



TOWN OF LADYSMITH

A PUBLIC HEARING AND REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD AT THE LADYSMITH EAGLES HALL
921 FIRST AVENUE, LADYSMITH
MONDAY, MARCH 6, 2017

Call to Order and Closed Meeting (at City Hall)

5:00 p.m.

Public Hearing and Regular Open Meeting (at Eagles Hall)

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:

- Provision of a municipal service - Section 90 (1) (k)
- Appointments to advisory committees – Section 90 (1) (a)
- Human Resources matter - Section 90 (1) (c)
- Lease of Town-owned properties – Section 90 (1) (e)

REGULAR MEETING (7:00 P.M.)

2. AGENDA APPROVAL

3. PUBLIC HEARING

3.1. Zoning Bylaw Amendment

Bylaw 1921.....1 - 2

3.1.1. Outline of Public Hearing Process – Mayor Stone

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

3.1.3. Written Submissions..... 3 - 19

3.1.4. Call for Submissions to Council (Three Times)

3.1.5. Declaration that the Public Hearing for Bylaw 1921 is Closed

4. RISE AND REPORT – Items from Closed Meeting

5. MINUTES

- 5.1. Minutes of the Special Meeting of Council held February 9, 2017 20 - 22
- 5.2. Minutes of the Regular Meeting of Council held February 20, 2017 23 - 29

6. PROCLAMATIONS - None

7. DEVELOPMENT APPLICATIONS

- 7.1. Development Variance Permit Application – 826 Craig Road (Wolff) 30 - 36
Strata Lot 2, District Lot 67, Oyster District, Strata Plan VIS 6498

Staff Recommendation:

That Council issue Development Variance Permit 3090-17-01 for variances to three retaining walls on Strata Lot 2, District Lot 67, Oyster District, Strata Plan VIS 6498 (826 Craig Road).

8. BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING)

- 8.1. Bylaw 1921 – Amend Zoning Bylaw to Explicitly Prohibit Retail Sale
of Marihuana 37 - 40

Staff Recommendation:

That subject to any additional matters raised at the public hearing, Council proceed with third reading and final adoption of Bylaw 1921 cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No.8), 2016, No. 1921”.

9. COMMITTEE REPORTS

- 9.1. **Mayor A. Stone**
Cowichan Valley Regional District; Waterfront Design Charrette; Ladysmith Chamber of Commerce; Stocking Lake Advisory Committee
- 9.2. **Councillor R. Hutchins**
Municipal Services Committee; Heritage Revitalization Advisory Commission; Waterfront Design Charrette; 2017 Parcel Tax Review Panel;
9.2.1 **Heritage Revitalization Advisory Commission Report regarding Support For the Heritage Tax Credit Bill** 41 - 42
- 9.3. **Councillor C. Henderson**
Invasive Species Advisory Committee; Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan; Ladysmith Community Justice Program

- 9.4. Councillor D. Paterson**
Parks, Recreation and Culture Advisory Committee; Protective Services Committee;
2017 Parcel Tax Review Panel; Advisory Design Panel
10.4.1 Canada 150 Celebrations Update
- 9.5. Councillor J. Friesenhan**
Liquid Waste Management Committee; Ladysmith Downtown Business Association;
Waterfront Design Charrette; Ladysmith Festival of Lights Committee
- 9.6. Councillor C. Fradin**
Community Safety Advisory Commission; Liquid Waste Management Committee;
Protective Services Committee; Celebrations Committee
- 9.7. Councillor S. Arnett**
Vancouver Island Regional Library Board; Stocking Lake Advisory Committee; Liquid
Waste Management Committee; 2017 Parcel Tax Review Panel; Advisory Planning
Commission

10. REPORTS

- 10.1. Boundary Extension Request**
Lot 20, District Lot 41, Oyster District, Plan 2519, except parts in Plans 8993, 43985 and EPP28332 (W.Rosen and J. Stringer)..... 43 - 48

Staff Recommendation:

- 1. That Council direct staff to proceed with developing the boundary extension proposal to the Province to request that Lot 20, District Lot 41, Oyster District, Plan 2519, except parts in Plans 8993, 43985 and EPP28332 be included within the boundary of the Town and to submit the proposal to the Province.
- 2. Based on Council's decision to implement an application fee for boundary extension proposals, that Council deny the applicant's request to waive the fee in full or in part.

- 10.2. Status of Provincial Contaminated Site Profiles Process..... 49 - 62**

Staff Recommendation:

That Council receive for information the report regarding the status of the provincial contaminated sites profile process.

- 10.3. 2017 Grants-in-Aid 63 - 69**

Staff Recommendation:

That Council receive the 2017 grant-in-aid funding requests from community groups and organizations and refer the deliberations to the March 13, 2017 Municipal Services Committee meeting.

11. BYLAWS

11.1. Town of Ladysmith Road Closure and Dedication Removal Bylaw 2016, No. 1916 70 - 74

The purpose of Bylaw 1916 is to close to traffic and remove the highway dedication of that part of land shown in heavy outline on Reference Plan EPP63593, for the purpose of disposing of the land to the adjacent landowner, in exchange for other land required for highway purposes.

Staff Recommendation:

That Council:

1. Rescind third reading of Bylaw 1916
2. Give third reading of Bylaw 1916 as amended with an updated Schedule A; and
3. Direct staff to publish notice of this proposed disposition in accordance with the *Community Charter*

11.2. Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1923 75 - 78

The purpose of Bylaw 1923 is to amend the Waterworks Regulations Bylaw 1999, No. 1298 to establish water utility rates for 2017 and incorporate penalties for overdue payments.

Staff Recommendation:

That Council give first three readings of Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1923.

11.3. Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2017, No. 1924 79 - 80

The purpose of Bylaw 1924 is to amend the Sanitary Sewer Rates Bylaw 1999, No. 1299 to establish sewer utility rates for 2017 and incorporate penalties for overdue payments.

Staff Recommendation:

That Council give first three readings of Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2017, No. 1924.

11.4. Town of Ladysmith Utility Penalties Repeal Bylaw 192581

The purpose of Bylaw 1925 is to repeal Water, Sewer and Garbage Penalty Rates Bylaw No. 1628, as penalty rates are incorporated into the respective water, sewer and garbage bylaws.

Staff Recommendation:

That Council give first three readings of Town of Ladysmith Utility Penalties Repeal Bylaw 1925.

12. CORRESPONDENCE

- 12.1. **Festival of Lights
Request to Erect Canada 150 Decoration on City Hall Roof82**

Staff Recommendation:

That Council consider whether it wishes to give permission for the Festival of Lights Society to erect the numerals 150 in red lights on the City Hall roof in celebration of Canada’s 150th birthday, as requested in the correspondence from the Festival of Lights Society dated February 15, 2017.

- 12.2. **Ladysmith Downtown Business Association
Request to Waive Trolley and Driver fee for the Annual Old Time Christmas Event.....83**

Staff Recommendation:

That Council consider whether it wishes to waive the trolley rental fee for the December 8, 2017 Annual Old Time Christmas Event as requested by the Ladysmith Downtown Business Association.

- 12.3. **Ladysmith Ambassador Program
Request to Advertise in the Coronation Evening Program 84 - 85**

Staff Recommendation:

That Council consider whether it wishes to place a half-page ad in the 2017 Ladysmith Ambassador Program for a cost of \$130.00.

- 12.4. **Vancouver Island and Coast Conservation Society
Request for Letter of Support..... 86 - 89**

Staff Recommendation:

That Council provide a letter of support to the Federal Government expressing support for the Vancouver Island and Coast Conservation Society’s request to declare December 17, 2017 as ‘A Day for Our Common Future’.

13. NEW BUSINESS

- 13.1. **Ratification of Appointment to Cowichan Region Smoke-Free Task Force**

Staff Recommendation:

That Council ratify the appointment of Councillor Duck Paterson as the Town of Ladysmith representative on the Cowichan Region Smoke-Free Task Force.

14. UNFINISHED BUSINESS

15. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.

- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

ADJOURNMENT

TOWN OF LADYSMITH

BYLAW NO. 1921

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

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

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

(a) Section 4.1(a) is hereby amended as follows:

(i) The definition of "*Sales, Retail*" is deleted and the following definition is substituted:

"SALES, RETAIL: means the sale of goods, wares, or merchandise to the general public for final consumption. Such sales do not include *Building Supply Sales, Marihuana Retail Sales, Wholesale Sales, Liquor Retail Sales, Warehouse Sales, Re-Store sales*, or the sale of motor vehicle fuels, heavy agricultural and industrial equipment or products related to a *Garden Centre Use* or an adult entertainment *Use*.

(ii) Add a definition for '*Sales, Marihuana Retail*' following the definition of '*Sales, Liquor Retail*' as follows:

"SALES, MARIHUANA RETAIL: means the sale of marihuana (cannabis) or products containing marihuana.

(b) Section 6.3 'Uses Prohibited in All Zones' is amended by adding the following regulation to Section 6.3(a) as follows:

(i) The following is added and renumbered accordingly:

"vii) A *Marihuana Retail Sales Use*

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 8), 2016, No. 1921".

READ A FIRST TIME on the 19th day of December, 2016

READ A SECOND TIME on the 19th day of December, 2016

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

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

ADOPTED on the _____ day of _____,

Mayor (A. Stone)

Corporate Officer (J. Winter)

RECEIVED
MCF2/17

Hello, I'm just sending this email to say that I don't agree with bylaw 1921 banning dispencerys.
Thanks for your time

RECEIVED
RC Feb 28 17

February 28, 2017

Dear Mayor Stone and Members of Ladysmith Council

Re: Pending amendment for Bylaw 1921

Considering that marijuana sales and consumption for recreational purposes are currently illegal in Canada under Federal Law, I'm not able to understand how Council has the right or the responsibility to decide whether to condone (or not) its retail use and distribution within its jurisdiction. It is a mystery to me that Council sees a need to amend a bylaw, by including special language, to specifically prohibit an illegal activity. Should this not include all illegal activity such as prostitution and money laundering? However, Council must have its reasons.

A recent article in the Chronicle appears to suggest that a proponent is planning to purchase the Travellers Hotel, and the decision to purchase the property will be based on a positive Council decision giving him the "green light" to operate a recreational (retail and consumption) marijuana dispensary and vape lounge. There are some who believe that approval is the only way to save the building. This may prove to be true, however, has Council considered that there is no legal source for the product? Council may be aiding and abetting a crime, profiting from the proceeds of crime (by collecting taxes and fees) and may be accessory to a crime if it goes ahead and gives the "nod".

I urge you to move forward with the Bylaw 1921 amendment prohibiting the sale of marijuana within Zone, but with assurances that there will be an immediate review of the bylaw the moment that recreational use of marijuana is approved by the Canadian Federal Government. At that time, anyone should feel free to submit a business permit application, and that Council would then process and consider all applications equally, as is now the case for all proponents wishing to do business in Ladysmith.

Thank you for considering my position on this matter.

Cathy Gilroy



Ladysmith BC

RECEIVED
Feb 28/17

Lorne and Verna Hastings

[REDACTED]
Ladysmith BC

Feb. 28. 2017

The Town of Ladysmith

To the Mayor and Council,

Pursuant to the upcoming by law zoning amendment 1921

Cited as:

Schedule A - Zoning Bylaw Text of "Town of Ladysmith Zoning Bylaw 2014, No. 1860".

We oppose this by law.

Lorne and Verna Hastings

RECEIVED
Feb 27/17

To Whom it May Concern

I'm writing to show my support in allowing a medicinal marijuana dispensary in Ladysmith. Currently, there are none and it is my understanding that mayor and council is actively seeking to draw up bylaws to restrict or disallow such a business in Ladysmith. Medicinal marijuana has brought tremendous relief to those who need help with controlling anxiety and PTSD, I believe this action to be outdated and archaic as medicinal marijuana has been scientifically proven to provide many benefits for many ailments and conditions. There are many who have prescriptions for medicinal marijuana and as such, they need to travel to different communities to acquire their medication which shouldn't be the case when there is a need right here in town.

I can assure you that most who rely on medicinal marijuana are not dreggs and criminals. They are every day people who have suffered from conditions where pharmaceuticals caused more health issues than the use of marijuana would ever do. Many pharmaceuticals compromise the health of the liver and kidneys as an example. Banning dispensaries in Ladysmith not only stigmatizes those who have benefited from using marijuana in a medicinal capacity but it also stagnates the commercial community. It is my understanding that we have a wine and beer bar moving into town, leaving 3 drinking establishments in a small community when it is well known the damages that alcohol brings.

I ask that you rethink this action and allow a zoning bylaw for medical marijuana dispensaries in town. As a tax payer of Ladysmith, I oppose such a bylaw.

Thank you for taking the time to read my letter

Eric Kohn.

RECEIVED
RC Feb 24/17

We are writing to register our support for Bylaw 1921 – prohibiting the retail sale of marihuana within the Town of Ladysmith.

We volunteer at the Ladysmith Soup Kitchen and have witnessed firsthand the effects of drug use on some of our guests. We do not believe allowing the retail sale of marihuana in Ladysmith will benefit our town. On the contrary, it could well create a nuisance for the town, increasing vagrancy, adding to the workload of our police force and fostering unhealthy lifestyles in the families who call Ladysmith home.

We've heard marihuana supporters compare marihuana consumption with alcohol consumption. The major difference is that most people who consume alcohol do so socially, not for the purpose of getting drunk. People who get drunk on a regular basis have a drinking problem. In comparison, are people who consume marihuana doing it socially, with no intention of getting high? Other than those who require medical marihuana to relieve a medical condition, people choose to get high when there's something missing in their lives. Consuming marihuana does not address that situation. For many, it will simply be a step towards harder drugs as they seek greater highs in an attempt to deal with their underlying issues. In the case of medical marihuana, it should be regulated, sold in a true pharmacy with a prescription, just as other pharmaceuticals are.

Many of us experimented with marihuana as teenagers. However, we left it behind because it does not provide any benefit to our lives. We've gone on to become contributing members of society.

There's no benefit to Ladysmith to permit the retail sale of marihuana. Let's keep it out of our town and give our youth more to aspire to than to become a wasted generation. Please support Bylaw 1921.

Sincerely,
Steve & Linda Gold
[REDACTED]
Ladysmith, BC

RECEIVED
RC Feb 18/17

Hi; Just want to send an e-mail message to you & Town Council, with regards to the up and coming proposed By-law regarding the Opening of a Marijuana Dispensary at the old Travellers Hotel.

Please put me on record as being "in Agreement with the passing of the new By-Law" preventing the opening of such a Business in Ladysmith. We do not need our Town put on the map as also being a "Pot Head and Crack Head Community." Yes, we need more businesses in town to give us a higher tax base etc., but we can not rely on "illegal drug money" to increase the wealth of our Community.

I hope the new proposed BY-Law passes & soon!

Cheers,
Muriel Carlson

RECEIVED
RIC Feb 19/17

Hi Mayor,

I just wanted to send a quick email with regards to the upcoming meeting about the allowance of a medical cannabis dispensary in the town of Ladysmith. I understand that letters such as this are being sent in and filed for the meeting, so I wanted to get my voice heard as well. Although I believe in the use of cannabis for medical purposes, I don't believe a medical cannabis dispensary should be in Ladysmith. For starters, they are federally illegal, so right there the discussion should stop. Secondly, there is NO mandatory testing for molds, pesticides, etc, so patients are risking their already compromised health concerns on a product that has been grown in an unlicensed facility and sold without federally regulated analysis. Until Canada passes legislature changing the rules for being able to sell cannabis in a retail environment, we have to uphold the current laws. Would we allow a person to make beer and wine at a UBrew and then open a retail shop and sell the product that they made? No, we wouldn't. Because there are laws against that. There is currently a federal program in Canada that grants patients access to medical Cannabis through a variety of licensed government producers, from all across Canada. I know a number of people across Canada that are patients of this program and not only is their medical cannabis easy to access, it also comes tested and guaranteed to be pathogen and pesticide free. Not to mention the prices are generally better than dispensary prices, the quality is as good (if not better because of the testing) and it gets delivered right to the patients house. So I am sorry, but if you need cannabis for your ailments you are better off NOT buying from a dispensary in my opinion. Especially when it is as easy as it is to get a legal prescription through a licensed producer.

Paul Gonzalez

PAUL GONZALEZ

Speciality Gardening – Commercial & Retail

RECEIVED
RIC Feb 7/17

As the public hearing on this proposed bylaw has been postponed to March 6th, I am taking advantage of this opportunity to voice my opposition to the ban on retail sales of marijuana in the Town of Ladysmith. Having visited retail dispensaries on both sides of the border, I have found that they are well managed and run by knowledgeable staff. Surely we are not back in the days of Reefer Madness propaganda.

We are on the eve of legalization of marijuana in this country. Why on earth would the Town of Ladysmith not want to allow its residents to shop locally to acquire their goods? I believe town staff and council have completely mis-read the demographic of marijuana users. By and large they are people who are middle-aged and older. There is no "criminal element" involved in retail marijuana sales in places where marijuana has been legalized.

Marijuana benefits persons who are undergoing cancer treatment to overcome nausea and enable patients to eat; marijuana has been found to be helpful to sufferers of Parkinson's disease, rheumatoid arthritis, polymyalgia rheumatica, fibromyalgia, and various other aches and pains. A drop of cannabis oil under the tongue assists someone who is unable to get a proper night's sleep. It provides relief for people who suffer depression or anxiety. This is not necessarily about getting high, but rather finding alternative and natural relief to a variety of ailments. There are two well-run dispensaries in Chemainus, both of which maintain a low profile, and the average shopper is barely aware of their existence.

I can honestly say that a person is much less likely to say or do something regrettable when under the influence of cannabis (which is a very short-lived high), than under the influence of alcohol. Perhaps the worst offence a cannabis user might make would be a compulsive food choice.

Obviously there are people who are opposed to the use of cannabis in any form and would not venture down that road, just as there are people who would never try quinoa, get a tattoo, own a dog, jump out of an airplane, travel abroad, or fart in public.

As a former member of the now-defunct Economic Development Commission for the Town of Ladysmith, I see this as an opportunity for economic growth in our community. I sincerely doubt we would experience dispensaries on every corner – the market will determine the number.

Respectfully submitted,

Joan Phillips

RECEIVED
Feb 6/17

Hi there,

Please mark me as for bylaw 1921.

Jo Ann Grsic

[REDACTED]

Ladysmith

RECEIVED
R/C Feb 6/17

Bylaw 1921 cited as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.8) 2016, No. 1921".

As an adult male who lives inside the city limits (parents are property owners here), I absolutely and completely disagree with the premise of the bylaw. I can't mentally justify having retail stores selling the more dangerous intoxicant alcohol but utterly banning marijuana. I also can't imagine the definition of "retail marihuana" will not include medical marijuana which most places in the world recognize the use for and have legalized. It shows how archaic and outdated the thinking is in this bylaw by the misspelling of marijuana as well.

Thanks for your time,
Chase Ennis

RECEIVED
Feb 6/17

Kim Lamoureux [REDACTED] Ladysmith BC
I am for it thank you

RECEIVED
RC Feb 06/17

Dear Mayor and Council

I was just made aware of this public hearing regarding zoning for Marijuana dispensaries in Ladysmith. As I am currently out of town, I will not be able to attend the meeting and am submitting a written submission instead. I understand that it may not be read at the meeting but I hope that it will be taken into consideration with this issue.

I am not a user of medicinal marijuana but I do know people who are. I've learned that this has given many people a greater quality of life, free from prescription drugs that have often caused adverse side affects without any benefits to the conditions they suffer. In a time when our own government and other governments through out the world are easing restrictions on the use of medicinal marijuana, I feel that we need to keep up with the times here in Ladysmith. As such, I am submitting my support for potential dispensaries open in town rather than restricting them.

There is a stereo type that many users are degenerates, criminals or druggies but the people who benefit from medicinal marijuana are not any of the above and I feel that they need to be supported in our community and not ostracized or ignored. Ladysmith residents should not have to travel to another town such as Nanaimo, Chemainus or Duncan, they should be able to stay local.

Chemainus has 2 dispensaries and since their opening, there has not been any ill effects as a result. There is no increase on crime. We need a self sustaining community and by preventing these types of businesses in Ladysmith does not make us self sustaining. They would create jobs but a healthier community if those who benefit from Medicinal Marijuana are able to shop at home.

I thank you for taking the time to read my submission and I hope that it is taken into consideration that we in the community are in support of this type of business model for Ladysmith. We need to move forward and not backwards.

Thank You

Dawn Sport

██

██

RECEIVED
Feb 5 117

To Whom It May Concern,

I am not able to make the city council meeting tomorrow evening, regarding the amendments to the 1921 bylaw and would like to put my vote forward AGAINST it. We would be doing this town's economy and growth a huge disservice if this goes through.

Megan Clark
[REDACTED]

Thank you.

RECEIVED
RC Feb 5/17

Sylvia Syms

[REDACTED]

Ladysmith, BC [REDACTED]

I am against this bylaw

RECEIVED
RC Feb 5/17

Hoping public meeting will be postponed till folks can safely attend!
Elaine Tremblay

[REDACTED]
Ladysmith B.C.

[REDACTED]
I do not agree with this bylaw that will halt marijuana retail sales in our town.

RECEIVED
Feb 4/17

Sonny Bryski
[REDACTED]

Opposed to bylaw 1921

For the record this is a once in a lifetime opportunity to repair a jewel of a building.

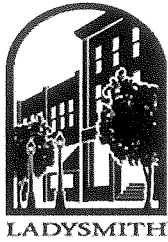
RECEIVED
Jan 24/17

I am unable to attend the public meeting but wished to express my strong support for a sweeping ban on sale of Marijuana in Ladysmith. I am strongly opposed to any retail sale of the same moving into our beautiful town - most especially the rumoured attempt to open one at the site of the Traveller's Hotel. It would be a shame to turn that beautiful building into a pot store!

Aside from any concerns about increase in crime - I find it difficult that people can argue no increase in crime when the very existence of their business is illegal; concerns about a "less desirous element" hanging out on our main street (which I do have concerns about) - my biggest concern is the vile and permeating smell of the stuff - it seeps out of the store, seeps into neighbouring properties and lingers on people long after they have passed by. We had occasion to shop at a lovely store in Chemainus just before Christmas - one that is many storefronts down from one of the pot shops in that town - before we even got to the door of the store we were going to we were knocked over by the smell coming from the pot shop - it is awful. Even if the sale itself is legalized, I do not believe that this is an industry that our town needs to support.

I hope that the Town council will support this sweeping ban and keep pot shops out of Ladysmith.

Thank you for your consideration
Tara Donley
Ladysmith, BC



**TOWN OF LADYSMITH
MINUTES OF A SPECIAL MEETING OF COUNCIL
THURSDAY, FEBRUARY 9, 2017
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Cal Fradin	Councillor Joe Friesenhan
Councillor Carol Henderson	Councillor Rob Hutchins	Councillor Duck Paterson

STAFF PRESENT:

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

CALL TO ORDER

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

CLOSED SESSION

CS 2017-025

Moved and seconded:

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

- Appointments to advisory committees Section 90 (1) (a)
- Provision of a municipal service - Section 90 (1) (k)

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called this Regular Open Meeting to order at 6:01 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 2017-026

Moved and seconded:

That Council approve the agenda for this Special Meeting of February 9, 2017.

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 5:53 p.m. with report on the following items:

- Resolution CE 2017-031

That Council approve the proposed agreement between her Majesty the Queen in right of the Province of British Columbia and the Town of Ladysmith with respect to the grant for the Ladysmith Water Filtration Project, and authorize the Mayor and Corporate Officer to execute the agreement.

- Resolution CE 2017-032

That Council direct staff to continue working with the Ministry of

Community, Sport and Cultural Development to secure an extension of one year to the Water Filtration Project grant, to March 31, 2019, as previously directed by Council.

OPPOSED: Councillor Arnett

- Resolution CE 2017-033
That Council:
 1. Appoint Vince Devries and Susan Erickson to the Waterfront Design Charrette; and
 2. Appoint Kaien Shimizu as the Advisory Design Panel representative on the Waterfront Design Charrette.

- Resolution CE 2017-034
That Council recommend that staff explore a potential partnership with the Chamber of Commerce for the provision of food truck service at Transfer Beach, subject to the approval of the Parks, Recreation and Culture Advisory Committee; and that a Request for Proposals not be issued at this time.

PROCLAMATIONS

Mayor Stone proclaimed February 13th to 19th, 2017 as “Heritage Week” in the Town of Ladysmith, and encouraged citizens to celebrate our community and its place in the great mosaic that is Canada.

DEVELOPMENT APPLICATIONS

CS 2017-027

Bylaw 1912: Zoning Bylaw Amendment (Glencar Consultants Inc.) – Lot 1, Block 192, District Lot 103, Oyster District, Plan EPP44156
Moved and seconded:

That Council authorize the Mayor and Corporate Officer to execute the Development Control Covenant and Arbutus Hump Covenant relating to Bylaw 1912 and the rezoning of Lot 1, Block 192, District Lot 103, Oyster District, Plan EPP44156.

Motion carried.

BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING)

CS 2017-028

Bylaw 1912 – Amend Zoning Bylaw to Permit Residential Development
Moved and seconded:

That Council give third reading to Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 5) 2016, No. 1912 and refer Bylaw 1912 to the Ministry of Transportation and Infrastructure for approval by the Minister pursuant to the provisions of the Transportation Act.

Motion carried.

REPORTS

CS 2017-029

British Columbia / Canada 150 Celebrating B.C. Communities and their Contributions to Canada – Grant Opportunity

Moved and seconded:

That Council direct staff to proceed with an application for a grant of \$100,000 toward the restoration and repairs of the Machine Shop.

Motion carried.

Recommendations from the Municipal Services Committee Budget Deliberations (Meetings held January 23 and 30)

Moved and seconded:

CS 2017-030

That Council:

1. Fund the 2017 Principal Payment on the Buller Street Property with monies from the Real Property Reserve.
2. Use surplus funds to hire two parks students for 520 hours each to complete seasonal maintenance, weeding and trail work throughout the parks department.
3. Fund a new full-time Water Filtration Plant Operator IV position from Water Parcel Tax, resulting in a \$9.00 increase in parcel taxation in 2017.
4. Fund a new full-time Waste Water Treatment Plant Operator position from Sewer Utility Rates, resulting in an additional increase of \$2.57 to the monthly sewer fee base rate in 2017.
5. Allocate an additional \$25,000 for the RCMP detachment generator from surplus.

Motion carried.

Moved and seconded:

CS 2017-031

That Council direct staff to refer the recommendation to hire a temporary building inspector for 2017 to staff with a request for information on building permit statistics for the past fifteen years, as well as related impacts on processing times.

Motion carried.

Moved and seconded:

CS 2017-032

That Council direct staff to reduce funds set aside for capital projects from 10 per cent of previous years' taxation to 8 per cent in 2017.

Motion carried.

OPPOSED: Councillor Henderson and Councillor Paterson

ADJOURNMENT

Moved and seconded:

CS 2017-033

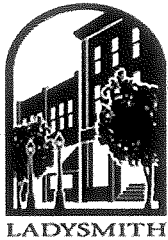
That this meeting of Council adjourn at 6:17 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



**TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, FEBRUARY 20, 2017
CALL TO ORDER 5:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Clayton Postings (Acting City Manager)		
Felicity Adams	Erin Anderson	Kevin Goldfuss
Joanna Winter	Sue Bouma	

CALL TO ORDER

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

CLOSED SESSION

CS 2017-034

Moved and seconded:

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

- Status of sale of Town-owned properties– Section 90 (1) (l)
- Provision of a municipal service - Section 90 (1) (k)

Motion carried.

REGULAR OPEN MEETING

Mayor Stone called this Regular Open Meeting to order at 6:00 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 2017-035

Moved and seconded:

That Council approve the agenda for this Regular Meeting of February 20, 2017 as amended by the following change of order:

- Move item 8.2, "Zoning Bylaw Amendment Application – 630 Farrell Road (Schnurch)" to precede item 6.1., "Chamber of Commerce Week Proclamation"

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 5:34 p.m. with report on the following items:

- Resolution CE 2017-047, that Council direct staff to re-issue notice of its intent to sell the closed portion of Clarke Road to Robert and Nicolette MacCallum for \$22,000, in accordance with section 26(3) of the *Community Charter*.

- Resolution CE 2017-048, that Council direct staff to charge the cost of re-publishing notice of the disposition of the closed portion of Clarke Road to the purchasers.
- Resolution CE 2017-049, that Council:
 1. Approve the Contract of Purchase and Sale, as amended, for the sale of the Town-owned property at 1201 and 1251 Christie Road to Urban Forest Enterprises Ltd., or its proposed assignee, 1107635 B.C. Ltd., for \$450,000;
 2. Authorize the Mayor and Corporate Officer to execute the addenda; and
 3. Direct staff to publish notice of the property disposition in accordance with Section 26 of the Community Charter.
- Resolution CE 2017-050, that Council waive the purchasing policy and enter into an agreement with Catalyst Paper Corporation for processing Town of Ladysmith bio-solids, and authorize the Mayor and Corporate Officer to execute the agreement.
- Resolution CE 2017-051, that Council waive the purchasing policy and engage Coast Environmental to transport Town of Ladysmith bio-solids.

MINUTES

CS 2017-036

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held January 16, 2017.

Motion carried.

CS 2017-037

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held January 18, 2017.

Motion carried.

CS 2017-038

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held January 23, 2017.

Motion carried.

CS 2017-039

Moved and seconded:

That Council approve the minutes of the Special Meeting of Council held January 30, 2017.

Motion carried.

Zoning Bylaw Amendment Application – 630 Farrell Road (Schnurch)

Moved and seconded:

CS 2017-040

1. That under the Bylaws portion of the agenda, Council proceed with first and second readings of Bylaw 1917 cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 7) 2017, No. 1917”; and refer the bylaw to public hearing; and
2. That prior to the enactment of Bylaw 1917 the following voluntary and land use matters shall be completed to the satisfaction of the Director of Development Services:
 - The \$5000 voluntary contribution to the amenity fund is submitted; and
 - Registration of a section 219 covenant on the title of Lot 2, District Lot 41, Oyster District, Plan VIP79202 to address the following land use matters:
 - i. to secure the Lewkowich Engineering Associates Ltd. geotechnical assessment;
 - ii. to require that a grading plan be submitted and approved by the Approving Officer for the proposed residential lots as a condition of the subdivision application;
 - iii. to require a 4 meter minimum protection radius around several trees along the west and south property lines, including requirements for tree protection during and after construction utilizing best practices from the ‘BC Landscape Standard’;

and that the covenant be signed by the Mayor and Corporate Officer.

Motion carried.

PROCLAMATIONS

Mayor Stone proclaimed February 20th to 24th, 2017 as “Chamber of Commerce Week” in the Town of Ladysmith, in recognition of the efforts of its members to strengthen Ladysmith’s business community to help our town thrive.

Mayor Stone proclaimed February 20th, 2017 as “Kinsmen and Kinettes Day”, and February 19th to 25th as “Kinsmen and Kinettes Week” in the Town of Ladysmith, in recognition of our local club’s dedication and service to our community.

**2017 – 2021
FINANCIAL PLAN**

CS 2017-041

Moved and seconded:

That Council:

Provide early expenditure approval for the following:

- A. Hiring of the Waste Water Treatment Plant Operator position at an annual cost of \$97,273 (2017 rates).
- B. Occupational Health and Safety Gap Analysis of the Town’s Safety Management Program at a cost of \$12,500.

- C. Hiring of two Parks summer students at a one-time cost of \$23,650 (2017 rates).
- D. Purchase of an emergency back-up generator for the RCMP detachment at a cost of \$95,000.
- E. Purchase of an Ultra Violet (UV) Sanitation System for the pool at a cost of \$90,000.
- F. Renovation of the Fire Hall Front Truck Bay at a cost of \$100,000.

Motion carried.

Moved and seconded:

CS 2017-042

That Council direct staff to prepare bylaws for:

- A. 2017 – 2021 Financial Plan
- B. 2017 Water Parcel Tax at \$309 per parcel
- C. 2017 Sewer Parcel Tax at \$299 per parcel
- D. Water Rates amendment bylaw with a 10% increase to the base rate and each step.
- E. Sewer Rates amendment bylaw with a \$5.70 (or 33.9%) increase per month.

Motion carried.

DEVELOPMENT APPLICATIONS

Development Variance Permit Application – 245 Oyster Cove Rd (Campbell)

CS 2017-043

Moved and seconded:

That Council direct staff to proceed with statutory notice for Development Variance Permit application (3090-16-09) for Strata Lot 40, District Lot 56, Oyster District, Strata Plan 2009 (245 Oyster Cove Road).

Motion carried.

BYLAWS (OFFICIAL COMMUNITY PLAN & ZONING)

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 7) 2017, No. 1917

CS 2017-044

Moved and seconded:

That Council give first and second reading to Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 7) 2017, No. 1917 and refer the bylaw to a public hearing.

Motion carried.

REPORTS

Aggie Hall Parking Expansion

CS 2017-045

Moved and seconded:

That Council direct staff to:

1. Relocate the playground beside Aggie Hall to a location above the existing location on the Aggie site.
2. Commence development of parking on the north side of 2nd Avenue east of Symonds Street along with the parking expansion Option 1 on the Aggie Hall site as listed in the parking concept drawings.
3. Partner with Ladysmith Family and Friends in developing an

engagement process with the community in the development of a new play space at Aggie Hall;

4. Include \$180,000 in the 2017-2021 Financial Plan for this project, with funding to come from taxation, gas tax and carry-forward funds.

Motion carried.

Streets and Traffic Bylaw – Recreational Vehicle Parking

Moved and seconded:

CS 2017-046

That Council direct staff to bring forward amendments to “Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309” that would:

1. Limit the parking of large recreational vehicles (over 6.5m in length), including trailers, motorhomes and camper trucks on Town boulevards to a maximum of 72 hours which would match the current 72 hour time period limit on Town streets;
2. Amend the current bylaw language that restricts the parking of vehicles on Town streets to a maximum of 72 consecutive hours without the vehicle being moved to ensure that the bylaw meets the policy intent, such that “being moved” is described to mean a distance beyond the same one block area; and
3. Prohibit camping/sleeping overnight in all types of vehicles on Town streets and boulevards.

Motion carried.

Water Filtration Plant Borrowing Bylaw – Alternative Approval Process

MOTION AMENDED BY CS 2017-048

Moved and seconded:

CS 2017-047

That with regard to “Water Filtration Plant Loan Authorization Bylaw 2016, No. 1920”, which proposes to borrow directly from the Municipal Finance Authority of British Columbia (MFA) a sum not to exceed \$6,000,000 to finance the construction of a new water filtration plant to treat the water in the Town of Ladysmith water supply system, with the borrowing to be repaid over a period not to exceed 25 years, Council:

1. Submit the bylaw to the electors for approval by way of the alternative approval process;
2. Approve the attached notice to the electors (Appendix ‘B’) of the alternative process and direct staff to publish it;
3. Approve the attached elector response form (Appendix ‘C’);
4. Establish the deadline for receiving the elector response forms as 4:00 p.m. on Wednesday, April 12, 2017;
5. Determine that the total number of electors within the Town of Ladysmith to which the alternative approval process applies is 6,988 of which 10 per cent or 699 must submit elector response forms to prevent the Town of Ladysmith Council from adopting “Water Filtration Plant Loan Authorization Bylaw 1920” without first obtaining the assent of the electors by way of referendum.

AMENDMENT

CS 2017-048

Moved and seconded:

That Council amend item 2 in Resolution CS 2017-047-to read as follows:

2. Approve the attached notice to the electors (Appendix B) as amended to include reference to the requirement by Island Health for the Town to include water filtration in its water supply system, subject to confirmation by the Local Government Division of the Ministry of Community, Sport and Cultural Development.

Amendment carried

Main motion as amended carried.

Holland Lake Dams – Inundation Study

CS 2017-049

Moved and seconded:

That Council waive the Purchasing Policy and direct award the Holland Dam Inundation Mapping, Operation Maintenance and Surveillance Manual and Emergency Plan Updates contract to Austin Engineering for a total cost of \$42,000, and provide early expenditure approval for the project.

Motion carried.

Sanitary Sewer Line Infiltration and Inflow Reduction

CS 2017-050

Moved and seconded:

That Council award the Town of Ladysmith Flow Monitoring Program to Opus International Consultants (Canada) Ltd. for a total project cost of \$50,000.

Motion carried.

BYLAWS

Town of Ladysmith Parks, Recreation and Culture Commission Repeal Bylaw 2016, No. 1919

CS 2017-051

Moved and seconded:

That Council adopt Town of Ladysmith Parks, Recreation and Culture Commission Repeal Bylaw 2016, No. 1919.

Motion carried.

Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2017, No. 1922

CS 2017-052

Moved and seconded:

That Council adopt Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2017, No. 1922.

Motion carried.

CORRESPONDENCE

Islands' Celtic Festival

Request for Permission to Attach Temporary Sign to Aggie

CS 2017-053

Moved and seconded:

That Council refer to staff the request from the organizers of the Islands' Celtic Festival to attach a 4 foot by 8 foot temporary sign on

Aggie Hall in order to investigate options and report back to Council.
Motion carried.

Ladysmith Softball Association

Request for Permission to Hang Sponsorship Banners at Aggie Field
Moved and seconded:

CS 2017-054

That Council refer to staff the request from the Ladysmith Softball Association to attach 4 foot by 6 foot sponsorship banners at Aggie Field in order to investigate options and report back to Council.
Motion carried.

Councillor Paterson declared a conflict of interest with the following agenda item due to his membership in the Kinsmen Club and left the meeting.

Kinsmen Club of Ladysmith

Request for support of proposed Downtown Public Washroom Project
Moved and seconded:

CS 2017-055

That Council refer to staff the request from the Kinsmen Club of Ladysmith to support the building of downtown public washrooms at the alley end between the Health Food Store and the Royal Bank in order to investigate the proposal and report back to Council.
Motion carried.

Councillor Paterson returned to the meeting.

QUESTION PERIOD

Members of the public enquired about the compliance of the Waste Water Treatment Plant system during the recent heavy rains, the possibility of issuing short-term permits for recreational vehicle parking, the potential crosswalk at 2nd Avenue and High Street, and the possibility of erecting an electronic community information board.

ADJOURNMENT

Moved and seconded:

CS 2017-056

That this meeting of Council adjourn 6:57 p.m.
Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (J. Winter)



Town of Ladysmith

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
Date: March 6, 2017
File No: 3090-17-01

**RE: Development Variance Permit Application – 826 Craig Road
Strata Lot 2, District Lot 67, Oyster District, Strata Plan VIS 6498**

RECOMMENDATION:

That Council issue Development Variance Permit 3090-17-01 for variances to three retaining walls on Strata Lot 2, District Lot 67, Oyster District, Strata Plan VIS6498 (826 Craig Road);

AND THAT the Mayor and Corporate Officer be authorized to sign the Development Variance Permit.

PURPOSE:

The purpose of this staff report is to obtain Council direction regarding a Development Variance Permit application for variances to retaining walls at 826 Craig Road.

PREVIOUS COUNCIL DIRECTION

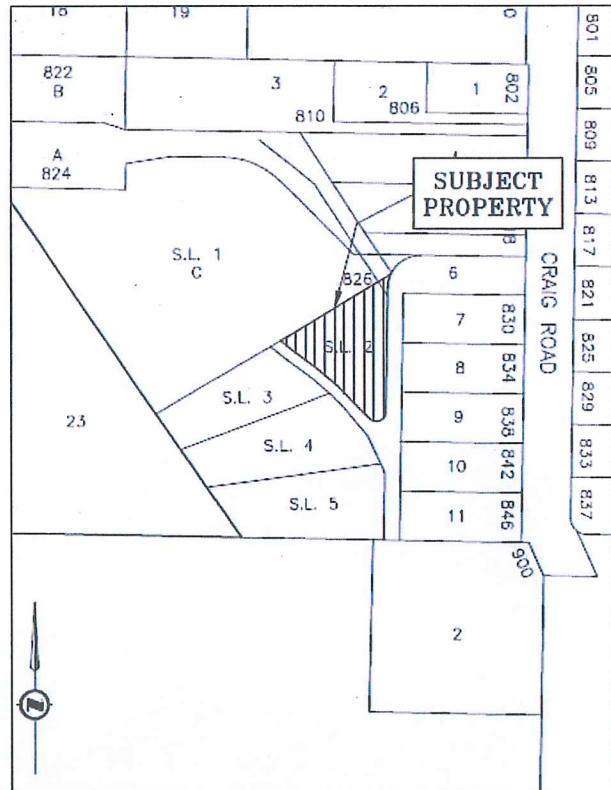
None.

INTRODUCTION/BACKGROUND:

The applicant, Peter Wolff, is requesting variances related to three retaining walls at various stages of construction at 826 Craig Road.

SCOPE OF WORK:

The applicant is currently constructing a dwelling and multiple retaining walls as the subject property is a sloping site. The subject property is zoned R-1 (Single Dwelling Residential).



The Zoning Bylaw regulations for Retaining Walls are as follows:

5.19 Retaining Wall Regulations

- (a) A single Retaining Wall may not exceed 1.2 metres in Height.*
- (b) All Retaining Walls located within 1.2 metres of each other will be collectively considered a single Retaining Wall for the purposes of determining Height.*



- (c) Despite Section 5.19(a), a single engineered Retaining Wall used for structural purposes to create a Yard may exceed 1.2 metres in height, provided that it:
- i. Is stepped back 2.0 metres for every 3.0 metres in Height; and,
 - ii. Includes a Landscape Screen within the stepped-back area to buffer and visually conceal the retaining wall.

The following variances are proposed for retaining walls on the subject property:

Variance 1: Rock Retaining Wall on East Side of House

The rock retaining wall on the east side of the house (visible as you drive from Craig Road to the Strata Road) is approximately 16 metres in length as shown in Photo 1. The retaining wall tapers such that it is 5 metres at the highest point; however the average height of the wall is 2.7 metres. This wall is stepped back gradually to work with the slope of the land. The Zoning Bylaw states that the maximum permitted height of an engineered retaining wall is 3 metres. The applicant is requesting a variance such that the maximum permitted height of this engineered rock retaining wall is an average of 2.7 metres.

Variance 2: Concrete Retaining Wall on South Side of the House

A concrete retaining wall has been constructed that is 3.4 metres in height. This was a construction error as the maximum permitted height of an engineered retaining wall without providing a 2 metre step back is 3 metres, thus a variance of 0.4 metres is proposed.

Variance 3: Rock retaining wall step back from concrete retaining wall on south side of house (by driveway)

The Zoning Bylaw requires that a single engineered retaining wall may exceed 1.2 metres in height if it is stepped back 2 metres from an adjacent retaining wall. The applicant is proposing that a rock retaining wall be stepped back 0.8 metres from the concrete retaining wall, thus a step back variance of 1.2 metres is proposed. This rock retaining wall is proposed to be 1.5 metres in height and will be stepped back to work with the slope of the land and will ensure additional bank stability.



Photo 1: Rock retaining wall on east side of proposed house at 826 Craig Road

Table 1: Retaining Wall Height Variance Requests

	Zoning Bylaw: maximum permitted height of an engineered retaining wall:	Proposed height of the engineered retaining wall at 826 Craig Rd.	Proposed Variance
Rock retaining wall on east side of property	3 metres	Average of 2.7 metres overall (5 metres at highest point)	Average height of 2.7 metres
Concrete retaining wall on south side of property (by Strata Lot 2 driveway)	3 metres	3.4 metres	0.4 metres

Table 2: Retaining Wall Step Back Requests

	Zoning Bylaw: Required step back of retaining wall for every 3m in height:	Proposed step back between rock and concrete retaining wall at 826 Craig Road	Proposed Variance
Concrete and rock retaining wall on south side of property	2 metres	0.8 metres	1.2 metres

ALTERNATIVES:

To not support Development Variance Permit Application 3090-17-01. If the variance(s) are not supported the applicant would need to make alterations to the retaining walls.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The *Local Government Act* enables Council to vary zoning regulations, except use and density regulations, through the issuance of a development variance permit. This is a discretionary decision of Council. Public notification is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Development Procedures Bylaw No.1667 provides that height variance requests that are less than 0.6 metres may proceed directly to neighbourhood notice.

The Notice regarding Development Variance Permit 3090-16-08 was sent to properties within 60 metres of the subject property on February 17, 2017. At the time of writing this report no comments or letters have been submitted regarding the proposed variance.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Variance Permit application 3090-17-01 has been referred to the Infrastructure Services Department for review and their comments have been addressed. A Building Permit is required for a retaining wall over 1.2 metres in height.

RESOURCE IMPLICATIONS:

Processing Development Variance Permit applications is within available staff resources.



ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design are strategic Council directions.

SUMMARY:

Council may consider approving a Development Variance Permit related to three retaining walls at Strata Lot 2, 826 Craig Road.

Report Author:



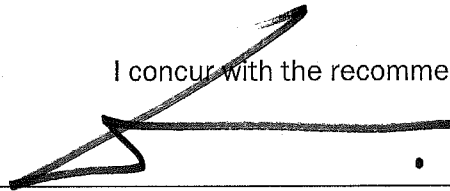
Angela Davies, Planner

Reviewed By:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT:

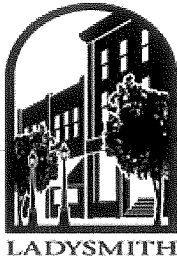
DVP 3090-17-01



BC CLIMATE ACTION
COMMUNITY 2014

cowichan





**TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT**
(Section 498 *Local Government Act*)

FILE NO: 3090-17-01

DATE: March 6, 2017

Name of Owner(s) of Land (Permittee): 0988472 BC Ltd, Inc. No. 0988472

Applicant: Peter Wolff

Subject Property (Civic Address): 826 Craig Road

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

Strata Lot 2, District Lot 67, Oyster District, Strata Plan VIS 6498, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as shown on Form V.

PID# 027-402-959

(826 Craig Road)

3. Section 5.19 "Retaining Wall Regulations" in the "Town of Ladysmith Zoning Bylaw 2014, No. 1860" is varied as follows:

From:

- (c) **Despite Section 5.19 (a), a single engineered Retaining Wall used for structural purposes to create a Yard may exceed 1.2 metres in Height, provided that it:**
 - (i) **Is stepped back 2.0 metres for every 3.0 metres in Height; and**
 - (ii) **Includes a Landscape Screen within the stepped-back area to buffer and visually conceal the retaining wall.**

To:

- (c) **Despite Section 5.19 (a):**
 - (i) **The rock engineered retaining wall on east side of the property may be an average height of 2.7 metres as shown in Schedule A.**

- (ii) The concrete engineered retaining wall on south side of property may be 3.4 metres in height as shown in Schedule A.
- (iii) The rock retaining wall on south side of property may be stepped back 0.8 metres from the concrete retaining wall as shown in Schedule A.

- 6. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
- 7. The following plans and specifications are attached:
 - a) **Schedule A – Site Plan and Retaining Wall Variances**
- 8. The Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (3090-17-01) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
- 9. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION PASSED BY MUNICIPAL COUNCIL ON THE DAY OF 20 .

Mayor (A. Stone)

Corporate Officer (J. Winter)

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

Signed

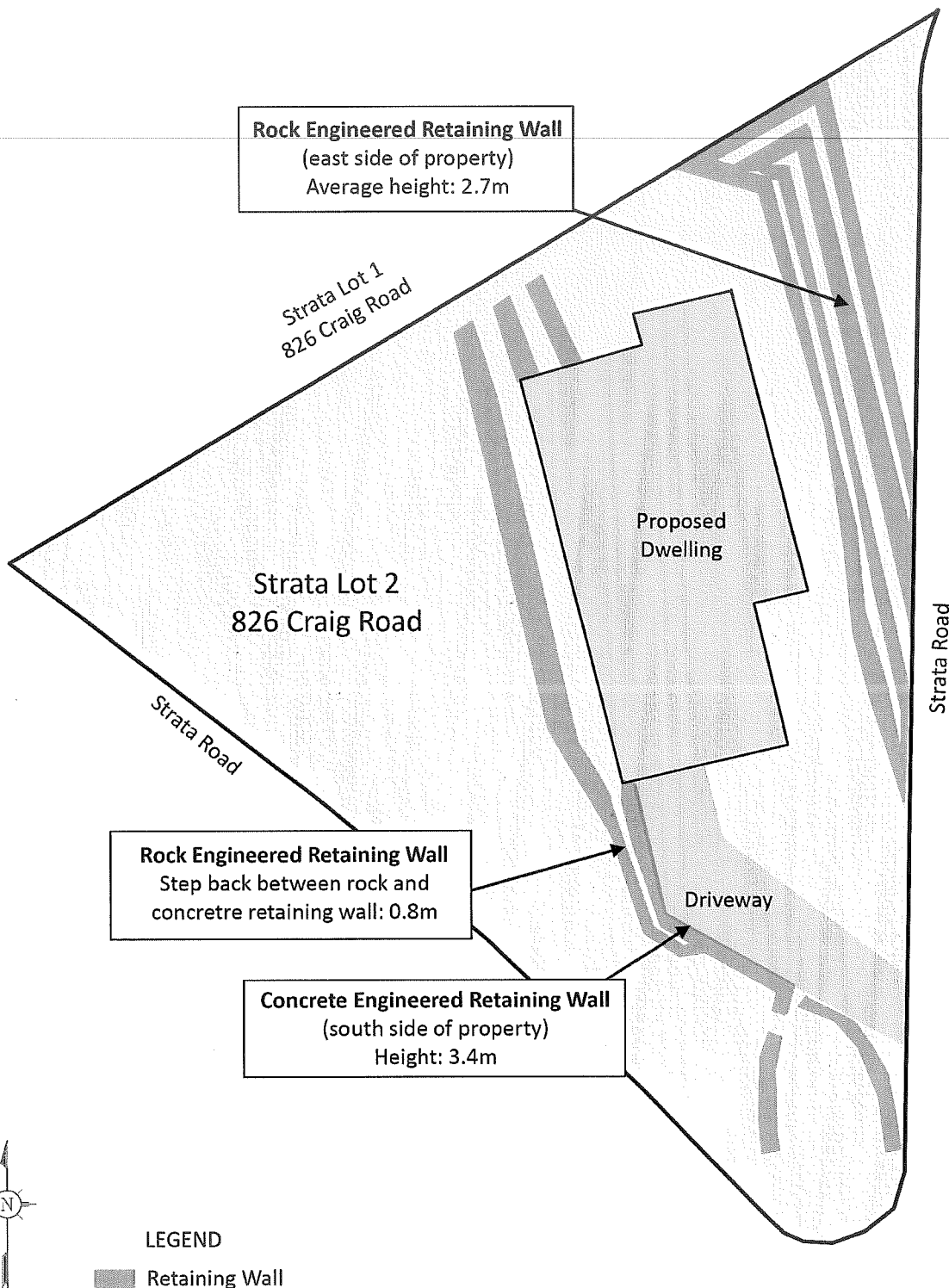
Witness

Title

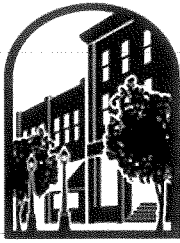
Occupation

Date

Date



Schedule A: Site Plan and Retaining Wall Variances
 DVP 3090-17-01
 2-826 Craig Road
 Applicant: P. Wolff (0988472 BC Ltd, Inc. No. 0988472)



LADYSMITH

Town of Ladysmith

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
Date: March 6, 2017
File No: 3360-16-03

RE: Bylaw 1921 – Amend Zoning Bylaw to Explicitly Prohibit Retail Sale of Marihuana

RECOMMENDATION:

THAT subject to any additional matters raised at the public hearing, and under the Bylaws section of tonight’s agenda, Council proceed with third reading and final adoption of Bylaw 1921 cited as “Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No.8), 2016, No. 1921”.

PURPOSE:

The purpose of this staff report is to present Bylaw 1921 for consideration of third reading and final adoption following the public hearing held earlier this evening.

PREVIOUS COUNCIL DIRECTION

On December 19, 2016 Council passed the following motion:

“That Council give first and second reading to Bylaw 1921 and refer the bylaw to a future public hearing.”

INTRODUCTION/BACKGROUND:

The current stage of this amendment to the Zoning Bylaw is to: 1) consider comments received or heard at the public hearing; and 2) consider giving third reading and final adoption to Bylaw 1921.

SCOPE OF WORK:

Bylaw 1921 proposes to amend the Zoning Bylaw by:

- i) Amending the definition of ‘Sales, Retail’ by explicitly stating that the retail sale use does not include marihuana retail sales, as follows:
“Sales, Retail: means the sale of goods, wares, or merchandise to the general public for final consumption. Such sales do not include Building Supply Sales, Marihuana Retail Sales, Wholesale Sales, Liquor Retail Sales, Warehouse Sales, Re-Store sales, or the sale of motor vehicle fuels, heavy agricultural and industrial equipment or products related to a Garden Centre Use or an adult entertainment Use.”
- ii) Adding a definition for the use ‘marihuana retail sales’; and
- iii) Adding ‘marihuana retail sales’ as a prohibited use in all Zones.

ALTERNATIVES:

That Council not adopt Bylaw 1921.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

Possessing and selling marihuana for non-medical purposes is illegal in Canada.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice regarding the public hearing was published in the local newspaper on February 22 and March 1, 2017. As the public hearing held earlier tonight is now closed, no further input from members of the public or interested persons can be accepted by Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

None.

RESOURCE IMPLICATIONS:

None.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

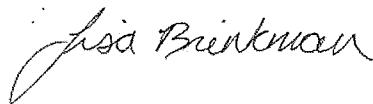
n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning is a strategic Council direction.

SUMMARY:

It is recommended that Council 1) consider comments received or heard at the public hearing; and 2) consider giving third reading and final adoption to Bylaw 1921.



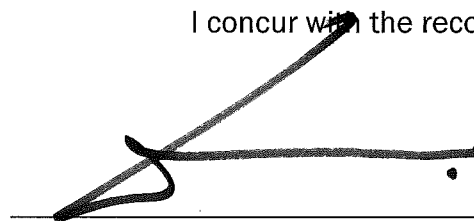
Report Author: Lisa Brinkman, Senior Planner

Reviewed By:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT:

None.

TOWN OF LADYSMITH

BYLAW NO. 1921

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

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Zoning Bylaw;

AND WHEREAS after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

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

(a) Section 4.1(a) is hereby amended as follows:

(i) The definition of "Sales, Retail" is deleted and the following definition is substituted:

SALES, RETAIL: means the sale of goods, wares, or merchandise to the general public for final consumption. Such sales do not include *Building Supply Sales, Marihuana Retail Sales, Wholesale Sales, Liquor Retail Sales, Warehouse Sales, Re-Store sales*, or the sale of motor vehicle fuels, heavy agricultural and industrial equipment or products related to a *Garden Centre Use* or an adult entertainment *Use*.

(ii) Add a definition for 'Sales, Marihuana Retail' following the definition of 'Sales, Liquor Retail' as follows:

SALES, MARIHUANA RETAIL: means the sale of marihuana (cannabis) or products containing marihuana.

(b) Section 6.3 'Uses Prohibited in All Zones' is amended by adding the following regulation to Section 6.3(a) as follows:

(i) The following is added and renumbered accordingly:

"vii) A *Marihuana Retail Sales Use*

CITATION

(2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860 Amendment Bylaw (No. 8), 2016, No. 1921".

READ A FIRST TIME

on the 19th day of December, 2016

READ A SECOND TIME on the 19th day of December, 2016

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

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

ADOPTED on the _____ day of _____,

Mayor (A. Stone)

Corporate Officer (J. Winter)

COMMITTEE REPORT

To: Council
From: Heritage Revitalization Advisory Commission
Date: March 6, 2017
File No: 6800-20

Re: **SUPPORT FOR HERITAGE TAX CREDIT BILL**

RECOMMENDATION:

That Council express support for Bill C-323 - An Act to Amend the Income Tax Act (Rehabilitation of Historic Property) as a Private Members Bill tabled by MP Peter Van Loan, Conservative critic for Canadian Heritage and National Historic Sites.

INTRODUCTION/BACKGROUND:

At their meeting on January 26, 2017, the Heritage Revitalization Advisory Commission (HRAC) discussed the new Heritage Tax Credit Bill (C-323) that was introduced at the House of Commons on December 6, 2016. This Private Members Bill has the potential to encourage rehabilitation of historic buildings in Canada for properties included in the Canadian Register of Historic Places.

In a press release, Mr. Van Loan stated "By maintaining historic buildings and undertaking costly heritage renovations, citizens undertake a considerable private burden from which we all benefit, through the preservation of our past. This Bill seeks, in a small way, to provide some support for them for the considerable investment they make on behalf of all of us by restoring their heritage properties".

Heritage BC and the National Trust for Canada are promoting a "Call to Action" to support the passage of the bill, including letters to local Members of Parliament and the Minister of Environment, along with the MP who introduced the bill.

HRAC made the following recommendation to Council:

It was moved, seconded and carried that Heritage Revitalization Advisory Commission recommend to Council the support of the Heritage Tax Credit Bill introduced by MP Peter Van Loan as a means to facilitate investment in heritage properties in our community.

ANALYSIS:

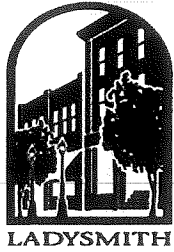
Bill C-323 was inspired by the successful United States Federal Historic Tax Credit Program, which has been critical to the preservation, rehabilitation and adaptive re-use of historic buildings.

The Heritage Tax Credit Bill has the potential to encourage investment in heritage places within the Town of Ladysmith. There are currently 22 heritage places listed on the Ladysmith Community Heritage Register (all of which are also listed on the Provincial and National Heritage Registers), which would be eligible for incentives under Bill C-323. The Heritage Tax Credit Bill could encourage property owners to invest and rehabilitate the heritage places that define Ladysmith.

This initiative would complement the Town's Heritage Revitalization Tax Exemption Program enacted by Council in 2007.

STAFF COMMENTS: N/A

ATTACHMENTS: None



Town of Ladysmith

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
Date: March 6, 2017
File No: 6560-20

RE: Boundary Extension Request

Subject property: Lot 20, District Lot 41, Oyster District, Plan 2519, Except parts in Plans 8993, 43985 and EPP28332 (W. Rosen and J. Stringer)

RECOMMENDATION:

1. That Council direct staff to proceed with developing the boundary extension proposal to the Province to request that Lot 20, District Lot 41, Oyster District, Plan 2519, except parts in Plans 8993, 43985 and EPP28332 be included within the boundary of the Town and to submit the proposal to the Province.
2. Based on Council's decision to implement an application fee for boundary extension proposals the Council deny the applicant's request to waive the fee in full or in part.

PURPOSE:

The purpose of this staff report is to present a request from the owner of an approximately 5.7 acre parcel of land located on Farrell Road to come into the boundary of the Town.

PREVIOUS COUNCIL DIRECTION

None.

INTRODUCTION/BACKGROUND:

This parcel of land is located in south Ladysmith on Farrell Road. It is bounded on three sides by the Town. When the south Ladysmith boundary extension was undertaken in 2002, property owners that were not interested in coming into the Town at that time were excluded from the request to the Province. As a result there are some gaps in the Town's boundary as shown on the map at the end of this report. The subject property is one of those gaps.

At the time of the earlier boundary extension this parcel was "hooked" across the TransCanada Highway. A subdivision was approved earlier this year to sever the parcel at the highway boundary, so that the subject property (Lot 20) is now fully on the west side of the highway. The property owners are interested in coming into the Town as they "feel that its marketability, and ultimately its potential for development, is hampered by its current status, and that it would be a natural fit with the current developments by the Town that are already underway in that area." This parcel along with the similarly shaped adjacent parcel to the east would create a suitable site for development extending from the end of Sanderson Road or from Farrell Road. The adjacent lands are zoned R-3-A, R-1 and RU-1 zones.

The parcel is currently within the jurisdiction of the Cowichan Valley Regional District (Area G). It is zoned Suburban Residential (R-2) Zone in Saltair Zoning Bylaw No. 2524 which would continue to be the zoning if the parcel comes into the Town until such time as it is rezoned by Town Council. This zoning would permit a parcel size of 0.4ha which is the same parcel size as the Town's Rural Residential Zone (RU-1). It is Council's general policy that if a property is to receive municipal services it must petition Council to enter the municipality by a boundary expansion.

SCOPE OF WORK:

Boundary extensions require approval by the Province. There are several steps to be undertaken by the Town and the Province which are outlined in a document called the "Municipal Boundary Extension Process Guide." The Guide is available on the Province's website: http://www.cscd.gov.bc.ca/lgd/gov_structure/library/municipal_boundary_extension_process_guide.pdf

The Province has established technical criteria for boundary extension proposals including that the area should include complete legal parcels and that the properties should be contiguous with the municipal boundary. This proposal meets both of these criteria. The proposal would not bring additional roads into the Town as Farrell Road is part of the Highway. The Town has a maintenance agreement for Farrell Road with the Province.

In summary, there are six steps in the boundary extension process. If Council supports the first recommendation, staff would proceed with the first two steps.

- Step 1 – Proposal development and referrals (Town)
- Step 2 – Town makes a proposal to the Province (Town)
- Step 3 – Province undertakes its review
- Step 4 – Municipal elector approval (Town – applicant cost)
- Step 5 – Provincial approval
- Step 6 – Implementation of the change, if approved (both)

ALTERNATIVES:

Alternatives that Council could consider are:

1. That Council not entertain the request of the property owners at this time.
2. That Council direct staff to write to the owners of the other south Ladysmith properties that are similarly bounded by the Town and the highway to see if there is interest in being part of this boundary extension proposal to the Province. This option is presented as this would complete the Town's boundary at the south end. It is also presented as the boundary extension process is quite lengthy and it would be more efficient to batch a proposal to the province. Considering "logical blocks" is a Provincial technical criterion, preferred over multiple individual proposals. If Council decides to proceed with this option, staff would bring back the results of this consultation to Council for further direction.

FINANCIAL IMPLICATIONS:

There is an application fee for a boundary extension which would be required to be paid prior to staff commencing the development of the boundary extension proposal to the



Province. The application fee is \$2000 plus \$50/hectare (\$2,050) plus advertising and electoral approval costs.

The applicant has requested that the fee be waived in full or in part. Council direction is needed as there are financial implications to consider.

LEGAL IMPLICATIONS:

The boundary extension process is governed by the *Local Government Act*.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Assent of the electors is required for a municipal boundary extension which can be achieved by voting or alternative approval process.

It is expected that there will be minimal interest in this boundary extension proposal. If the property comes into the Town and it is subsequently considered for rezoning and development, there may be interest from the adjacent neighbourhood. Sanderson Road currently dead-ends at the property which is an indication that this property could be developed at some future time.

The South Ladysmith Area Plan identifies residential development in this area as being an addition to the Russell Road/Stirling Drive neighbourhood with new housing expected to be conventional single family, with estate single family as an alternative. Multi-family housing forms are suited to a hillside setting. The residential development in this area will be serviced and accessed from South Davis Road.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The request from the property owner has been referred to the Infrastructure Services Department for comment. Services would be available via the Farrell Road frontage and at the end of Sanderson Road. Legislative Services would facilitate the process for the approval by the electors which occurs at step 4 of the process.

RESOURCE IMPLICATIONS:

Based on staff's current work program as approved by Council, the processing of this boundary extension proposal would be scheduled for late Q2/3, subject to the timing of other projects. Depending on the priority level assigned by Council, other strategic priorities could be impacted.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

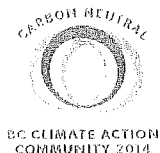
Infill development would be consistent with the sustainability strategy – complete community land use.

ALIGNMENT WITH STRATEGIC PRIORITIES:

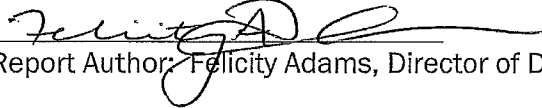
N/A

SUMMARY:

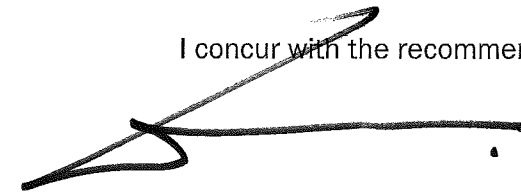
A request has been received to have the subject property included in the boundary of the Town. Such a decision is made by the Province. The Town makes the proposal to the Province. This parcel was considered in 2002 but at that time the property owner did not



wish to take the steps to join the Town. Since that time, the property has been subdivided making the addition of this property consistent with the Province's boundary extension criteria as it is contiguous with the boundary of the Town and a complete legal parcel. Including this property will complete this one section of the Town.


Report Author: Felicity Adams, Director of Development Services

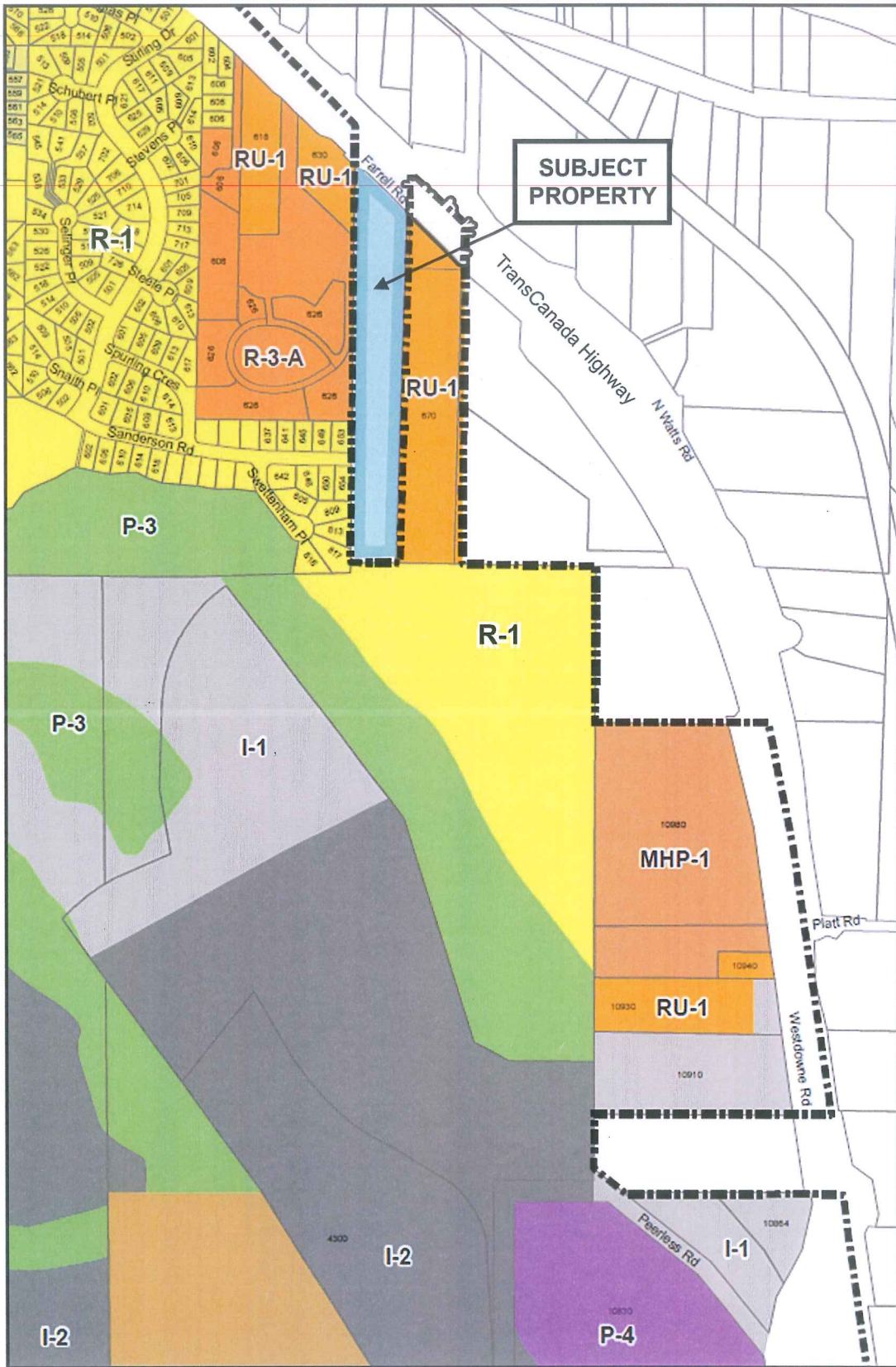
I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT:

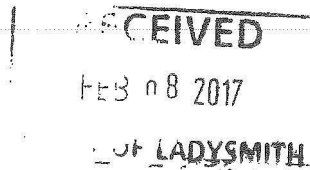
Subject property map
Letter from property owners



BC CLIMATE ACTION
COMMUNITY 2014



Felicity Adams, MCIP, RPP
Director of Development Services
Town of Ladysmith – Development Services
Box 220 – 132C Roberts Street
Ladysmith, BC V9G 1A2



Feb. 4, 2017

Dear Ms. Adams;

Re: Application for Municipal Boundary Extension

I and my brother, John Stringer, are joint owners of a parcel of land in the Davis Road area of Ladysmith, which is currently within the boundaries of the CVRD. We are looking to put this property on the market this year, and would like to apply to have it included within the Town of Ladysmith boundary.

The property in question is just south of The Gales in the Davis Road area. It is a 5.7-acre piece, identified as Lot #20 (on the BC Assessment Authority documents it is Lot 20, Plan VIP2519, District of Lot 41, Oyster Land District).

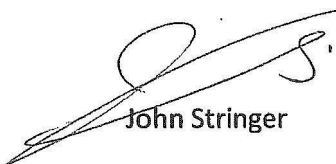
In its present status it exists as a finger of CVRD land bounded on each long side by Town of Ladysmith land. We feel that its marketability, and ultimately its potential for development, is hampered by its current status, and that it would be a natural fit with the current developments by the Town that are already underway in that area. It would also allow for the potential sale and development of the neighbouring lot to the south, which its owners are also ready to embark on.

We understand that there is a process for this that involves both the Town and the Province, and appreciate your assistance with this process. If the Town feels that a potential development in this area is of benefit, we are hoping that the application fee might be waived in full or in part. We are prepared to cover any subsequent costs.

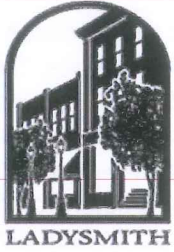
Enclosed with this letter is a copy of the Certificate of Title and the survey plan for the property.

Sincerely,


Wendy Rosen


John Stringer

Enc: 2



Town of Ladysmith

STAFF REPORT TO COUNCIL

From: Felicity Adams, Director of Development Services
 Date: March 6, 2017
 File No: 3010-01

RE: Status of Provincial Contaminated Sites Profile Process

RECOMMENDATION:

That Council receive the report for information.

PURPOSE:

The purpose of this staff report is to update Council on the status of the Ministry of Environment *Contaminated Sites Regulation* site profile process; and to report on the status of the former gas station at 1156 Trans Canada Highway.

PREVIOUS COUNCIL DIRECTION

DATE	MOTION
October 4, 2016	That Council direct staff to research the status of the provincial Site Profile process for contaminated sites and report back to Council regarding the process and related options for the Town with regard to the former gas station and Trans Canada Highway and Strathcona Road.
November 17, 2014	That Council receive the staff report on the Provincial Site Profile Contaminated Sites Screening System, and provide the following input to the Ministry of Environment discussion paper on the site profile process. <ul style="list-style-type: none"> • Any role for local government should remain as administrative • Changes to the legislation should simplify and clarify the process • Requirements and triggers should consider the cost of investigation and the value of the property • The impact of using a CSAP approved professional or other professional is unclear to land developers and property owners • Fees are high for achieving a legal instrument • There is a perception that opted-out communities are more streamlined and more supportive of economic development creating potential friction between property owners, professionals and local government • Brownfield Renewal Program funding should be re-established That Council await the outcome of the review of the Provincial Site Profile Process before further considering the Town's participation in the site profile system.
August 18, 2014	That Council request staff to investigate options for opting in or out of the provincial Ministry of Environment's Contaminated Site Profile System and report back with their findings.
May 12, 1997	That the Town of Ladysmith agree to participate in the Waste Management Act Contaminated Sites Legislation as instituted by the Ministry of Environment, Lands and Parks.



INTRODUCTION/BACKGROUND:

The *Contaminated Sites Regulation*, under the *Environmental Management Act*, creates a provincial system to screen for potentially contaminated sites in B.C. using site profiles. Site profiles are forms that require information about the past and present uses of a site, as well as basic land descriptions. Provincial legislation requires that a site profile is completed at the time of subdivision, re-zoning, development permit, development variance permit, soil removal permit and demolition permit. (The Town of Ladysmith does not require soil removal permits at this time). Site profiles are also required to be completed when decommissioning a site (i.e. gas station); taking over a property as a trustee, receiver or liquidator; and when selling a property that has had a known contaminated activity. See 'Fact Sheets 5 and 6' attached.

SCOPE OF WORK:

The site profile system was established to assist local governments, such that the province would take on the responsibility for overseeing the liability and clean-up of contaminated sites. A local government can choose to 'opt out' such that they do not administer or receive site profiles. However, even if a local government does not want to administer site profiles, all land owners and operators will still be subject to other provisions in the *Contaminated Sites Regulation*.

Advantages of opting out is that it allows local governments to ignore, as a matter of policy, the screening of potentially contaminated sites and eliminates barriers to local government approval of specific applications. Disadvantages of opting out are that it increases local government liability in assessing development applications; liabilities such as unacceptable risks to human health, the environment and infrastructure. See 'Fact Sheet 6' attached.

In April 2016 the B.C. Ministry of Environment issued an intentions paper proposing updates to some aspects of British Columbia's contaminated sites legal regime, including changes to the site profile process. However, it will be one or more years before these changes are implemented if they are supported by the provincial government. Thus, for now the contaminated sites legal regime remains the same as it relates to local government responsibilities. Amendments to the *Contaminated Sites Regulation* will come into effect in 2017, (Stage 10 amendments), however these amendments will not affect local government roles and responsibilities.

For more information about the *Contaminated Sites Regulation* in B.C. go to:
<http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/contaminated-sites>

1156 Trans Canada Highway

The former gas station at 1156 Trans Canada Highway is currently an active file within the provincial *Contaminated Sites* system, and the province has advised that there are outstanding matters that the landowner must address before the site can be released as a clean site. The province further advised that even if the Town were to 'opt out' of the site profile process, this would not release the landowner from the requirements of the *Contaminated Sites Regulation* as they are already in the system. The liability and clean-up of the property at 1156 Trans Canada Highway is a matter between the landowner and the Ministry of Environment. The Town does not have an option to alter or alleviate the provincial requirements. Attached to this report is an overview of roles in the site decommissioning and redevelopment process.



ALTERNATIVES: n/a

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS: n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS: n/a

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS: n/a

RESOURCE IMPLICATIONS:

Administering Site Profiles is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

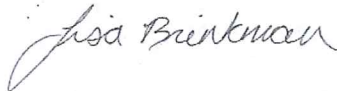
The Sustainability Report states that Ladysmith will continue to work to build a healthy and vital community.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning is a Council strategic direction.

SUMMARY:

This staff report provides an update on the status of the Ministry of Environment *Contaminated Sites Regulation* site profile process and related implications for the property at 1156 Trans Canada Hwy.



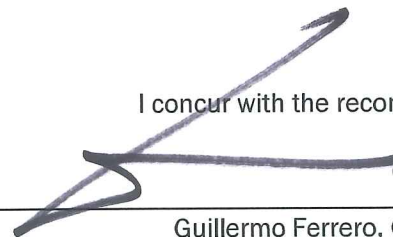
Report Author: Lisa Brinkman, Senior Planner

Reviewed By:



Felicity Adams, Director of Development Services

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENTS:

- a) Previously Considered Staff Report – November 12, 2014
- b) Fact Sheet 5 – Site Profiles: Local Government & Approving Officer Duties
- c) Fact Sheet 6 - Site Profile Administration: Local Government Opt Out Option
- d) “The Process Guide - Describes the roles and responsibilities of each of the parties involved in a site decommissioning and redevelopment” (source: <http://brownfieldsbc.com>)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: November 12, 2014
File No: 3010-01

Re: Provincial Site Profile Contaminated Sites Screening System

RECOMMENDATION(S):

1. That Council receive the report and provide the following input to the Ministry of Environment discussion paper on the site profile process.
 - Any role for local government should remain as administrative
 - Changes to the legislation should simplify and clarify the process
 - Requirements and triggers should consider the cost of investigation and the value of the property
 - The impact of using a CSAP approved professional or other professional is unclear to land developers and property owners
 - Fees are high for achieving a legal instrument.
 - There is a perception that opted-out communities are more streamlined and more supportive of economic development creating potential friction between property owners, professionals and local government.
 - Brownfield Renewal Program funding should be re-established.
2. That Council await the outcome of the review of the Provincial Site Profile Process before further considering the Town's participation in the site profile system.
3. That Council direct staff to bring forward a brownfield renewal economic revitalization tax exemption program for site investigations that lead to receipt of a Ministry of Environment legal instrument, (e.g. letter of determination, certificate of compliance).

PURPOSE:

The purpose of this report is to provide Council information regarding options for opting in or out of the provincial Site Profile System and to advise Council of provincial consultation on the site profile process that is taking place until December 10, 2014.

INTRODUCTION/BACKGROUND:

At the request of local government, the Province created the Site Profile screening system by legislation in 1997. The system is a "screening tool" administered by local government to identify contaminated sites prior to redevelopment. This is a statutory responsibility unless the Town has "opted-out" by resolution of Council.

At its meeting held May 12, 1997 Council made the following resolution.

That the Town of Ladysmith agree to participate in the Waste Management Act Contaminated Sites Legislation as instituted by the Ministry of Environment, Lands and Parks.

At its meeting held August 18, 2014, Council provided the following direction to staff.

That Council request staff to investigate options for opting in or out of the provincial Ministry of Environment's Contaminated Site Profile System and report back with their findings.

The Ministry of Environment has recently posted a discussion paper for comment regarding the site profile process and options to streamline and simplify the process. The deadline for input is December 10, 2014.

SCOPE OF WORK:

Sites of high risk concern to the Province are drycleaners and the petroleum industry. Under the Contaminated Sites Regulation property owners have responsibilities. In the situation of a decommissioning or a foreclosure, the Ministry receives the site profile directly otherwise it is received via the local government if it is opted-in to the Site profile system.

The local government role is administrative only. We provide forms to property owners, on behalf of the Province, at the time of commercial or industrial land development to require that a "screening tool" (a series of yes or no tick boxes) be completed for the property to identify potentially contaminated sites. If what is known as a "Schedule 2 activity" has occurred in the past or is occurring now, the results of the screening tool are forwarded to the Province within 15 days and the Province will advise the property owner (and copy the Town) if there are further requirements. It is not the responsibility of the local government to follow-up or enforce compliance of the Ministry's requirements of a property owner.

The effect on the land development process for the Town is that pursuant to the *Local Government Act* (s. 946.2), the following types of development applications are subject to the findings of the site profile system: zoning, development permits or development variance permits; removal of soil; demolition permits respecting structures that use been used for commercial or industrial purposes. When a site profile is required (i.e. commercial or industrial past or current use) and a Schedule 2 activity has taken place (i.e. the site profile is required to be submitted to the Province), the Town cannot authorize the above statutory approvals unless first authorized to do so by the Province.

For example, the Town has been advised of a "freeze" on the issuance of local government approvals and also a subsequent "thaw" of these approvals for three recent proposals.

- 2009 – Development Permit for Tim Horton's Drive-Through Relocation
- 2010 – Rezoning proposal for 1201 and 1251 Christie Road from R-1 to R-3-A.
- 2011 – Development Permit for Oyster Bay Quay

Opted-out Community Research:

In this instance the municipality would not be subject to the *Environmental Management Act* in its development approvals noted above.

As the Town does not have experience with being an "opted-out" community, staff undertook research with six communities that are currently on the list of local governments currently opted-out of the site profile system: District of North Cowichan, City of Parksville, Town of Comox, Town of Sidney, Town of Gibsons and City of Powell River. Some but not all of these communities have brownfield sites and an industrial past. While they are opted-out communities, planning staff contacted indicate that Provincial legislation for contaminated sites is relied upon during the land development process if contamination is expected or service station decommissioning / redevelopment is proposed. Staff in two of the communities indicated an interest in bringing the matter to Council for reconsideration.

33 municipalities (20%) and eight regional districts (30%) are currently opted out of the site profile system. In the CVRD, only the District of North Cowichan is an opted-out community. The Ministry of Environment has advised that since 2008, there are three communities (District of Port Hardy, Township of Esquimalt and City of Vernon) that opted-in to the Site Profile System that were previously opted-out communities.

The Process to Opt-Out

The Town of Ladysmith is currently opted-in to the site profile system. If Council chooses to opt-out of the system it would advise the Ministry of Environment by way of Council resolution along with a letter signed by the Corporate Officer and the Approving Officer. If Council opts-out and wishes to continue to screen for and address contaminated sites, the Ministry advises that a municipal screening tool would be required to be developed. Staff does not have the technical knowledge to determine the process for evaluating such environmental information or site remediation requirements. External resources would be required.

The Ministry advises that it does receive referrals from opted-out communities from time to time. The Ministry does not provide comment to opted-out communities and advises that the only way to confirm compliance with provincial legislation/regulations in an opted-out community is to require a legal instrument such as a certificate of compliance or determination that the site is not contaminated.

It is important to note that site profiles triggered at decommissioning or foreclosure must be submitted to the Director of the Contaminated Sites Branch by the property owner even if the local government for the area has opted-out of the site profile process.

ALTERNATIVES:

That Council advise staff of any additional input to provide to the Ministry of Environment regarding this site profile system.

That if Council is interested in considering opting-out of the site profile system, that staff report back to Council when the Ministry has completed its current review of the legislation.

FINANCIAL IMPLICATIONS:

While an administration fee of up to \$100 can be charged for processing site profiles, the Town has not implemented such a fee.

The Town's economic revitalization tax exemption program focuses on eligible projects with a building permit value of \$200,000 or greater. When the program was developed in 2012, Council determined that a "brownfield renewal" incentive would be considered at a future time. Staff is recommending that Council look at a brownfield program, but note that any new program would not be effective until the 2016 taxation year at the earliest and that land value may not necessarily increase as a result of achieving a Ministry instrument.

LEGAL IMPLICATIONS:

If Council is considering opting-out of the site profile system, legal advice is recommended prior to consideration.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Interest by the public is highest where there is a residential neighbourhood adjacent to a former commercial or industrial use. It is expected that the public would support screening for contaminated sites at the time of commercial or industrial redevelopment.

Some property owners would prefer that the Town opt-out so that the site profile screening tool is not used and the potential that the site profile form is provided to the Ministry of Environmental by the municipality is removed. In this instance the municipality would not be subject to the Environmental Management Act in its development approvals.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Building Inspector is involved with the issuance of demolition permits; the Approving Officer is involved with subdivision approval, the Development Services Department is involved with rezoning, development permits and development variance permits. The Corporate Services Department is involved with legal matters pertaining to the Town's land.

RESOURCE IMPLICATIONS:

Additional technical resources would be required if the Town is an opted-out community and wishes to continue to screen for and address contaminated sites.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

None of the Town's strategic documents reference brownfield renewal generally. Specific reference is made to the redevelopment potential of the waterfront.

An economic development objective in the Sustainability Action Plan is to "green the economy" by supporting local businesses to make environmentally responsible improvements in their operations.

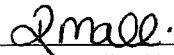
ALIGNMENT WITH STRATEGIC PRIORITIES:

Strategic priorities include: Effective Land Use Planning and Community Design, Dynamic Economic Development, and Responsible Stewardship of the Environment.

SUMMARY:

This report provides Council information regarding opting-in or opting-out of the provincial Site Profile System and to seek Council input to the provincial consultation on the site profile process that is currently taking place.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Provincial Discussion Paper – Site Profile Process: Identification of Contaminated Sites
Fact Sheet 5 – Site Profiles: Local Government and Approving Officer Duties
Fact Sheet 6 – Site Profile Administration: Local Government Opt-Out Option

previously considered

Site Profiles: Local Government and Approving Officer Duties

The provincial Contaminated Sites Regulation (the Regulation) under the *Environmental Management Act* contains a site profile form. The form, which requires a basic land description and information on the past and present uses of the site, is an initial screening tool for identifying sites that might be contaminated.

Who is required to submit a site profile?

Developers, owners, and vendors of property, as well as local governments (as land owners), may have to submit site profiles.

How does the site profile process work?

The flowchart on page 2 outlines the site profile process. The number for each step below corresponds to the numbered steps in the chart. Local government and approving officer duties are shown in steps 4 through 6.

What triggers the need for a site profile?

1 Usually a subdivision, development or development variance, zoning, demolition, or soil removal application for a property triggers the submission of a site profile.

How do land uses relate to a site profile?

2 A site profile is required if a site has been used for industrial or commercial activities listed in Schedule 2 of the Regulation. If a site has been used exclusively for residential use, a profile is not required.

Are there any exemptions?

3 The Regulation provides for numerous exemptions, such as when a local

government applies to zone or rezone land and the local government does not have an ownership interest in the land. If any of the exemptions apply, a site profile is not required.

What are a local government and approving officer's main duties?

- 4** The official must assess if the form is completed properly. If it is not, they must notify the person who provided the site profile and request corrections.
- 5** When the site profile has been properly completed, the official will review if there are any "yes" answers to the questions in Section IV through IX.

What are the forwarding duties?

- 6** If there is one or more "yes" answer, the official must forward the site profile to a Director of Waste Management. If there are all "no" answers, the profile must be forwarded to the Site Registrar.

For a site profile that needs further review by the Director, local governments and approving officers must assess and forward the profile to the ministry within 15 days.

Do site profiles affect the approval of applications?

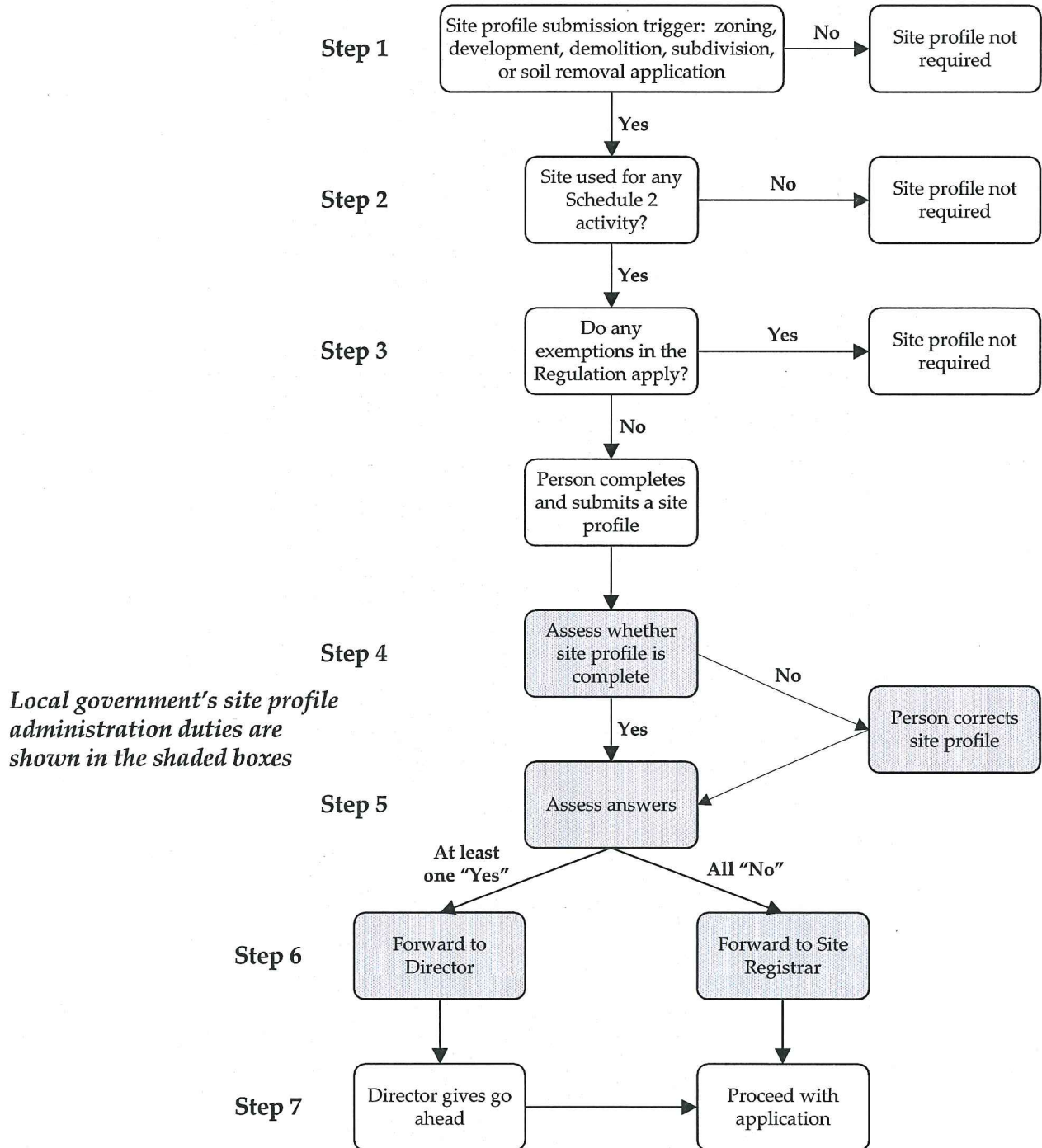
- 7** If a site profile is forwarded to a Director, the affected application must not be approved by the local government or approving officer until the Director makes a decision, usually within 15 days, if the parcel requires investigation. If a site investigation is required by the Director, this decision will suspend the application until the Director's requirements are met.

For more detailed information about site profile processing requirements for municipalities and approving officers, refer to [Administrative Guidance 2](#). This document also provides contact information for the Director and Site Registrar.

Note: This summary is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.

For information about site profiles, please send a message to siteprofiles@gov.bc.ca. For more information, contact the Environmental Management Branch at site@gov.bc.ca.

Site Profiles and Local Government/Approving Officer Requirements





Site Profile Administration: Local Government Opt Out Option

A provision in the Contaminated Sites Regulation under the *Environmental Management Act* (the Act) allows local governments to opt out of administering the site profile system. Please note that unless otherwise indicated in this fact sheet, the term “local government” means a municipality, regional district, or the Islands Trust and, in the case of subdivision, an approving officer.

Some of the advantages and disadvantages for local governments that opt out are summarized below. Also, a list of those local governments which have opted out is provided.

What is a site profile?

A site profile is a form on which information about the land and the past and present uses of a site is recorded. These forms are used to screen property for possible contamination. The form and associated administrative requirements for using it are described in the Contaminated Sites Regulation (the Regulation).

Who is required to submit a site profile, and when?

A person is required to provide a site profile to the local government when he or she applies for subdivision, zoning, or demolition, development or soil removal permits for land that has previously been or is currently used for certain types of industrial or commercial activities. See our [Land Remediation Section web site](#) for more detailed information on site profiles.

How is local government involved?

The Act assigns two administrative duties to local governments in handling site profiles.

Assessment duties

Local government officials must first check that the site profile form is satisfactorily complete. If it is not, they must inform the person who provided it that the profile needs further work. Once the officials are satisfied that the form has been completed satisfactorily, they will check to see whether any “yes” answers were provided in sections IV through IX.

Forwarding duties

If there are any “yes” answers, the local government official will forward the site profile to a Director of Waste Management. If there are all “no” answers, it will be forwarded to the Site Registrar.

How can local government opt out?

The choice of not participating in the administration of site profiles is incorporated into the Regulation, section 4 (4), which states, “A person is exempt from the duty to provide a site profile ... with respect to any site within a municipality if the municipality ... has filed written notice with the minister that ... [it] does not wish to receive site profiles”

This exempts a local government, by removing the duty of a person such as a developer, to submit site profiles to the local government in that jurisdiction. To exercise this option, the

local government must notify the Minister in writing that it does not wish to receive site profiles under provincial legislation. The notification should include a copy of the council resolution and signatures from both a municipal representative (for example, a city clerk) and the approving officer.

It should be noted that in areas where subdivisions are administered by the Ministry of Transportation, site profiles are required to be submitted with a subdivision application, regardless of whether the local government has opted out in that area.

Can a local government opt out of the entire contaminated sites legal regime?

No. Even if a local government decides it does not want to administer site profiles, all land owners and operators will still be subject to other provisions in the Regulation. For example, a site owner, operator or trustee is required to submit a site profile directly to a Director of Waste Management when a site is decommissioned or subject to foreclosure, even when the local government has chosen to opt out of receiving site profiles.

Which local governments have opted out?

A list of the local governments currently opted out of the site profile system is shown in the table attached to this fact sheet.

Are there any consequences if a local government opts out of the system?

Yes. If a local government chooses not to be part of the site profile system, it will no longer have legal responsibility under the Act to screen sites using site profiles. There will be no site profile system for the geographic area for which that local government is responsible. This will have a number of effects which are discussed below.

What are the pros and cons of opting out?

Advantages:

- Removes any liability concerns about site profile administration by local governments.
- Eliminates barriers in contaminated site legislation to local government approval of specific applications.
- Eliminates local government training and administration costs for the site profile system.
- Allows local governments to develop their own screening system.
- Allows local governments to ignore, as a matter of policy, the screening of potentially contaminated sites.

Disadvantages:

- Increases local government liability in assessing zoning, subdivision, demolition, development, and soil removal applications without a legally defined process to screen for contaminated sites.
- Creates risk of some contaminated sites, including high risk sites, escaping detection or being detected late (for example, during excavation) in those jurisdictions that have no site contamination screening system.
- Creates risk of unacceptable impacts on human health, the environment, and infrastructure occurring or continuing, particularly if high risk sites are not identified.
- Increases remediation costs for cleaning up sites detected late in the development process because of time delays and new planning requirements.
- Results in loss of income from processing site profiles. Local governments may charge up to \$100 per site profile under the Regulation
- Incurs higher administration and training costs where a local government develops and administers its own screening system.

- Results in much less data being entered onto the Site Registry for the area covered by the local government. Developers and others seeking information on contamination will be more likely to seek this information from a local government source rather than the Site Registry.
- Results in loss of province wide uniformity. Developers and property owners would face a patchwork of screening requirements if some local governments used the provincial system and others their own screening tools.

Can a local government opt back in?

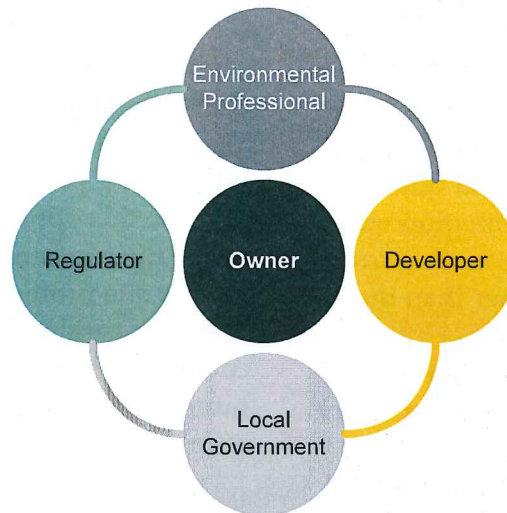
Yes. A local government can choose to opt back into the site profile system at any time. To exercise this option, the local government must notify the Minister in writing that it *does* wish to receive site profiles under provincial legislation. The notification should include a copy of the council resolution and signatures from both a municipal representative and the approving officer.

Note: This summary is solely for the convenience of the reader. The current legislation and regulations should be consulted for complete information.

For information about site profiles, please send a message to siteprofiles@gov.bc.ca.

For more information, contact the Environmental Management Branch at site@gov.bc.ca.

This process guide is a step-by-step outline of the roles and responsibilities of each of the parties involved in a site decommissioning and redevelopment.



Owner

The Owner is responsible for:

- Securing the site (i.e. fencing) and site demolition
- Environmental site investigations to assess the soil, groundwater and vapour conditions
- Reviewing the findings of the investigation(s) to determine subsequent steps, such as:
 - Detailed Site Investigation
 - Development of Remedial Action Plan
 - Interim Management and Monitoring
- Establishing Real Estate and Environmental strategies: this may include active remediation, risk assessment or a combination of both. Interim site uses may also be explored if companies are approached by interested groups.
- Ongoing Site Monitoring:
 - Site visits to maintain site security and appearance
 - Monitoring of environmental site conditions

From the viewpoint of the site owner/operator, timelines are driven more by regulatory processes and environmental risk than by the sale and redevelopment outlook of the property. This is particularly true in areas where market conditions aren't immediately favourable for redevelopment and where limiting future liability following the sale of the property would prove difficult.

Environmental Professional

The Environmental Professional is responsible for:

- Developing environmental management strategies along with the site Owner
- Site monitoring and verification of site conditions
- Documentation and site closure

Developer

The Developer is responsible for:

- Preparing and implementing a site development strategy
- Understanding regulatory approaches and alternatives
- Addressing on-going liability through contracts/agreements with owner
- Seeking funding/leverage options
- Managing the site health and safety plan
- Obtaining applicable permits and approvals

Local Government

The Local Government is responsible for:

- Addressing brownfield redevelopment through Official Community Plans and supporting Neighbourhood Plans
- Processing and approving demolition and development permits and charges, zoning, servicing, and taxation
- Receiving notification of potential contaminated sites through the site profile process

Regulator

- As part of the decommissioning process, a site owner must submit a Site Profile to the Ministry of the Environment (either directly, or in support of a municipal demolition permit)
- This submission triggers certain activities (site investigation, and potentially, remediation, risk assessment and/or applications for ministry instruments)
- Unless there is immediate danger to human or ecological health, no timelines are imposed on the activities. However, the site profile system does limit the municipality's ability to release permits for redevelopment or re-zone the property until certain actions are complete.
- The Ministry of the Environment and any affected parties are also notified if site investigations indicate that off-site migration of contaminants from the gas station site has occurred

STAFF REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Meeting Date: March 6, 2017
File No: 1850-01-2017

RE: 2017 Grants in Aid

RECOMMENDATION(S)

THAT Council receive the 2017 grant-in-aid funding requests from community groups and organizations and refer the deliberations to the March 13, 2017 Municipal Services Committee meeting.

PURPOSE

The purpose of this report is to introduce the 2017 funding requests from various community groups and organizations.

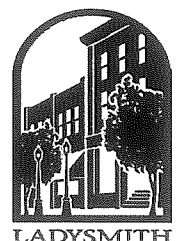
PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

CS 2016-374	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.
CS 2016-373	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.

INTRODUCTION/BACKGROUND

Each year, grants for social, cultural, recreational, special events services are provided by Town Council on behalf of residents of the Town of Ladysmith. The purpose of the grant-in-aid program is to assist citizens, financially, to organize themselves around community issues and projects.

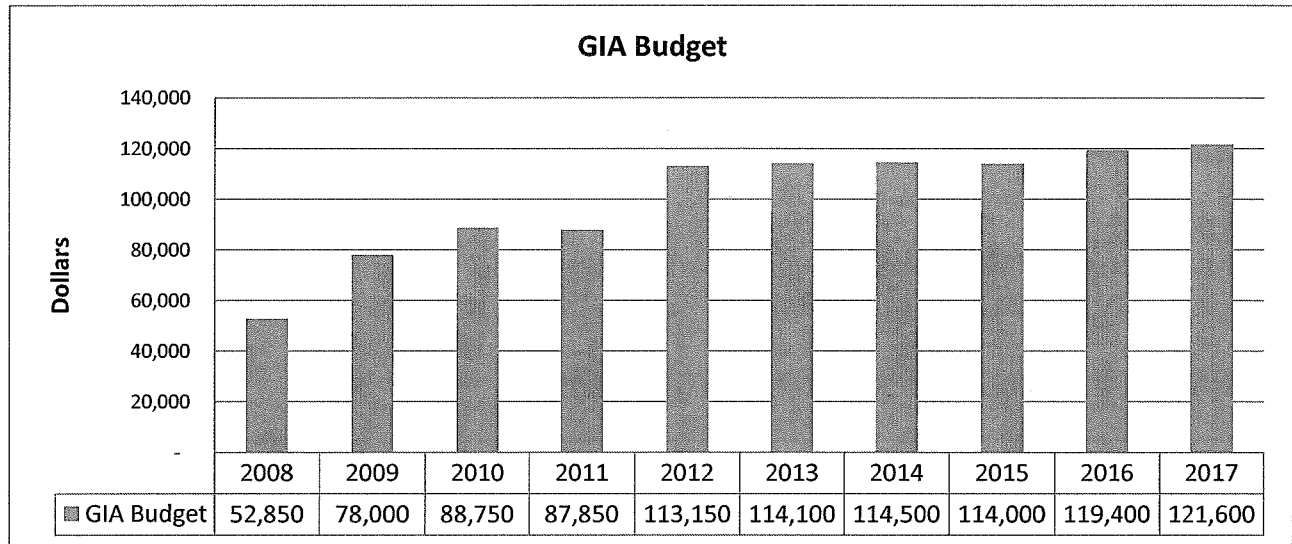
The Grant in Aid Policy was amended in late 2016, with 2017 being the first year under the changes. Most of the administrative changes were made to the year-end reporting, though Council also directed staff to enter into a Service Agreement with the Ladysmith & District Historical Society for the operation of the Ladysmith Museum and Archives as



well as a Service Agreement with the Ladysmith Resources Centre Association.

One of the requirements to continue to receive Grant in Aid funding is to submit a short report detailing how the funds were used in the prior year. All of these reports for 2016 can be found on the Town’s website at: <http://www.ladysmith.ca/city-hall/funding-grants>

The 2017 Grant in Aid budget has increased \$2,200 over the 2016 ending budget. Over the last ten years, the budget has increased from \$52,850 to \$121,600.



In 2016, the Grant in Aid budget was set at \$114,400 though the budget was later amended to include a \$5,000 grant in aid for the Nutsumaats Syaays Project.

As of the deadline, the following applications were received:

Organization	2017 Request	2016 Approved	Difference
Ladysmith Show and Shine	2,000	500	+ 1,500
Ladysmith Festival Of Lights	25,000	13,500	+ 11,500
Ladysmith Citizens on Patrol	1,500	1,500	0
Ladysmith Fire Rescue - Santa Parade	1,500	1,200	+ 300
Old English Car Club Central Island Branch	500	250	+ 250
Art Council of Ladysmith and District -Waterfront Gallery	5,000	1,500	+ 3,500
Art Council of Ladysmith and District- Arts on the Avenue	3,000	-	+ 3,000
Ladysmith District Historical Society (Industrial Heritage Preservation)	13,000	2,000	+ 11,000
Ladysmith Little Theater	5,000	500	+ 4,500
Ladysmith Downtown Business Assoc. - Shop Locally	5,500	1,500	+ 4,000
Ladysmith Downtown Business Assoc. - Old Tyme Christmas	6,000	1,500	+ 4,500
LRCA - Soup Kitchen	2,000	-	+ 2,000

Organization	2017 Request	2016 Approved	Difference
Ladysmith Ambassador Program	2,800	1,500	+ 1,300
Ladysmith & District Marine Rescue Society	3,000	2,500	+ 500
Ladysmith Maritime Society	1,500	1,500	0
Ladysmith Celebration Society	10,000	8,000	+ 2,000
Ladysmith Fire Rescue - Haunted House	1,300	-	+ 1,300
Ladysmith Friends and Family (LaFF)	7,000	2,500	+ 4,500
Open Table	1,500	500	+ 1,000
SD#68 – Frank Jameson Bursary	1,500	1,500	0
Cowichan Family Caregivers	750	750	0
Cowichan Therapeutic Riding Association	1,000	0	+ 1,000
Cowichan Energy Alternative Society	1,000	0	+ 1,000
<i>Service Agreements to be negotiated:</i>			0
Ladysmith & District Historical Society	23,500	23,500	0
LRCA - Victim Services	15,000	12,000	+ 3,000
LRCA – Programs	29,000	25,500	+ 3,500
Waiving of Fees	3,000	2,500	500
<i>No application received for 2017</i>			0
Vancouver Island Crisis Society		500	- 500
Ladysmith Community Gardens Society		1,500	- 1,500
Stz'uminus First Nation Aboriginal Days Celebration		1,200	- 1,200
Natusumaat Syaays		5,000	- 5,000
Ladysmith Search & Rescue		5,000	- 5,000
Total	171,850	119,400	+ 52,450

Included in the 2017-2021 Financial Plan was a Grant in Aid budget of \$ 109,600 plus \$12,000 for Victim Services for a total of \$121,600. These amounts will be reduced by the service agreement funds for the Ladysmith & District Historical Society (which does not include the Industrial Heritage Preservation Committee) and the Ladysmith Resources Centre Association.

SCOPE OF WORK

Much of the work to compile the information has been completed. The submitted applications are available in a binder for review at City Hall. Once amounts are approved and the Financial Plan has been adopted, payments to the recipients will be processed.

ALTERNATIVES

Council may choose to approve the amounts requested, modify the amount requested or deny the amount requested.

FINANCIAL IMPLICATIONS

Included in the draft Financial Plan is \$121,600. The Grant in Aid requests for 2017 total \$171,850, including the Ladysmith Resources Centre Association and the Ladysmith and District Historical Society. The amounts allocated to these organizations will be converted into a fee for service and the Grant in Aid budget will be reduced accordingly.

Grant in Aid monies come directly from property taxation funds; any increase/decrease in funding is an increase/decrease in taxation.

LEGAL IMPLICATIONS

Authority to provide Grants-in-Aid is derived from the Local Government Act s.176 (c).

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

Many community groups rely on this funding. Any changes to the funding could impact the services those organizations deliver.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

With direction from Council, the Finance Department leads the GIA process.

RESOURCE IMPLICATIONS

Much of the staff time has been allocated to the preparation of GIA processes. Once a Council decision is made, minimal time is taken to complete the payment processing.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

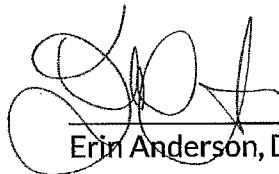
Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES

Supporting a safe and healthy community.

SUMMARY

On tonight's agenda is the introduction of the Grant in Aid requests for 2017. Council could choose to defer the deliberations of the Grant in Aid funding requests to the next Municipal Services Meeting.

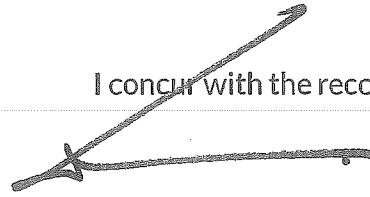


Erin Anderson, Director of Financial Services

March 1, 2017

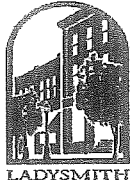
Date Signed

I concur with the recommendation.

A handwritten signature in dark ink, consisting of a series of connected loops and strokes, positioned above a horizontal line.

Guillermo Ferrero, City Manager

ATTACHMENT(S)
Grant in Aid Policy



TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

TOPIC: Grants-in-Aid

APPROVED BY: Council

DATE: November 21, 2016

RESOLUTION #: 2016-371

(Amended from August 6, 2013)

Purpose:

To establish a policy for Council of the Town of Ladysmith that is designed to assist organizations with projects or special activities, or to allow them to take advantage of development opportunities and events.

Policy:

In granting financial assistance to an organization for a discretionary Grant-in-Aid, the Council of the Town of Ladysmith will take into account the following objectives:

1. The primary purpose of a grant in aid is to provide financial assistance to an organization for a specific project or event or service that benefits the residents of the Town of Ladysmith. The organization should be registered as, or belong to a parent Society under the laws of British Columbia and/or Canada.
2. Preference will be given to organizations that are locally based and whose efforts are community based in nature.
3. The Council of the Town of Ladysmith will not grant monies for a 'for profit' organization.

Procedure:

1. An organization applying for a grant in aid must provide the following information in order to have its application considered by Council:
 - Name of the organization
 - Name of the individual making the application
 - Description of the project or event for which funding is requested
 - Indicate whether or not the project or event or service is already provided in the community
 - Identify the beneficiaries of the project or event or service
 - Indicate the total cost of the project or event or service
 - Indicate other sources of funding for the project or event or service
 - Indicate whether the application to other local governments has been made
 - Indicate the volunteer labor and in-kind donations to be contributed towards the project or event or service by the members of the organization
 - Specify the amount of financial assistance required; and
 - Provide the organization's current annual budget and previous year's financial statements as presented at the last Annual General Meeting.
2. All Grant in Aid applications must be submitted, in writing, to the Finance Department by February 28th in order to be considered by the Council of the Town of Ladysmith for funding in the current year.
3. Grant in Aid applications received after February 28th may not be considered for funding in the current year. Further, the organization applying for the Grant in Aid must re-submit their application should they still be requesting financial assistance for the following year.

TOPIC: Grants-in-Aid

APPROVED BY:

Council

DATE: November 21, 2016

RESOLUTION #: 2016-371

(Amended from August 6, 2013)

4. Organizations submitting an application for a Grant in Aid must complete the prescribed application.
5. Applications for funding will be considered at an open Council Meeting during the budget process. All decisions are final following ratification at the next Regular Meeting of Council.
6. An organization must, using the form provided, report back to Council by December 1st of the same year funding was received regarding how the monies were spent, including a budget sheet and pictures, if available. If a report is not received by the Town on or before December 1st, the organization shall be notified that they may be ineligible for further grant funding for a 3 year period from the year the grant was received.

Conditions of Funding:

1. If applicable, the applicant must acknowledge the support of the Town of Ladysmith in all print and publicity material related to the project including banners and signs on site during the event.
2. Funds must be used for the purpose for which they were requested.
3. In the event that the project is not completed, the Town of Ladysmith reserves the right to request the return of the grant.
4. An organization must prepare, using the form provided, a report regarding how the monies were spent, including a budget sheet and pictures, if available. If a report is not received by the Town on or before December 1st, the organization shall be notified that they be ineligible for further grant funding for a period of 3 years from the year the grant was received.

Applications may be mailed to the following address:

**Town of Ladysmith
PO Box 220
Ladysmith, BC V9G 1A2**

Or picked up at City Hall at:

**410 Esplanade
Ladysmith, BC**

05 - 1850 - A

INFORMATION REPORT TO COUNCIL

From: Joanna Winter, Manager of Legislative Services
 Felicity Adams, Director of Development Services
 Date: March 6, 2017
 File No: 3360-15-02
 RE: Road Closure and Exchange Bylaw 2016, No. 1916

RECOMMENDATION:

That Council

1. Rescind third reading of Bylaw 1916
2. Give third reading of Bylaw 1916 as amended with an updated Schedule A; and
3. Direct staff to publish notice of this proposed disposition in accordance with the *Community Charter*

PURPOSE:

The purpose of this report is to explain the need to amend Road Closure and Dedication Removal Bylaw 2016, No. 1916.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2016-419	Dec-19-2016	That Council: 1. Approve in principle the Land Exchange Agreement between the Town of Ladysmith and 0963984 BC Ltd., and authorize the Mayor and Corporate Officer to execute the agreement; and 2. Proceed to give first three readings to Road Closure and Dedication Removal Bylaw 2016, No. 1916, under the Bylaws section of this agenda.
CS-2016-423	Dec-19-2016	That Council give first three readings to Town of Ladysmith Road Closure and Dedication Removal Bylaw 2016, No. 1916.

DISCUSSION

It was brought to staff’s attention that the Road Closure plan (Schedule A of the Bylaw) had not been certified by the surveyor. The surveyor has now provided the Town with the



appropriate document, and Schedule A has been updated accordingly. This requires that Council rescind third reading previously given, and give third reading to the amended bylaw. The Bylaw will then be referred back to the Ministry of Transportation and Highways for approval.

The Town is also required to publish notice of this proposed disposition of land.

SUMMARY POINTS

- As a condition of the rezoning for the Holland Creek development, the road access through the lands is to be reconfigured as outlined in the Holland Creek Local Area Plan and the developer’s proposal. This requires the closure of a portion of the existing dedicated road, and dedicating the new road over property to be provided by the developer (~1.1ha) in exchange for the area of land containing the current road (~0.85ha).
- Council has previously given first three readings to Road Closure and Dedication Bylaw 1916
- It is recommended that Council rescind third reading previously given, and give third reading to Bylaw 1916 as amended
- The Town will then be able to publish notice of this proposed disposition, in accordance with the *Community Charter*.

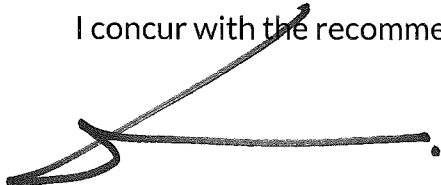

 Felicity Adams, Director of Development Services

Feb. 24, 2017


 Joanna Winter, Manager of Legislative Services

February 24, 2017

I concur with the recommendation.


 Guillermo Ferrero, City Manager

ATTACHMENT:
 Bylaw 1916 with amended Schedule B

TOWN OF LADYSMITH

BYLAW NO. 1916

A Bylaw To Close And Remove The Dedication Of A Highway

WHEREAS the purpose of this Bylaw is to close to traffic and remove the highway dedication of that part of land shown in heavy outline on Reference Plan EPP63593, for the purpose of disposing of the land to the adjacent landowner for consolidation with the adjacent landowner's lands, in exchange for other land required for highway purposes;

AND WHEREAS the adjacent property owner agrees to dedicate as road the area outlined in black and marked "Dedicated as Road" on Reference Plan EPP63594 attached as Schedule "B".

AND WHEREAS in accordance with sections 40(3) and (4), and 94 of the Community Charter, the Town of Ladysmith has published notice of its intention to adopt this Bylaw, has delivered notice to the operators of utilities whose transmission or distribution facilities or works Council considers will be affected, and has provided an opportunity for persons who consider they are affected to make representations to Council.

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

1. That portion of highway shown as "Road" on Reference Plan EPP63593, dedicated as road on Plan EPP44156 and Plan 34532, both of District Lot 103, Oyster District, prepared by Ryan Turner, B.C.L.S., and completed on August 15, 2016, a copy of which is attached as Schedule "A" hereto, is closed to all traffic.
2. The dedication as highway of that part of the road referred to in Section 1 is removed.
3. The Mayor and Corporate Officer are hereby authorized to execute all necessary documents as may be required to carry out the purpose of this bylaw.

CITATION

4. This Bylaw may be cited as "Road Closure and Dedication Removal Bylaw 2016, No. 1916".

READ A FIRST TIME on the 19th day of December, 2016

READ A SECOND TIME on the 19th day of December, 2016

READ A THIRD TIME on the 19th day of December, 2016

THIRD READING RESCINDED on the day of

READ A THIRD TIME AS AMENDED on the day of

APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE on the

day of ,

ADOPTED on the

day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

INFORMATION REPORT TO COUNCIL

From: Erin Anderson, Director of Financial Services
Meeting Date: March 6, 2017
File No: 3900-20

RE: BYLAWS 1923, 1924, 1925 (WATER AND SEWER RATES AND PENALTIES)

RECOMMENDATION(S)

That, under the Bylaws section of tonight’s agenda, Council:

1. Give first three readings to Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1923;
2. Give first three readings to Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2017, No. 1924; and
3. Give first three readings to Town of Ladysmith Water, Sewer Garbage Penalty Rates Repeal Bylaw 2017, No. 1925.

PURPOSE

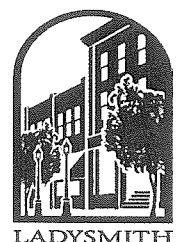
The purpose of this report is to provide background information to Council with respect to three bylaws related to water and sewer rates and penalties.

PREVIOUS COUNCIL DIRECTION/RESOLUTIONS

Resolution	Resolution Details
CS 2017-042	That Council direct staff to prepare bylaws for: D. Water Rates amendment bylaw with a 10% increase to the base rate and each step. E. Sewer Rates amendment bylaw with a \$5.70 (or 33.9%) increase per month.

DISCUSSION

Water and sewer rates must be established by bylaw. Any change to the rates requires a bylaw amendment. In addition, any penalties to be charged on overdue utility payments must be established by bylaw. Currently, water and sewer utility penalties are established in a separate bylaw (Bylaw No. 1628); however, penalties for waste collection are included in the Garbage, Recyclables and Organics Collection Bylaw No. 1588. For consistency in establishing penalty rates for all utilities charged by the Town of Ladysmith,

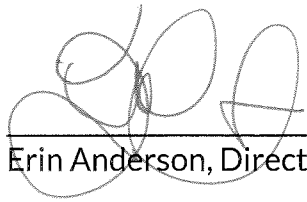


it is recommended that the penalty rates be included in each respective utility bylaw.

This requires adding a new Penalty Rates Section to the water and sewer rates bylaws, and repealing the existing Water, Sewer and Garbage Penalty Rates Bylaw No. 1628.

SUMMARY POINTS

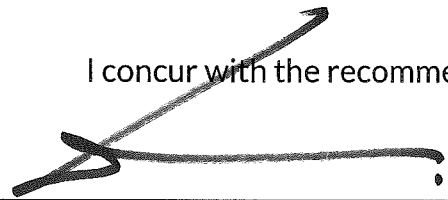
As a housekeeping measure, it is recommended that the water and sewer rates bylaws be amended to include respective penalty rates. This amendment is being incorporated with the amendment to establish the 2017 water and sewer utility rates. It is also recommended that Council give first three readings to each of Bylaws 1923, 1924 and 1925.



Erin Anderson, Director of Financial Services

March 1, 2017

I concur with the recommendation.



Guillermo Ferrero, City Manager

ATTACHMENT(S)

Bylaws 1923, 1924, 1925

TOWN OF LADYSMITH

BYLAW NO. 1923

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

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

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

Amendment

1. Schedule "A" of "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2016, No. 1902" is hereby replaced with the attached Schedule A.
2. Section 32 of "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2016, No. 1902" is hereby amended by deleting subsections 32(1) and (2) and replacing them with the following:

32(1) A 10 per cent penalty shall be added to any unpaid current water charges no less than 30 days from the billing date and the due date selected shall be clearly indicated on the utility billing.

Effective Date

3. The provisions of this bylaw shall become effective and be in force as of April 1, 2017.

Citation

4. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1923".

READ A FIRST TIME day of

READ A SECOND TIME day of

READ A THIRD TIME day of

ADOPTED day of

Mayor (A. Stone)

Corporate Officer (J. Winter)

SCHEDULE "A"

TOWN OF LADYSMITH

Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1923

1 METERED SINGLE UNIT DWELLING

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 29.65	
Next 26 m ³ to 50 m ³	\$ 0.7321	Per m ³
Next 51 m ³ to 75 m ³	\$ 0.8652	Per m ³
Next 76 m ³ to 100 m ³	\$ 1.0648	Per m ³
Next 101 m ³ to 125 m ³	\$ 1.3976	Per m ³
Over 125 m ³	\$ 1.8634	Per m ³

2 METERED SERVICE - all other users

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 29.65	
Over 25 m ³	\$ 0.6655	Per m ³

3 NON-METER SERVICE

Per billing quarter: \$ 51.55 Per unit

4 SERVICE CONNECTION RATES

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

(A) 19 mm (3/4") service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances: \$2,400 per connection

(B) Larger than 19 mm (3/4") shall be at cost, but no less than: \$2,400 per connection

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

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

(D) upgrading of that service is size including installation of a water meter, meter box, meter setter, check valves, shut-off valve and any other related appurtenances shall be at cost, but not less than: \$2,400 per connection

5 FINES

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

Effective April 1, 2017.

TOWN OF LADYSMITH

BYLAW NO. 1924

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

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

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

Amendment

1. Schedule "A" of "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2016, No. 1903" is hereby replaced with the attached Schedule "A".
2. "Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2016, No. 1903", is hereby amended by deleting subsections 5(a) and (b) and replacing them with the following:
 - A 10% penalty shall be added to any unpaid current sewer charges no less than 30 days from the billing date and the due date selected shall be clearly indicated on the utility billing.

Effective Date

3. The provisions of this bylaw shall become effective and be in force as of April 1, 2017.

Citation

4. This bylaw may be cited as "Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2017, No. 1924".

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)

SCHEDULE "A"

TOWN OF LADYSMITH

Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2017, No. 1924

SCHEDULE OF RATES

CLASSIFICATION		Sewer Charge Per Month
Residences or Apartments:	For each Dwelling Unit	\$22.50
Motels & Auto Courts:	Premises of owner or operator	\$22.50
	For each rental unit	\$ 3.44
Mobile Home Parks:	Public rest rooms and/or service rooms	\$22.50
	For each mobile home with sewer connection	\$22.50
Hotels:	Owners or managers quarters	\$22.50
	Per apartment for rent	\$22.50
	Per room for rent	\$ 3.44
Beer Parlours, Pubs, Licenced Cabarets & Lounges:	For each separately licenced area	\$46.90
Cafes, Restaurants & Dining Rooms:		\$46.90
Offices, Shops and Stores:	Per office, store & store unit not otherwise specified	\$22.50
Store(s) and Suites(s) combined:	Per store unit	\$22.50
	Per suite	\$22.50
Stores(s) and Office(s) combined:	Per store unit	\$22.50
	per office unit	\$22.50
Office Building:	per office unit	\$22.50
Laundry or Laundromat:		\$74.53
Services Stations and Garages:	Without car wash	\$22.50
	With car wash	\$50.13
Public or Social Club with licenced bar:		\$46.90
Church Hall, Public Hall or Lodge Room		\$17.44
Hospitals & Nursing Homes	per bed	\$ 10.47
Schools	per classroom, auditorium or office	\$22.50

Effective April 1, 2017

TOWN OF LADYSMITH

BYLAW NO. 1925

A Bylaw to Repeal the Water, Sewer and Garbage Penalty Rates Bylaw

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

1. Town of Ladysmith Water, Sewer, Garbage Penalty Rates Bylaw 1998, No. 1283, Amendment Bylaw 2007, No. 1628” is hereby repealed, together with all related bylaws.

Citation

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Water, Sewer, Garbage Penalty Rates Repeal Bylaw 2017, No. 1925.

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)

Ladysmith



February 15, 2017

Mayor and Councillors
TOWN OF LADYSMITH
PO Box 220
LADYSMITH, BC V9G 1A2

Dear Mayor Stone and Councillors:

I am writing this on behalf of the Ladysmith Festival of Lights. The project we are requesting approval for is to support the Canada 150 celebrations.

We are seeking your permission to erect (on platforms) the numerals 150 in red lights, location City Hall roof, with flashing stars behind it. The stars have been used on the rooftop for years.

We are hoping to put the numbers up in the next few weeks to a month and they will stay up until we change our rooftop display in November. They will be approximately 6 feet tall not intrusive but highly visible.

Looking forward to a positive response.

Sincerely

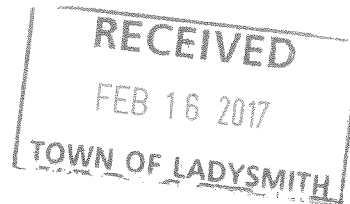
Greg Edwards
President

Home Phone: 250.616.1748

P. O. Box 98
Ladysmith, B.C.
V9G 1A1

Office: 250-245-5888
Fax: 250-245-0311

Email: ladysmithfol@shawbiz.ca
Web: www.ladysmithfol.com



Keeping Ladysmith bright!!! Always the last Thursday in November.

We acknowledge the financial support of the Province of British Columbia.



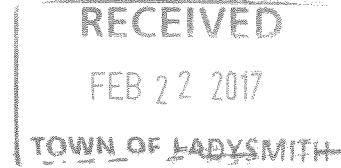
LADYSMITH
DOWNTOWN
BUSINESS ASSOCIATION

BOX 2462, LADYSMITH, B.C. V9G 1B8
LDBA@LADYSMITHDOWNTOWN.COM
WWW.LADYSMITHDOWNTOWN.COM

Request for Trolley Donation

Feb 22, 2017

Mayor and Council
Town of Ladysmith



Dear Mayor and Council,

The Ladysmith Downtown Business Association is requesting the donation of the use of the trolley and driver for our 6th annual Old Time Christmas event, December 8, 2017.

The event runs from 5 to 8pm, so we are asking for the use of the trolley from 5 -8.30pm

This event has grown every year and we are looking forward to another great event this year. The trolley is a popular attraction as many people hop on and off at the stops on 1st ave.

Thank you for your consideration. If you have any questions, please contact Lesley Parent at 250-245-1200

Sincerely

Lesley Parent
LDBA
Old Time Christmas Event Chair

RECEIVED
FEB 27 2017
CITY MANAGER'S OFFICE
TOWN OF LADYSMITH

2017 Ladysmith Ambassador Program

On Saturday, April 29th the current Ladysmith Ambassadors will pass on their responsibilities to three, of the eight, candidates who have been working very hard to achieve the title of Ambassador or Vice-Ambassador for our community.

Each year the Ambassadors and Candidates are show-cased in the Coronation Evening Program which is handed out to all in attendance at this popular community event.

This year the Ladysmith Ambassador Committee is hoping to raise funds, for the bursary and travel component of the program, through the sale of advertising spots in the evenings program.

The keepsake program will consist of 16 pages on glossy stock (8.5" x 5.5"). The program is commercially produced in full colour. The ads range in size from 1/8th page to a full page.

Advertisers are encouraged to add a note of Congratulations to the candidates, if so desired.

This keepsake program also goes to show all the candidates, sponsors and their families, the support they have from their community.

Advertising Rates - All Full Colour

1/8 of a page - \$42.00

1/4 of a page - \$72.00

1/2 of a page - \$130.00

Full page - \$210.00

We ask that all ad copy be received by April 10. Please help us raise funds to provide an opportunity for this very beneficial program, representing the youth of our community to continue.

For further information please contact Duck Paterson at 250-246-0637 or 250-245-2263.

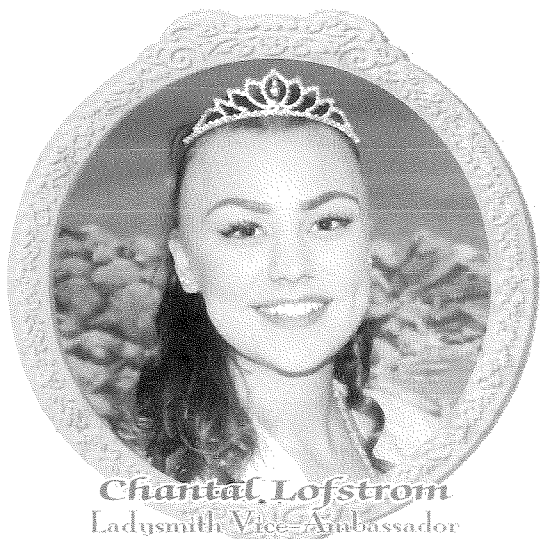
All ad copy is to be emailed to duckwon@shaw.ca or call for pickup please.



Brittney Webber
Ladysmith Ambassador



Morgan McKenzie
Ladysmith Vice-Ambassador



Chantal Lofstrom
Ladysmith Vice-Ambassador

2016 ad

A Message from the Town of Ladysmith

On behalf of Council and all of Ladysmith, I would like to congratulate and wish good luck to ALL of the candidates in the 2015/2016 Ladysmith Ambassador Program. We appreciate all the hard work and commitments you have demonstrated on this journey to represent our wonderful community. We hope it has been a great learning experience with many friendships made in the process! Best wishes to you all for a lifetime of joy and success!

I also wish to take this opportunity to thank and congratulate Maya, Megan and Kelsey for being such wonderful representatives of youth in Ladysmith over the past year. You have been the smiling, welcoming faces at many of our community events and you have made us all extremely proud. We wish you great success in all your future endeavors.

The Ambassador Program is an important part of our Ladysmith community, and Council thanks everyone involved, especially the many volunteers, who help make the Ambassador Program the success it is. We greatly appreciate your commitment to our community's talented young people.

Best Wishes,
Mayor Aaron Stone



2016 Ladysmith Ambassador Coronation Evening 3

From: VI & Coast Conservation Society <viccs@shaw.ca>
Sent: December 9, 2016 10:37 AM
To: VI & Coast Conservation Society
Subject: Request re. 2017, and A Day For Our Common Future
Attachments: Media Release - BC Proclaims A Day For Our Common Future, VICCS, d9'15.pdf;
Proclamation, A Day For Our Common Future, VICCS, Dec 11 2016.docx

RECEIVED
DEC 09 2016

'A Day For Our Common Future'

...a request of Canada's governments on the 30th Anniversary

December 9th 2016

Season's Greetings,

After five years and some 15% of Canada's population supporting December 11th as a 'A Day For Our Common Future', we're inviting something a little different.

Please consider, for this very special 30th anniversary year, a New Year's resolution for sustainable development. Something local, with the global in mind.

The World Commission on Environment and Development did much to bring economic and environmental goals together. With Canada prominent in supporting such noble goals, and a need apparent following last year's Paris summit, we believe the Brundtland Commission's inspiring work is both relevant and important to present day deliberations.

We have very much appreciated the proclamations we've received from provincial and local governments over the years. And fyi, attached please find last year's media release which describes the growing support and momentum. This year though, to honour the 30th anniversary of 'Our Common Future', we're requesting consideration of a New Year's resolution that will apply these sound sentiments for growth, prosperity, and sustainability. You'll know best what opportunities there may be, and what serves your community and country.

We have of course attached a copy of a 2016 declaration, which you might wish to change according to your local priorities for sustainable development. And since we're asking, perhaps you'd also like to consider supporting our New Year's resolution ...we'd like the Government of Canada to nationally declare December 11th 2017 'A Day For Our Common Future', to let the whole world know what we stand for as we celebrate our 150th year of Confederation.

A letter from you, letting the Prime Minister know that you support December 11th 2017 being declared 'A Day For Our Common Future' would be very welcome. And it would be most interesting if you were to note what you are doing to further sustainable community development! Local efforts, with our nation's heritage in mind, might just be the economic and environmental inspiration our country's looking for - as well as being a significant contribution and legacy our children will thank us for.

And if such a commitment and letter could be sent soon, say by April 22nd, the Prime Minister and cabinet may find good reasons and fine examples to guide their Earth Day announcements for 2017. Our local initiatives, and those of thousands of towns and communities across a great country like Canada, can make a big difference in shaping our nation's future. Who knows what might be accomplished working together for the benefit of all?!

Should you agree to make such a New Year's resolution, and encourage our country to do its best for our common future, we would be very pleased to hear from you.

Thank you for your time, and all the best for 2017!

Sincerely,

Laurie Gourlay
President, VICCS

Vancouver Island & Coast Conservation Society, Box 333, Cedar, B.C., V9X 1W1
250.722.3444, (viccs@shaw.ca) www.viccs.vcn.bc.ca

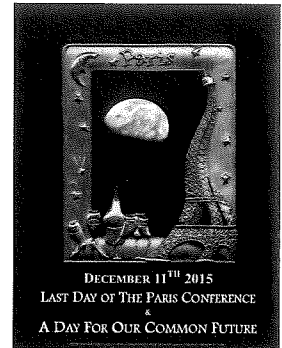
Press Release
FOR IMMEDIATE RELEASE

December 9, 2015

The Province of British Columbia, Towns, Cities and Regions Proclaim December 11th, 'A Day For Our Common Future' ...With Paris and Climate Change in Mind

CEDAR – "The Province of British Columbia has again proclaimed December 11th as 'A Day For Our Common Future', states the sponsor of the Proclamation, Laurie Gourlay, President of the Vancouver Island and Coast Society. "And over the past two years we've seen two dozen BC towns, cities and regional districts similarly Proclaim this anniversary of the Brundtland Commission's report to the UN."*

December 11th also happens to be the last day of the UN COP21 Conference in Paris this year. The non-profit society believes the need for action on climate change, and the public's wish to find solutions which serve the environment and the economy, have underlined sustainability options which mitigate carbon emission problems.



"Every year we see an increasing interest, and recognition of the achievements for sustainable development which the World Commission on Environment and Development first advanced with publication of the book 'Our Common Future', said Gourlay.

This is the second year a senior level of government has Proclaimed the initiative, and the non-profit society is pleased with the many additional expressions of support and encouragement from Premiers and Provincial representatives, as well as local Councils. This is the first year that VICCS has reached out across the country.

"We see local governments and communities working hard to implement the pragmatic application of sustainable development," Gourlay notes, "with senior governments integrating policies and programs."

The Proclamation notes key goals and achievements which the Brundtland report helped to identify and to champion in its efforts to find a practical and principled balance between the environment and economy.

"December 11th offers a chance to consider, and to act for, Our Common Future", said Gourlay. "How we'll work together to find the solutions will be the defining legacy of our generation."

Copies of the Proclamation, background and a sampling of signatories, can be found on the VICCS website.

- 30 -

For more information:
Laurie Gourlay, President
VICCS, (250 722-3444)

*Proclaiming 'A Day For Our Common Future', 2014 - 15		BC's Local & Senior Government Support for December 11th		
Province of British Columbia				
City of Duncan	District of Highlands	City of Port Moody	City of Port Alberni	City of Richmond
District of Oak Bay	Town of Ladysmith	Town of Ueluelet	City of Vancouver	District of Mission
City of Vernon	City of Powell River	Town of Sidney	Village of Anmore	City of Penticton
City of Parksville	City of Nanaimo	City of Surrey	City of Burnaby	
District of Central Saanich	City of Campbell River	City of New Westminster	City of North Vancouver	
Squamish- Lillooet Regional District				

‘A DAY FOR OUR COMMON FUTURE’

DECEMBER 11TH, 2016

PROCLAMATION



WHEREAS: our long-term economic, social, ecological and cultural goals form the four pillars of sustainable development,

WHEREAS: the UN General Assembly formally adopted the tenets of sustainable development on December 11th 1987 when Norwegian Prime Minister Gro Harlem Brundtland presented the report, ‘Our Common Future’, on behalf of the World Commission on Environment and Development,

WHEREAS: sustainable development is defined as, “Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”,

WHEREAS: Canada played a critical role in fostering and writing Our Common Future,

WHEREAS: recent reports warn that adverse effects of climate change are likely to undermine sustainable, and all development efforts and goals - recommending increased support for adaptation, mitigation, inclusive green growth and climate-smart development,

WHEREAS: communities are most able to meet their needs by practicing sustainable development which incorporates a resilient resource base with a secure, long-term food and water supply,

WHEREAS: efforts to protect our lands and waters include measures for conservation, biodiversity, habitat and watershed protection that integrate renewable resource, climate-adaptive and sustainable development initiatives,

WHEREAS: a healthy approach to sustainable development will find ways to bring a balanced growth that meets economic, social, environmental and cultural goals for everyone's benefit,

& WHEREAS: residents, businesses, governments and communities have opportunity to implement recommendations that balance our society's needs, and nature's needs, while furthering global goals for sustainable development.

NOW THEREFORE,, hereby proclaims December 11th 2016, to be known as:

“A DAY FOR OUR COMMON FUTURE”

Dated