

A SPECIAL MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
AGENDA
6:00 P.M.

Monday, May 13, 2019
Council Chambers, City Hall

Pages

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

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 the following matters, for the reasons as noted:

- Bylaw Enforcement Matter - section 90(1)(f & g)

3. **OPEN MEETING (6:00 P.M.)**

4. **AGENDA APPROVAL**

Recommendation

That Council approve the agenda for this Regular Meeting of Council for May 13, 2019.

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

6. **MINUTES**

6.1 **Minutes of the Regular Meeting of Council held May 6, 2019**

5

Recommendation

That Council approve the minutes of the Regular Meeting of Council held May 6, 2019.

7. PROCLAMATIONS

7.1 Access Awareness Day

14

Mayor Stone has proclaimed June 1, 2019 as Access Awareness Day in the Town of Ladysmith.

8. REPORTS

8.1 Gill Road Lift Station Tender Award

15

Recommendation

That Council:

1. Award the contract for the Gill Road Lift Station improvements to David Stalker Excavating Ltd. for \$267,509 plus applicable taxes; and
2. Increase the capital budget for the Gill Road Lift Station improvements by \$80,000, to a total project cost of \$322,230, with the additional funds to come from Sewer Reserves.

8.2 1260 Churchill Property Development

18

Recommendation

That Council:

1. Direct staff to retain:
 - a. Turner Surveying to complete a survey of 1260 Churchill Place as well as develop two lot layout proposals, one based on the existing zoning (R-1) and the other on R-1-B zoning; and
 - b. Aquaparian Environmental Consulting to complete a Riparian Areas Regulation Assessment for 1260 Churchill; and
 - c. The services of a real-estate firm to estimate the value of lots as proposed in the two options that will be generated by Turner Surveying and an engineering consultant to assist with construction cost estimating.
2. Direct staff to amend the 2019-2023 Financial Plan in the amount of \$15,000 to complete the work at 1260 Churchill Place with funds to come from the Real Property Reserve.
3. Direct staff to bring back the results this work program to Council for further direction.

9. BYLAWS

9.1 Town of Ladysmith Financial Plan Bylaw 2019, No. 2000 22

The purpose of Bylaw 2000 is to adopt a five-year Financial Plan for the Town of Ladysmith, as required by the *Community Charter*.

Recommendation

That Council adopt "Town of Ladysmith Financial Plan Bylaw 2019, No. 2000".

9.2 Town of Ladysmith Tax Rates Bylaw 2019, No. 2001 27

The purpose of Bylaw 2001 is to set the property tax rates for 2019 in accordance with the 2019 to 2023 Financial Plan.

Recommendation

That Council give first, second and third reading to "Town of Ladysmith Tax Rates Bylaw 2019, No. 2001".

9.3 Water Parcel Tax Bylaw 2019, No. 1998 29

The purpose of Bylaw 1998 is to establish a water parcel tax rate for property parcels in the Town of Ladysmith.

Recommendation

That Council adopt "Water Parcel Tax Bylaw 2019, No. 1998".

9.4 Sewer Parcel Tax Bylaw 2019, No. 1999 31

The purpose of Bylaw 1999 is to establish a sewer parcel tax rate for property parcels in the Town of Ladysmith.

Recommendation

That Council adopt "Sewer Parcel Tax Bylaw 2019, No. 1999".

10. NEW BUSINESS

10.1 Flag Policy -- Pride Flag 33

Recommendation

That, in accordance with section 3.1 of the Town of Ladysmith Flag Policy, and together with other Cowichan Region communities, Council direct that the Pride Flag be raised at City Hall on Tuesday, May 14 and flown until the end of June 2019 in recognition of May 17, International Day Against Homophobia, Transphobia and Biphobia as well as Pride Month in June.

11. UNFINISHED BUSINESS

12. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Monday, May 6, 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
Kim Fowler

Clayton Postings
Joanna Winter
Sue Bouma
Mike Gregory

1. CALL TO ORDER (5:00 p.m.)

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

2. CLOSED SESSION

CS 2019-162

That in accordance with section 90 of the Community Charter, Council retire into Closed Session at 5:01 p.m. to consider items related to the following:

- Lease Agreements - sections 90(1)(i) and 90(1)(k)
- Negotiations - section 90(2)(b)
- Committee Appointments - section 90(1)(a)

Motion Carried

3. REGULAR MEETING (7:00 p.m.)

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

4. AGENDA APPROVAL

CS 2019-163

That Council approve the agenda for this Regular Meeting of Council for May 6, 2019 as amended by the following:

- Move item 7.2, "Christy Wood: Ladysmith Resources Centre Association - Annual Report" to precede item 7.1, "Holland Creek Crossing Complex - Funding Considerations"
- Remove item 11.1., "Potential Changes to Articles of Incorporation for DL 2016 Holdings Corporation"

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:43 pm with report on the following:

CE 2019-049

That Council endorse the following two applicants as youth representation on the Parks, Recreation & Culture Advisory Committee:

- Bryn Dovey
- Ava Smith

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held April 15, 2019

CS 2019-164

That Council approve the minutes of the Regular Meeting of Council held April 15, 2019.

Motion Carried

6.2 Minutes of the Special Meeting/Workshop of Council held April 30, 2019

CS 2019-165

That Council approve the minutes of the Special Meeting/Workshop of Council held April 30, 2019.

Motion Carried

7. DELEGATIONS

7.1 Christy Wood: Ladysmith Resources Centre Association - Annual Report

Christy Wood, Executive Director of the Ladysmith Resources Centre Association, presented Council with an overview of the impact of the association on the community through its programs and initiatives. She expressed gratitude to the Town for their assistance and responded to Council's questions.

Council commended Ms. Wood and the Ladysmith Resources Centre Association for the important work they do within the community.

7.2 Holland Creek Crossing Complex - Funding Considerations

7.2.1 Bill Eller, representing 1399 Developments Inc.

Bill Eller, representing 1399 Developments Inc., made a presentation to Council regarding current Holland Creek Area Developments and funding considerations for the Holland Creek Crossing Complex. He expressed his concerns regarding Development Cost Charges alternative funding strategies like the Development Works Agreement and Late-Comers Charges and requested that Holland Creek Crossing Complex and related holdings be included in either a Town-wide Development Cost Charges program or a Holland Creek Area-Specific Development Cost Charges program.

Council thanked Mr. Eller for his presentation.

7.2.2 Glen Carey, representing Zhongjian Holdings Ltd.

Glen Carey, representing Zhongjian Holdings Ltd., advised Council that the owners of Zhongjian Holdings do not object to the new Development Cost Charges bylaw because the increased costs will be shared by all developers, but that they are not in agreement with Holland Creek area-specific Development Cost Charges. He requested that the technical committee, as noted on page 13 of the

Holland Creek Area Plan, be reactivated to discuss infrastructure phasing and financing. He also requested that two members of Council be included on the technical committee.

Council thanked Mr. Carey for his presentation.

7.2.3 Jim Dickinson, representing 0936984 BC Ltd.

Jim Dickinson, representing 0936984 BC Ltd, requested that staff, Council and development groups work together, to arrive at a solution for Development Cost Charges in the Holland Creek area. He advised Council that the Holland Creek Partnership is interested in responsible development and growth and asked to be treated as part of the community.

Council thanked Mr. Dickinson for his presentation.

8. PROCLAMATIONS

8.1 National Public Works Week

Mayor Stone proclaimed the week of May 19th to May 25th, 2019 as "National Public Works Week" in the Town of Ladysmith.

8.2 National Missing Children's Month and Missing Children's Day

Mayor Stone proclaimed the month of May as Child Find's Green Ribbon of Hope month and May 25th as National Missing Children's Day and encouraged citizens to wear a green ribbon as a symbol of Hope for the recovery of all missing children.

8.3 Intergenerational Day

Mayor Stone proclaimed June 1, 2019 as "Intergenerational Day Canada" in the Town of Ladysmith.

9. DEVELOPMENT APPLICATIONS

9.1 Development Variance Permit – 969 Oliver Terrace

CS 2019-166

That Council:

1. Issue Development Variance Permit 3090-19-04 to vary the front parcel line setback for an addition to a dwelling at 969 Oliver Terrace.

2. Authorize Mayor and Corporate Officer to sign Development Variance Permit 3090-19-04.
3. Authorize the Mayor and Corporate Officer to sign the release of EG94367 (DVP 93-04) and EH15798 (DP 93-12) from the Certificate of Title on Lot 14 District Lot 96 Oyster District Plan VIP63081 (969 Oliver Terrace).

Motion Carried

10. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING

10.1 Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 57) 2019, No. 1994 (379 Davis Road)

CS 2019-167

That Council adopt "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 57) 2019, No. 1994".

Motion Carried

10.2 Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 24), 2019, No. 1995 (379 Davis Road)

CS 2019-168

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 24), 2019, No. 1995".

Motion Carried

10.3 Arts and Heritage Hub Land Use Amendments (Bylaws 2011 and 2012)

CS 2019-169

That Council:

1. Proceed with first and second readings of Bylaw 2011 cited as "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 58) 2019, No. 2011."
2. Proceed with first and second readings of Bylaw 2012 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 25) 2019, No. 2012."

3. Having further considered s. 475 of the *Local Government Act*, refer Bylaw 2011 to Stz'uminus First Nation pursuant to the Town/Stz'uminus Memorandum of Understanding.
4. Having considered s. 477 of the *Local Government Act*, refer Bylaw 2011 and Bylaw 2012 to public hearing.

Motion Carried

11. REPORTS

11.1 Grant-in-Aid Policy

CS 2019-170

That Council approve the amended Grant-in-Aid policy as presented.

Motion Carried

11.2 Waterfront Trail Improvements on Lot 5

CS 2019-171

That Council approve allocating up to \$20,000 from appropriated equity to fund safety improvements to the Waterfront Trail on Lot 5.

Motion Carried

11.3 Lot 108 Site Plan

CS 2019-172

That Council:

1. Receive the information update from the Lot 108 Working Committee (Rotary, Lions, Eagles, Kinsmen and Mid Isle Soccer) and refer the proposed revised plan to the Parks, Recreation & Culture Advisory Committee for comment and feedback.
2. Direct staff to report back to Council on the options related to developing an updated Lot 108 site plan and the process and costs associated with updating this concept plan.

Motion Carried

11.4 Town and Country Mobile Home Park Sanitary Sewer Servicing Study

CS 2019-173

That Council:

1. Direct staff to enter into an agreement with The Town and Country Mobile Home Park for the completion of the sanitary servicing study as outlined in the WSP proposal dated January 8, 2019.
2. That the Town's portion of the cost of the above noted study be limited to Option 3, \$4,670 plus applicable taxes.

Motion Carried

The Director of infrastructure Services reminded Council of the upcoming Public Works Day on May 23rd and invited them to assist at the event.

12. BYLAWS

12.1 Development Procedures Amendments

CS 2019-174

That Council:

1. Proceed with the first three readings of Bylaw 2009, cited as "Ladysmith Development Procedures Bylaw 2008, No. 1667, Amendment Bylaw 2019, No. 2009."
2. Proceed with first three readings of Bylaw 2010, cited as "Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment Bylaw 2019, No. 2010."

Motion Carried

12.2 Town of Ladysmith Financial Plan Bylaw 2019, No. 2000

CS 2019-175

That Council give first, second and third readings to "Town of Ladysmith Financial Plan Bylaw 2019, No. 2000".

Motion Carried

12.3 Town of Ladysmith Tax Rates Bylaw 2019, No. 2001

CS 2019-176

That Council give first, second and third reading to "Town of Ladysmith Tax Rates Bylaw 2019, No. 2001".

Motion Carried

12.4 Water Parcel Tax Bylaw 2019, No. 1998

CS 2019-177

That Council give first, second and third readings to "Water Parcel Tax Bylaw 2019, No. 1998".

Motion Carried

12.5 Sewer Parcel Tax Bylaw 2019, No. 1999

CS 2019-178

That Council give first, second and third readings to "Sewer Parcel Tax Bylaw 2019, No. 1999".

Motion Carried

13. CORRESPONDENCE

13.1 Kelly Styles - Request for Action Regarding the McKinley-Churchill Connector Reopening

CS 2019-179

That Council refer the correspondence from Kelly Styles, dated April 29, 2019, regarding the possibility of installing speed bumps and investigating alternative methods of mitigating dust during the re-opening of the McKinley-Churchill Road connector to staff for review and to provide options for cost.

Motion Carried

13.2 John Marston - Request for Sponsorship at a Student Cultural Event on May 9th at Transfer Beach

CS 2019-180

That Council provide a Grant in Aid to Chemainus Secondary School for a student cultural event on May 9th at Transfer Beach in the amount of \$500.00.

Motion Carried

14. NEW BUSINESS

14.1 Heritage BC Annual Conference, May 9-11, 2019 in Nanaimo

CS 2019-181

That Council authorize Councillor Johnson to attend the Heritage BC Annual Conference in Nanaimo, May 9 - 11, 2019 for a cost of \$380 plus expenses.

Motion Carried

OPPOSED: Councillor Jacobson

15. QUESTION PERIOD

There were no questions from the public.

16. ADJOURNMENT

CS 2019-182

That this Regular Meeting of Council adjourn at 8:41 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (J. Winter)



TOWN OF LADYSMITH

PROCLAMATION

ACCESS AWARENESS DAY

- WHEREAS: Accessibility is essential for ensuring the true inclusion of all citizens; and*
- WHEREAS: Accessibility creates the opportunity for everyone to fully participate in all aspects of community life – economic, social, physical, cultural, and recreational; and*
- WHEREAS: We all play a role in ensuring that our communities are as accessible and inclusive as possible; and*
- WHEREAS: The Town strives to promote equitable opportunities for people of all abilities.*
- THEREFORE, I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim June 1, 2019 as “Access Awareness Day” in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

May 1, 2019

STAFF REPORT TO COUNCIL

Report Prepared By: Director of Infrastructure Services
Date: May 8, 2019
Report Reviewed By:
Meeting Date: May 13, 2019
File No:
RE: Gill Road Lift Station Award

RECOMMENDATION:

That Council:

1. Award the contract for the Gill Road Lift Station improvements to David Stalker Excavating Ltd. for \$267,509 plus applicable taxes; and
2. Increase the capital budget for the Gill Road Lift Station improvements by \$80,000, to a total project cost of \$322,230, with the additional funds to come from Sewer Reserves.

PURPOSE:

The purpose of this report is to seek Council authorization to award the contract for improvements to the Gill Road Lift Station, in accordance with the Town of Ladysmith Purchasing Policy.

PREVIOUS COUNCIL DIRECTION

n/a

INTRODUCTION/BACKGROUND:

The original invitation to tender for Gill Road lift station was issued in August 2018, with two submissions received. However, the tender was cancelled because the lowest bidder was not able to meet the Terms of Contract in the Instructions to Tenderers (ITT), and the price submitted by the other bidder was substantially over the budget.

The Gill Road tender was reissued in December 2018, with a closing date in January 2019. Again, the Town received two bids. The low bid in this tender was found to be non-compliant and the other bid was substantially over budget. Council chose to cancel this tender due to the amount the second bidder exceeded the budget.

The Gill Road tender was reissued for a third time in March 2019, with a closing date in April 2019. The Town received three bids as follows:

- Copcan Civil Ltd \$318,960
- David Stalker Excavating Ltd. \$267,509
- Seafirst Construction \$375,300

After evaluation of the three tenders it was found that the low bid, David Stalker Excavating Ltd. was found to be compliant, but exceeds the budget by a small margin.

ALTERNATIVES:

Council can choose to cancel this tender and reissue it, however this is not recommended as this would be the third time this would have been done and the amount that the tender exceeds the budget is not significant.

FINANCIAL IMPLICATIONS;

The existing balance in the account for this project is \$242,230. The tender amount exceeds this budget by \$25,279. The remainder of the recommended increase in budget of \$80,000 is to provide contingency for the project as well as amounts to cover the project management.

LEGAL IMPLICATIONS;

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Infrastructure Services oversees the project; Financial Services manages the budget, and Corporate Services is responsible for ensuring the tendering process is adhered to.

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:

The Gill Road Lift Station project has been to tender three times, the first two times the tender was cancelled due to non-compliances and tenders being significantly over budget. Although

the low bid on the latest tender exceeds the budget, it is by a small margin and staff is recommending that Council move forward with the project.

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

STAFF REPORT TO COUNCIL

Report Prepared By: Director of Infrastructure Services
Date: May 8, 2018
Report Reviewed By:
Meeting Date: May 14, 2018
File No:
RE: **1260 CHURCHILL PROPERTY DEVELOPMENT**

RECOMMENDATION:

That Council:

1. Direct staff to retain:
 - a. Turner Surveying to complete a survey of 1260 Churchill Place as well as develop two lot layout proposals, one based on the existing zoning (R-1) and the other on R-1-B zoning; and
 - b. Aquaparian Environmental Consulting to complete a Riparian Areas Regulation Assessment for 1260 Churchill; and
 - c. The services of a real-estate firm to estimate the value of lots as proposed in the two options that will be generated by Turner Surveying and an engineering consultant to assist with construction cost estimating.
2. Direct staff to amend the 2019-2023 Financial Plan in the amount of \$15,000 to complete the work at 1260 Churchill Place with funds to come from the Real Property Reserve.
3. Direct staff to bring back the results this work program to Council for further direction.

PURPOSE:

The purpose of this report is to have Council approve staff obtaining a survey and preliminary works to help inform Council of how to proceed with development of the recently purchased Churchill property.

PREVIOUS COUNCIL DIRECTION

Resolution	MeetingDate	ResolutionDetails
CS 2018-325	2018-09-04	That Council: 1. Authorize up to \$1,000,000 to be borrowed, under Section 175 of the Community Charter, from the Municipal Finance Authority, for the purpose of purchasing the property located at 1260 Churchill Place, Ladysmith and constructing an access road; and



Resolution	MeetingDate	ResolutionDetails
		2. Acknowledge that the loan be repaid within 5 years, with no rights of renewal; and 3. Amend the 2018-2022 Financial Plan accordingly. OPPOSED: Councillors Fradin and Friesenhan
CE 2018-102	2018-08-30	That Council: 1. Approve the purchase agreement with Graham and Patricia Tanner for 1260 Churchill Place. 2. Authorize the Mayor and Corporate Officer to execute the agreement. OPPOSED: Councillor Friesenhan
CE 2018-097	2018-08-20	That Council direct staff to: 1. Offer to enter into a temporary access agreement with the owner of 1260 Churchill Place, together with an option to purchase the property with a term of up to six months; or ,should the owner refuse the temporary access agreement, 2. Authorize staff to purchase 1260 Churchill Place for a price of up to \$900,000.
CE 2018-081	2018-08-15	That Council direct staff to negotiate with the owner of 1260 Churchill Place to establish a temporary full public access road on the property and/or to acquire the property.

INTRODUCTION/BACKGROUND:

In 2018 Council purchased 1260 Churchill Place, with the intent that it would be available to provide additional access for development on the west side of Rocky Creek. At the time of the purchase no detailed analysis was completed related to the potential development of the property.

In order to move forward with any development of the Churchill property, some basic information needs to be gathered that will form the basis for any development plan. This work includes completing a legal survey of the property and due to the proximity of the property to Rocky Creek a riparian assessment will be required to understand any setbacks that will be required from the creek.

Once this information has been determined staff recommending that to start two options be developed for lot configurations. As the existing zoning of the property is R-1, the first option would conform to that zoning. The second option would consider a higher density development consistent with what is currently found on Alderwood Dr. (R-1-B) which borders the western boundary of the property.. The two lot configuration options would then be presented to the real-estate professional for an opinion on lot value. Staff with the assistance from an engineering consultant will also estimate the construction costs of the two options.

This information will then be presented to Council and will provide a starting point to assist Council in moving forward with development of the Churchill property.

ALTERNATIVES:

Council can choose to:

1. Direct staff to investigate options other than residential development for the property.
2. Direct staff to investigate higher density residential development.
3. Direct staff to sell the property with the provision that any development include a connecting road from Churchill to Mckinley.

FINANCIAL IMPLICATIONS;

The costs to complete this work is estimated at \$15,000. This amount is not contained within the 2019 – 2023 Financial Plan and it is proposed that the money be taken from the Real Property Reserve.

LEGAL IMPLICATIONS;

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This work will be coordinated through the engineering department. The bulk of the work will be completed by consultants, but will require engineering oversight, particularly the development of the construction cost estimates.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

1260 Churchill Place was purchased by Council in 2018, with the intent that it be developed as an alternative access route for the west side of Rocky Creek. In addition to the access route the Council of the day had also indicated a desire to see the remainder of the property as

residential development. Staff is presenting to Council a basic starting work program to gather information that will assist in moving this property development forward.

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

TOWN OF LADYSMITH

BYLAW NO. 2000

A bylaw establishing the Financial Plan for the years 2019-2023

WHEREAS the *Community Charter* requires Municipal Councils to prepare and adopt, by bylaw, a financial plan;

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

Administration

- (1) Schedule “A” attached hereto and made part of the bylaw is hereby adopted and shall be the Financial Plan for the Town of Ladysmith for the five years ending the 31st of December, 2023.
- (2) Schedule “B” attached hereto and made part of the bylaw is hereby adopted and shall be the statement of objectives and policies for the Town of Ladysmith for the five years ending the 31st of December 2023.

Repeal

- (3) The “Town of Ladysmith Financial Plan Bylaw 2018, No. 1956” is hereby repealed.

Citation

- (4) This bylaw may be cited for all purposes as “*Town of Ladysmith Financial Plan Bylaw 2019, No. 2000*”.

READ A FIRST TIME on the 6th day of May, 2019

READ A SECOND TIME on the 6th day of May, 2019

READ A THIRD TIME on the 6th day of May, 2019

ADOPTED on the day of

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule 'A' of Bylaw 2000

2019 – 2023 Financial Plan

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
REVENUES:					
Revenue From Property Tax Values	8,451,130	8,916,854	9,146,735	9,352,873	9,667,818
Revenue From Grants In Lieu	170,901	170,979	171,064	171,158	171,243
Revenue From Parcel Taxes	2,975,882	2,997,702	3,009,612	3,021,522	3,033,432
Revenue From Fees & Charges	4,755,265	4,886,252	5,051,450	5,194,022	5,224,366
Revenue From Other Sources	23,519,187	1,180,068	1,022,423	828,039	825,339
	<u>39,872,365</u>	<u>18,151,855</u>	<u>18,401,284</u>	<u>18,567,614</u>	<u>18,922,198</u>
EXPENSES:					
General Operating Expense	10,971,845	10,544,869	10,776,168	10,981,665	11,174,013
Sanitary Sewer Operating Expenses	2,062,140	1,551,054	1,582,074	1,613,717	1,645,986
Water Operating Expenses	1,395,319	1,427,452	1,456,002	1,485,121	1,514,822
Interest Payments	529,353	656,705	643,705	609,705	899,705
Amortization	3,436,284	3,505,010	3,575,110	3,407,608	3,475,760
	<u>21,477,424</u>	<u>466,765</u>	<u>368,225</u>	<u>469,798</u>	<u>211,912</u>
Annual Surplus/Deficit					
Add back:					
Amortization	3,436,284	3,505,010	3,575,110	3,407,608	3,475,760
Capital Expenditures					
General Capital	13,537,553	2,476,100	1,311,300	1,640,433	1,618,050
Sanitary Sewer Capital	1,291,994	925,000	1,810,000	525,000	890,750
Water Capital	27,689,239	1,300,000	680,000	10,150,000	1,260,000
Proceeds from New Debt	(8,911,952)	0	0	(5,500,000)	0
Principal Payments	824,187	945,476	945,476	1,945,476	1,030,476
Transfers from Reserves	(2,404,804)	(1,722,575)	(1,005,500)	(4,461,477)	(712,272)
Transfer to (from) Own Funds	(7,112,509)	47,774	202,059	(422,026)	(399,332)
Financial Plan Balance	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

Schedule 'B' of Bylaw No. 2000

**Town of Ladysmith 2019 – 2023 Financial Plan
Statement of Objectives and Policies**

In accordance with Section 165(3.1) of the Community Charter, the Town of Ladysmith (Town) is required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

1. The proportion of total revenue that comes from each of the funding sources described in Section 165(7) of the Community Charter;
2. The distribution of property taxes among the property classes, and
3. The use of permissive tax exemptions.

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2019. Council currently has no specific policy surrounding the proportion of total revenue to come from each funding source. Property taxes form the greatest proportion of revenue. As a revenue source, property taxation offers a number of advantages, for example, it is simple to administer and it is fairly easy for residents to understand. It offers a stable and reliable source of revenue for services that are difficult or undesirable to fund on a user-pay basis. These include services such as general administration, fire protection, police services, bylaw enforcement and street lighting.

User fees and charges form a large portion of planned revenue. Many services can be measured and charged on a user-pay basis. Services where fees and charges can be easily administered include water and sewer usage, building permits, business licenses, and sale of services - these are charged on a user-pay basis. User fees attempt to apportion the value of a service to those who use the service.

Objective

- The Town will increase the proportion of revenue that is received from user fees and charges until the fees and charges more closely meet the costs incurred to provide the services.

Policies

- The Town will review all user fee levels to ensure they are adequately meeting both the capital and delivery costs of the service.
- Water and Sanitary Sewer Rates will be reviewed to ensure that appropriate user fees are charged, rather than taxation, to lessen the burden on its limited property tax base.
- Borrowing will be considered when a capital project will provide benefits to taxpayers over a long period.
- Pursuant to Council's direction, the Town will build a reserve to fund major capital projects. A minimum of 10% prior year's municipal tax levy will be transferred to General Capital projects as well as setting aside a further 5% for asset replacement.

Table 1: Sources of Revenue

<u>Revenue Source</u>	<u>2019</u>	<u>% total</u>
Property Taxes	8,451,130	14.20%
Grants in Lieu	170,901	0.29%
Parcel Taxes	2,975,882	5.00%
User fees & Charges	4,755,265	7.99%
Other Sources	2,333,500	3.92%
Borrowing	8,911,952	14.98%
Government Grants	21,185,687	35.61%
DCCs & Reserves	2,404,804	4.04%
Own Funds	8,309,279	13.97%

Distribution of Property Tax Rates

Table 2 outlines the distribution of property taxes among the property classes. The residential property class provides the largest proportion of property tax revenue. This is appropriate as this class also forms the largest portion of the assessment base and consumes the majority of Town services.

Objectives

- The amount of taxes to be collected from each of the classes will be reviewed each year.

Policies

- Supplement, where possible, revenues from user fees and charges to help to offset the burden on the entire property tax base.
- Continue to maintain and encourage economic development initiatives designed to attract more light industry, retail and commercial businesses to invest in the community. Align the distribution of tax rates among the property classes with the social and economic goals of the community, particularly to encourage economic and environmental sustainability opportunities.
- Regularly review and compare the Town's distributions of tax burden relative to other municipalities in British Columbia.

Table 2: Distribution of 2019 Property Tax Rates

Property Class	2019
	% of Total Property Taxation
Residential (1)	72.84%
Utilities (2)	0.57%
Supportive Housing (3)	0.00%
Major Industry (4)	12.01%
Light Industry (5)	0.67%
Business and Other (6)	13.63%
Managed Forest Land (7)	0.00%
Recreation/Non-profit (8)	0.27%
Farmland (9)	0.01%
Total	100%

Permissive Tax Exemptions

The Town provides permissive tax exemptions. The Permissive Tax Exemption Bylaws 2018, No.1972 & No.1979, adopted on October 15, 2018, contain a list of properties exempt from taxation for 2019. Some of the eligibility criteria for permissive tax exemptions include the following:

- The tax exemption must demonstrate benefit to the community and residents of the Town by enhancing the quality of life (economically, socially and culturally) within the community.
- The goals, policies and principles of the organization receiving the exemption must not be inconsistent or in conflict with those of the Town.
- The organization receiving the exemption must be a registered non-profit society, as the support of the municipality will not be used for commercial and private gain.
- Permissive tax exemptions will be considered in conjunction with: (a) other assistance being provided by the Town; (b) the potential demands for Town services or infrastructure arising from the property; and (c) the amount of revenue that the Town will lose if the exemption is granted.

Objective

- The Town will continue to provide permissive tax exemptions to some non-profit societies. The Town has also expanded its offering of permissive tax exemptions to include revitalization tax exemptions. It also intends to offer permissive tax exemptions targeted at green development for the purposes of encouraging development that will meet our *Climate Action Charter* commitments.

Policies

- Expand the permissive tax exemption policy to include eligibility requirements for green revitalization tax exemptions.
- Develop a revitalization tax exemption program which details the kinds of green activities that the exemption program will target.

- Integrate the green revitalization tax exemption program into the Town's existing economic initiatives as a means of attracting retail and commercial businesses to further invest in the community.
- Continue the use of the revitalization tax exemption for economic revitalization in order to encourage the commercial and industrial redevelopment of specific areas.

Table 3: Utilization of Reserves, Development Cost Charges and Surplus for 2019

Source	% of Total	Dollar Value
Development Cost Charges - Roads	2%	235,000
Development Cost Charges - Sewer	1%	105,500
Development Cost Charges - Water	6%	632,250
Cemetery Care Fund	0%	1,948
Reserve - Amphitheatre	0%	10,000
Gas Tax Funds	13%	1,422,054
Surplus	78%	8,309,279
Total		\$10,716,031

TOWN OF LADYSMITH

BYLAW NO. 2001

A bylaw for the levying of rates for Municipal, Hospital and Regional District purposes for the year 2019.

WHEREAS the Council of the Town of Ladysmith shall, pursuant to the *Community Charter*, in each year, adopt a bylaw to impose rates on taxable land and improvements according to their assessed value to provide the money required for purposes specified in the Charter;

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

Administration

1. The tax rates for the year 2019 shown on Schedule “A”, attached to and forming part of this Bylaw, shall be imposed on the assessed value of all the land and improvements within the Town of Ladysmith for the following purposes of:
 - (a) The Town of Ladysmith General Municipal Purposes – Column ‘A’;
 - (b) The Cowichan Valley Regional District – Column ‘B’;
 - (c) The Cowichan Valley Regional District Hospital – Column ‘C’.

Citation

2. This bylaw may be cited as the "Town of Ladysmith Tax Rates Bylaw 2019, No. 2001".

READ A FIRST TIME on the 6th day of May 2019

READ A SECOND TIME on the 6th day of May 2019

READ A THIRD TIME on the 6th day of May 2019

ADOPTED on the day of

Mayor (A. Stone)

Corporate Officer (J. Winter)

**Town of Ladysmith Tax Rates Bylaw 2019, No.2001
Schedule "A"**

Tax Rates (Dollars of Tax per \$1,000 Net Taxable Value)

PROPERTY CLASS		<u>A</u> Municipal	<u>B</u> Cowichan Valley Regional District	<u>C</u> Cowichan Valley Regional Hospital District
1	Residential	4.0235	0.7738	0.5077
2	Utilities	32.4482	2.7083	1.7770
3	Supportive Housing	4.0235	0.7738	0.5077
4	Major Industry	104.7610	2.6309	1.7261
5	Light Industry	18.2199	2.6309	1.7261
6	Business/Other	12.9794	1.8958	1.2439
7	Managed Forest	28.9552	2.3214	1.5231
8	Rec Non Profit	2.5757	0.7738	0.5077
9	Farm	34.8856	0.7738	0.5077

TOWN OF LADYSMITH

BYLAW NO. 1998

A bylaw to impose a water parcel tax on owners of land in the Town of Ladysmith pursuant to the provisions of the *Community Charter*.

WHEREAS the Council of the Town of Ladysmith is empowered by the *Community Charter* to impose and levy a water parcel tax to meet the cost of works and services that benefit land within the Municipality; and

WHEREAS certain costs have been or are to be incurred by the Town of Ladysmith in constructing and improving the water system of the Town; and

WHEREAS it is deemed essential and expedient to impose and levy a water parcel tax on land benefiting from such improvements to meet such costs;

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

Definitions

1. In this Bylaw:

"Parcel" Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2019 Revised Assessment Roll and all amendments thereto.

"Group of Parcels" Means where a building or improvement is constructed over more than one parcel of land, those parcels, if contiguous, may be dealt with by the Assessor as one parcel and be assessed accordingly.

Levy

2. A water parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the water system of the Town, or which is deemed to abut on the said water system.
3. The annual water parcel tax shall be in the amount of Four Hundred and Fifty Nine Dollars (\$459.00) per parcel or group of parcels.
4. The water parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the water parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.
5. The water parcel tax shall have the same rights and remedies as other real property taxes.
6. Every water parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter*.

Repeal

7. "Water Parcel Tax Bylaw, 2018, No. 1958" is hereby repealed.

Citation

8. This bylaw may be cited as "Water Parcel Tax Bylaw 2019, No. 1998".

READ A FIRST TIME on the 6th day of May, 2019

READ A SECOND TIME on the 6th day of May, 2019

READ A THIRD TIME on the 6th day of May, 2019

ADOPTED on the day of , 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

TOWN OF LADYSMITH

BYLAW NO. 1999

A bylaw to impose a sewer parcel tax on owners of land in the Town of Ladysmith, pursuant to the provisions of the *Community Charter*.

WHEREAS the Council of the Town of Ladysmith is empowered the *Community Charter* to impose and levy a sewer parcel tax to meet the cost of works and services that benefit land within the Municipality; and

WHEREAS certain costs have or will be incurred by the Town of Ladysmith in constructing and improving the sewer system of the Town; and

WHEREAS it is deemed essential and expedient to impose and levy a sewer parcel tax on land benefitting from such improvements to meet such costs;

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

Definitions

1. In this Bylaw:

"Parcel" Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2019 Revised Assessment Roll and all amendments thereto.

"Group of Parcels" Means where a building or improvement is constructed over more than one parcel of land, those parcels, if contiguous, may be dealt with by the Assessor as one parcel and be assessed accordingly.

Levy

2. A parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the sewer system of the Town, or which is deemed to abut on the said sewer system.

3. The annual sewer parcel tax shall be in the amount of Three Hundred Thirty-Five Dollars (\$335.00) per parcel or group of parcels.

4. The sewer parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.

5. The sewer parcel tax shall have the same rights and remedies as other real property taxes.

6. Every parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter*.

Repeal

7. "Sewer Parcel Tax Bylaw 2018, No. 1959" is hereby repealed.

Citation

8. This bylaw may be cited as "Sewer Parcel Tax Bylaw 2019, No. 1999".

READ A FIRST TIME on the 6th day of May, 2019

READ A SECOND TIME on the 6th day of May, 2019

READ A THIRD TIME on the 6th day of May, 2019

ADOPTED on the day of , 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

From: Cowichan Pride <cowichanpride@gmail.com>
Sent: May 3, 2019 3:54 PM
Subject: Pride Flag at Duncan City Hall, May 13, 3:30pm

Dear Mayor and Councillors of Duncan, North Cowichan, Ladysmith, and Lake Cowichan; Cowichan Tribes, School District 79, Reverend, Alistair, Sonia, Candace, and Milah:

(Apologies for the one email, but we're trying to get everybody on the same page.)

After coordination with Paige MacWilliams (Duncan City Council) and Rosalie Sawrie (North Cowichan City Council), the pride flag will be raised at Duncan City hall, 3:30PM on Monday, May 13th. Originally scheduled for 4PM to give students time to leave school to attend, it was moved earlier to accommodate Duncan council's meeting with the school board. We realize that North Cowichan council has a forestry tour that afternoon; hopefully it won't run late.

Originally, the "Standing by Our Colours" project, sponsored by Heritage Canada, was intended for Duncan only, but North Cowichan council agreed to fly the flag as well. Considering that we are a Cowichan Valley community of communities, we'd like to invite Ladysmith council and Lake Cowichan council to also participate: flying the rainbow flag and/or speaking at the Duncan ceremony. The 8-stripe historic pride flag will be provided by Cowichan Pride.

Also, the chair of the CVRD is welcome to speak too to represent the other areas.

Given the upcoming pride parade led by the Cowichan Valley Youth Services youth, we hope the flag can be left up until the end of June Pride month. Given the recent event at the Island Savings Centre on Monday, there is a need for awareness of how homophobia and transphobia can threaten our community values of diversity and inclusion.

Because SOGI 123 is an important intervention for at-risk youth and fosters a safe learning environment, we would like to invite a speaker from the school board or an educator to address that issue.

We would also like to invite a speaker from Cowichan Tribes.

We're aware that Alistair MacGregor will be in Ottawa on May 13th, but we hope that a representative can speak to the symbolic significance of May 14th, 1969.

We hope that each city representative (mayor or city councillor) can address relevant civic perspectives specific to their community.

People speaking for the LGBTQ2S+ community will be: Keith Simmons and Katherine Brittain (United Church), Ashley & Steven Vomacka, Rosalie Sawrie, among others. We were also hoping to get a student or two from the group sponsoring the pride parade to speak but they are reticent, which only goes to show there is more work to do in promoting a safe community and safe families. If you know of any student willing to speak, please let us know.

We are asking that each speaker keep their speech succinct and distinct to minimize overlap in speeches. As officials do need to run off to meetings, we'd like to keep the speeches short (10 speakers

at 2 minutes max would be 20 minutes). **Speakers, please send a quick email (or phone call) to confirm you will be speaking.**

As two potential people have declined, Roger will probably be the master of ceremonies. A media press kit released will be forwarded to you next week.

FYI, this will be the 8-stripe historic pride flag that will be flown:

https://www.youtube.com/watch?v=Lb_LXHkFMm4

https://www.amazon.ca/dp/B076HDPG8K/ref=cm_sw_r_sms_c_api_i_K3-YCbBY42NK3

Regards,

Roger Chin, Jane Kilthei, Rosalie Sawrie, Ashley Vomacka

Cowichan Pride

250-510-6610 iPhone (Roger)

From: Cowichan Pride <cowichanpride@gmail.com>

Subject: Pride flag, May 14-17, 50th anniversary

Date: April 12, 2019 at 07:25:23 PDT

To: mayor@duncan.ca, bbrooke@duncan.ca, gbruce@duncan.ca, jcapps@duncan.ca, tomduncan@duncan.ca, smiddlemiss@duncan.ca, cnewington@duncan.ca

Cc: Alistair.MacGregor@parl.gc.ca, "Sonia Furstenu. Mla" <sonia.furstenau.MLA@leg.bc.ca>, al.siebring@northcowichan.ca, council@northcowichan.ca

Dear mayor and councillors:

We didn't realize you would be meeting next Monday. We hope it's not too late to address this for May 14-17. Funding for this Heritage Canada project was just recently approved.

50 years ago, on June 27, 1969, homosexuality was decriminalized in Canada. To commemorate the event, Heritage Canada is sponsoring the Standing by Our Colours project to support 50 LGBTQ2S+ communities across Canada. Duncan was selected as one of 8 cities in BC. They would like the rainbow flag to be raised May 14-17 to coincide with May 17, International Day Against Homophobia, Transphobia and Biphobia. We hope Duncan city council will again oblige, after having done so in February 2014 (to support LGBTQ Sochi athletes) and June 2016 (in honour of the victims of the Pulse Nightclub shooting). We can provide the same quilted flag as before.

This flag raising is an opportunity to have a celebration for once. We welcome the mayor who was at the first pride flag raising as well as local politicians to participate. We hope that Alistair MacGregor could provide a federal perspective to add to the speeches from a few members of the LGBTQ2S+ community. May 17 would be the ideal date.

Other BC participants include: Surrey Pride, Nelson Pride, Kamloops Pride, North Island Pride, Tri-Cities Pride, North Peace Pride Society, and Tseil-Waututh First Nation. This is a media opportunity for smaller communities to show how welcoming they are.

Thank you for your consideration.

Kind Regards,
Jesse Wilts & Roger Chin
Cowichan Pride

