



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, DECEMBER 5, 2016

Call to Order and Closed Meeting

5:00 p.m.

Regular Open Meeting

7:00 p.m.

A G E N D A

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

1. CLOSED SESSION

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

- Status of sale of Town-owned properties and proposed property acquisitions 90 (1) (l)
- Provision of a municipal service 90 (1) (k)
- Human Resources matter 90 (1) (c)

REGULAR MEETING (7:00 P.M.)

2. AGENDA APPROVAL

3. RISE AND REPORT – Items from Closed Meeting

4. MINUTES

- 4.1. Minutes of the Regular Meeting of Council held November 21, 20161 - 5

5. DELEGATIONS

- 5.1. Chris Boar, Tony Puerzer, Bill Weller, Doug Wortley and Lindsay Malbon,
Nanaimo Astronomy Society (NAS)
Urban Star Park
- 5.2. Mark Drysdale, Ladysmith Chamber of Commerce
Business Walk Report

6. PROCLAMATIONS

- 6.1. Women Against Violence
Mayor Stone proclaims December 6, 2016 as the National Day of Remembrance and Action on Violence Against Women, commemorating the 14 young women whose

lives ended in an act of gender-based violence, and encouraging all citizens to help eliminate all forms of violence against women and girls.

7. DEVELOPMENT APPLICATIONS - None

8. BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING) - None

9. APPOINTMENTS

- 9.1. Deputy Mayor Mayor Stone
- 9.2. Parcel Tax Review Panel By resolution
- 9.3. Cowichan Valley Regional District Director By resolution
- 9.4. Cowichan Valley Regional District Alternate Director By resolution
- 9.5. Vancouver Island Regional Library Board Director By resolution
- 9.6. Vancouver Island Regional Library Board Alternate By resolution
- 9.7. Cowichan Valley Regional District Community Safety Advisory Commission Representative By resolution
- 9.8. Standing and Community Committee Representatives Mayor Stone
- 9.9. Bank Signing Authority By resolution
All members of Council to have bank signing authority for the Town of Ladysmith

10. COMMITTEE REPORTS

- 10.1. **Mayor A. Stone**
Cowichan Valley Regional District; Advisory Design Panel; Ladysmith Chamber of Commerce
- 10.2. **Councillor R. Hutchins**
Heritage Revitalization Advisory Commission; Liquid Waste Management Committee; Protective Services Committee; Stocking Lake Advisory Committee
- 10.3. **Councillor C. Henderson**
Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan; Youth Advisory Committee; Ladysmith Community Justice Program
- 10.4. **Councillor D. Paterson**
Parks, Recreation and Culture Commission; Protective Services Committee; Festival of Lights Committee
- 10.4.1 **Protective Services Committee Recommendations** 6 - 7

10.5. Councillor J. Friesenhan

Liquid Waste Management Committee; Parks, Recreation and Culture Commission

10.6. Councillor C. Fradin

Community Safety Advisory Commission; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association

10.7. Councillor S. Arnett

Municipal Services Committee; Vancouver Island Regional Library Board; Stocking Lake Advisory Committee; Celebrations Committee

11. STAFF REPORTS

11.1. Review of Municipal Best Practices for Medical Marihuana Dispensaries.....8 - 13

Staff Recommendation:

That Council:

1. Receive the Review of Municipal Best Practices for Medical Marihuana Dispensaries report for information.
2. Direct staff to prepare an amendment to the Zoning Bylaw to explicitly prohibit the retail sale of marihuana in all zones; and that after Federal and other regulatory changes are announced, Council consider Town bylaw amendments in relation to the retail sale of medical marihuana.

11.2. 2017 Revenue Anticipation Bylaw 2016, No. 1918..... 14 - 17

Staff Recommendation:

That Council receive the 2017 Revenue Anticipation Bylaw 2016, No. 1918, staff report regarding borrowing in anticipation of the annual tax levy and proceed with first three readings of the “2017 Revenue Anticipation Borrowing Bylaw 2016, No. 1918.”

11.3. Council Meeting Schedules..... 18 - 21

Staff Recommendation:

That Council:

1. Direct staff to modify the Council Procedures Bylaw No. 1666 (as amended) and any relevant policies as required to reflect the following:
 - Amend the schedule for Municipal Services Committee meetings from “once per month” to “quarterly or as needed” in order to consider items requiring a more in-depth approach.
 - Amend the schedule for Municipal Services Committee meetings from the second Monday at 6:30 p.m. to the third Monday at 5:00 p.m.
2. Confirm the following schedule of regular Council meetings for 2017 and direct staff to advertise the schedule in accordance with Section 127 of the Community Charter:

January 16	April 3	July 17	November 6
February 6	May 1	August 21	November 20
February 20	May 15	September 18	December 4
March 6	June 5	October 3 **	December 18
March 20	June 19	October 16	

**Tuesday, to accommodate Tour de Rock in Ladysmith

12. BYLAWS

- 12.1. Town of Ladysmith 2017 Revenue Anticipation Borrowing Bylaw 2016, No. 1918 22 - 23**

The purpose of Bylaw 1918 is to borrow, if necessary, up to 75 per cent of the Property Taxes levied in 2016 in the amount of \$5,700,000 to support expenditures in 2017 prior to collection of property taxes.

Staff Recommendation:

That Council give first three readings of Town of Ladysmith 2017 Revenue Anticipation Borrowing Bylaw 2016, No. 1918.

13. CORRESPONDENCE

- 13.1. Island Health24**
Request to Increase Garbage Allotment and to Waive Additional Metered Water for Ladysmith Dialysis Patient

Staff Recommendation:

That Council:

1. Increase garbage allotment to two extra bags per week for a Ladysmith resident using dialysis.
2. Waive the additional water meter charges.
3. Direct staff to develop a policy regarding waiving of utility fees for medical reasons.

- 13.2. Cowichan Valley Regional District 25 - 26**
Request for a Letter of Support from the Town of Ladysmith for the Cowichan Valley Regional District Trail Initiative

Staff Recommendation:

That Council provide a letter of support for the Cowichan Valley Regional District Trail Initiative as requested by CVRD staff in their correspondence dated November 30, 2016.

14. NEW BUSINESS

14.1. Volunteer Appreciation – Festival of Lights

Staff Recommendation:

That Council send letters of appreciation to the Festival of Lights society and associated organizations for a well-executed Light-up event.

15. UNFINISHED BUSINESS

16. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

ADJOURNMENT



**TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, NOVEMBER 21, 2016
CALL TO ORDER 6:02 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett (entered 7:03 p.m.)
Councillor Cal Fradin	Councillor Joe Friesenhan
Councillor Carol Henderson	Councillor Rob Hutchins (entered 7:03 p.m.)
Councillor Duck Paterson	

STAFF PRESENT:

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

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:02 p.m.

CLOSED SESSION

CS 2016-366

Moved and seconded:

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 6:03 p.m. in order to consider items related to the following:

- Provision of a municipal service
- Legal advice
- Litigation

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called this Regular Open Meeting to order at 7:03 p.m., recognizing the traditional territory of the Stz'uminus First Nation, acknowledging 5,500 years of history and stewardship and expressing gratitude to be here.

AGENDA APPROVAL

CS 2016-367

Moved and seconded:

That Council approve the agenda for this Regular Meeting of Council as amended by the following addition:

- 10.1. Nanaimo Economic Development Clean Technology Sector Report

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:43 p.m. without report.

MINUTES

CS 2016-368

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held November 7, 2016.

Motion carried.

CS 2016-369

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held November 14, 2016.

Motion carried.

DELEGATIONS

Nanaimo Pride Society

Lauren Semple

Diversity, Inclusion and Support for All Citizens

Lauren Semple, Vice-president of the Nanaimo Pride Society, provided Council with an overview of the local Pride movement, noting its ideals, goals, and challenges. She showed a short video about the Rainbow Crosswalk in Nanaimo, and encouraged the Town of Ladysmith to celebrate the Pride movement. Council thanked Ms. Semple for her presentation and invited her to include the Town of Ladysmith as a supporter of the movement.

Moved and seconded:

CS 2016-370

That Council direct staff to add "Diversity and Inclusion" to an upcoming Municipal Services Committee meeting agenda.

Motion carried.

Our Cowichan – Communities Health Network

Cindy Lise

Smoking Bylaws

Cindy Lise, Regional Facilitator for Our Cowichan, gave a presentation to Council outlining an anti-smoking strategy for the region, with the aim of significantly improving the poor health outcomes in the area correlated to smoking and air pollution. Council thanked Ms. Lise for her efforts to improve the region's health opportunities and offered to provide her presentation to the public via the Town's website.

REPORTS

CS 2016-371

Recommendations from the Municipal Services Committee Meeting of November 14, 2016

Moved and seconded:

That Council:

1. Direct staff to publish the amended Grants-in-Aid policy as presented.
2. Enter into a Service Agreement with the Ladysmith and District Historical Society for the operation of the Ladysmith Archives and Ladysmith Museum.
3. Adopt the Terms of Reference for the Invasive Species Advisory Committee as presented.
4. Extend a personal invitation to the Directors of Cowichan Valley Regional District Areas G and H as well as Stz'uminus First Nation

Council requesting participation on the Town of Ladysmith Parks, Recreation & Culture and Invasive Species Advisory Committees.

5. Direct staff to commence the membership recruitment process for Town of Ladysmith citizen representatives for the Parks, Recreation & Culture and Invasive Species Advisory Committees.
6. Direct staff to prepare a bylaw repealing Town of Ladysmith Parks and Recreation Commission Bylaw 1278 and Amendment Bylaws 1311 and 1528.
7. Direct staff to work with the Ladysmith Maritime Society and Ladysmith and District Arts Council on their request to install security cameras in the vicinity of the Machine Shop and parking lot stairs.

Motion carried.

CS 2016-372

Moved and seconded:

That Council refer to staff the Ladysmith Resources Centre Association's annual request for financial assistance under the Grants-in-Aid program to review other options, including Service Agreements for individual services, and report back to Council.

Motion carried.

CS 2016-373

Moved and seconded:

That Council adopt the Terms of Reference for the Parks, Recreation & Culture Advisory Committee as presented.

Motion carried.

Opposed: Councillor Paterson

Agreement for Visitor and Business Information Services with Ladysmith Chamber of Commerce

Moved and seconded:

CS 2016-374

That Council authorize an extension to the operating agreement between the Town and the Ladysmith Chamber of Commerce for a one year term commencing January 1, 2017 and expiring on December 31, 2017 and authorize the Mayor and Corporate Officer to execute the agreement.

Motion carried.

Water Filtration Plant

Moved and seconded:

That Council:

CS 2016-375

1. Direct staff to proceed with the construction of the Arbutus Water Filtration Plant, consisting of coagulation, flocculation, DAF and membrane filtration, consistent with the recommendations of the "Town of Ladysmith Arbutus Water Treatment Plant Phase 2 Pilot-scale Treatability Study - September 2015."

2. Waive the Town's purchasing policy and direct-award the Design and Construction Services for the Arbutus Water Filtration Plant to Associated Engineering (BC) Ltd. as outlined in the proposal of services dated October 2016.
3. Direct staff to prepare a communication plan for the Water Filtration Plant project and if necessary retain the services of a communication consultant for this process.

Motion carried.

CS 2016-376

Moved and seconded:

That Council direct staff to notify Island Health that Council desires to amend the completion date for the Water Filtration Plant project in the Town's water system operating permit to March 31, 2019 and that the detailed work plan developed in the engineering proposal from Associated Engineering and Koers and Associates Ltd. be used to support the request.

Motion carried.

Opposed: Councillor Arnett

CS 2016-377

Moved and seconded:

That Council direct staff to notify the Director, Local Government Infrastructure and Engineering, (Ministry of Community, Sport and Cultural Development) that Council wishes to request an extension of one year to the approved grant for the Water Filtration Project.

Motion carried.

Opposed: Councillor Arnett

Infrastructure Planning Grant Application

Moved and seconded:

CS 2016-378

That Council direct staff to apply to the Infrastructure Planning Grant Program for a grant in the amount of \$10,000 to support a feasibility study for the extension of services to south Ladysmith.

Motion carried.

CORRESPONDENCE

CS 2016-379

Mayor Terry Murdock, Municipality of Thorne, Ladysmith, Quebec Davis Request to Become Twin Municipalities for Canada's 150th anniversary

Moved and seconded:

That Council:

1. Accept the invitation from the Municipality of Thorne that Ladysmith, Quebec and Ladysmith, British Columbia become twin municipalities in celebration of Canada's 150th anniversary
2. Direct staff to send a Ladysmith flag and other items that represent our community to the Municipality of Thorne and to work with staff at the Municipality of Thorne to jointly promote this arrangement.

Motion carried.

NEW BUSINESS

Nanaimo Economic Development Clean Technology Sector Report
Councillor Arnett shared the Nanaimo Economic Development Clean Technology Sector publication, and recommended it as an excellent resource.

QUESTION PERIOD

Members of the public enquired about maintaining contact and continuity with sister or twin municipalities, water treatment plant design and construction services, and the status of past queries related to a Tourism Advisory Committee.

ADJOURNMENT

CS 2016-380

Moved and seconded:
That this meeting of Council adjourn at 8:17 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)

Subject to Adoption



Town of Ladysmith

COMMITTEE REPORT

To: Mayor and Council
From: Councillor Duck Paterson
Chair, Protective Services Committee
Date: November 14, 2016
File No:

Re: **PROTECTIVE SERVICES COMMITTEE RECOMMENDATIONS**

At its November 14, 2016 meeting, the Protective Services Committee recommended that Council:

1. Receive the quote for Sonic Pre-Emption for the intersection of Trans-Canada Highway and South Davis Road and recommend that a letter be sent to the Minister of Transportation requesting funding.
2. Recommend to Council that a written request be sent to Timberwest about fires being held in the quarry on Timberwest lands.



Oct 26, 2016

Susan Randle P.Eng.

A/District Engineer & A/Electrical Manager
3rd Floor – 2100 Labieux Rd
Nanaimo, BC V9T 6E9

**Re: Hwy 1 @ North Davis Pre-emption
Ladysmith, BC**

We are pleased to offer the firm price of **\$22,660.00** for the work based on drawings TE-92042-4, TE-92042-6 & R6-V3612-E107 dated June 23, 2016. Our scope of work includes the following.

Supply & Install new Pre-emption system c/w

- Pole mounted control panel.
- Rotate Service #2 / Pole #1 - 90 degrees.
- 4 Pre-empt. Sensors
- 4 Pre-empt. Indicating Lights
- New wiring to connect devices.

Notes:

1. All equipment, labour & traffic control included.
2. All materials quoted are MOTI approved.

Exclusions:

- BC Hydro Connection Fees
- Engineering Fees
- Layout and/or survey

GST Extra.

Yours truly,
Raylec Power Ltd.
Keith Carlson

Keith Carlson (Estimator / Project Manager)
Nanaimo Office (250) 729-7297 ext: 228
e-mail: kcarlson@raylecpower.ca



Town of Ladysmith

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
Date: December 5, 2016
File No: 6400-00

RE: Review of Municipal Best Practices for Medical Marihuana Dispensaries

RECOMMENDATIONS:

1. That Council receive the report for information.
2. That Council direct staff to prepare an amendment to the Zoning Bylaw to explicitly prohibit the retail sale of marihuana in all zones; and that after Federal and other regulatory changes are announced, Council consider Town bylaw amendments in relation to the retail sale of medical marihuana.

PURPOSE:

The purpose of this staff report is to outline municipal best practices regarding medical marihuana dispensaries and to provide feedback from the local RCMP.

INTRODUCTION/BACKGROUND:

At its meeting held September 19, 2016 Council directed staff to investigate and review best practices from other municipalities including Vancouver, Victoria and Port Alberni regarding medical marijuana zoning bylaws and to request feedback from the local RCMP detachment.

Note that each municipality may use a different term to describe the use (i.e. cannabis or marihuana; retailer or dispensary). Also different spellings are used, marihuana and marijuana, but refer to the same product. A 'retailer' or 'dispensary' is a for-profit use and a 'compassion club' is generally non-profit.

SCOPE OF WORK:

Staff have reviewed best practices from Vancouver, Victoria, Port Alberni and Squamish.

Vancouver, Port Alberni, and Squamish have included medical marihuana businesses as a permitted use in some commercial zones in their zoning bylaws with conditions related to location of use. In Victoria an applicant must apply to amend the zoning bylaw for a specific location to permit a medical marihuana dispensary use. In all four municipalities many conditions relating to the business activities were included in the business licence bylaw; such as providing a security plan, security alarm contract, fire alarm, criminal record check for all staff, video surveillance, signed good neighbour agreement, no minors on premises, air filtration system, and signed declaration that selling of marihuana is illegal. See Table 1: Business License Bylaw Summary.

Vancouver

Medical marihuana related businesses in Vancouver include 'compassion clubs' and 'retail dealer – medical marihuana related'. Since June 2015 these uses are permitted in some commercial zones; however, the business must be at least 300 metres from schools, community centres, neighbourhood houses, youth facilities that serve vulnerable youth, and other marihuana related businesses. A development permit may also be required in relation to the physical changes to a building or site.

A business licence is also required. The business licence fee for a compassion club is \$1000, and the fee for a medical marihuana retail dealer is \$30,000. The business licence bylaw contains many conditions for a medical marihuana dispensary business related to security, signage, hours of business, and other conditions.

Victoria

A cannabis storefront retail business in Victoria must first apply to rezone the land to permit the use. The rezoning application fee is \$7,500. The City began accepting these rezoning applications on September 23, 2016. If the rezoning is approved the next step is to obtain a business licence, and the fee is \$5,000. The business license bylaw contains many conditions for a marihuana dispensary business related to security, signage, hours of business and other conditions.

Port Alberni

In Port Alberni a zoning amendment bylaw was passed in January 2016 permitting medical marihuana dispensaries in several commercial zones subject to conditions including: a medical marihuana dispensary is not permitted within 300 metres of nearest property line of a site containing a school, within 1000 metres of the nearest property line of a site containing another medical marihuana dispensary, and is not permitted in conjunction with any other use and may not contain an automated teller machine. Also, the business licence bylaw was amended to include conditions for all persons carrying on business as a medical marihuana dispensary, and these conditions are related to security, signage, hours of business, and other conditions.

Squamish

In Squamish a marihuana dispensary is permitted in all zones that permit retail store (except not on Cleveland Avenue, which is the main downtown street in Squamish). The business must be 300 metres from a school, skateboard park, youth centre, and another marihuana dispensary. The business licence bylaw includes conditions for a marihuana dispensary related to security, signage, hours of business and other conditions.

RCMP Referral

Staff spoke to Staff Sergeant Brissard of the Ladysmith RCMP who states that he cannot in good conscious support permitting medical marihuana dispensaries in the Town of Ladysmith and he does not recommend that the Town take this on until there is clear direction from the Federal Government. He provided several reasons:

- The retail selling of marihuana, even to clients with a prescription, is illegal in Canada. The Town may be liable if issues arise.

Figure 1: Status of Marijuana Laws

- At this time there are no controls over the product that is sold in a marihuana dispensary (i.e. there is no way of knowing if the product being sold contains fentanyl).
- There is no certainty that the marihuana will be sold to clients with a prescription. Marihuana dispensaries on Vancouver Island have sold marihuana to clients who do not have a prescription from a physician.
- There are health concerns related to marihuana use.
- The building/property owner or landlord may be liable if they lease to an illegal business.
- Neighbouring businesses to the marihuana dispensary may have concerns (i.e odour).

ALTERNATIVES: n/a

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

The Federal government has announced that it intends to propose to parliament the legalization and regulation of marihuana in the spring of 2017 (see Figure 1). Until Parliament changes the law, retail sale of medical marihuana is officially illegal. At this time local governments are within their rights to enforce their bylaws. It is acceptable for local governments to do things differently from each other to reflect community attitudes and approaches to marihuana. If marihuana sales are legalized by the Federal government, local governments will have a role in land use and business regulation, as it does with other legal businesses.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The *Local Government Act* states that zoning bylaws can regulate the use of land, buildings and structures; and the location of uses on the land and within buildings and structures. Public notification and a public hearing is a statutory requirement when considering a zoning amending bylaw.

STATUS OF MARIJUANA LAWS IN CANADA
What you need to know

CURRENT STATUS OF MARIJUANA LAWS

Possessing and selling

MARIJUANA FOR NON-MEDICAL PURPOSES IS **STILL ILLEGAL** *Everywhere in Canada*

and...

UNTIL NEW LEGISLATION AND NEW RULES ARE IN PLACE, CURRENT LAWS REMAIN IN FORCE AND SHOULD BE OBEYED.

The Government of Canada's commitment to change marijuana laws

LEGALIZE, STRICTLY REGULATE AND RESTRICT ACCESS TO MARIJUANA IN A CAREFUL AND ORDERLY WAY.

RESTRICT ACCESS OF MARIJUANA TO YOUTH.

STOP CRIMINALS FROM PROFITING FROM ILLICIT MARIJUANA TRADE.

CREATE A PROCESS THAT WILL LOOK AT LEGALIZING AND STRICTLY REGULATING MARIJUANA FOR NON-MEDICAL PURPOSES.

When is legalization and strict regulation of marijuana going to happen?

It's a serious, complex matter that will take time. A Task Force will engage with provinces, territories, key stakeholders and other Canadians to inform the design of a system of strict marijuana production, distribution and sales.

In the spring of 2017, the Government of Canada will propose to Parliament and Canadians a new legislative framework for the legalization of marijuana.

Why is the federal government looking to legalize and regulate access to marijuana?

There are **real** public health and safety risks associated with marijuana use, including how it affects the way **young people** develop.

A SYSTEM OF STRICT PRODUCTION, DISTRIBUTION AND SALES OF MARIJUANA WOULD:

- Better protect health and enhance public safety;
- Make it less profitable for illicit drug dealers and growers;
- Make it less accessible to young people.

The *Community Charter* provides Council the authority to adopt a business regulation system, including establishing terms, conditions and standards that the business must meet to obtain a business licence.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Development Services Department is responsible for zoning and the Finance Department is responsible for business licencing at the Town of Ladysmith.

RESOURCE IMPLICATIONS:

Items that Council should consider include:

- 1) Direct staff to amend the Zoning Bylaw such that the retail sale of marihuana is more clearly prohibited in all zones at this time.
- 2) Take time to learn the new Federal or Provincial regulatory schemes when they are announced;
- 3) Consider changes to Town bylaws to account for marihuana related businesses; and
- 4) Consider the timing of Town bylaw changes in relation to the Federal government's legalization scheme.

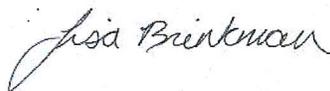
ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT: n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning is a Council strategic objective.

SUMMARY:

This staff report is provided in response to Council's request that staff review best practices from other municipalities including Vancouver, Victoria and Port Alberni regarding medical marijuana zoning bylaws and to request feedback from the local RCMP detachment.



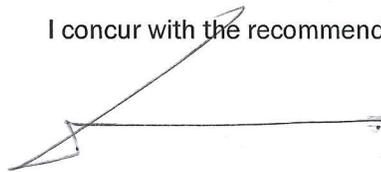
Report Author: Lisa Brinkman, Senior Planner

Reviewed By:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

Table 1: Marihuana Dispensary – Business Licence Bylaw Summary

Table 2: Marihuana Dispensary – Zoning Bylaw Summary

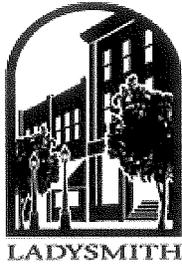


Table 1: Marihuana Dispensary - Business License Bylaw Summary (December 2016)

	Vancouver	Victoria	Port Alberni	Squamish
Security Conditions	<ul style="list-style-type: none"> • Security plan • Security alarm contract • Fire alarms • Criminal record check for all staff • Two staff at business at all times while business is open • Video surveillance cameras must be installed 	<ul style="list-style-type: none"> • Security plan • Security alarm contract • Criminal record checks • Two staff at business at all times when open • Consumption of marihuana is not permitted on the premises (this condition may be reconsidered for compassion clubs) 	<ul style="list-style-type: none"> • Security system • Fire alarm • Consumption or smoking of marihuana is not permitted on the premises • Video surveillance cameras must be installed 	<ul style="list-style-type: none"> • Security plan • Security alarm contract • Criminal record checks • Lease or title of land • Video surveillance cameras must be installed • Consumption of marihuana is not permitted on the premises
Signage Conditions	<ul style="list-style-type: none"> • Windows may not be blocked in any way • Marihuana cannot be promoted 	<ul style="list-style-type: none"> • Windows may not be blocked in any way • Post health and safety warning signs 	<ul style="list-style-type: none"> • Windows may not be blocked in any way 	<ul style="list-style-type: none"> • Windows may not be blocked in any way
Hours	8am to 10pm	7am to 8pm	8am to 8pm	8am to 8pm
Business License Fee	\$30,000 retail dealer \$1000 compassion club	\$5000 (if cannabis onsite)	\$220	\$5000
Other Conditions	<ul style="list-style-type: none"> • Signed good neighbor agreement • Food cannot be sold • Security bars not permitted • A minor cannot be on premises • ATM is not permitted • Fines established for bylaw contraventions 	<ul style="list-style-type: none"> • Air filtration system must be installed to minimize odour impacts • A minor cannot be on premises • ATM is not permitted • Proof of valid lease with written consent of landlord or land ownership. 	<ul style="list-style-type: none"> • Signed acknowledgement that selling medical marihuana in a dispensary is illegal • A minor cannot be on premises • ATM is not permitted • Fines established for bylaw contraventions 	<ul style="list-style-type: none"> • Air filtration system must be installed to minimize odour impacts • Signed acknowledgement that selling medical marihuana in a dispensary is illegal • A minor cannot be on premises • May only have one marihuana dispensary business license • ATM is not permitted • Fines established for bylaw contraventions

Table 2: Marihuana Dispensary – Zoning Bylaw Summary (December 2016)

	Vancouver	Victoria	Port Alberni	Squamish
Use	<ul style="list-style-type: none"> • Compassion club (non-profit) • Retail dealer (profit) 	<ul style="list-style-type: none"> • Storefront cannabis retailer • Cannabis-related (cannabis onsite) • Cannabis-related (no cannabis onsite) <p>No land is pre-zoned for a cannabis business, a rezoning application is required. The rezoning application fee for this use is \$7,500</p>	<p>Medical marihuana dispensary</p> <ul style="list-style-type: none"> • Permitted in some commercial zones • 300 metres from school • 1000 metres from another medical marijuana dispensary 	<p>Marihuana dispensary</p> <ul style="list-style-type: none"> • Permitted in zones that permit retail store • 300 metres from a school, skateboard park, youth centre, and another marihuana dispensary • Not permitted on Cleveland Avenue
Conditions regarding location of use	<ul style="list-style-type: none"> • Permitted in some commercial zones • 300 metres from school, community centre, youth facility, and other marihuana business 			



Town of Ladysmith

STAFF REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Date: November 21, 2016
File No: 1760-01

RE: 2017 REVENUE ANTICIPATION BYLAW 2016, No. 1918

RECOMMENDATION:

It is recommended that Council receive this staff report regarding borrowing in anticipation of the annual tax levy and proceed with first three readings of the "2017 Revenue Anticipation Borrowing Bylaw 2016, No. 1918" later in the agenda.

PURPOSE:

To obtain approval to borrow, if necessary, up to 75% of the Property Taxes levied in 2016 in the amount of \$5,700,000.

INTRODUCTION/BACKGROUND:

Each year, Council may grant approval to borrow money to meet budgeted financial obligations prior to the property tax levy. This bylaw allows for short-term borrowing up to 75% of the 2016 property tax levy (\$7,685,704).

This borrowing is permitted under Section 177 titled Revenue Anticipation Borrowing of the *Community Charter*. This borrowing differs from regular borrowing as electoral ascent is not required.

FINANCIAL IMPLICATIONS:

If necessary, borrowing is readily accessible to meet financial obligation.

ALIGNMENT WITH STRATEGIC PRIORITIES:

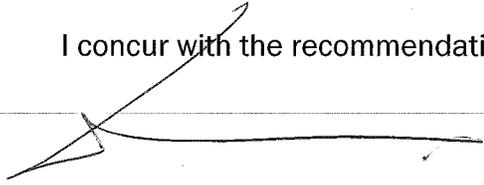
This is consistent with the Town's strategic priority of "Wise Financial Management".

SUMMARY:

Revenue anticipation borrowing bylaws are prepared to ensure adequate cash flow is available, if necessary, prior to the annual property tax levy. It is recommended that Council give first, second and third readings later in the agenda to the bylaw titled "2017 Revenue Anticipation Bylaw 2016, No.1918" in the unlikely event that the Town of Ladysmith does not have sufficient money on hand to meet lawful expenditures.

Erin Anderson, Director of Financial Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

TOWN OF LADYSMITH

BYLAW NO. 1918

A Bylaw to Provide for the Borrowing of Money in Anticipation of Revenue

WHEREAS the Town of Ladysmith does not have sufficient money on hand to meet the current lawful expenditures of the municipality;

AND WHEREAS it is provided by Section 177 of the *Community Charter* that Council may, without the assent of the electors or the approval of the Inspector of Municipalities, provide for the borrowing of such sums of money as may be necessary to meet the current lawful expenditures of the municipality provided that the total of the outstanding liabilities does not exceed the sum of:

The whole amount remaining unpaid of the taxes for all purposes levied during the current year, provided that prior to the adoption of the annual property tax bylaw in any year, the amount of the taxes during the current year for this purpose shall be deemed to be 75% of the taxes levied for all purposes in the immediately preceding year.

AND WHEREAS the total amount of liability that Council may incur is five million and seven hundred thousand dollars (\$5,700,000);

AND WHEREAS there are no liabilities outstanding under Section 177;

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

1. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the Town of Ladysmith an amount or amounts not exceeding the sum of five million seven hundred thousand dollars (\$5,700,000).
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the authorized Signing Officers.
3. All unpaid taxes and the taxes of the current year when levied or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

CITATION

4. This bylaw may be cited as "2017 Revenue Anticipation Borrowing Bylaw 2016, No. 1918."

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

READ A THIRD TIME

on the

day of

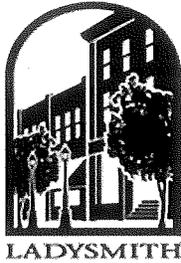
ADOPTED

on the

day of

Mayor
(A. Stone)

Corporate Officer
(J. Winter)



Town of Ladysmith

STAFF REPORT

To: Council
From: Joanna Winter, Manager of Legislative Services
Date: October 31, 2016
File No:

RE: MEETING SCHEDULE AND AGENDA PUBLICATION

RECOMMENDATION(S):

That Council

1. Direct staff to modify the Council Procedures Bylaw No. 1666 (as amended) and any relevant policies as required to reflect the following:
 - Amend the schedule for Municipal Services Committee meetings from “once per month” to “quarterly or as needed” in order to consider items requiring a more in-depth approach.
 - Amend the schedule for Municipal Services Committee meetings from the second Monday at 6:30 p.m. to the third Monday at 5:00 p.m.

2. Confirm the following schedule of regular Council meetings for 2017 and direct staff to advertise the schedule in accordance with Section 127 of the Community Charter:

January 16	April 3	July 17	November 6
February 6	May 1	August 21	November 20
February 20	May 15	September 18	December 4
March 6	June 5	October 3 **	December 18
March 20	June 19	October 16	

**Tuesday, to accommodate Tour de Rock in Ladysmith

PURPOSE:

The purpose of this staff report is to establish the Council meeting schedule for 2017 and to seek Council’s authorization to amend the current schedule of Municipal Services Committee meetings.

INTRODUCTION/BACKGROUND:

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

The Community Charter requires a local government to notify the public of the schedule of regular Council meetings annually. The notice will be published in the December 14th and December 21st editions of The Chronicle newspaper in accordance with the legislation and posted on notice boards throughout the community as well as on the Town’s website and



social media. Upon Council's direction, the notice will include reference to Municipal Services Committee meetings. Meetings may be cancelled or re-scheduled throughout the year as required provided that sufficient notice of the change in schedule is issued.

The proposed changes to the schedule of the Municipal Services Committee meetings provide an opportunity for Council to consider matters in greater depth as required, and lead to a more efficient use of staff resources.

At the regular meeting held on December 21, 2015, the following resolution was adopted by Council:

That meetings of the Municipal Services Committee be held on the second Monday of each month at 6:30 p.m.

Since the adoption of the above resolution, four meetings of the Municipal Services Committee (MSC) have been held. The meetings have not been taking place each month due to lack of agenda items. There is no clear definition in the bylaw or policy of the purpose or mandate of the MSC other than the following statement which appears at the beginning of each MSC agenda:

Mandate – To advise Council on a broad spectrum of issues related to departmental matters.

In order to clarify the purpose of the MSC, which would assist staff with scheduling meetings and preparing agendas, staff requests Council's consideration of restricting MSC agenda items to those which require a workshop or more in-depth approach in order to provide Council and staff with appropriate time to consider important items without pressure to make a decision at the same time. As such, MSC meetings would be scheduled quarterly rather than monthly per the 2015 resolution noted above. It is understood that additional meetings of the MSC can be scheduled more frequently if required.

A further consideration for Council is that the MSC does not have authority to pass resolutions; it can only to make recommendations to Council. Matters considered by the committee cannot be adopted or confirmed until the committee's recommendation is ratified by Council at its next regular meeting, which leads to inefficiencies or delays in implementing decisions.

In addition to the schedule of regular Council meetings and Municipal Services Committee meetings, staff will be recommending the Council hold special budget meetings to deliberate the 2017 to 2021 Financial Plan and annual budget. . This is similar to the 2016-2020 Financial Plan deliberations. A report detailing the proposed schedule of budget meetings will be presented to Council at an upcoming meeting.

SCOPE OF WORK:

Staff will proceed with any necessary bylaw or policy amendments and public notification as appropriate.

ALTERNATIVES:

Council could choose to:

1. Direct staff to maintain the status quo
2. Direct staff to investigate other meeting schedules and agenda publication options as appropriate
3. Consider amending the role of the Municipal Services Committee to pass resolutions as in the City of Nanaimo (not recommended).

FINANCIAL IMPLICATIONS:

Staff have calculated approximate costs associated with conducting Council meetings to be \$1,900 per meeting. This amount reflects the staff time and materials required to prepare the agendas and minutes, and to perform other pre- and post-meeting tasks, as well as the provision of food. It does not include the financial and human resources impact of preparing reports for agendas or staff time for those who attend all the meetings.

Holding three meetings in a month also reduces the time available to staff to prepare meeting reports on time and to attend to other important Town duties.

Holding two Council meetings per month, and holding a Municipal Services Committee meeting when a workshop format is required, will reduce the monthly cost while still assuring timely decision-making and implementation of Council decisions.

LEGAL IMPLICATIONS:

Staff will ensure that bylaws and policies are amended as appropriate, and notice provisions as laid out in the *Community Charter* are followed.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that the implementation of the above recommendations will result in a cost savings to the Town while continuing to provide the public with the schedule of Council and Committee meetings well in advance.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This initiative will involve all departments and will be managed by Legislative Services.

RESOURCE IMPLICATIONS:

No additional resources are required to implement this initiative.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

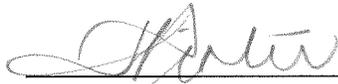
N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative aligns with 2016 Strategic Priority No. 15 – Community Engagement.

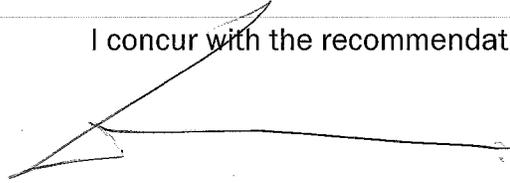
SUMMARY:

In an effort to reduce costs, increase efficiency and enhance Council's and the public's opportunity to consider important items, staff requests Council's consideration of holding a quarterly Municipal Services Committee meeting on the third Monday or the relevant month. Staff also requests Council's approval of the 2017 council Meeting schedule as required by the *Community Charter*.



Joanna Winter, Manager of Legislative Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

TOWN OF LADYSMITH

BYLAW NO. 1918

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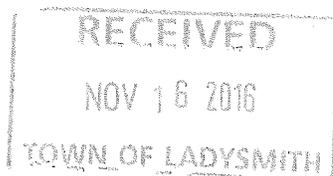
on the

day of

Mayor
(A. Stone)

Corporate Officer
(J. Winter)

Excellent care, for everyone,
everywhere, every time.



Mayor and Council
410 Esplanade, PO Box 220
Ladysmith, British Columbia
V9G 1A2

November 4, 2016

Dear Mayor and Council, City of Ladysmith,

I am writing on behalf of a resident of Ladysmith, _____, who is a patient with the Nanaimo Home Dialysis Program. _____ is diagnosed with end-stage kidney disease and requires dialysis as a form of life-sustaining therapy. She is scheduled to complete specialized training in December 2016 in order to be able to do her dialysis at home. Being able to do it at home will greatly improve her quality of life and her ability to participate as a productive member of her community.

All home dialysis supplies and machinery are provided to patients doing home dialysis, but we are looking for assistance from the Town of Ladysmith in other ways. Home dialysis produces more garbage (non-bio hazardous) and recycling and also requires a large amount of water to be used. My patient has informed me that because Ladysmith is on a metered water system, these additional costs would create a financial hardship for her. We are requesting an increase in her garbage allotment (2 extra bags per week) due to the added supplies that are required to run the machine. We are also requesting a waiver for the additional metered water charges (estimated 2880 Litres per week) that will occur.

I am very hopeful that you can help _____, who has been a contributing member of the Ladysmith community for several years. Any assistance you can provide would be greatly appreciated. If you require additional information, please do not hesitate to contact me at 250-591-9685 or speak to the Home Dialysis Social Worker, Francine Gosselin at 250-755-7691 ext. 52843, or Francine.gosselin@viha.ca.

Thank you.

Dr. Naomi Glick, MD, FRCPC
Nanaimo Regional General Hospital, 1200 Dufferin Crescent, Nanaimo, BC V9S 2B7 Tel. 250-755-7691

From: Brian Farquhar [<mailto:bfarquhar@cverd.bc.ca>]
Sent: November 30, 2016 2:27 PM
To: Clayton Postings
Cc: Dan Brown
Subject: Town of Ladysmith Letter of Support for CVRD Trail Initiative

Good afternoon Clayton,

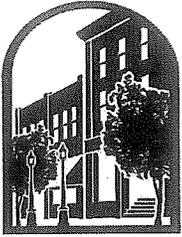
The CVRD is applying to BikeBC for a \$500,000 grant to complete the Cowichan Valley Trail Ladysmith to Chemainus section of the Cowichan Valley Trail, as while we did apply for the Rural Dividend Fund for the same amount/project intention, the application deadline for BikeBC is December 16 and we do not anticipate on hearing from the BC Rural Dividend Fund by then. We are hopeful that one of the grant applications will be successful, and if both were to be approved, the CVRD would certainly have to decline on acceptance of one of the grants.

In support of this application to BikeBC the CVRD is again looking for support from the Town of Ladysmith by way of a letter similar to the one crafted for the application to the BC Rural Dividend Fund (copy attached). Does this request require approval of Council or can a similar letter of support for the project be provided to accompany the grant application to BikeBC? I can certainly send along a similar letter request that was done for the BC Rural Dividend Fund application if necessary. The letter of support would be required prior to December 16 which is the application deadline.

Call me if you need to discuss.

Thanks...Brian

Brian Farquhar
Manager, Parks and Trails Division
Planning and Development Department
Cowichan Valley Regional District
175 Ingram Street, Duncan, BC V9L 1N8
E-mail: bfarquhar@cverd.bc.ca
Tel: 250.746.2620 Toll Free: 1.800.665.3955 Fax: 250.746.2621



LADYSMITH

TOWN OF LADYSMITH

410 Esplanade, P.O. Box 220, Ladysmith, B.C. V9G 1A2
Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

October 24, 2016

Brian Farquhar, Manager
Parks & Trails Division
Planning & Development Department
Cowichan Valley Regional District

Via e-mail

Dear Mr. Farquhar:

**RE: LETTER OF SUPPORT FOR APPLICATION FOR RURAL DIVIDEND GRANT FUNDING –
COWICHAN VALLEY TRAIL**

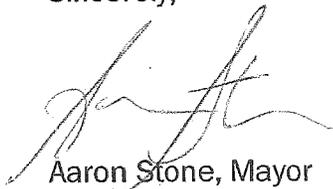
I am very pleased to provide this letter of support for the Cowichan Valley Regional District's application for funding from the Rural Dividend Program to support construction of the Cowichan Valley Trail between Ladysmith and Chemainus.

As we are all aware, this section of missing trail creates a significant gap for local hiking and cycling enthusiasts. Our community of Ladysmith is very proud of our own trails and extremely supportive of this project to add an important link to the local and regional trail network.

It is also critical to point out that this section of trail is an important component of the Trans Canada Trail through the Cowichan Region on southern Vancouver Island. The Galloping Goose Trail in Victoria, and the Kinsol Trestle in the South Cowichan area, attract thousands of tourists from near and far to enjoy the Trans Canada Trail in this part of Vancouver Island. The Rural Dividend Funding will help to add the missing link in our region, enhance tourists' experiences, and boost the local economies of communities along the trail.

On behalf of Council and the citizens of Ladysmith, I would like to express appreciation to the Cowichan Valley Regional District for undertaking this important recreational project, and wish you success in your application.

Sincerely,



Aaron Stone, Mayor