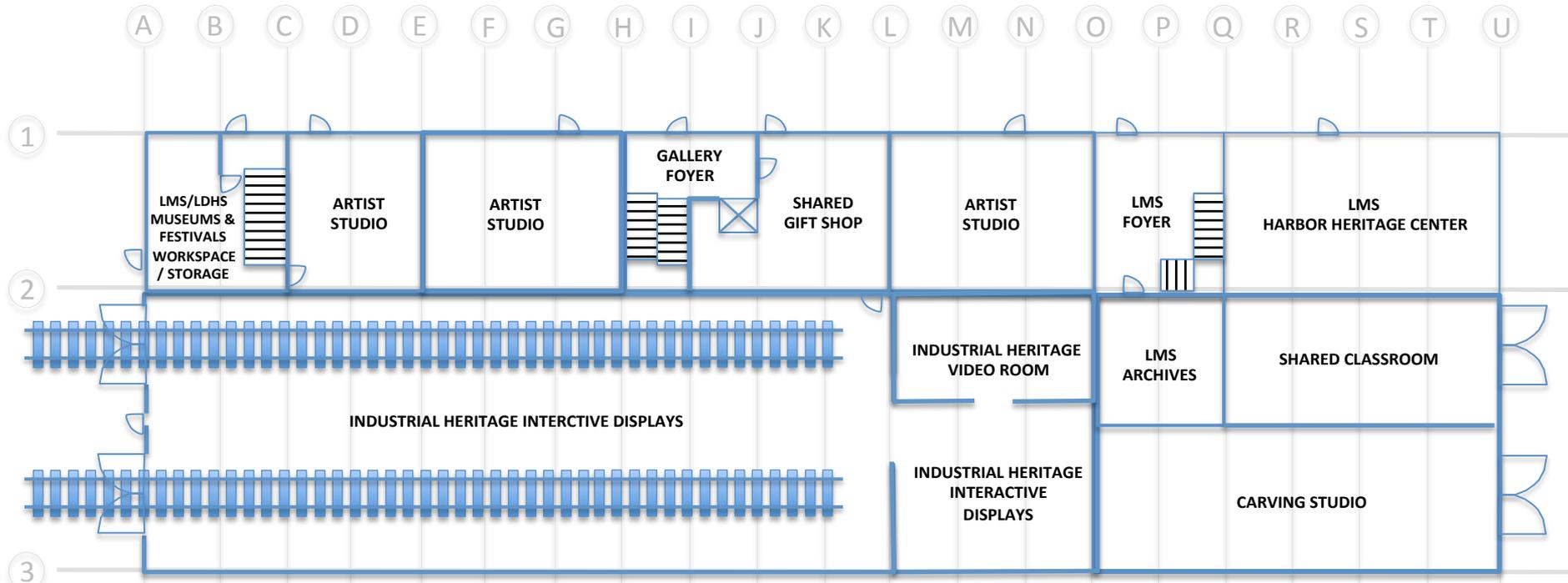


# MACHINE SHOP

## MAIN FLOOR

### THIS PROPOSAL:

### VERSION A – WITH CARVING STUDIO INCLUDED

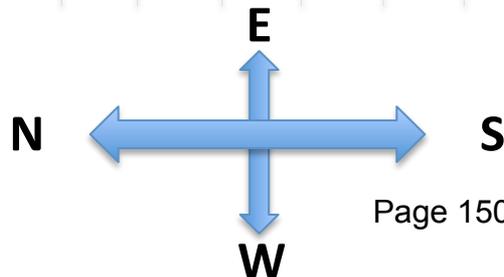
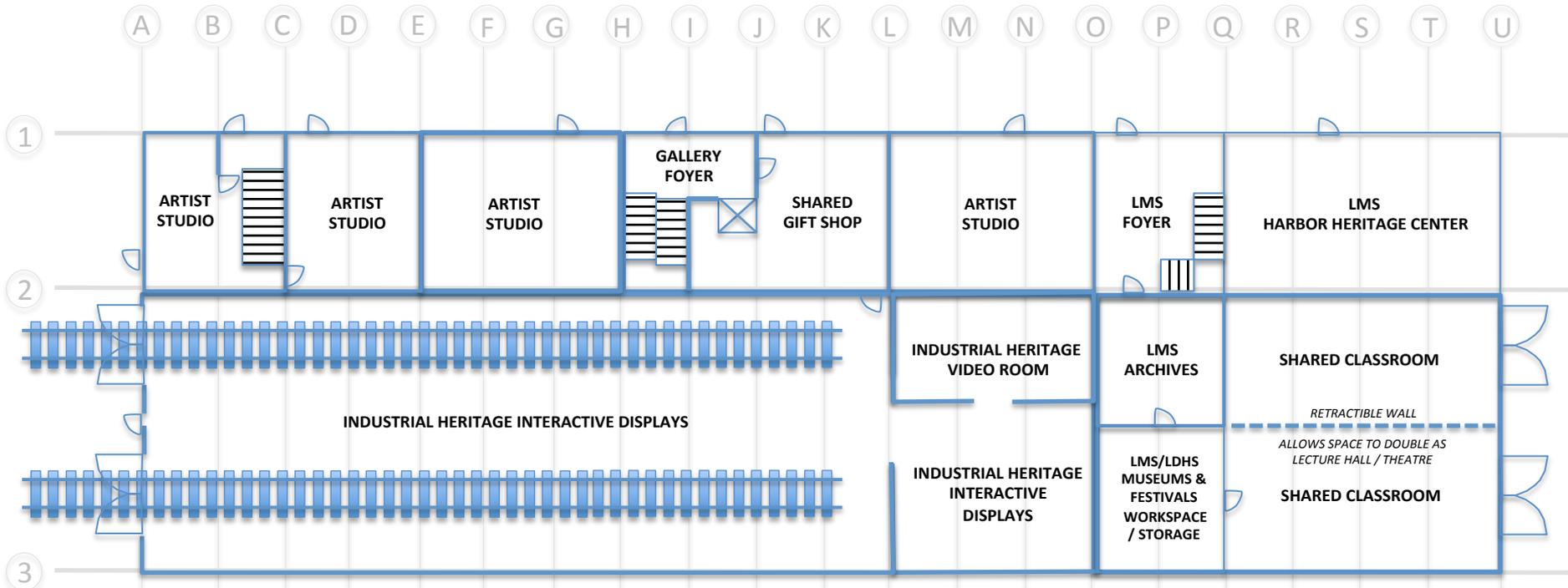


# MACHINE SHOP

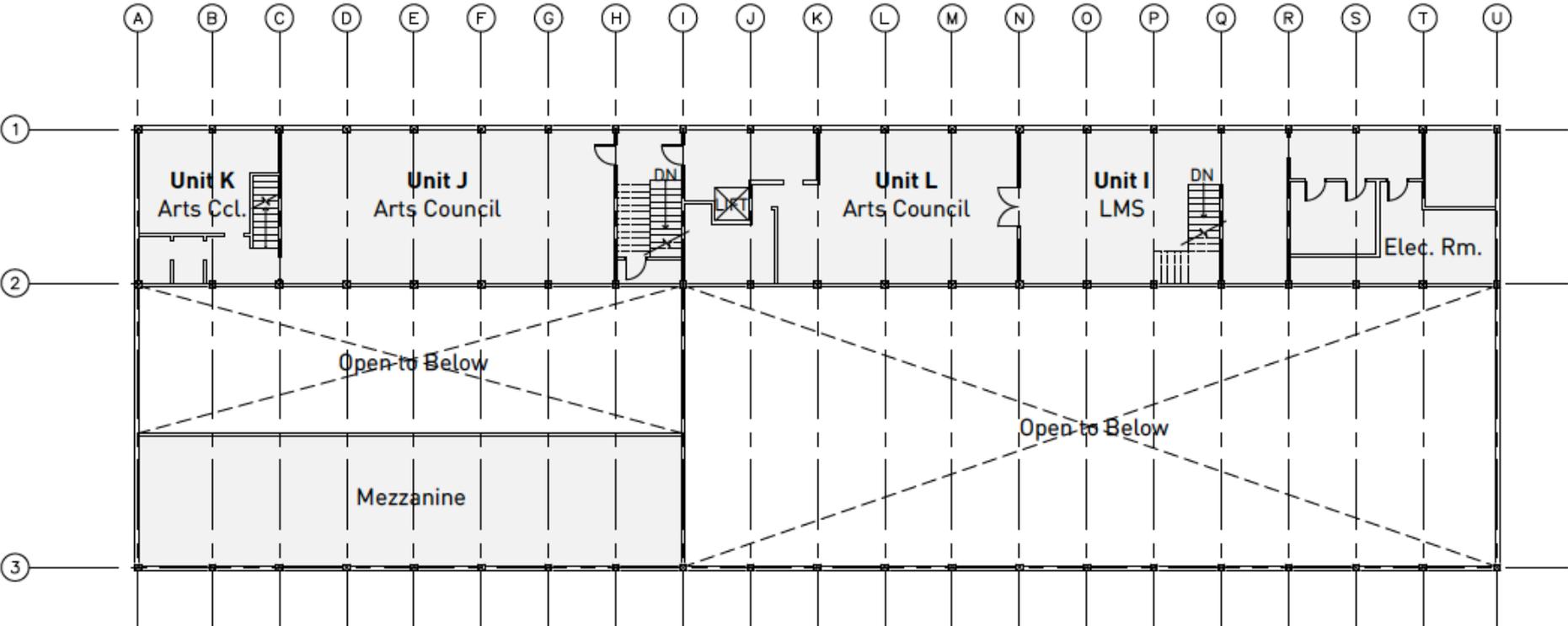
## MAIN FLOOR

### THIS PROPOSAL:

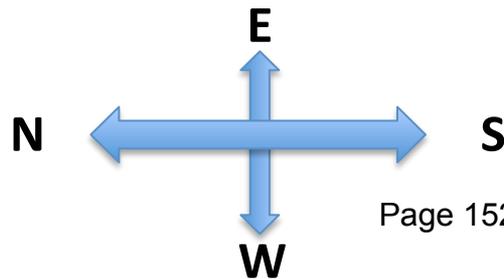
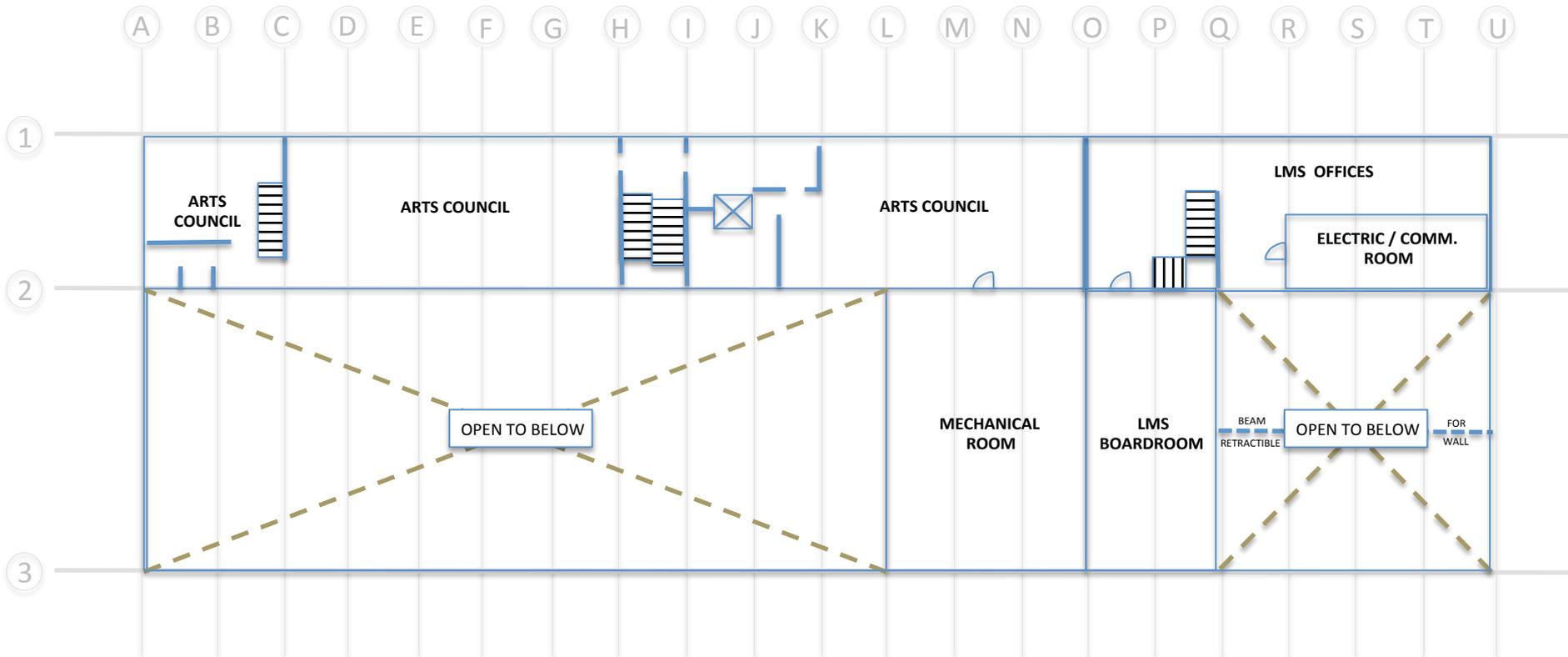
### VERSION B - CARVING STUDIO IN SEPARATE BUILDING



# MACHINE SHOP EXISTING SECOND FLOOR



# MACHINE SHOP SECOND FLOOR THIS PROPOSAL





**Q1: “What spaces(s) and location(s) does your group currently occupy?”**

The following table lists the various locations and areas currently in use by LMS within the Machine Shop and adjacent buildings related to the maritime heritage activities of LMS.

| Space Description                               | Location   | Size <sup>1</sup><br>[SF] |
|---|--|---------------------------|
| <b>Harbour Heritage Centre (HHC)</b>            | Ground floor/ SE Corner Machine Shop                             | 940                       |
| <b>HHC Archive Room</b>                         | Ground floor/ SE Corner Machine Shop                             | 144                       |
| <b>Administration &amp; Filing</b>              | First Floor / E Side Machine Shop                                | 406                       |
| <b>Multifunction Room</b>                       | First Floor / E Side Machine Shop                                | 1,000                     |
| <b>Foyer / Staircase / Displays</b>             | Ground Floor / E Side Machine Shop                               | 200                       |
| <b>Storage for large Restoration Projects</b>   | Ground Floor / W Side Machine Shop<br>(shared with John Marston) | 600                       |
| <b>Seasonal Storage of Festival Accessories</b> | Washroom   | 100                       |

Notes:

- a) Currently an additional 640 SF are provided by Ms. Shirley Blackstaff, the 2017 recipient of the Heritage BC Distinguished Service Award, in her private residence to support LMS' Museum/Heritage curator style activities. This area is equipped with computers, scanners, printers, paper cutter, shelving, filing cabinets and counters; all of which are necessary to augment the limited facilities at the Machine Shop.
- b) LMS occupies the Car Shop which is utilized for the expert restoration of vintage small craft. These craft offer hands-on classic boating experiences during harbour tours and classic boat festivals.
- c) The Harbour Heritage Centre offers a number of interactive programs and classes. Participant groups are up to 24 persons strong. Since there is no adequate space within the Centre classes are convened on the sidewalk. It is estimated that a proper indoor classroom would require approximately 600 SF.
- d) LMS' tenancy is based on a lease agreement between LMS and the City of Ladysmith (2010).

<sup>1</sup> Areas are based on Machine Shop plan circulated by Ladysmith Municipality



**Q2: “In accordance with your Board strategic plan what use and space needs are identified for the future. Provide a schedule.”**

The need for future growth is a daily reality at the Ladysmith Maritime Society. The organization has experienced significant development since its inception in 1985. We believe that this is the result of LMS’ strategic focus on the following key objectives:

- Protecting and promoting Ladysmith’s maritime heritage through engagement, hands-on activities, educational programs and playful interactions
- Promoting tourism activity in the harbour
- Protecting and promoting public access to the harbour
- Operating a Community Marina for Ladysmith area and visiting boaters

On this basis LMS’ strategic plan and vision are well aligned with the overall objectives of the Waterfront Area Plan. In particular, from its inception as the Ladysmith Maritime Society the organization has incorporated a very strong “Serving the Community” focus in its vision. The town recognized LMS’ dedication to community service with the 2011 Ladysmith Citizen of the Year Award. Dedicated to the operation of the Community Marina it is only natural that developments at LMS and the evolution of Ladysmith itself are intrinsically linked.

As illustrated under Q1 LMS is already operating at capacity within the boundaries of the 3,390 SF occupied within the Machine Shop. LMS’ current footprint is necessary but not sufficient to support its current activities and programs. Today, LMS’ operations have to rely on external privately provided curator space (640 SF). It’s educational programs, interactive classes and hands-on activities literally spill into the streets, as indoor space is limited.

LMS is aware that the wide range of activities the society provides is the key to its success and has earned LMS the reputation of a vibrant, diverse and attractive venue for maritime interests in the past, the present and the future.

LMS identifies a significant driver for future growth in the area of Ecotourism, the fastest growing sector of the tourist industry. In the definition of TIES (The International Ecotourism Society) ecotourism is “responsible travel to natural areas that conserves the environment and improves the well-being of local people.” LMS is uniquely positioned to demonstrate the impact of Ladysmith’s industrial past on the harbour and offers a matchless gateway for explorations of the marine environment.

It is envisioned that a multimedia theatre presenting recorded and live streams of the ocean environment and interactive displays with a seating capacity of 50 person capacity would form the land-based starting and orientation point for eco-tours commencing by boat from the LMS Marina.

- Space requirements for such a venue are estimated to be 600-800 SF.
- A business plan is currently under development and targets 2020 as a start-date.



Questionnaire

(Page 3 of 6)

(Q2 continued)

Ladysmith's maritime heritage is not complete without the recognition of the Stz'uminus First Nation people and their maritime traditions. We believe that LMS can be a facilitator in strengthening the relationship between the Stz'uminus and Ladysmith communities in establishing a maritime heritage hub that includes Stz'uminus values, ideas and history. This will require land-based space allocation to provide interactive displays, programs and classes that - as in many LMS activities – flow seamlessly into water based activities and explorations.

- Additional space requirements for such a venue are estimated to be 1000 SF.
- An implementation timeline would run parallel to development of the Waterfront Area Plan.

**Q3: How are the use and space needs compatible with other users in the Arts & Heritage Hub?**

At LMS we feel that our offering, activities and programs are highly compatible and complementary to the undertakings of the Ladysmith Arts Council, the Ladysmith & District Historical Society – Industrial Preservation group and the Stz'uminus First Nation.

At LMS we experience consistently large and increasing visitor numbers in all areas of our operations. We believe that this is achieved through the diversity of our offerings and programs. Visiting boaters explore our upland facilities and participate in related activities. At the same time interest groups that are drawn in with a focus on maritime heritage and heritage boat restoration are equally drawn to explore the community docks and the various attractions and activities offered on the water. We are unique within the multiple stakeholders of the Arts & Heritage Hub in our focus on maritime topics and in our range of interactive and hands-on experiences on land and on water.

At the same time we believe that – as experienced firsthand in our own microcosm of education, demonstration and celebration of our maritime past, present and future – the Ladysmith Maritime Society offers an attractive venue for the visitors of the near and related attractions on display by the other users of the Arts & Heritage Hub. And likewise, our maritime minded visitors may equally delight in a visit to Ladysmith's restored large artifacts such as the Steam Locomotive #11 or participate spontaneously in an Art Exhibition.

Further, we believe that all participants in the Arts & Heritage Hub would benefit from coordinated events planning, thus maximizing the benefits of well-timed happenings and festivals and a continuous and fruitful cross pollination.

In terms of the currently existing space allocation with the Machine Shop it seems that the organically evolved locations of the various activities in the building reflect the actual requirements of the various users.



**Q4: Given the Arts & Heritage Hub is the first priority in the Ladysmith Economic Development Strategy, how will your uses and space allocations assist with the economic development in Ladysmith? Advice from provincial and regional tourism staff is static displays are of very limited value for tourism. This is primarily due to the lack of return visits and the ready availability of static information on the internet.**

The Ladysmith Maritime Society offers a unique mix of vibrant, diverse and attractive experiences ranging from multimedia information displays to the hands-on activities that form the core of our educational programs. At LMS maritime history comes alive and is further contextualized through visual and physical engagement. Key activities include restoration and operation of heritage vessels, learning about ocean life and observing it first hand on the Community docks. Naturally, some of our displays – like large heritage vessels, smaller boats, noteworthy dioramas and maritime equipment are fixed in place. However, some also float on the water, in good working condition and fit for purpose, participating routinely in national and international boat festivals.

Together, all these installations and the live displays form the attractive backdrop for the very active and interactive participation that draws visitors to our venues. Intimate harbour tours and theme based festivals provide additional attractions that have drawn thousands of visitors each year to LMS and the town of Ladysmith.

Our numbers for 2018 have not yet been analysed but LMS has seen a steady growth averaging above 10% annually over the last years.

Some key data compiled for 2017 provide a good idea of how LMS is already significantly contributing to the economic development of Ladysmith:

- Large scale marine tourism has brought 6,700 overnight boating visitors - a four-fold increase from 2011!
- Yachting rendezvous are on the increase. A total of 21 rendezvous were booked in 2017, with individual groups including up to 20 yachts.
- In addition, thousands of additional visitors were attracted by the various festivals and events hosted by LMS.
- The Maritime Heritage Centre saw a steady stream of visitors and school classes in 2017.
- LMS Marina has been rated within the top ten out of 400 marinas in the Pacific North West.
- As a revenue generator, LMS has created direct economic impact in the order of: **\$865,000 /yr.**
- Using industry standard economic multipliers this translates to a Regional Economic Impact of **\$1.5 million /yr.**
- Further, local LMS spending amounts to **\$500,000 /yr.**



Questionnaire

(Page 5 of 6)

(Q4 continued)

Through continuous innovation and diversification of our offerings (see examples of Ecotourism and the anticipated collaborative developments with the Stz'uminus First Nations under Q2) LMS is confident that it will continue to draw people from near and afar alike to Ladysmith and the waterfront.

We believe these data tell a compelling story of LMS' economic contribution. Looking forward, we expect a continued growth in the order of 10% per annum. LMS will continue to be a vital economic partner.

**Q5: Describe your succession plan for your group or business. For example, how volunteers will be recruited and maintained and financial sustainability.**

Over the last years the Ladysmith Maritime Society has created a compelling business case. This goes beyond the impressive financial performance indicators presented under Q4. The LMS business case tells the story of our successful community project. As we are looking ahead to the next five years and the implementation of the Waterfront Area Plan we are confident that our model will support our funding needs to continue our success and future growth.

One of our unique strongpoints is the level of diversification we have achieved in our program offerings. This will continue to attract new visitors and retain existing ones. We are particularly energized by the yet untapped potential of activities related to Ecotourism and prospective project-based partnerships with the Stz'uminus First Nations.

We also believe that the creation of a dedicated Arts & Heritage Hub - a priority item of the Ladysmith Economic Development Strategy and an anchor for the Waterfront Area Plan - will provide additional momentum to sustain our dynamic growth.

It is equally important that the real engine behind our success, our volunteers, remains well maintained and serviced. Our volunteers, their skills, dedication and time commitment are essential for all aspects of our operations. We are well aware that it is the motivation of individual volunteers that is driving many of our current projects. Their knowledge, keenness and perseverance are essential for the safe and attractive operations of our community marina.

In order to maintain a robust team of volunteers we have started to engage with our volunteers online and on the basis of their areas of specific interests and skills. We are improving our online tools to provide better communication and connectivity for the organization's needs, identifying expert knowledge and strengthening the information in our volunteer data base.

Arts & Heritage Hub Visioning  
Workshop  
23 November 2018



LADYSMITH  
MARITIME  
SOCIETY

Questionnaire

(Page 6 of 6)

(Q5 continued)

We are in the process of implementing leading practices to maintain a high level of motivation in our volunteer community through the creation of a culture of appreciation. Further, we are confident, that through a process of continued innovation and diversification of offerings including certifiable and relevant work experiences we will be successful in recruiting the next generation of volunteers on an ongoing basis.



Town of Ladysmith  
**To Major and Council**  
410 Esplanade, PO Box 220  
Ladysmith, British Columbia  
V9G 1A2

March 6, 2019

### **Machine Shop Planning – LMS Comments and Feedback**

#### **Machine Shop Planning**

Dear Mayor and Council,

This letter makes reference to the meeting between the Town and Ladysmith (Kim Fowler, Clayton Postings) and the Ladysmith Maritime Society (LMS) (Dan Lutz, President and Richard Wiefelspuett, Executive Director) on Thursday, February 7, 2019.

The meeting was called by Kim Fowler for the purpose to discuss space usage and tenant allocation options in the Machine Shop.

During the meeting a basic plan drawn by architect Hotson was presented (attached for reference).

In summary the following key modifications relevant to LMS were noted:

- The Arts Council is shown as a single tenant occupying the entire upper floor on the road frontage of the building.
- LMS is no longer shown as a tenant on the second floor.
- LMS is shown as a ground floor tenant, occupying the current space Harbour Heritage Centre and an additional non-contiguous space of undefined dimensions, separated from the Harbour Heritage Centre by a stairway.

During the meeting LMS voiced concerns about these proposed arrangements. None of the comprehensive answers LMS provided to last year's questionnaire addressing LMS' usage and needs for space in the Machine Shop are reflected in the basic plan. Please find LMS' completed questionnaire attached for further reference.

The reasons presented by the Town to support the spatial arrangements and tenant re- allocation depicted in the basic plan included

- the requirement for two exits for each tenant; and
- cost considerations.

LMS was invited to provide its comments and feedback to the Town of Ladysmith.



Subsequently, the LMS' Board of Directors has reviewed the proposed basic plan and remains committed to work constructively with the Town of Ladysmith to achieve an optimum solution for the Machine Shop.

For this purpose, the following provides a summary of the remarks and observations of this review process and also captures LMS' key concerns, questions and suggestions for your consideration:

- 1) Is the proposal depicted in the 16 January basic plan by architect Hotson the most cost-effective solution?**
  - a. LMS considers the project will face significant budget challenges as the required upgrades for the Machine Shop move forward.
  - b. The plan indicates the costly removal of existing infrastructure, the addition of new staircases and extensive shower and washroom facilities with the required HVAC systems.
  - c. According to our understanding, office buildings with multiple tenants do not require each tenant to have multiple fire exits, rather tenants share exits.
  - d. In an earlier version of the Machine shop layout architect Hotson showed an option with an external fire escape on the southern side of the Machine Shop.
  - e. It appears that keeping things as they are would comply with fire regulations, would preserve existing infrastructure and would ultimately provide the lowest cost exposure.
  
- 2) It is impossible for LMS to make a reasonable comment about the reallocation of LMS rooms to the ground floor.**
  - a. How can we possibly comment on the proposed space for LMS on the ground floor without any knowledge of the size, the renovation requirements, the cost of renovations and an understanding of who will pay for these?
  - b. It is not clear how the proposed ground floor location for LMS can be utilized. The proposed spaces are not adjacent but divided by a public stair case.
  - c. No time line for the project has been provided.
  - d. Only detailed information about the points made under a), b) and c) would permit LMS to make an informed decision.
  
- 3) The Town's engagement process with stakeholders of the Machine Shop lacks transparency.**
  - a. There were separate surveys done by the Town which were not shared in spite of LMS' request.
  - b. Subsequently, there have been separate meetings with each Machine Shop tenant.
  - c. No one knows what the other tenants put forward, how they explained their requirements. It is fair to say that this process has created a lot of frustration and the perception of "winners" and "losers" among the tenants.
  - d. There are many implications for LMS if usable net area is lost and there are no options provided for compensation.
    - i. LMS have no land for expansion and the WAP includes no on land based operational space for the marina.
    - ii. The 16 January basic plan isolates LMS from the power source for the marina without offering any options.
    - iii. A move downstairs would give LMS serious storage issues such as archives, small boat displays and so forth.



610 Oyster Bay Drive  
PO Box 1030, Ladysmith BC, V9G 1A7  
T: 250.245.0109 F: 250.245.0108  
E: admin@lmsmarina.ca  
www.lmsmarina.ca

- iv. An entry door from the proposed stairway into the Harbour Heritage Centre (HHC) is not feasible without major changes to the HHC and would severely damage the existing mural.

**4) Parking Issues**

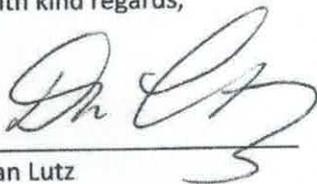
- a. The proposed brewery plus tasting room will draw additional traffic to the area. Shortages of parking space in the Machine Shop vicinity – especially during the period from May to September- have been brought to the Town's attention on numerous occasions. Any additional traffic to the proposed brewery would impact an already critical problem.

LMS is contributing these comments to support a productive dialogue.

Above all, it is our interest to achieve a mutually satisfactory outcome for all stakeholders of the Machine Shop.

LMS looks forward to an opportunity for our future participation in this project.

With kind regards,



Dan Lutz  
President  
Ladysmith Maritime Society



Richard Wiefelspuett  
Executive Director  
Ladysmith Maritime Society

CC)

- Clayton Postings
- Kim Fowler

Enclosures)

- Basic Plan – 16 January 2019 – Architect Hotson
- LMS Questionnaire, December 2018

# KARMA COFFEE

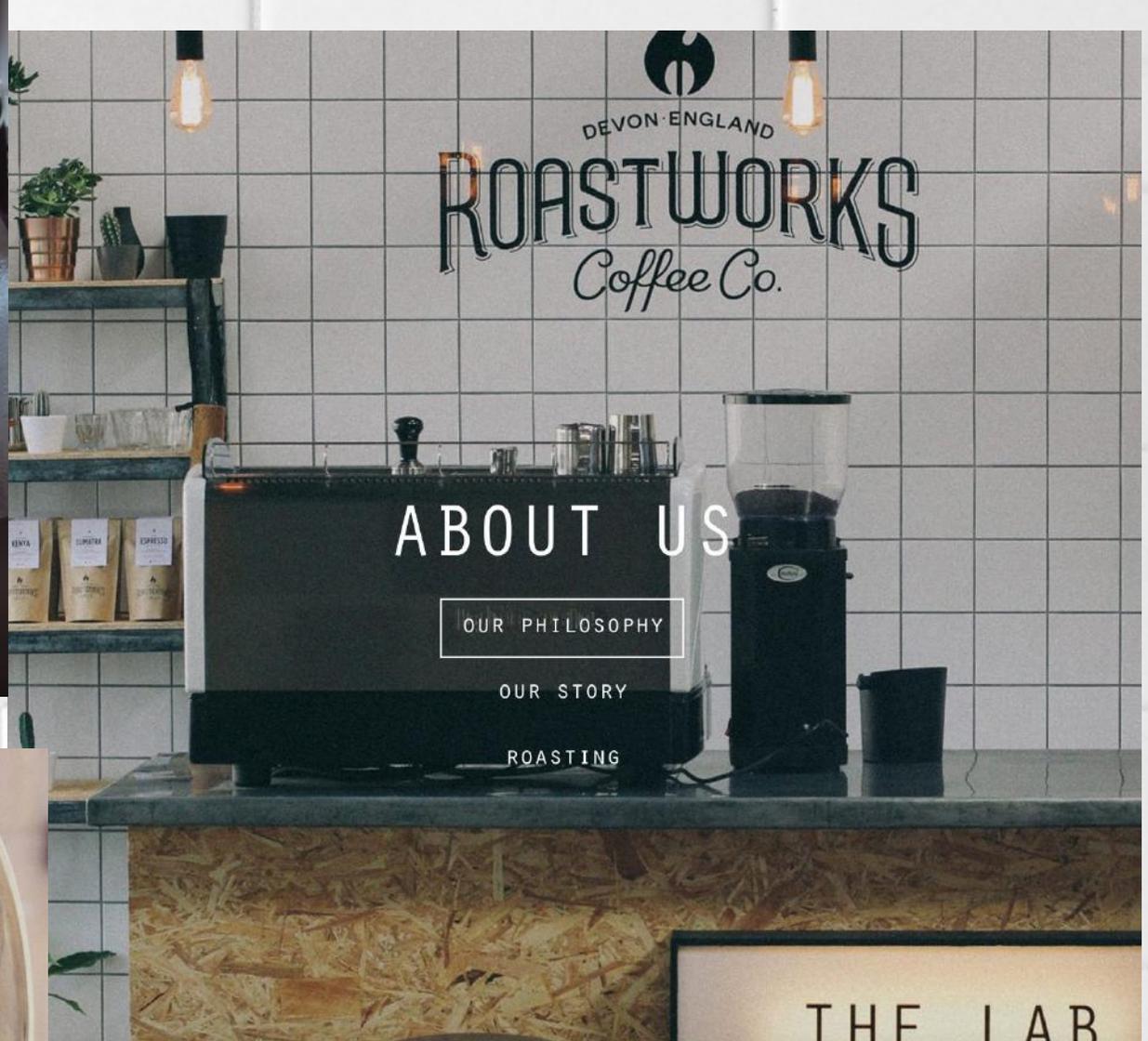
## Mission

To be Western Canada Premium Brand of Artisanal Coffee. By having a state of the art beautiful roastery and tasting bar. Offering an unparalleled and innovative set of products, featuring Organic mold free coffee, packaged in reusable containers. Barrell ageing selected beans in Oak Casks and Specially blending coffee for our distributors and outlets.

*“Good right through until your next life.”*

*“Its almost a religion“*

*“Good karma starts here”*



# Image and Vision Pages

# Roastery and Tasting Bar



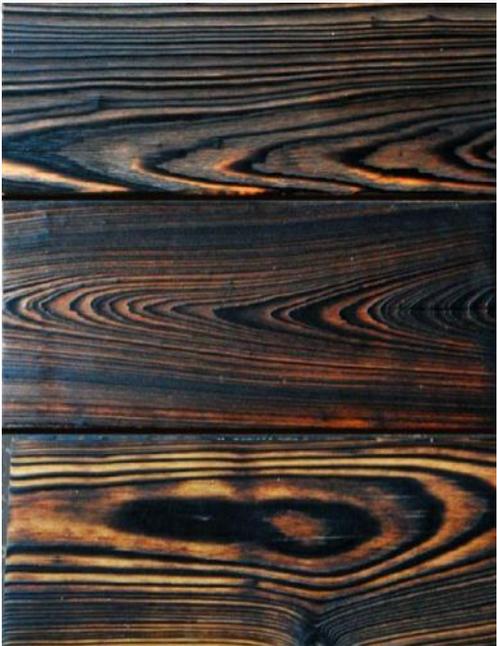


# Coffee Storage on Premises



# Tasting Room/ Roastery

- Clean White subway tiles or stone or other
- Flat black equipment with polished accents
- Polished Copper/stainless pipes
- Edison bulbs in Black housings
- Black stained local woods
- Wooden storage bins/boxes/barrels.
- Lots of local crafted wood products- tables, bar, etc.
- Modern fireplace to lounge around
- Patio with firepit & lounge if possible



# The Karma Difference

- Retail Zero Waste Packaging that is trendy and eye catching
- First BC Organic Certified Roastery
- 48 Hour fresh Roast delivery to coffee shops
- Training and support to retailers
- Public open roastery, full tasting bar, roasting classes, custom/personal roast
- Community involvement- charity events, donation of coffee
- Target Marketing
- Coffee Shop support
- Cooperative pricing on related supplies
- Continue researching & advancing coffee technology & ways to get products to customers in new & innovative ways
- Continue researching & innovating ways to reduce waste, reuse/repurpose, minimize environmental impact & footprint

## Coffee Roastery In Ladysmith

Dear Kim,

Thank you for the opportunity to present our plan and for the time you have invested in us.

I thought a brief description of who we are and what we are planning would assist you.

We are in the process of purchasing Karma Coffee Roasting in Coombs BC. Our team has been using this coffee for 17 years in a related business (JAVA World, Duncan BC). Karma Coffee was the first organic certified coffee roaster in BC and has been in business for 20+ years, roasting organic, fair trade, and ethically sourced coffees from around the world which are then sold to the public, coffee shops & supermarkets all over Vancouver Island.

We plan to undergo a major renewal of the coffee roasting plant, including a move from the current location in Coombs to Ladysmith, a town which is close to home for us & that offers a great opportunity to be part of an active, forward looking community. Our hope is to bring the roastery into the community to share the process & artisan skills with our customers. The machines have an industrial beauty & we feel that the transparency & engagement from beginning to end can foster community.

The facility will be "Urban Modern", with large viewing areas, a tasting area and counter sales. The New Roastery will be both a draw for locals & tourist alike as we want to offer guided tours of the facility, as well as classes and custom roasting options for people to make their own personal blend. We feel that the industrial nature of the original town of Ladysmith and the heritage features of this area tie together strongly with our message of hard work, community and environment.

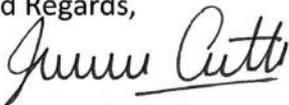
We will employ approximately 10 employees in the near term with future growth predicted of needing 15 to 20 employees (5 years). Further growth is possible but not predictable at this point.

In the past Roastery's have had an issue with emissions and smells created during the roasting process and we know that Ladysmith has experienced these issues in the past. The roaster we are moving is a Sirocco smokeless roaster. This roaster has a built in Afterburner that eliminates the problem of smells.

We need approx. 2000 sqft or more for the roasting plant. In addition, we require a supply of natural gas to fire the roasters & an adequate power supply to run our machines.

Thank you again for your time & consideration. If you have any questions, please don't hesitate to get in touch!

Kind Regards,



Jessica Castle & the Karma Coffee Team

Cell: 778.269.2010, 250.891.1020

Email: [jess.castle942@gmail.com](mailto:jess.castle942@gmail.com), [dylan@hildebrandmarine.com](mailto:dylan@hildebrandmarine.com)

Karma Coffee Ltd.

STAFF REPORT TO COUNCIL

From: **Geoff Goodall, Director of Infrastructure Services**

Meeting Date: March 18, 2019

File No:

**RE: WATERMAIN REPLACEMENT, COLONIA TO PUBLIC WORKS**

**RECOMMENDATION:**

That Council:

1. Adopt the alternate route as presented in the Koers & Associated Engineering Ltd. report dated March 19, 2019 for the replacement of the watermain located along the Holland Creek Trail between Colonia and Public Works.
2. Direct Staff to have Koers & Associates Engineering Ltd. complete the design for adjusted Phase 1 as outlined in the staff report and proceed to tender.

**PURPOSE:**

To have Council adopt the alternate route, as presented in the Koers & Associated Engineering Ltd. report dated March 19, 2019, for the replacement of the watermain located along the Holland Creek Trail between Colonia and Public Works. In addition, to direct staff to complete Phase one of the project, as outlined in the staff report, and proceed to tender.

**PREVIOUS COUNCIL DIRECTION**

| Resolution  | MeetingDate | ResolutionDetails  |
|-------------|-------------|--|
| CS 2018-084 | 2018-03-19  | FINAL RESOLUTION (as AMENDED BY CS 2018-085)<br>That Council:<br>1. Notify the two proponents that the tender for the Watermain Relining, Colonia to the Public Works Yard is being cancelled due to insufficient budget; and<br>2. Direct staff to investigate installation of a new watermain, exploring pipe routing that bypasses the majority of the trail system, and utilizes the Town’s existing road network. |

This project and its funding is carried forward from 2018.

**INTRODUCTION/BACKGROUND:**

Currently there is a 300mm asbestos cement watermain located along the north side of Holland Creek from approximately Colonia Drive to the Public Works Yard. The watermain has been



installed along the existing pedestrian trail. This section of watermain was installed in the 1960s and is now approaching the end of its serviceable life.

During the engineering review conducted in early 2018, it was found that the existing pipe size was suitable for the Town's need for at least the next 30 years and this made it a candidate for relining rather than replacement. The relining would reduce the chance that the pipe would fail due to its age, and would allow the pipe to provide additional service before having to be replaced. Relining normally has significant cost savings over conventional open cut replacement. With this information the Town proceeded with the tender of a relining project for this section of pipe.

The project was tendered in January of 2018 with a budget of \$393,637. Two tenders were received for the project, both of which exceeded \$800,000. Council directed staff to cancel the tender due to budget shortfall and directed staff to investigate installation of a new watermain along the Holland Creek Trail, utilizing conventional trenching, as well as exploring pipe routing that bypasses the majority of the trail system, utilizing the Town's existing road network.

Koers & Associates Engineering Ltd, the Town's water engineering consultants, completed a review of the potential alternate route. This review has been attached to this report. The recommended route utilizes a section of the existing trail network from Colonia-Holland Creek crossing to Mackie Road. At Mackie road the watermain extends in both directions, connecting west to the existing Colonia Drive watermain, and also extending east on Mackie Road, then east on Malone Road and onto 6<sup>th</sup> Avenue, where it connects with the existing watermain at 6<sup>th</sup> Ave and Roberts Street. The total cost for the project is estimated at \$1,290,000.

Council will notice that the Koers report suggests that the project can be completed in phases, and recommends that Phase 1 be the section located on the existing road network, not the trail. The report was completed prior to the wind storm in December 2018; based on the wind damage to the trail network, staff and the consultant have re-evaluated the risks associated with the watermain located on the trail, particularly that section from Mackie Road to Public Works.

The section of Holland Creek Trail that extends from approximately Mackie Road to the back of the Public Works Yard has significant areas of steep slope both above and below the trail. Large trees are located throughout this area and during the recent storm, many of these trees were compromised. When the trees toppled, the root wads were pulled out. This caused significant ground disturbance and at one location caused a slope failure that impacted the trail. Fortunately, the watermain was located on the inside of the trail at this location and was not damaged. If the 300mm watermain had ruptured in this location it would have resulted in significant damage and likely permanent loss of the trail.

Given this recent experience, both staff and the consultant believe that the section of pipe located on the trail network between Mackie and the Public works yard is the highest risk section and needs to be addressed as soon as possible. This changes the recommended phasing

plan in the Koers report, and staff is recommending that the first phase of the project should be to replace, at a minimum, the watermain between Mackie Road and the connection on the Holland Creek trail. If budget in the first phase permits, this would be extended down the trail to the Colonia-Holland Creek crossing. This will provide a connection to the Town network even if the pipe is compromised between Mackie and Public Works. A revised Phase 1 has been shown on the attached Figure 2. Following Phase 1, the remainder of the project can be completed in phases as the budget permits.

**ALTERNATIVES:**

Council can choose to direct staff to seek alternative options other than the one presented in the report from Koers Engineering Ltd.

**FINANCIAL IMPLICATIONS:**

The existing budget for this project is \$350,000, which should be sufficient to complete Phase 1. The remaining work will be placed in the Five Year Capital Plan during the next budget cycle.

**LEGAL IMPLICATIONS:**

No legal implications have been identified. The legal tendering process will be followed.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

There will be trail closures required during this project. As this is a highly used trail network, communication with trail users will be important. Staff will develop and implement a communications plan.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

N/A

**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 checked="" 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:**

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

**SUMMARY:**

Replacement of the AC watermain that runs along the Holland Creek Trail from Colonia Drive to Public Works is a project on the current capital priority list. A 2018 tender to reline this section of pipe and potentially extend its life resulted in costing that exceeded the budget. As a result,

Council directed staff to investigate conventional replacement on the trail or seek an alternative route for the watermain. Koers Engineering Ltd. completed a report that recommended an alternative route that minimizes the use of the trail. This plan came with a recommended phasing plan. The wind storm that occurred in December 2018 further highlighted the risks associated with the watermain in the trail, particularly that section between Mackie and Public Works. As a result, staff recommend that the phasing be altered to replace the section of pipe between the Colonia-Holland Creek crossing and Mackie Drive.



---

Geoff Goodall, Director of Infrastructure Services

March 13, 2019

I concur with the recommendation

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Guillermo Ferrero, Chief Administrative Officer

**ATTACHMENTS:**

Figure 2 – Existing and Alternate Route Alignments  
Holland Creek Water Supply Main Options Assessment

TOWN OF LADYSMITH

**BYLAW NO. 1993**

A Bylaw to amend the Streets and Traffic Bylaw 1998, No. 1309.

**WHEREAS** pursuant to the *Community Charter*, the Municipal Council is empowered to amend the Streets and Traffic Bylaw;

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

**Amendment**

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

“*Boulevard*” means that portion of a highway between the edge of the travelled portion of the *roadway* and the adjoining property line and, in the case of a divided *highway*, that portion between the inside curbs.

2. Replace Schedule “B” (Impound Fee Schedule) and with the attached Schedule “B”.

**Citation**

3. This Bylaw may be cited for all purposes as “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #6, 2019, No. 1993”.

|                           |                              |                     |               |
|---------------------------|------------------------------|---------------------|---------------|
| <b>READ A FIRST TIME</b>  | <b>on the 4<sup>th</sup></b> | <b>day of March</b> | <b>, 2019</b> |
| <b>READ A SECOND TIME</b> | <b>on the 4<sup>th</sup></b> | <b>day of March</b> | <b>, 2019</b> |
| <b>READ A THIRD TIME</b>  | <b>on the 4<sup>th</sup></b> | <b>day of March</b> | <b>, 2019</b> |
| <b>ADOPTED</b>            | <b>on the</b>                | <b>day of</b>       | <b>,</b>      |

---

Mayor (A. Stone)

---

Corporate Officer (J. Winter)

**SCHEDULE "B"****Impound Fee Schedule**

1. Fee for removal to an impound lot of a *vehicle* having a licensed gross *vehicle* weight:
  - i) not exceeding 5,000 kg is \$77.46
  - ii) exceeding 5,000 kg  
but not exceeding 6,300 kg is \$81.80
  - iii) exceeding 6,300 kg  
but not exceeding 9,072 kg is \$129.67
  - iv) exceeding 9,072 kg is \$172.47
  
2. Fee for storage of an impounded *vehicle* shall be calculated at a rate of \$15.87 for each calendar day or any part thereof, including the first day of impoundment.
  
3. Fee for storage of unauthorized signs shall be calculated at a rate of \$10.00 for each calendar day or any part thereof.
  
4. Fee for detention and removal of a *play vehicle* is \$40.00.
  
5. Fee for impoundment of a *play vehicle* shall be calculated at a rate of \$2.00 for each calendar day or any part thereof, including the first day of impoundment.

**TOWN OF LADYSMITH**

**BYLAW NO. 1996**

A bylaw to amend the Waterworks Regulations Bylaw 1999, No. 1298 of the Town of Ladysmith.

---

**WHEREAS** pursuant to the *Community Charter*, the Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

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

**Amendment**

1. Schedule ‘A’ of “Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2018, No. 1942” is hereby replaced with the attached Schedule ‘A’.
2. Add a heading to section 39 as “Billing Adjustments due to leaks or breakages”.
3. Change all occurrences of “*Superintendent of Public Works*” to “*Director of Infrastructure Services*”
4. Add a new section 40 to read as follows:

**40. WATER LEAK: ORDER TO REPAIR**

- (1) Where the *Director of Infrastructure Services* deems a leak to be occurring on private property, an Order to Repair notice will be posted at the property requiring the leak be repaired within 72 hours.
- (2) No billing adjustment will be made if an Order to Repair leak is not repaired within 72 hours.

**Effective Date**

5. The provisions of this bylaw shall become effective and be in force as of April 1, 2019.

**Citation**

6. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 1996".

|                           |                        |        |             |
|---------------------------|------------------------|--------|-------------|
| <b>READ A FIRST TIME</b>  | on the 4 <sup>th</sup> | day of | March, 2019 |
| <b>READ A SECOND TIME</b> | on the 4 <sup>th</sup> | day of | March, 2019 |
| <b>READ A THIRD TIME</b>  | on the 4 <sup>th</sup> | day of | March, 2019 |
| <b>ADOPTED</b>            | on the                 | day of |             |

---

Mayor (A. Stone)

---

Corporate Officer (J. Winter)



**SCHEDULE "A"**

**TOWN OF LADYSMITH**

**Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 1996**

**1 METERED SINGLE UNIT DWELLING**

Per billing period:

|   |           |                    |
|---|-----------|--------------------|
| Base Rate, including consumption to 25 m <sup>3</sup> | \$ 41.13  |                    |
| Next 26 m <sup>3</sup> to 50 m <sup>3</sup>           | \$ 0.8456 | Per m <sup>3</sup> |
| Next 51 m <sup>3</sup> to 75 m <sup>3</sup>           | \$ 0.9994 | Per m <sup>3</sup> |
| Next 76 m <sup>3</sup> to 100 m <sup>3</sup>          | \$ 1.2298 | Per m <sup>3</sup> |
| Next 101 m <sup>3</sup> to 125 m <sup>3</sup>         | \$ 1.6143 | Per m <sup>3</sup> |
| Over 125 m <sup>3</sup>                               | \$ 2.1523 | Per m <sup>3</sup> |

**2 METERED SERVICE - all other users**

Per billing period:

|   |           |                    |
|---|-----------|--------------------|
| Base Rate, including consumption to 25 m <sup>3</sup> | \$ 41.13  |                    |
| Over 25 m <sup>3</sup>                                | \$ 0.7687 | Per m <sup>3</sup> |

**3 NON-METER SERVICE**

Per billing period: \$ 64.13 Per unit

**4 WATER SERVICE CONNECTION RATES**

Where a service connection has not been previously provided to a parcel but where the Public Waterworks system front or abuts the parcel:

(A) Up to a 25mm (4") service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances: \$3,000 per connection

(B) Larger than 25mm (4") shall be: At cost but no less than \$3,000 per connection

Where a service connection has been previously provided to a parcel:

(C) service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances and is the requested size: \$100 per connection

(D) Owner requested service modification including installation of a water meter, meter box, meter setter, check valves, shut-off valve and any other related appurtenances shall be: At cost, but no less than \$3,000 per connection

**5 FINES**

Every person who violates any provision of this bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine or to imprisonment for not more than 6 months, or both. \$2,000 per offence  
Each day that a violation of the provisions of this bylaw occurs, exist or is permitted to occur or exists, shall constitute a separate offense.

Effective April 1, 2019.

**TOWN OF LADYSMITH**

**BYLAW NO. 1997**

A bylaw to amend the Sanitary Sewer Rate Bylaw 1999, No. 1299 of the Town of Ladysmith.

---

**WHEREAS** pursuant to the *Community Charter*, The Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

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

**Amendment**

1. Schedule “A” of “Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2018, No. 1943” is hereby replaced with the attached Schedule “A”.

**Effective Date**

2. The provisions of this bylaw shall become effective and be in force as of April 1, 2019.

**Citation**

3. This bylaw may be cited as "Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 1997".

|                           |                       |                      |             |
|---------------------------|-----------------------|----------------------|-------------|
| <b>READ A FIRST TIME</b>  | <b>4<sup>th</sup></b> | <b>day of March,</b> | <b>2019</b> |
| <b>READ A SECOND TIME</b> | <b>4<sup>h</sup></b>  | <b>day of March,</b> | <b>2019</b> |
| <b>READ A THIRD TIME</b>  | <b>4<sup>th</sup></b> | <b>day of March,</b> | <b>2019</b> |
| <b>ADOPTED</b>            |                       | <b>day of , 2019</b> |             |

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Mayor (A. Stone)

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Corporate Officer (J. Winter)

**SCHEDULE "A"**

**TOWN OF LADYSMITH**

**Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 1997**

**SCHEDULE OF RATES**

| <b>CLASSIFICATION</b>  |  | <b>Sewer Charge Per Month</b> |
|--|--|-------------------------------|
| <b>Residences or Apartments:</b>                             | For each Dwelling Unit                                 | \$28.75                       |
| <b>Motels &amp; Auto Courts:</b>                             | Premises of owner or operator                          | \$28.75                       |
|  | For each rental unit                                   | \$4.39                        |
| <b>Mobile Home Parks:</b>                                    | Public rest rooms and/or service rooms                 | \$28.75                       |
|  | For each mobile home with sewer connection             | \$28.75                       |
| <b>Hotels:</b>   | Owners or managers quarters                            | \$28.75                       |
|  | Per apartment for rent                                 | \$28.75                       |
|  | Per room for rent                                      | \$4.39                        |
| <b>Beer Parlours, Pubs, Licenced Cabarets &amp; Lounges:</b> | For each separately licenced area                      | \$59.85                       |
| <b>Cafes, Restaurants &amp; Dining Rooms:</b>                |  | \$59.85                       |
| <b>Offices, Shops and Stores:</b>                            | Per office, store & store unit not otherwise specified | \$28.75                       |
| <b>Store(s) and Suites(s) combined:</b>                      | Per store unit   | \$28.75                       |
|  | Per suite  | \$28.75                       |
| <b>Stores(s) and Office(s) combined:</b>                     | Per store unit   | \$28.75                       |
|  | per office unit  | \$28.75                       |
| <b>Office Building:</b>                                      | per office unit  | \$28.75                       |
| <b>Laundry or Laundromat:</b>                                |  | \$95.10                       |
| <b>Services Stations and Garages:</b>                        | Without car wash                                       | \$28.75                       |
|  | With car wash  | \$63.97                       |
| <b>Public or Social Club with licenced bar:</b>              |  | \$59.85                       |
| <b>Church Hall, Public Hall or Lodge Room</b>                |  | \$22.25                       |
| <b>Hospitals &amp; Nursing Homes</b>                         | per bed  | \$13.37                       |
| <b>Schools</b>   | per classroom, auditorium or office                    | \$28.75                       |

Effective April 1, 2019

# TOWN OF LADYSMITH

## BYLAW NO. 2002

A bylaw to amend the sewer connection rates imposed on owners of land in the Town of Ladysmith.

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The Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

“Town of Ladysmith Sewer Connection Bylaw, No. 411, 1966, is hereby amended as follows:

1. Delete Section 4 in its entirety and replace it with the following:

4 (a) Before any connection is made, the property owner or agent shall make application for each desired connection to the Town of Ladysmith and pay the prescribed fees for a:

- i) Sanitary sewer main connection as shown in Schedule ‘A’ Section 1.
- ii) Storm main connection as shown in Schedule ‘A’ Section 2.

4 (b) Before a modification to an existing connection is made, the property owner or agent shall make application to the Town of Ladysmith and pay the prescribed fees for a:

- i) Sanitary sewer main modification connection as shown in Schedule ‘A’ Section 3.
- ii) Storm main modification connection as shown in Schedule ‘A’ Section 4.

(2) Add the attached Schedule ‘A’.

(3) This bylaw may be cited for all purposes as "Town of Ladysmith Sewer Connection Bylaw, 1966 No. 411, Amendment Bylaw #4, 2019, No. 2002”.

|                           |                 |        |             |
|---------------------------|-----------------|--------|-------------|
| <b>READ A FIRST TIME</b>  | 4 <sup>th</sup> | day of | March, 2019 |
| <b>READ A SECOND TIME</b> | 4 <sup>th</sup> | day of | March, 2019 |
| <b>READ A THIRD TIME</b>  | 4 <sup>th</sup> | day of | March, 2019 |
| <b>ADOPTED</b>            |                 | day of |             |

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Mayor (A. Stone)

---

Corporate Officer (J. Winter)

**Town of Ladysmith Sewer Connection Bylaw, 1966 No. 411, Amendment Bylaw 2019, No. 2002.**

Schedule 'A'

1. Sanitary Sewer Main Connection Fee

| Diameter         | Length          | Depth          | Cost per connection |
|------------------|-----------------|----------------|---------------------|
| Up to 100mm (4") | Up to 20 meters | Up to 3 meters | \$2,000             |

Any variation to the sanitary sewer main diameter, length or depth will be charge at cost with a minimum fee of \$2,000 per connection.

2. Storm Main Connection

| Diameter         | Length          | Depth          | Cost per connection |
|------------------|-----------------|----------------|---------------------|
| Up to 100mm (4") | Up to 20 meters | Up to 3 meters | \$3,800             |

Any variation to the storm main diameter, length or depth will be charge at cost with a minimum fee of \$3,800 per connection.

3. Sanitary Sewer Main Modification Connection Fee

At cost with a minimum fee of \$2,000 per connection.

4. Storm Main Modification Connection Fee

At cost with a minimum fee of \$3,800 per connection.

TOWN OF LADYSMITH

BYLAW NO. 2003

A Bylaw to amend the Ticket Information Utilization Bylaw to include fines associated with Zoning Bylaw 2014, No. 1860.

WHEREAS the Community Charter empowers the Council, by bylaw, to authorize the use of any word or expression on a municipal ticket information to designate an offence against a bylaw;

AND WHEREAS the Community Charter empowers the Council, by bylaw, to establish penalties in relation to an offence against a bylaw;

AND WHEREAS it is deemed appropriate to amend "Ticket Information Utilization Bylaw 2002, No. 1457";

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

- 1. Schedule 11 of "Ticket Information Utilization Bylaw 2002, No. 1457" is removed in its entirety and replaced with the following Schedule 11:

SCHEDULE 11

RE: ZONING BYLAW 2014, No. 1860

Table with 3 columns: Designated Expression, Section, and Fine. Rows include Obstruct Authorized Entry, Contrary to Permitted Use, Within Required Setback, Over Height Obstruction, Prohibited Use, Unauthorized Suite, and Suite Contrary to Conditions.

2. CITATION

This Bylaw may be cited for all purposes as "Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2019, No. 2003".

READ A FIRST TIME on the 4th day of March, 2019
READ A SECOND TIME on the 4th day of March, 2019
READ A THIRD TIME on the 4th day of March, 2019
ADOPTED on the day of, 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

**INFORMATION REPORT TO COUNCIL**

**From:** Joanna Winter, Manager of Legislative Services  
**Meeting Date:** March 18, 2019  
**File No:** 0540-20  
**RE:** COMMISSION REPEAL BYLAWS

**RECOMMENDATION:**

That Council:

1. Give first, second and third readings to Town of Ladysmith Heritage Revitalization Advisory Commission Repeal Bylaw 2019, No. 2005;
2. Give first, second and third readings to Town of Ladysmith Economic Development Commission Repeal Bylaw 2019, No. 2006; and
3. Give first, second and third readings to Town of Ladysmith Environment Commission Repeal Bylaw 2019, No. 2007

**PURPOSE:**

The purpose of this report is to introduce repeal bylaws for the Heritage Revitalization Advisory Commission, the Economic Development Commission and Environment Commission, as previously directed by Council in response to the 2018 Review of Commissions and Committees.

**PREVIOUS COUNCIL DIRECTION**

| Resolution  | MeetingDate | ResolutionDetails  |
|-------------|-------------|--|
| CS 2018-472 | 2018-12-03  | 1. That Council, having received the consultant’s report and recommendations on the Town of Ladysmith Commission and Committee Review, direct staff to implement the following recommendations specific to existing Committees and Commissions:<br>...<br>F) Economic Development Commission:<br>Repeal the establishing bylaw for the Economic Development Commission to disband the commission<br>G) Heritage Revitalization Advisory Commission:<br>Repeal the establishing bylaw for the Heritage Revitalization Advisory Commission to disband the commission<br>H) Environment Commission:<br>Repeal the establishing bylaw for the Environment Commission to disband the commission |



**DISCUSSION:**

In 2018, the Town engaged a consultant to conduct a review of the Town’s Commissions, Committees and appointments to external organizations in response to its stated goal to *Enhance communications/engagement with a comprehensive review of commissions/committees*. On December 3, 2018, Council received the report and adopted the recommendations contained in it. Recommendations were well informed by an analysis of trends and best practices in other municipalities, interviews with the Mayor, CAO and several senior managers, and a survey sent to all current commission and committee members

The review also recognized that the Heritage Revitalization Advisory Commission has been so successful in its work that heritage is now a fundamental theme for our community in the work of Council, staff and all our committees and commissions. For this reason, the review recommended and Council has directed that the Heritage Revitalization Advisory Commission be retired, and that ‘heritage’ considerations be embedded in the Terms of Reference of our other standing committees, including a new committee that will focus on community planning matters. In addition, existing community organizations – including the Ladysmith and District Historical Society, with whom we already have a service agreement– will be asked to support heritage projects on behalf of the Town as the need or opportunity arises.

Similarly, the report recommended, and Council has directed, that both the Environment and Economic Development Commissions, which have not met for several years, be disbanded in favour of more focused Task Forces that Council can form to address specific needs and issues to support its strategic plan or to address emerging matters.

**SUMMARY POINTS**

As the three Commissions were established by Bylaw, a repeal bylaw is required to disband each one. The three repeal bylaws are presented for Council’s consideration and to give first three readings.

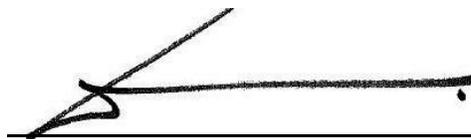


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Manager of Legislative Services

March 12, 2019

I concur with the recommendation.



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Guillermo Ferrero, City Manager

**ATTACHMENT(S)**

Bylaws 2005, 2006, 2007

TOWN OF LADYSMITH

**BYLAW NO. 2005**

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

1. Heritage Revitalization Advisory Commission Bylaw 1998, No. 1279 and all amendments thereto are hereby repealed.

**Citation**

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Heritage Revitalization Advisory Commission Repeal Bylaw, 2019, No. 2005.”

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

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

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

**ADOPTED**                    on the                    day of

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

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

TOWN OF LADYSMITH

**BYLAW NO. 2006**

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

1. Economic Development Commission Bylaw 2005, No. 1548 and all amendments thereto are hereby repealed.

**Citation**

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Economic Development Commission Repeal Bylaw, 2019, No. 2006.”

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

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

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

**ADOPTED**                        on the                    day of

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

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

TOWN OF LADYSMITH

**BYLAW NO. 2007**

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

1. Environment Commission Bylaw 2007, No. 1631 and all amendments thereto are hereby repealed.

**Citation**

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Environment Commission Repeal Bylaw, 2019, No. 2007.”

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

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

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

**ADOPTED**                    on the                    day of

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

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

Cheryl L. Fenner (VandeCasteyen),

March-5-2019

To: Mayor and Council

Re: Utilities bill for Oct-Dec, 2018 for  
Account 1200003

I did not receive my bill by Canada Post for this account and it only just came to my attention as I checked my bills and payments and realized I had never received it... The thought had crossed my mind that perhaps as the postal strike was on at the time.... I hoped I would get my bill... but now realize I did not.

I have called Canada Post who said they delivered all the bills.

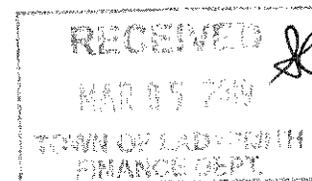
Now on March the 5<sup>th</sup> I am having to pay the larger amount of the bill because I have missed the deadline to pay the smaller amount. I am requesting that you allow me the reduced amount that should have been paid by February 28<sup>th</sup> but I never received that bill and will give you my word on that.

I will pay the \$304.60 today, but would request that you refund me the difference from the \$276.91 as I never received the bill probably from the postal strike misplacing it.....

Thank you for your attention to this matter.

Cheryl L. Fenner  
(VandeCasteyen)

*Cheryl L. Fenner*



Mar 13, 2019

To Mayor and Council

Ladysmith service clubs including Rotary, Lions, Kinsmen and Eagles along with the Town of Ladysmith, Stz'uminus First Nation and Mid-Isle Soccer Association are pleased to be working together to fund and construct a multi-purpose foot path along the perimeter Lot 108.

The committee, which includes representatives from all groups noted above, meet regularly to discuss progress including funding opportunities, site plans, and construction timelines. At this time, the committee has reached its funding goal of \$14,000, surveyed the area, developed preliminary timelines and investigated an opportunity to partner with Vancouver Island University Trades Program.

In order to apply to VIU and become a project partner, which if successful, will permit students to complete some of the works required for the trail, the committee requests that Council consider supporting in principle the committee's application to the VIU sponsorship program.

It is anticipated that if successful, this may lead into an ongoing relationship with VIU for future construction projects at Lot 108 as VIU instructors have shown an interest in the potential learning opportunities for students at this location.

Sincerely,  
Gerry Beltgens  
Rotary Club of Ladysmith

May 14, 2018

File: 0400-40-40 Trans

The Honourable Marc Garneau  
Minister of Transport  
House of Commons  
Ottawa, ON K1A 0A6

Pacific Pilotage Authority Canada  
1100 – 1130 West Pender Street  
Vancouver, BC V6E 4A4  
Attention: Ms. Lorraine Cunningham, Chair, Board of Directors

Port of Vancouver  
100 The Pointe, 999 Canada Place  
Vancouver, BC V6C 3T4  
Attention: Mr. Craig Neeser, Chair, Board of Directors

Dear Minister Garneau, Ms. Cunningham and Mr. Neeser:

**Re: Interim Protocol for Use of Southern BC Anchorages – Consultation with Stakeholders in Ladysmith, BC**

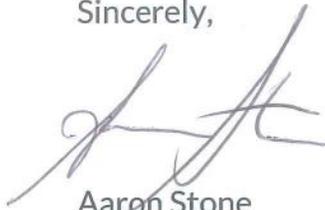
On behalf of Town of Ladysmith Council, I am writing to express our concerns about the lack of consultation with stakeholders related to the interim protocol, which allows multiple freighters to be anchored in and around the Ladysmith Harbour.

We understand that Transport Canada, along with the Pacific Pilotage Authority and the Vancouver Port Authority have launched an anchorage pilot program to accommodate the backlog of freighters awaiting anchorage in Vancouver's harbour. I would like to express our deep disappointment with the lack of consultation to affected communities such as the Town of Ladysmith. This pilot program has a direct impact on our harbour and the people who live here; both Town of Ladysmith residents and our neighbours, Stz'uminus First Nation who have ongoing dialogue about our concerns over the health of our harbour and how to manage existing and potential pollution. The Town is in the process of clearing derelict and abandoned vessels from our harbour thanks to a grant from Transport Canada, and are working toward restoring our harbour to the healthy environment it once was, for both humans and aquaculture.



We request that the Town of Ladysmith and Stz'uminus First Nation be included in further consultation related to the anchorage of freighters in our harbour.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Stone', with a large, stylized flourish extending upwards and to the right.

Aaron Stone  
Mayor

C: Chief Elliott and Council, Stz'uminus First Nation



Pacific Pilotage  
Authority Canada

Administration de pilotage  
du Pacifique Canada

1000 - 1130 West Pender Street  
Vancouver, BC V6E 4A4

Telephone (604) 666-6771  
Facsimile (604) 666-6093 (Dispatch)  
Facsimile (604) 666-1647 (Administration)  
Email: info@ppa.gc.ca



June 7, 2018

Mayor Aaron Stone  
Town of Ladysmith  
PO Box 220  
Ladysmith, BC V9G 1A2

Dear Mayor Stone:

On behalf of the PPA Board, I acknowledge receipt of your correspondence in the matter of an "Interim Protocol for use of Southern BC Anchorages".

As Transport Canada has the lead on the issue of vessel anchorages we have taken the liberty of forwarding this letter to Vija Poruks, the Transport Canada point person on this file and have asked our CEO, Kevin Obermeyer to follow up with Transport Canada.

Yours sincerely,

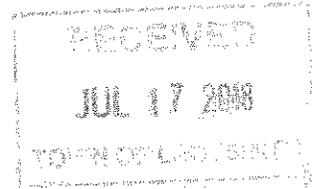
Lorraine Cunningham  
Pacific Pilotage Authority  
Board Chair



Ottawa, Canada K1A 0N5

JUL 17 2018

His Worship Aaron Stone  
Mayor  
Town of Ladysmith  
PO Box 220  
Ladysmith BC V9G 1A2



Dear Mr. Mayor:

Thank you for your letter of May 14, 2018, in which you wrote on behalf of the Town of Ladysmith Council, expressing concerns about the Interim Protocol for the Use of Southern B.C. Anchorages (the Interim Protocol). I appreciate receiving your comments on this issue.

At the outset, I would like to clarify that the interim procedures currently in effect in the Pacific Region were not developed to accommodate a backlog of vessels. Under common law, all vessels have a right to anchor anywhere in Canada's coastal waters that provides a safe location. Until recently, incoming vessels would choose, in consultation with a coast pilot, an anchoring site that was safe but also convenient. While this was effective, it resulted in some anchorage locations along the coast being almost continuously occupied.

In early February, Transport Canada, in collaboration with industry, implemented a temporary procedure, the Interim Protocol, under which incoming ships have voluntarily agreed to be assigned to a specified location along the south coast, thereby equalizing the use of anchorages among those available as much as possible, so that no single coastal community would be continuously impacted by the presence of large vessels. The Interim Protocol also introduced guidelines requesting anchored ships to reduce noise and sound after 7:00 p.m.

As you are likely already aware, the implementation of the Interim Protocol coincided with a number of extraordinary weather events across Canada, which delayed rail shipments of grain to waiting vessels and resulted in severe congestion at all anchorages in British Columbia, both within and outside ports. This was unrelated to the Interim Protocol, but the timing was such that a number of coastal communities perceived the increase in ship traffic to have been caused by the new procedure.

Over the last few years, Transport Canada has heard from a number of communities with comments similar to yours, expressing concerns about the impacts of ships anchored in coastal waters, and we have also received requests for action to ensure that there is oversight and management of the ships at anchor.

As a result, I am pleased to inform you that in 2017, Transport Canada initiated a comprehensive national review of anchorages, as a project within the Oceans Protection Plan, with the following objectives:

- Assess the environmental, social, cultural and economic impacts of anchoring on the south coast of British Columbia;
- Support the development of a formal, national process to identify and recommend new anchorage sites, outside of port authorities;
- Support the development of best practices for vessels at anchor and the development of a management and oversight regime; and
- Make recommendations on whether regulatory or legislative changes are also required.

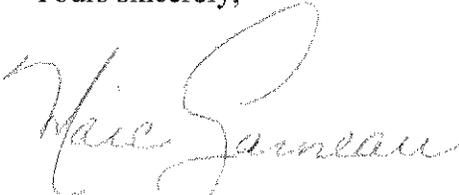
The comprehensive review will take approximately 12 to 18 months to complete and will include hearing feedback on issues from First Nations, coastal communities, other levels of government, and industry. Proposals to change current practices will be considered as part of the initiative, which will begin with the establishment of agreed-upon principles on the selection and use of new and existing anchorages.

Transport Canada did not undertake public or community consultations for the Interim Protocol, as it is a short-term measure that does not change any authorities or regulations; however, engagement is a founding principle of the national review, and we appreciate input such as yours about the potential impact of anchorages on coastal communities. All comments received about the Interim Protocol and about anchorages in general have been recorded and will be considered going forward.

Transport Canada's Pacific Region has already held two workshops with organizations and municipalities to present the Oceans Protection Plan initiatives, including those regarding anchorages. These dialogue sessions will continue to be held approximately twice a year to provide progress reports and hear feedback on initiatives. Citizens can also provide additional input at any time at the Oceans Protection Plan *Let's Talk* website at <https://letstalktransportation.ca/OPP>.

Thank you again for writing and sharing your comments with me.

Yours sincerely,

A handwritten signature in black ink that reads "Marc Garneau". The signature is fluid and cursive, with a large loop at the end of the name.

The Honourable Marc Garneau, P.C., M.P.  
Minister of Transport

c.c. Ms. Lorraine Cunningham  
Chair, Pacific Pilotage Authority Canada

Mr. Craig Neeser  
Chair, Port of Vancouver

Chief John Elliott  
Stz'uminus First Nation