TOWN OF LADYSMITH

Celebrate our Present. Embrace our Future. Honour our Past.

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

Tuesday, November 15, 2022
Ladysmith Seniors Centre
630 2nd Avenue

Pages

1. CALL TO ORDER

Call to Order 6:00 p.m. in Open Session, in order to retire immediately into Closed Session.

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

2. CLOSED SESSION

Recommendation
That, in accordance with section 90(1) of the *Community Charter,* Council retire into closed session order to consider items related to the following:

- (1)(e) the acquisition, disposition or expropriation of land or improvements;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege;
- (1)(g) litigation or potential litigation affecting the municipality; and
- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or between a provincial government and a third party.

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 P.M.)

The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

3.1. INFORMATION ON HOW TO VIEW / ATTEND THE MEETING

Members of the public may attend the meeting in person at the Ladysmith Seniors Centre or view the livestream on YouTube:

https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured.

4. AGENDA APPROVAL

Recommendation
That Council approve the agenda for this Regular Meeting of Council for November 15, 2022.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1. Minutes of the Regular Meeting of Council held October 25, 2022

Recommendation
That Council approve the minutes of the Regular Meeting of Council held October 25, 2022.

6.2. Minutes of the Inaugural Meeting of Council held November 1, 2022

Recommendation
That Council approve the minutes of the Inaugural Meeting of Council held November 1, 2022.

7. DELEGATIONS

7.1. Ladysmith RCMP Detachment Update

Sergeant Tim Desaulniers, Acting Non-Commissioned Officer in Charge

7.2. Rogers Communications Cell Tower Proposal on 6th Avenue

Margit Lieder, Brian Johnson and Tara Kulak McDonnell

7.3. Rogers Communications Cell Tower Proposal on 6th Avenue

Gordon Sedola and Gwen Burton of the Concerned Citizens Group are presenting a petition against the proposed Rogers cell tower location.

8. PROCLAMATIONS

8.1. Louis Riel Day 23

Mayor Stone has declared November 16, 2022 as Louis Riel Day in the Town of Ladysmith.

9. DEVELOPMENT APPLICATIONS

9.1. Development Variance Permit Application 3090-22-08 – 260 Bayview Avenue 24

Recommendation

That Council issue Development Variance Permit 3090-22-08 to vary section 10.7.5 (c) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to decrease the rear parcel line setback for the principal building from 7.5 metres to 2.91 metres for Lot A of a proposed 2- lot subdivision at 260 Bayview Avenue.

9.2. Development Variance Permit 3090-22-01 and Development Permit 3060-21-08 - 1201 & 1251 Christie Road 36

Recommendation

That Council issue:

1. Development Variance Permit 3090-22-01 to vary section 10.11.5.a) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to increase the height for a multi-unit dwelling from 10 metres to 12.5 metres at 1201/1251 Christie Road (PID: 031-682-006); and
2. Development Permit 3060-21-08 to allow for construction of three five-unit townhouse dwellings and a three-storey multi-unit dwelling at 1201/1251 Christie Road, subject to the applicant providing a landscape security in the amount of $105,475.

9.3. Referral for Non-Medical Cannabis Retail Store – Unit # 16, 370 Davis Road ("Flight Cannabis Co.") 105

Recommendation

That Council, having considered the general impact on the community and the views of residents pursuant to section 33 of the *Cannabis Control and Licensing Act*, consider whether to:

1. Recommend that the Province issue a licence for a non-medical cannabis retail store at Unit # 16, 370 Davis Road for "Flight Cannabis Co."; and
2. Pursuant to section 13.5 of the Cannabis Licensing Regulation,

provide reasons for the recommendation, based on:

- The views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general;
- Submissions from the public;
- The context of the proposed location;
- Local land use regulations; and/or
- Other considerations.

10. COMMITTEE MINUTES

10.1. Committee of the Whole Recommendations - November 8, 2022 142

Recommendation
That Council:

1. Approve Asset Retirement Obligations Policy No. 05-1835-A, which will take effect on January 1, 2023.
2. Approve Snow and Ice Removal Policy No.11-5400-A.

10.2. Poverty Reduction Task Group - October 6, 2022 163

Recommendation
That Council receive the minutes of the Poverty Reduction Task Group meeting held October 6, 2022.

10.3. Parks, Recreation & Culture Advisory Committee - October 19, 2022 165

Recommendation
That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held October 19, 2022.

10.4. Community Planning Advisory Committee - November 2, 2022 167

Recommendation
That Council receive the minutes of the Community Planning Advisory Committee meeting held November 2, 2022.

11. 2023-2027 FINANCIAL PLAN DISCUSSIONS - INTRODUCTION OF GENERAL OPERATIONS

11.1. Presentation and Council Discussion

11.2. Public Input and Questions

11.3. 2023 Financial Plan – General Operations 170

Recommendation
That Council approve:

1. An additional full-time position of Parks Maintenance Worker II starting January 1, 2023;
2. Temporary part-time positions of Development Services Administration Assistant and Planner starting January 1, 2023 with the funding to come from reserves;
3. An additional $87,000 in the 2023-2027 Financial Plan for Pavement Maintenance; and
4. An additional $8,000 for additional Public Engagement software.

12. REPORTS

12.1. UBCM - Community Emergency Preparedness Fund Grant Application 183

Recommendation
That Council:

1. Support Ladysmith Fire/Rescue's application to the UBCM Community Emergency Preparedness Fund Volunteer & Composite Fire Department Equipment & Training grant for fire fighting equipment for low to medium rise buildings; and
2. Confirm its willingness to provide overall grant management subject to receipt of grant funding.

12.2. Penalties due to Title Changes 185

Recommendation
That Council authorize the Director of Finance to use up to $1,000 to pay the 2022 penalty amounts for property taxes and utility accounts for mobile homes where the updated ownership information was not received from BC Assessment at time of billing.

Recommendation
That Council direct staff to amend the 2022-2026 Financial Plan by allocating up to $27,305 from the remaining cost savings funds for the Food Bank demolition and Transfer Beach Concession projects to the Transfer Beach projects and other facility maintenance.

Recommendation
That Council give first three readings to "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125".

13. BYLAWS

At the October 25, 2022 Council meeting Council resolved to not hold a Public Hearing regarding Bylaw No. 2113 in accordance with section 467 of the *Local Government Act.*

Recommendation
That Council:

1. Give first, second and third readings to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) 2022, No. 2113".
2. Refer Bylaw 2113 to to the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act.

14. CORRESPONDENCE

14.1. Cowichan Valley Regional District (CVRD) 203

Invitation to the Town to participate in the development of a regional approach to fireworks regulations.

Recommendation
That Council direct staff to inform the CVRD of their desire to participate in the development of a regional approach to fireworks regulations, as requested by the Cowichan Valley Regional District in their correspondence dated October 24, 2022.

14.2. Ladysmith Family and Friends (LaFF) 205

Request to sponsor Ladysmith Family and Friends' 19th Annual Winter Celebration

Recommendation
That Council consider allocating up to $1500 from the Grants in Aid budget in sponsorship of the Ladysmith Family and Friends 19th "Winter Celebration" fundraiser, as requested in their email dated November 9, 2022.

14.3. Arts Council of Ladysmith and District (ACLD) 209

Request for letter of support regarding the Arts Council of Ladysmith and District's funding application to the BC Arts Council Infrastructure Grant.

Recommendation
That the Mayor, on behalf of Council, write a letter of support for the Arts Council of Ladysmith and District's application to the BC Arts Council Infrastructure Grant to place structures on the land belonging to the Island Corridor Foundation for use by the ACLD, as outlined in their correspondence dated November 10, 2022.

15. NEW BUSINESS

16. QUESTION PERIOD

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

17. ADJOURNMENT

LADYSMITH

MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, October 25, 2022
7:00 P.M.
Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:
Mayor Aaron Stone
Councillor Rob Johnson
Councillor Tricia McKay
Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Council Members Absent:
Councillor Amanda Jacobson

Staff Present:
Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Donna Smith
Julie Thompson
Ryan Bouma
Sue Bouma
Andrea Hainrich

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1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called this Regular Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the traditional, unceded territory of the Stz'uminus First Nation.

Mayor Stone expressed appreciation to Council and Staff for their perseverance and positivity during this term. He also thanked Councillor Johnson for his contributions, service and dedication and wished him well.

2. AGENDA APPROVAL

CS 2022-247
That Council approve the agenda for this Regular Meeting of Council for October 25, 2022 as amended to include the following item:

- Item 11.1 "Traffic Islands on Davis Road near the Golf Course"

Motion Carried

3. MINUTES

3.1 Minutes of the Regular Meeting of Council held October 4, 2022

CS 2022-248
That Council approve the minutes of the Regular Meeting of Council held October 4, 2022.
Motion Carried

4. PROCLAMATIONS

4.1 Colour the World Orange, Complex Regional Pain Syndrome/Reflex Sympathetic Dystrophy Awareness

Mayor Stone proclaimed Monday, November 7, 2022 as Complex Regional Pain Syndrome/Reflex Sympathetic Dystrophy Awareness Day in the Town of Ladysmith.

5. DEVELOPMENT APPLICATIONS

5.1 Development Variance Permit Application 3090-22-09 – 616 Walkem Road

CS 2022-249
That Council issue Development Variance Permit 3090-22-09 to vary section 6.4(a)(ii) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to allow a secondary suite with a maximum gross floor area of 100m² at 616 Walkem Road (Lot 30, District Lot 96, Oyster District, Plan 28585).
Motion Carried

5.2 Development Permit Application 3060-21-27 – 1144 Rocky Creek Road

CS 2022-250
That Council issue Development Permit 3060-21-27 for an industrial development at 1144 Rocky Creek Road (Lot D District Lot 38 Oyster District Plan EPP36585), subject to the applicant providing a landscaping bond in the amount of $8,960.
Motion Carried

6. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING

6.1 Zoning Bylaw Amendment Application – Lot B Russell Road

CS 2022-251
That Council:

1. Not hold a public hearing for "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) No. 2113", in accordance with section 464(2) of the *Local Government Act*;
2. Direct staff to proceed with notification that a public hearing will not be held for "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) No. 2113" in accordance with section 467 of the *Local Government Act*;
3. Require that the developer, at their cost and using the Town's legal counsel, register on the title of the subject property prior to adoption of Bylaw No. 2113 (Lot B District Lot 67 Oyster District Plan EPP51928 Except Plan EPP89399), a covenant in favour of the Town pursuant to section 219 of the *Land Title Act*, for the purpose of tree retention, protection and management as described in this report;
4. Require that the property owner, prior to adoption of Bylaw No. 2113, provide cash in the amount of $2000 to be deposited into the Town's Amenity Reserve Fund; and
5. Endorse that the Town Engineer may approve a variance to the Town's Engineering Standards and Specifications for the Urban Local right-of-way width for the section of proposed road on Lot B District Lot 67 Oyster District Plan EPP51928, as shown in Attachment B, to accommodate road requirements within a 10-11m road dedication.

Motion Carried
OPPOSED: Councillor Johnson

7. COMMITTEE MINUTES

7.1 Community Planning Advisory Committee - October 5, 2022

CS 2022-252
That Council receive the minutes of the Community Planning Advisory Committee meeting held October 5, 2022.
Motion Carried

8. 2023-2027 FINANCIAL PLAN DISCUSSIONS - WATER & SEWER OPERATING & CAPITAL BUDGETS

8.1 Presentation and Council Discussion

Staff presented highlights of the water and sewer budgets for 2023 and responded to Council's questions.

8.2 Public Input and Questions

There were no questions submitted by the public.

8.3 Water and Sewer 2023 Budgets

CS 2022-253
That Council:

1. Approve the inclusion of an additional position of Equipment Operator 2 into the 2023-2027 Financial Plan;
2. Direct staff to amend "Sanitary Sewer System Rates Bylaw 1999, No. 1299" to include a 2.5% increase to the rates;
3. Direct staff to prepare the 2023 sewer parcel tax bylaw at $360 per parcel;
4. Direct staff to amend "Waterworks Regulation Bylaw 1999, No.1298" to include a 5% increase to the rates; and
5. Confirm the 2023 water parcel tax bylaw at $459 per parcel.

Motion Carried

9. REPORTS

9.1 Official Results of the Town of Ladysmith 2022 General Local Election

CS 2022-254
That Council receive the report from the Chief Election Officer dated October 25, 2022 regarding the Official Results of the Town of Ladysmith 2022 General Local Election.
Motion Carried

9.2 Appointment of Corporate Officer

CS 2022-255
That Council appoint Matt O'Halloran as Corporate Officer, effective Monday, November 14, 2022.
Motion Carried

Council expressed their appreciation for retiring Corporate Officer Donna Smith.

9.3 High Street Watermain Replacement Tender Award

CS 2022-256

That Council:

1. Amend the 2022-2026 Financial Plan to include the revised project budget of $290,000 for the High Street Watermain project, with the additional funds of $125,000 to come from deferring the Oyster Bay Drive Watermain project; and
2. Award Tender 2022-IS-13 to Milestone Equipment Contracting Inc. in the amount of $246,184, excluding GST.

Motion Carried

9.4 2023 Community Public Art Banner Theme

CS 2022-257
That Council approve the theme "Connecting Ladysmith Through the Arts" for the 2023 Community Public Art Banner Program.
Motion Carried

10. BYLAWS

10.1 Bylaw Status Sheet

11. NEW BUSINESS

11.1 Traffic Islands on Davis Road near the Golf Course

Council discussed safety concerns regarding the traffic islands on Davis Road near the golf course and the potential for steel reinforcement of pylons. Staff will review.

12. QUESTION PERIOD

There were no questions submitted by the public.

13. ADJOURNMENT

CS 2022-258
That this Regular Meeting of Council be adjourned at 8:15 p.m.
Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (D. Smith)

LADYSMITH

MINUTES OF THE INAUGURAL MEETING OF COUNCIL

Tuesday, November 1, 2022
7:00 P.M.
Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Mayor Aaron Stone
Councillor Ray Gourlay
Councillor Amanda Jacobson
Councillor Tricia McKay
Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Chris Barfoot
Jake Belobaba
Ryan Bouma
Chris Geiger
Trish McConnell
Donna Smith
Mike Gregory
Julie Tierney
Sue Bouma
Andrea Hainrich

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1. PROCESSION

Council-elect entered the meeting, led by piper Christopher McBride and Constables Palmer and Smith in Red Serge .

2. CALL TO ORDER OF INAUGURAL MEETING AND ACKNOWLEDGEMENT - Donna Smith, Corporate Officer

Donna Smith, Corporate Officer, called the Inaugural Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the traditional, unceded territory of the Stz'uminus First Nation.

Ms. Smith also acknowledged the many dignitaries in attendance, including Chief Roxanne Harris, former mayor Rob Hutchins, and CVRD Area G and H Directors, Jesse McClinton and Ben Maartman.

3. O CANADA

Vanessa Izon led the singing of our National Anthem.

4. OATHS OF OFFICE - 2022-2026 COUNCIL

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

Mayor Stone assumed the Chair.

5. PRESENTATIONS

5.1 Presentation of gift to outgoing Councillor Rob Johnson

Mayor Stone presented outgoing Councillor Rob Johnson with a gift and thanked him for his dedication and service to the community as a member of Council during the past four years.

6. MAYOR'S INAUGURAL ADDRESS

Mayor Stone presented his inaugural address:

Good evening. Welcome to our new Council and all the community members, leaders and dignitaries gathered here tonight. Thank you for joining us!

I'd like to begin my words this evening by recognizing that our community thrives, and this meeting is taking place, within the traditional, unceded territory of the Stz'uminus First Nation. Since time immemorial the Stz'uminus people have been the stewards of the lands and waters of this beautiful place. I am so thankful to be here, in this time, working with Stz'uminus leadership, friends and neighbours to restore Stz'uminus presence, culture, and history to Ladysmith. This work is driving our efforts to achieve our goals around ecological stewardship, economic development and community vitality here in Ladysmith and across our region. Huy'ch'qa to Chief Harris for being here this evening and for your leadership and friendship. As we move forward in a good way, we are showing our children, grandchildren, and the generations to come, that there is a better future for all of us, working together.

As we turn the page on another chapter in the history of the Town of Ladysmith, it is time to take stock of where we have been and where we are going as a community. We have come through one of the most difficult times in generations, navigating the challenges of COVID-19 and moving toward ongoing management and recovery. I am so thankful to our previous council, our staff and our

community for their perseverance and positivity through this trying time. We navigated the pandemic exceptionally well and you all deserve our gratitude. You have mine. Thank you.

That said, there are more challenges ahead. These are uncertain times, with rapid inflation and the prospect of a recession on the horizon. The Town is not immune to these pressures. In many areas, inflation hits local governments particularly hard. Capital projects, maintenance and operational costs have grown much faster than the rate of inflation. The uncertainty and financial pressure that we're experiencing is not all doom and gloom, but it does require FOCUS. We have done well to set Ladysmith up to weather the storms ahead, taking what we have learned from decades of positive and proactive leadership. We will be building on this foundation of strong leadership and the plans we have invested in over the last several years. Within every challenge is opportunity. We will pursue these opportunities for the benefit of everyone in Ladysmith.

The priorities for the next term are quite clear to me, and reflect the priorities laid out by our newly elected Council during the election. It all starts with positive, collaborative, constructive leadership and above all else, FOCUS.

These priorities are intrinsically linked to each other and are captured broadly in the development of our new Official Community Plan. Our community has spoken loudly and clearly about our efforts to pursue infrastructure renewal, economic development, climate action, ecological stewardship, financial stewardship and ReconciliACTION. It is incumbent on us to deliver on these priorities, particularly with the strong statement sent with the results of this election. Ladysmith is counting on us, and I am excited to work with all of you to deliver on the promise of this Council, staff and community team.

Reconciliation is one of the most challenging and rewarding efforts of our generation. As we recognize and reconcile the past harms of colonization, we have made it our top priority to repair these relationships, restore Stz'uminus presence to the unceded territory that Ladysmith is located within, and to pursue true reconciliation for Stzuminus and Ladysmith people alike. The decolonization of our community serves all of us, opening up opportunities for cultural vibrancy, environmental restoration, and economic opportunity. Our work with Stz'uminus is paying dividends for us all and the benefits we are creating together will serve our communities for generations to come. It's all about action, ReconciliACTION.

We also need to have a keen focus on executing the plans we have made over the last number of years. We have invested heavily in the community engagement and planning necessary to achieve success over the coming four years. Our award-winning Waterfront Area Plan, Partnership for a Vibrant Local Economy, Youth Strategy, Arts Strategy and poverty reduction work all need

keen attention and focus on implementation so that the opportunities identified within continue to be realized.

As we head into the final stages of our engagement work on our new Official Community Plan, it is critical that we complete this process and begin implementation of a modern land use plan and climate action strategy for the Town. Our current OCP is two decades old and showing its age. Although relevant and appropriate for the time, in many ways the greatest challenges we face today have come as a result of our land use planning over the previous decades. As wonderful as our community is, decisions over the history of Ladysmith have led to many millions of dollars in aging infrastructure that has become a financial burden to current and future generations. Aging roads are only the tip of the proverbial iceberg when we consider the decaying pipes underneath. It's not as simple as repaving a road when the underground infrastructure we rely on to deliver clean water, capture stormwater and carry our waste are also failing.

Over this term and the next decade we need to dramatically increase the rate of this infrastructure renewal. It is NOT getting any cheaper. But this is not all bad news. With the adoption of our new OCP, and the Climate Action Strategy and Active Transportation Plan contained within, we will open up funding opportunities to assist in this work. From senior government grants, to new revenue streams created through smart, responsible growth, we will be able to take on a greater share of this work year over year, and chart the course for a truly economic and ecologically sustainable community for generations to come. All of these things are so closely linked. By working together with a strong focus on our strategic objectives, we will deliver on these priorities. We will deliver on the promise of a progressive yet pragmatic small town with a thriving local economy, world class parks and amenities, and developments that are a benefit to our community. The progress we make this term will ensure the financial and ecological sustainability for those who live and love in Ladysmith today, and in the future.

Now is the time for a new level of determination and focus; Execution on the plans we have developed; aggressive action to address our infrastructure deficit; doing our part to ensure a livable climate; restoration and protection of our cherished ecosystems; economic development to create a complete community; putting the word ACTION in ReconciliACTION.

These are all critical actions, and ones I know we can ALL get behind. I am excited about both the challenges and opportunities before us. Let's go, Ladysmith!

Thank you. Huy'ch'qa.

7. AGENDA APPROVAL

CS 2022-259
That Council approve the agenda for this Inaugural Meeting of Council for November 1, 2022.
Motion Carried

8. APPOINTMENTS

8.1 Deputy Mayor

Mayor Stone made the following appointments for Deputy Mayor in 2023:

- November 2022 to April 2023: Councillor Jacobson
- May 2023 to October 2023: Councillor Paterson

8.2 Parcel Tax Review Panel

CS 2022-260
That Council appoint Councillors Gourlay, Paterson and Stevens to the 2023 Parcel Tax Review Panel.
Motion Carried

8.3 Cowichan Valley Regional District Director

CS 2022-261
That Council appoint Mayor Stone as the Town of Ladysmith Director on the Cowichan Valley Regional District Board for the 2022/23 term.
Motion Carried

8.4 Cowichan Valley Regional District Alternate Director

CS 2022-262
That Council appoint Councillor Paterson as the Town of Ladysmith Alternate Director on the Cowichan Valley Regional District Board for the 2022/23 term.
Motion Carried

8.5 Vancouver Island Regional Library Board Director

CS 2022-263
That Council appoint Councillor Virtanen as Director to the Vancouver Island Regional Library Board for the 2023 term.
Motion Carried

8.6 Vancouver Island Regional Library Board Alternate

CS 2022-264
That Council appoint Councillor McKay as Alternate Director to the Vancouver Island Regional Library Board for the 2023 term.
Motion Carried

8.7 Standing and Community Committee Representatives

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

Committee of the Whole
November 2022 to April 2023
Chair: Councillor Jacobson
Vice Chair: Councillor Virtanen

May 2023 to October 2023
Chair: Councillor Paterson
Vice Chair: Councillor Virtanen

All Members of Council are Members of Committee of the Whole.

Waterfront Implementation Committee

Council Liaison: Mayor Stone
Council Liaison: Councillor McKay
Council Liaison: Councillor Stevens

Community Planning Advisory Committee
Council Liaison: Councillor Stevens
Alternate: Councillor Jacobson

Protective Services Committee
Chair: Councillor McKay
Council Liaison: Councillor Jacobson

Parks, Recreation & Culture Advisory Committee
Council Liaison: Councillor Paterson
Alternate: Councillor Virtanen

Official Community Plan Steering Committee
Council Liaison: Councillor Jacobson
Alternate: Councillor Gourlay

Arts & Heritage Hub Design Steering Committee
Council Liaison: Councillor McKay
Alternate: Councillor Paterson

Liquid Waste Management Committee
Council Liaison: Councillor Gourlay
Council Liaison: Councillor Paterson
Council Liaison: Councillor Stevens

Public Art Task Group
Council Liaison: Councillor McKay
Alternate: Councillor Stevens

Stocking Lake Advisory Committee
Chair: Mayor Stone
Council Liaison: Councillor Gourlay

Celebrations Committee
Council Liaison: Councillor Virtanen
Alternate: Councillor Paterson

Ladysmith Festival of Lights
Council Liaison: Councillor Paterson
Alternate: Councillor Jacobson

Ladysmith Chamber of Commerce
Council Liaison: Councillor Gourlay
Alternate: Councillor Paterson

Ladysmith Downtown Business Association
Council Liaison: Councillor McKay
Alternate: Councillor Stevens

Social Planning Cowichan
Council Liaison: Councillor Stevens
Alternate: Councillor McKay

Ladysmith Community Justice Program
Council Liaison: Councillor Gourlay

Poverty Reduction Task Group
Council Liaison: Councillor McKay

Board of Education of School District 68 Long Range Facilities Planning Advisory Committee
Council Liaison: Councillor Virtanen

9. NEW BUSINESS

Mayor Stone gave thanks to retiring Corporate Officer Donna Smith for her dedication to the Town.

10. QUESTION PERIOD

There were no questions submitted by the public.

11. ADJOURNMENT

CS 2022-265
That this Inaugural Meeting of Council be adjourned at 7:24 p.m.
Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (D. Smith)

LADYSMITH

TOWN OF LADYSMITH

PROCLAMATION

LOUIS RIEL DAY

WHEREAS: *The Metis people are recognized as one of Canada's aboriginal peoples; and*

WHEREAS: *the Metis culture, rich in spiritual beliefs and colourful traditions, is an integral part of British Columbia's multicultural character; and*

WHEREAS: *throughout history, Metis citizens have made significant contributions to the development and success of our province; and*

WHEREAS: *Louis Riel has made an enormous contribution towards the development of this country; and*

WHEREAS: *British Columbia recognizes "Louis Riel Day", November 16th as a national Metis holiday in commemoration of the 137th anniversary of the death of Louis Riel.*

THEREFORE, *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim November 16, 2022 as "Louis Riel Day" in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

November 10, 2022

STAFF REPORT TO COUNCIL

Report Prepared By:	Andrew Wilson, Planner
Reviewed By:	Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date:	November 15, 2022
File No:	**3090-22-08**
Re:	**Development Variance Permit Application 3090-22-08 – 260 Bayview Avenue**

RECOMMENDATION:

That Council issue Development Variance Permit 3090-22-08 to vary section 10.7.5 (c) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to decrease the rear parcel line setback for the principal building from 7.5 metres to 2.91 metres for Lot A of a proposed 2- lot subdivision at 260 Bayview Avenue.

EXECUTIVE SUMMARY:

A Development Variance Permit (DVP) application has been received to vary the rear parcel line setback for the existing house at 260 Bayview Avenue. The existing house is on Lot A of a proposed 2-lot subdivision; the variance is required to allow the subdivision to proceed as proposed. Staff recommend that DVP 3090-22-08 be approved based on analysis of the impacts.

PREVIOUS COUNCIL DIRECTION:

N/A

PROPOSAL:

The applicant has received Preliminary Layout Approval (PLA) to subdivide 260 Bayview Avenue into two lots (Lots A and B) and is proposing to build a new two-unit dwelling on proposed Lot B. There is an existing house on the property on proposed Lot A which will be made non-conforming if the subdivision is approved as proposed. The PLA requires that all existing structures either be modified, demolished or granted variances so as to comply with zoning regulations following final approval.

The applicant is requesting a variance to the Zoning Bylaw to reduce the rear setback for proposed Lot A of a 2-lot subdivision from 7.5m to 2.91m. The variance would allow the applicant to retain the existing house on the property and to proceed with the subdivision as proposed. A lot layout showing the proposed subdivision and existing structures is included in DVP 3090-22-08 (see Attachment A). Site photos are attached as Attachment C and the applicant's letter of rationale is attached as Attachment D.

Council is not being asked to approve the subdivision configuration. The applicant could modify or tear down the existing house to get final approval for the proposed subdivision if the variance is denied.

BACKGROUND:

The 1,802.5 m^2 subject property is located at 260 Bayview Avenue (see Attachment B), in a predominantly single-family residential neighbourhood. The subject property is designated Single Family Residential in "Official Community Plan Bylaw 2003, No. 1488" (OCP) and is zoned Bayview Residential (R-2-A) in "Town of Ladysmith Zoning Bylaw 2014, No. 1860".

Zoning Bylaw

Lot A is 780 m^2 with a frontage of 30.37m and Lot B is 878 m^2 with a frontage of 26.05m. Both proposed lots meet the minimum parcel size (668m^2) and frontage (18.28m.) requirements in the R-2-A zone. Two-unit dwellings are permitted in the R-2-A zone on lots with a parcel area of 780 m^2 or greater, meaning both lots are large enough to accommodate a two-unit dwelling.

Section 10.7.5.c) of the Zoning Bylaw specifies minimum setbacks for principal buildings in the R-2-A Zone. The required and proposed setbacks for the existing dwelling are summarized in Table 1, below.

***Table 1**: Summary of required and proposed setbacks and required variance.*

Parcel Line	Minimum Setbacks Required	Existing Dwelling	Meets Setback
Front	6.0 m	12.24 m	YES
Interior	3.0 m	8.99 m	YES
Other Interior	1.5 m	7.54 m	YES
Rear	7.5 m	2.91 m	NO – 4.59 m variance required

Under the proposed subdivision, a variance is required as the existing house does not meet the permitted 7.5 m rear setback for Lot A. The parcel line for Lot A is proposed to be located 2.91 m from the existing house, thus a variance of 4.59m is required. The proposed building on Lot B complies with the required setbacks.

"Official Community Plan Bylaw 2003, No. 1488"

The following policies are relevant to the proposed variance:

3.1.3.3 Promote infill development in existing residential areas.

3.1.4.9 To reduce land consumption, increased residential densities, such as compact lots, will be promoted in appropriate locations.

3.1.4.17 The approval of infill or new subdivisions shall consider potential impacts on

existing neighbours of the proposed development and new residents or users of the development.

DISCUSSION:

The DVP application process allows an applicant to seek Council approval to vary regulations in zoning and development bylaws. The proposed variance to the rear yard setback supports a development that is consistent with OCP objectives such as promoting infill in existing residential areas and increasing residential densities.

The setback in the R-2-A zone is 7.5 m compared to 4.5m in most residential zones. Note that the required setbacks for a two unit dwelling are the same for a single dwelling. No variances have been requested for Lot B, meaning the proposed house on Lot B must be at least 7.5m from the rear property line. The purpose of a rear parcel line setback in a low-density residential context is to provide consistency in the siting of houses in order to maintain a level of privacy from one yard to the next. The front parcel line setback for Lot B is 6.0m. When combined with the proposed 2.9m rear setback for Lot A, there is still a large (8.9m) separation between the dwellings. Subsequently, staff do not anticipate privacy concerns or other adverse impacts to surrounding properties as a result of the requested variance.

Should Council choose not to approve a DVP, the owner would need to demolish or modify the existing house to be eligible for subdivision approval, or revise their subdivision proposal to increase the rear setback for Lot A. A reduction in the size of Lot B to allow Lot A to conform to setbacks would result in a more constrained building footprint or, if the new parcel is less than 780m^2, limit the development to a single dwelling unit.

Based on the analysis above, it is not expected that the proposal will create a negative impact on the privacy of neighbouring properties and will meet infill and densification objectives. Therefore, staff recommend that Council issue the DVP.

ALTERNATIVES:

Council can choose to:

1. Deny issuance of the DVP 3090-22-08 for 260 Bayview Avenue.
2. Refer the application back to staff for further review as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The *Local Government Act* enables Council to vary Zoning Bylaw regulations, except provisions for use, density and residential rental tenure through the issuance of a DVP. This is a discretionary decision of Council. Public notification for DVP applications is required under the *Local Government Act*.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice of DVP 3090-22-08 was issued on November 4, 2022 in accordance with the requirements of the *Local Government Act* and "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667". The notice was mailed and delivered to property owners/residents within 60m of the subject property. Any correspondence received will be provided to Council. At the time of writing, no submissions have been received.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was referred to the Engineering and Building Inspection Departments for review. No concerns were noted.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☐ Economy
☒ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

A. DVP 3090-22-08
B. Maps (Subject Property and Zoning)
C. Site Photos
D. Applicant Rationale Letter (June 13, 2022)

ATTACHMENT A

LADYSMITH

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act)*

FILE NO: 3090-22-08

DATE: November 15, 2022

Name of Owner(s) of Land (Permittee): PGO Developments Ltd., Inc. No. BC0864180

Applicant: Brody Phillips (Turner and Associates Land Surveying)

Subject Property (Civic Address): 260 Bayview Avenue

---

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:

   Lot 37, District Lot 56, Oyster District, Plan 965A – PID: 008-137-102 (260 Bayview Avenue)
   (referred to as the "Land)

3. Section 10.7.5(c) "Siting, Sizing and Dimension of Uses, Buildings and Structures" within the "Bayview Residential (R-2-A)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the *Rear Parcel Line* setback from 7.5 metres to 2.9 metres to allow for a 2-lot subdivision as shown in **Schedule A – Site Plan.**

4. 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.

5. The following plans and specifications are attached:
   a) **Schedule A – Site Plan**

6. 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 **(3090-22-08)** or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

7. 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.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____202__.

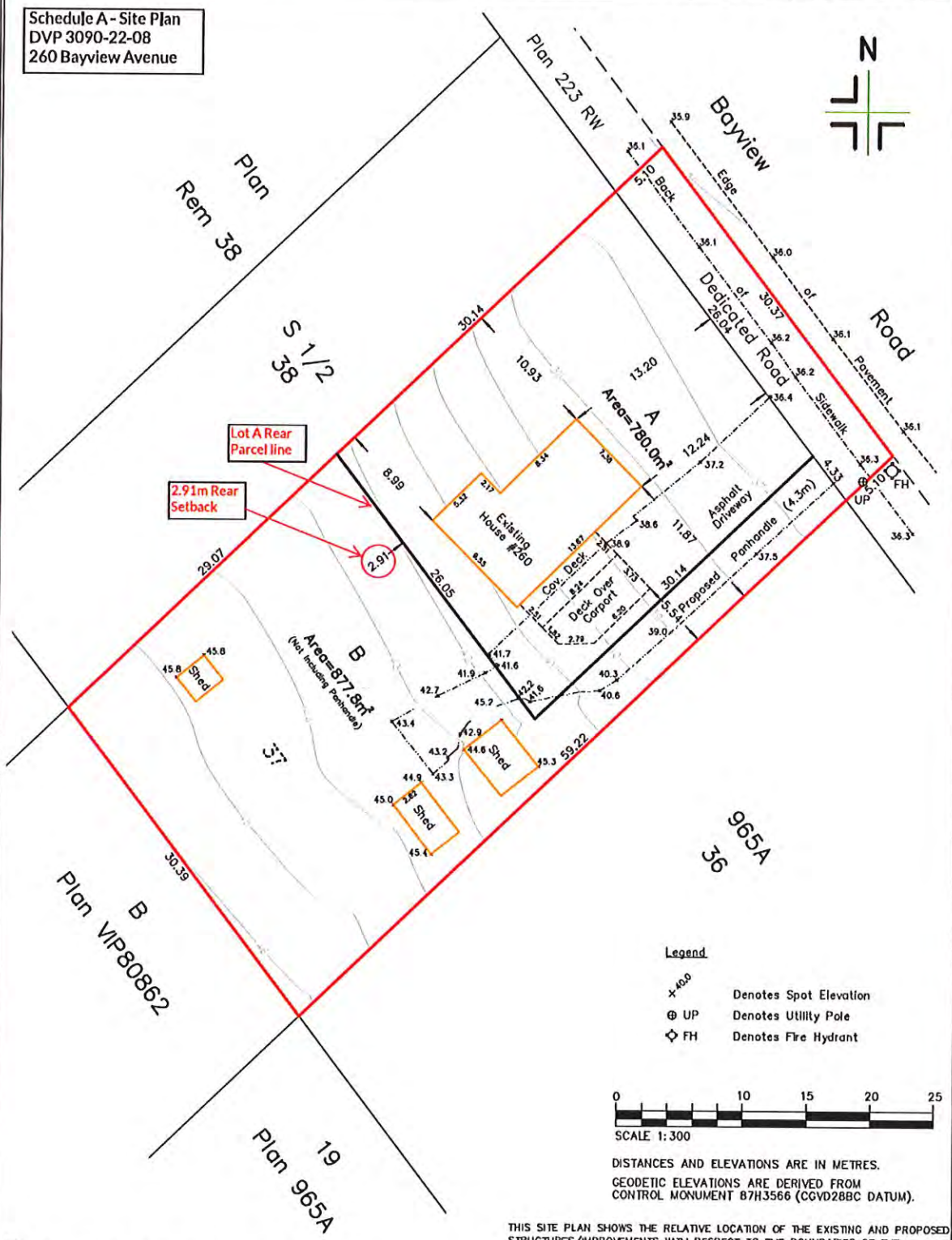
_____
Mayor (A. Stone)

_____
Corporate Officer (M. O'Halloran)

SITE PLAN OF PROPOSED SUBDIVISION:
LOT 37, DISTRICT LOT 56, OYSTER DISTRICT, PLAN 965A

Client: AVTAR PABLA			
Civic Address: 260 BAYVIEW AVENUE, LADYSMITH			
File: 20-021-37	Scale: 1:300	Drawn by: BEP	Property Zoning: R-2-A

Schedule A - Site Plan
DVP 3090-22-08
260 Bayview Avenue



DISTANCES AND ELEVATIONS ARE IN METRES.

GEODETIC ELEVATIONS ARE DERIVED FROM CONTROL MONUMENT 87H3566 (CGVD28BC DATUM).

NOTE:
THE REGISTERED TITLE OF THIS PROPERTY IS AFFECTED BY THE FOLLOWING LEGAL NOTATIONS AND REGISTERED CHARGES, LIENS AND INTERESTS:
M76300.
THIS SITE PLAN DOES NOT VERIFY COMPLIANCE WITH THE ABOVE NOTED DOCUMENTS.

THIS SITE PLAN SHOWS THE RELATIVE LOCATION OF THE EXISTING AND PROPOSED STRUCTURES/IMPROVEMENTS WITH RESPECT TO THE BOUNDARIES OF THE DESCRIBED PARCEL ONLY.

THIS SITE PLAN SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

THE SIGNATORY ACCEPTS NO RESPONSIBILITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE SITE PLAN BEYOND ITS INTENDED USE.

Turner & Associates
land surveying
250.753.9778
435 Terminal Avenue North
Nanaimo, BC V9S 4J8
www.turnersurveys.ca

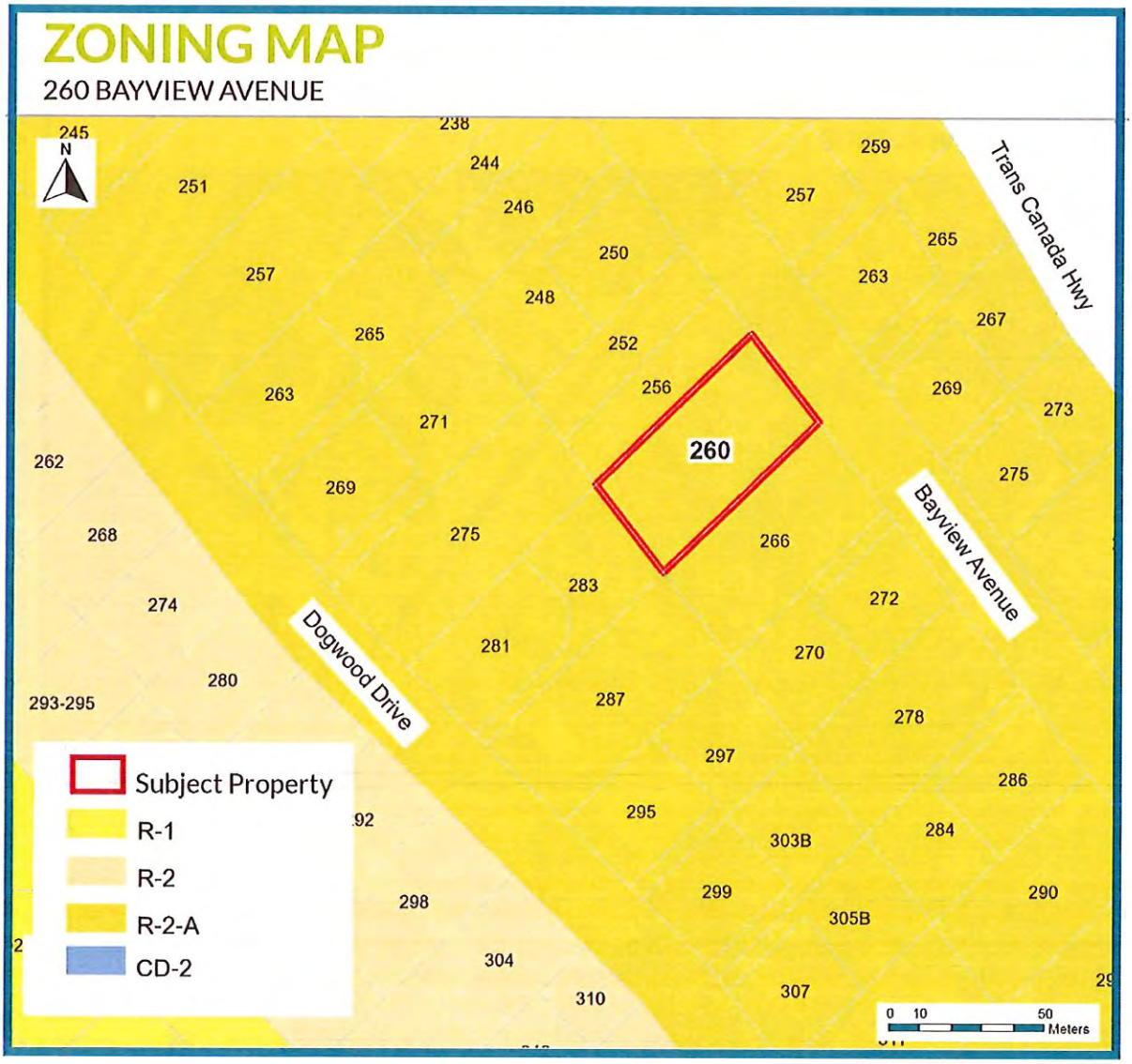
Certified correct this 23rd day of March, 2022.

Digitally signed by Brody Phillips
954A28
Date: 2022.06.13 15:01:36-07'00'

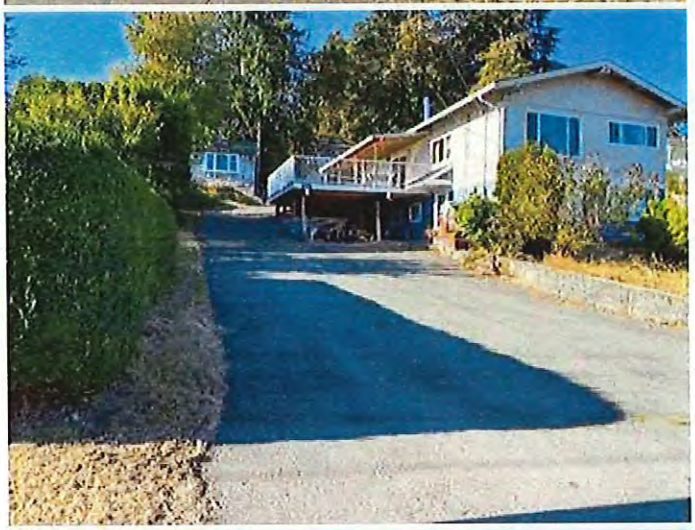
B.C.L.S.

(This document is not valid unless originally signed and sealed.)

ATTACHMENT B


ZONING MAP
260 BAYVIEW AVENUE
N
Trans Canada Hwy
Bayview Avenue
Dogwood Drive
260
Subject Property
R-1
R-2
R-2-A
CD-2
0 10 50
Meters

ATTACHMENT C




Bayview Ave
252
256
260
266
283
270


Bayview Ave
252
256
260
266
283
270

ATTACHMENT D

Turner land surveying

435 Terminal Avenue North,
Nanaimo, BC V9S 4J8

Phone: (250)753-9778
Email: info@turnersurveys.ca

June 13, 2022

Our File: 20-021-37

Development Services
Town of Ladysmith
132C Roberts Street
Ladysmith, BC

Re: Development Variance Application at 260 Bayview Avenue, Ladysmith
Lot 37, District Lot 56, Oyster District, Plan 965A
PID: 008-137-102

Dear Development Services,

Our rationale for the development variance application is as follows:

This application is seeking a variance to relax the rear parcel line setback for the existing house at 260 Bayview Avenue with the purpose of allowing the existing residence to remain and to uphold the preservation of building heritage noted in the Official Community Plan. It would also aid in satisfying the PLA (3320-22-02) requirements set out in section 6. The existing house footprint has recently been modified, see attached and updated site plan of proposed subdivision, so that it does not cross the proposed subdivision interior lot line between Lot A and B. To keep the house as it currently is would require a rear parcel line setback variance of 4.59m, reducing it from 7.5m to 2.91m. This variance request will have no additional impact on the zoning bylaws or subdivision requirements set out in the PLA.

Please contact me if you require further information to process the application.

Sincerely,

Digitally signed by
Brody Phillips 954A28
Date: 2022.06.13
15:54:17-07'00'

Brody Phillips, BCLS
Turner Land Surveying Inc.

STAFF REPORT TO COUNCIL

Report Prepared By:	Christina Hovey, RPP, MCIP, Senior Planner
Reviewed By:	Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date:	November 15, 2022
File No:	**DP 3060-21-08 & DVP 3090-22-01**
Re:	**Development Variance Permit 3090-22-01 and Development Permit 3060-21-08 - 1201 & 1251 Christie Road**

RECOMMENDATION:

That Council issue:

1. Development Variance Permit 3090-22-01 to vary section 10.11.5.a) of "Town of Ladysmith Zoning Bylaw 2014, No. 1860" to increase the height for a multi-unit dwelling from 10 metres to 12.5 metres at 1201/1251 Christie Road (PID: 031-682-006); and

2. Development Permit 3060-21-08 to allow for construction of three five-unit townhouse dwellings and a three-storey multi-unit dwelling at 1201/1251 Christie Road, subject to the applicant providing a landscape security in the amount of $105,475.

EXECUTIVE SUMMARY:

The applicant is proposing to construct 66 residential units consisting of a three-storey, 51-unit multi-unit building and three townhouse buildings totaling 15 units, at 1201/1251 Christie Road. Staff recommend that the Development Permit (DP) be approved since the proposal is generally consistent with the Development Permit Area 4 – Multi-Unit Residential (DPA 4) guidelines.

The applicant is requesting a variance to increase the height of the multi-unit building from 10.0 metres to 12.5 metres. Staff recommend that the variance be approved since the height increase allows for more architectural articulation to the roofline and since the multi-unit dwelling is in a lower-lying area on the property, reducing the appearance of the height of the building relative to the townhomes.

PREVIOUS COUNCIL DIRECTION:

N/A

PROPOSAL:

The applicant is proposing to construct a total of 66 residential units, consisting of three 5-unit townhome buildings and a three-storey 51-unit multiple-unit dwelling building. Details of the site plan and building design are provided in Attachments A and C.

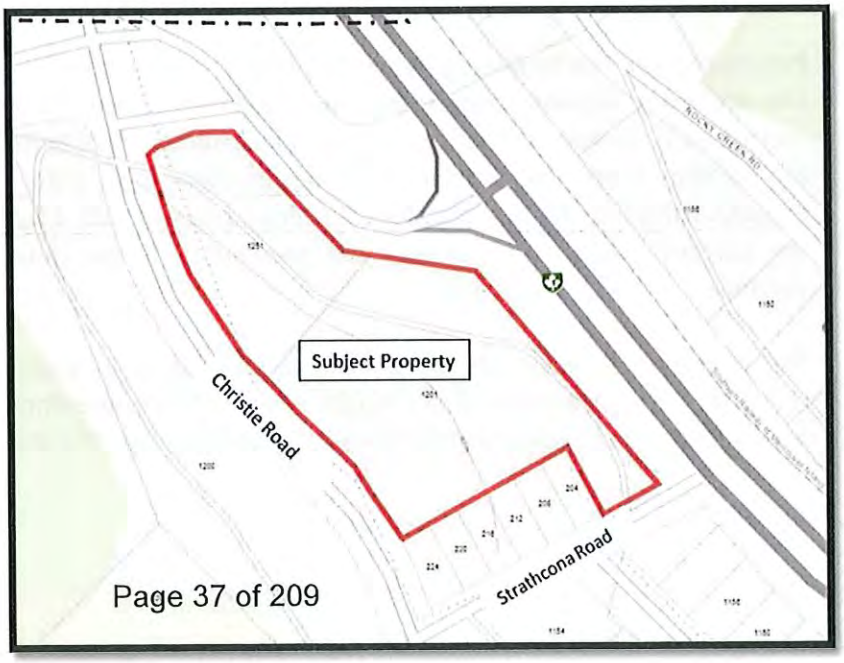
The applicant has stated that the multi-unit building will be rental units and that the project is partially financed by the Canadian Mortgage and Housing Corporation (CMHC).

Figure 1: Conceptual Rendering of Proposed Development

BACKGROUND:

The subject property is 1.91ha in area, located between Strathcona Road, Christie Road, Grouhel Road and the Trans-Canada Highway. This property is at a prominent location when entering Ladysmith from the north. The property is designated Multi Family Residential in the Official Community Plan (Bylaw No. 1488) and is within the R-3-A zone in the Zoning Bylaw

Figure 2: 1201 & 1251 Christie Road



(Bylaw No. 1860). The proposed development is consistent with the OCP and the uses permitted in the Zoning Bylaw. The proposed development complies with the regulations in the Zoning Bylaw except that the proponent has applied for a Development Variance Permit (DVP) to allow for an increase in the height of the multiple-unit dwelling building. The subject property is within Development Permit Area 4 – Multi-Unit Residential, therefore a DP is required for the proposal.

ANALYSIS:

Development Permit Area 4 – Multi-Unit Residential (DPA 4):

The purpose of DPA 4 is to achieve a high level of design for multi-unit development, to enhance the Town's neighbourhoods, and to ensure that development is complementary to the existing character of Ladysmith.

Attachment D provides a detailed review of the proposal in the context of the DPA 4 guidelines. Highlights of the proposal include:

- Design featuring a "Pacific Northwest" theme, including use of wood panel/metallic finishes and angled roofs;
- Underground parking for the multi-unit dwelling building;
- Shared amenity space, including play equipment and community garden plots;
- Three pedestrian connections from the development to the surrounding street network;
- Landscape plan, prepared by a landscape architect, featuring native and drought tolerant plants and high-efficiency irrigation;
- Integrated storm water management proposal includes rainwater detention and reuse for irrigation;
- Bike storage and outdoor bicycle parking; and
- EV ready townhomes and 2 EV chargers, with 2 additional EV charger-ready parking spaces for the multi-unit dwelling building.

Staff recommend approval of DP 3060-21-08 since the proposal is generally consistent with the DPA 4 Guidelines.

Proposed Variance to Zoning Bylaw No. 1860:

The applicant is requesting to vary the height of the multi-unit dwelling building from 10.0 metres to 12.5 metres. The increase in height allows for additional variation and articulation in the roofline. A previous version of the design shows how a three-storey building can be built to comply with the height restriction in the zoning bylaw with a flat roof profile. Figure 3 compares the current building design with the previous flat roof design which would not require a variance.

The proposed location of the multi-unit building is in a lower-lying area of the property, reducing the appearance of the height relative to the townhomes. The property slopes down from Christie Road towards the Trans-Canada Highway. The slope is such that the pavement at

the intersection of Strathcona Road and Christie Road is almost two metres lower than the roof elevation of the multi-unit building. Because of the topography, the finished grade of the multi-unit dwelling is approximately 2.5m lower than the finished grade of the townhouses, which mitigates the appearance of the height from Christie Road. The highest roof peak of the multi-unit building is between 1.3m and 0.7m higher than the highest peaks of the townhouses.

Staff recommend approval of DVP 3090-22-01 to allow for articulation of the roofline of the multi-unit dwelling building and because the massing of the proposed building is compatible with the surroundings.

Figure 3: Comparison of Proposed Multi-Dwelling with and without Roof Articulation

Compliance with existing Covenant CA1880668:

A covenant was placed on the property when the property was rezoned in 2011. The covenant (Attachment F) includes general conditions for building design and landscaping. Many of the conditions in the covenant overlap with the DPA 4 guidelines. There are additional

requirements in the covenant that have been addressed by the proposed development including:

- Provision of 44m^2 of landscaped space per residential unit; and
- Provision of community gardens.

There are also covenant requirements that must be addressed at the time of building permit, including:

- Individual water meters for each unit;
- Low flow plumbing features; and
- Energy efficient windows and appliances.

ALTERNATIVES:

Council can choose to:

1. Not issue DVP 3090-22-01 and refer DP 3060-21-08 back to staff to allow the applicant to revise their proposal to meet the zoning requirement.
2. Not issue DP 3060-21-08 where the refusal is based upon a determination that the application does not meet the DPA 4 guidelines.
3. Refer the application to the Community Advisory Planning Committee for comment.

FINANCIAL IMPLICATIONS:

N/A.

LEGAL IMPLICATIONS:

The *Local Government Act* allows Council to vary zoning regulations excluding regulations for use, density or residential tenure through issuance of a DVP.

If a DP is refused, reasons must be given based on the applicable DPA guidelines. The issuance of a DP is not a completely discretionary decision of Council. If the DVP is refused, the DP should be referred back to staff to allow for an opportunity to revise the DP to comply with the Zoning Bylaw.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice of the proposed variance was issued on May 16, 2022 in accordance with section 499 of the *Local Government Act* and "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667." The notice was delivered and mailed to property owners and residents within 60m of the subject property. At the time of writing, two submissions have been received (Attachment E).

INTERDEPARTMENTAL/INTERGOVERNMENTAL INVOLVEMENT/IMPLICATIONS:

This application was referred to the Infrastructure Services Department (Engineering, Building Inspection, and Fire Department). There are several infrastructure items that will need to be addressed through the Building Permit.

Engineering Requirements:

As a requirement of the Building Permit, the applicant will be required to upgrade the property frontage in accordance with the required engineering standards. This will include upgrading/installing a water main along the length of the property frontage on Christie Road. In addition, there is an existing sanitary sewer main that runs through the property within Statutory Right-of-Way VIP85271 and FB346777 (SROW). The proposed development shows the multi-unit building where the sanitary sewer main is currently located. This siting would violate the SROW and therefore could not be permitted. In order to obtain a building permit, the applicant will need to relocate the sanitary sewer main as well as the SROW.

Grouhel Road/Trans-Canada Highway Intersection:
The proposed development was referred to the Ministry of Transportation and Infrastructure (MoTI). MoTI responded with a request to close the left-turn lane from Grouhel Road onto the Trans-Canada Highway. Town staff sent a letter to MoTI suggesting that a signalized intersection would be a preferred solution. Of course, safety is the primary concern, however, the proposed change to the traffic pattern at the Grouhel Road intersection would force traffic from the Diamond into Ladysmith. No response has been received from MoTI regarding the suggestion for a signalized intersection. The correspondence with MoTI is in Attachment G.

This issue is not directly relevant to Council's consideration of the present permit applications. In the context of the current application, the referral to MoTI was a courtesy, however, other applications including a rezoning or a subdivision application require approval from MoTI. The applicant has a pending subdivision application to create a separate parcel for the three townhouse buildings. The applicant has also stated that they may apply for a rezoning at a later date. A rezoning or subdivision application would need approval from MoTI, and they may make closure of the left-turn lane a requirement.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☒Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☒Community
☐Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

A. DVP 3090-22-01
B. DP 3060-21-08
C. Conceptual Renderings
D. Review of DPA Guidelines
E. Public Submissions regarding DVP
F. Existing Covenant CA1880668
G. Correspondence with MoTI

LADYSMITH

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act)*

FILE NO: 3090-22-01

DATE: November 15, 2022

Name of Owner(s) of Land (Permittee): WESTCOR (LADYSMITH) PROPERTIES LTD., INC.No.BC1303582

Applicant: Westcor Lands Ltd.

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

   Lot A, District Lot 147, Oyster District, Plan EPP114570 – PID: 031-682-006

3. Section 10.11.5.a) in the "Low Density Residential (R-3-A)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied by increasing the maximum height of a *Principal Building* from 10.0 metres to 12.5 metres for the Multiple-Unit Dwelling shown in **Schedule A – Site Plan.**

4. 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.

5. The following plans and specifications are attached:

   a) **Schedule A – Site Plan**
   b) **Schedule B – Elevation Drawings**

6. 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 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

7. Nothing in this Permit relieves the Permittee from any requirements of any federal, provincial, or Town regulations or from any instruments registered on the title including statutory rights-of-ways, covenants and similar restrictions. Except as specifically varied by this permit, in the event of a conflict between this Permit and another regulation or instrument, the rules of the instrument or regulation shall prevail.

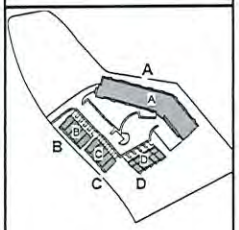
8. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____2022.

_____
Mayor (A. Stone)

_____
Corporate Officer (M. O'Halloran)

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description

D:\ARCHITECTURE\DELL 2020\BIRLIGA CRESPO ARCHITECTURE\2021\Dunton Ladysmith\Development Permit\REVIT\2022 10 24 Official Submission\2022 11 07 Lady Smith Mass

Purpose:
Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

Site Plan

Project number	202110012
Date	2022 11 07
Drawn by	Aylanna Ruiz
Checked by	Xavier Crespo

A100

Scale	As indicated

Schedule B - Elevations
DVP 22-01
1201 & 1251 Christie Rd

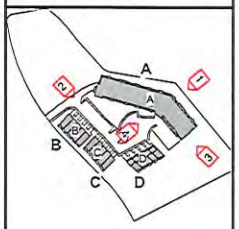
1 Block A Elevation
1 : 200

2 Block A Elevation 2
1 : 200

3 Block A Elevation 3
1 : 200

4 Block A Elevation 4
1 : 200

BCA BIPLIGA + CRESPO ARCHITECTURE
300-848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



Material List	
Key Value	Keynote Text
1	White Fiber Cement Panels
2	Gray Fiber Cement Panels
3	Wood Look Composite Panels
4	Gray Vinyl Windows
5	Gray Metal Fascia
6	Aluminum and Glass Railing
7	Metallic Look Panels

No.	Date	Description

C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

Block A Elevations

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A202

Scale: As indicated

TOWN OF LADYSMITH
DEVELOPMENT PERMIT

(Section 489 *Local Government Act*)

LADYSMITH

FILE NO: 3060-21-08

DATE: November 15, 2022

Name of Owner(s) of Land (Permittee): WESTCOR (LADYSMITH) PROPERTIES LTD. INC.NO.BC1303582

Applicant: Westcor Lands Ltd.

Subject Property (Civic Address): 1201 & 1205 Christie Road

---

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.

2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

   Lot A, District Lot 147, Oyster District, Plan EPP114570 – PID: 031-682-006 (1201 & 1205 Christie Road)

   (referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a residential development consisting of a three-storey multiple-unit dwelling building and three five-unit townhouse buildings, the alteration of land, and construction of accessory buildings and structures on the Land in accordance with the plans and specifications attached to this Permit, and subject to the conditions, requirements and standards imposed and agreed to in this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.

5. The Permittee, as a condition of the issuance of this Permit, agrees to:

   (a) develop the Land in accordance with:
   Schedule A – Site Plan

Schedule B – Building Elevations and Materials
Schedule C – Garbage Enclosures
Schedule D – Landscape Plan
Schedule E – Lighting Plan
Schedule F – Stormwater Management Plan

(b) provide a minimum of one electric vehicle charging station.

(c) provide one or more shared outdoor amenity areas which will include play equipment, covered outdoor seating, and community garden planters.

(d) provide high efficiency/water saving irrigation to landscaped areas.

(e) screen all visible rooftop and exterior mechanical and electrical equipment.

(f) install triple pane windows and additional sound insulation on the walls of the multi-unit dwelling building that are facing the highway.

6. For the areas shown as "retained vegetation" on **Schedule D – Landscape Plan**, the Permittee, as a condition of the issuance of this Permit, agrees to

(a) remove invasive plants including Himalayan Blackberry and Scotch Broom.

(b) protect the retained vegetation during construction by:
   i. placing snow fencing at or beyond the dripline between the vegetation and the construction area.
   ii. completing any work inside the snow fencing with hand tools and extreme care.

(c) add vegetation where the retained vegetation is damaged during construction or where the density of the retained vegetation is less than one tree per $9m^2$. Species added shall be chosen from with the species listed in **Schedule D – Landscape Plan** and be comparable to the species in the surrounding retained vegetation or the species being replaced if applicable.

7. The Permittee agrees that the sequence and timing of the construction described in this permit shall take place as follows:

(a) The development may proceed in two phases with the townhouses (Buildings B, C, and D shown in **Schedule A – Site Plan**) consisting of one phase and the multiple-unit dwelling building (Building A shown in **Schedule A – Site Plan**) consisting of the second phase.

(b) The phase of development that proceeds first must include:

i. A landscape buffer along the length of the property lines adjacent to the neighbouring properties fronting on Strathcona Road;

ii. A garbage enclosure; and,

iii. A secondary pedestrian access connecting the development either to Christie Road or to Strathcona Road.

(c) In the event that occupancy of the one phase occur prior to the start of construction of the next phase, the Land shall be maintained in a safe condition with the undeveloped areas of the property to be seeded with ground cover or surrounded by opaque fencing.

8. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of cash or an irrevocable Letter of Credit (for a period of two years, automatically extended) to guarantee the performance of the conditions in section 5, 6 and 7 of this Permit respecting landscaping. The security shall be in the amount of $105,475.00 ($55,276 (Townhouse Phase) and $50,199 (Multiple-unit Dwelling Phase)).

9. Should the Permittee fail to satisfy the conditions referred to in section 5, 6 or 7 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping condition(s) at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.

10. Requests for the release of the security shall be accompanied by a report from a landscape architect confirming that the landscaping conditions of this Permit have been met. The security may be released in two parts in accordance with the phases identified in section 7 and 8 of this permit.

11. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.

12. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.

13. The plans and specifications attached to this Permit are an integral part of this Permit.

14. 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 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

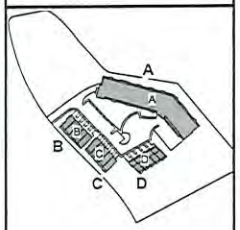
15. Nothing in this Permit relieves the Permittee from any requirements of any federal, provincial, or Town regulations or from any instruments registered on

the title including statutory rights-of-ways, covenants and similar restrictions. In the event of a conflict between this Permit and another regulation or instrument, the rules of the instrument or regulation shall prevail.

16. Despite issuance of this Permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____2022.

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 849 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description

D:\ARCHITECTURE\DELL 2020\BIRLIGA CRESPO ARCHITECTURE\2021\Dunton Ladysmith\Development Permit\REVIT\2022 10 24 Official Submission\2022 11 07 Lady Smith Mass

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

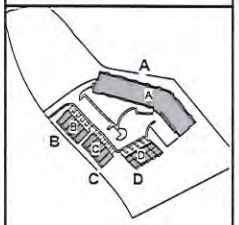
Site Plan

Project number	202110012
Date	2022 11 07
Drawn by	Aylanna Ruiz
Checked by	Xavier Crespo

A100

Scale	As indicated

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description

D:\ARCHITECTURE\DELL 2020\BIRLIGA CRESPO ARCHITECTURE\2021\Dunton Ladysmith\Development Permit\REVIT\2022 10 24 Official Submission\2022 11 07 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

L1 Site Plan

Project number	202110012
Date	2022 11 07
Drawn by	Aydanna Ruiz
Checked by	Xavier Crespo

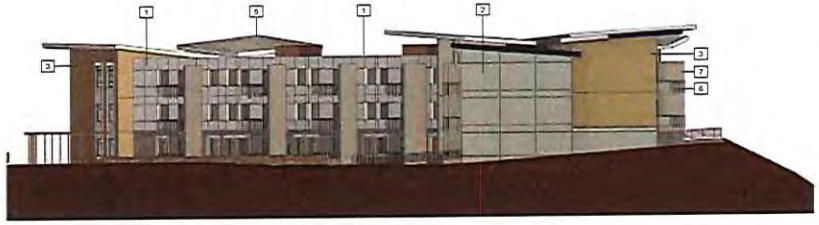
A101

Scale: As indicated

Schedule B - Building Elevations and Materials
DP 3060-21-08
1201 & 1251 Christie Road
5 Pages

1 Block A Elevation
1 : 200

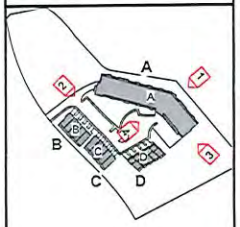
2 Block A Elevation 2
1 : 200



3 Block A Elevation 3
1 : 200

4 Block A Elevation 4
1 : 200

BCA BIRLIGA • CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



Material List	
Key Value	Keynote Text
1	White Fiber Cement Panels
2	Gray Fiber Cement Panels
3	Wood Look Composite Panels
4	Gray Vinyl Windows
5	Gray Metal Fascia
6	Aluminum and Glass Railing
7	Metallic Look Panels

No.	Date	Description

C:\Users\SALOMI\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Wall\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

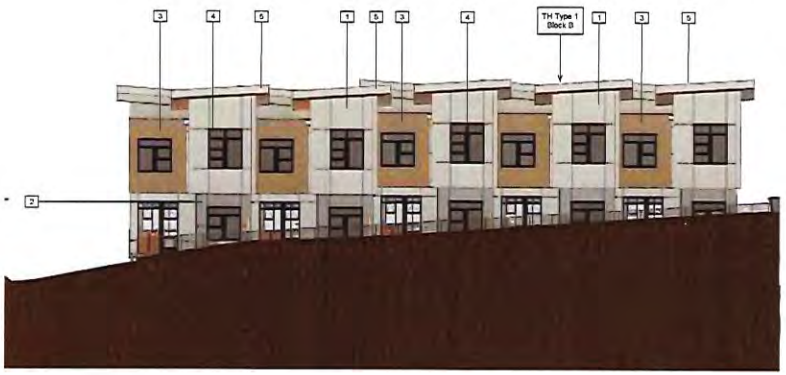
1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

Block A Elevations

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

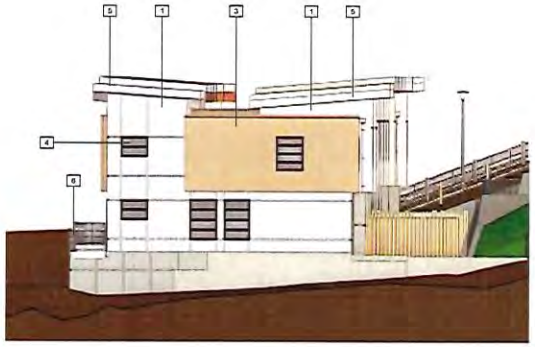
A202

Scale: As indicated

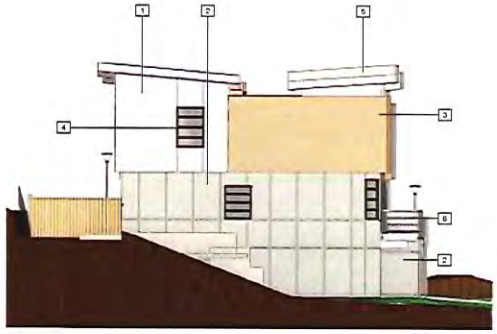


1 Block B Elevation
1 : 100

2 Block B Elevation 2
1 : 100



3 Block 3 Elevation 3
1 : 100



4 Block B Elevation 4
1 : 100

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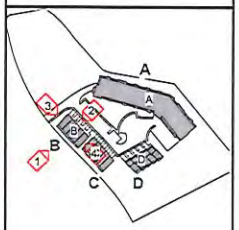
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



Material List	
Key Value	Keynote Text
1	White Fiber Cement Panels
2	Gray Fiber Cement Panels
3	Wood Look Composite Panels
4	Gray Vinyl Windows
5	Gray Metal Fascia
6	Aluminum and Glass Railing

No.	Date	Description
C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt		

Development Permit

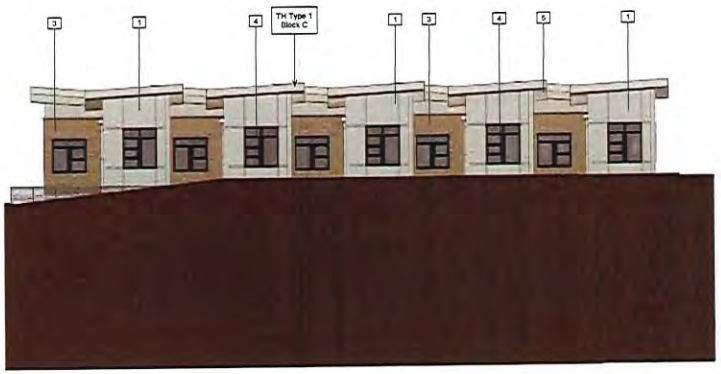
1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

Block B Elevations

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

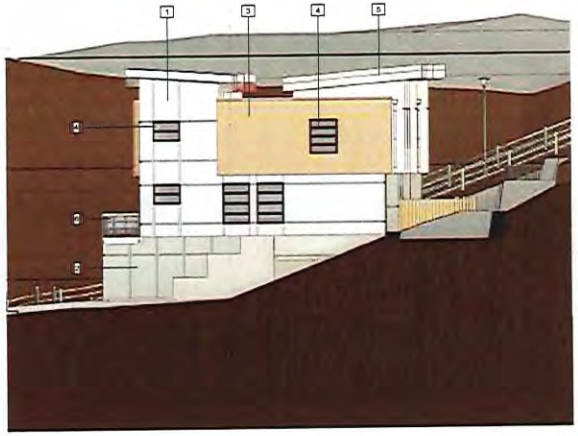
A203

Scale: As indicated



1 Block C Elevation 1
1 : 100

2 Block C Elevation 2
1 : 100



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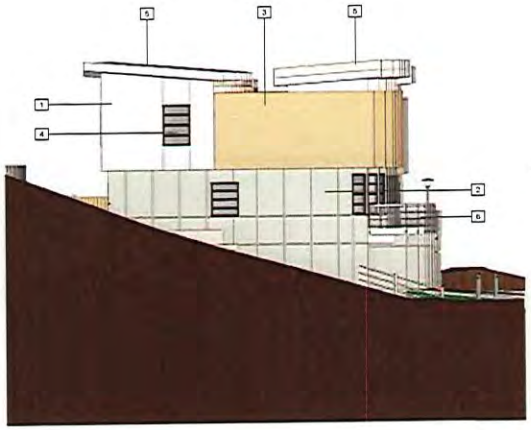
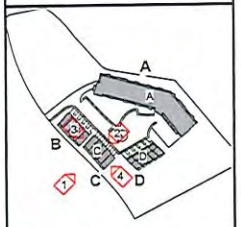


4 Block C Elevation 4
1 : 100

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



Material List	
Key Value	Keynote Text
1	White Fiber Cement Panels
2	Gray Fiber Cement Panels
3	Wood Look Composite Panels
4	Gray Vinyl Windows
5	Gray Metal Fascia
6	Aluminum and Glass Railing

No.	Date	Description

C:\Users\GALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

Block C Elevations

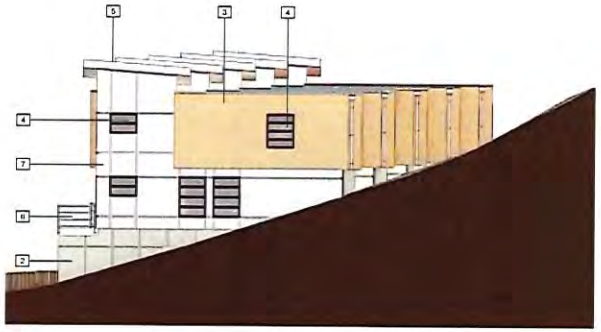
Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A204

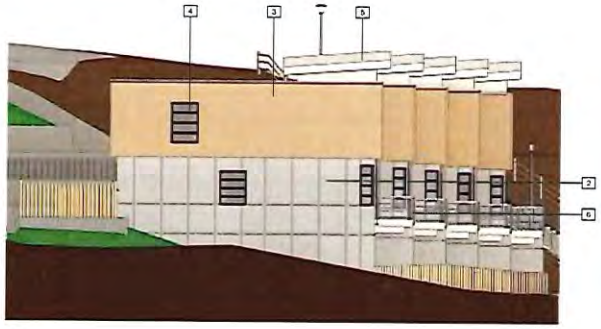
Scale: As indicated

1 Block D Elevation 1
1 : 100

2 Block D Elevation 2
1 : 100



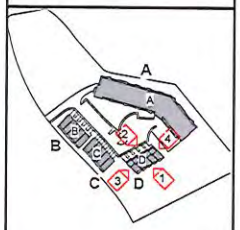
3 Block D Elevation 3
1 : 100



4 Block D Elevation 4
1 : 100

BCA BIRLIGA + CRESPO ARCHITECTURE

300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



Material List	
Key Value	Keynote Text
1	White Fiber Cement Panels
2	Gray Fiber Cement Panels
3	Wood Look Composite Panels
4	Gray Vinyl Windows
5	Gray Metal Fascia
6	Aluminum and Glass Railing
7	Metallic Look Panels

No.	Date	Description

C:\Users\GALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

Block D Elevations

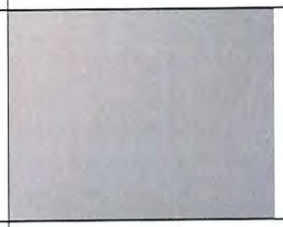
Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A205

Scale	As indicated

Recessed Window Reference

Window Frame Reference



EXTERIOR
DOOR
REFERENCE

BCA BIRLIGA + CRESPO ARCHITECTURE

300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475

Material List	
Key Value	Keynote Text
1	White Fiber Cement Panels
2	Gray Fiber Cement Panels
3	Wood Like Composite Panels
4	Gray Vinyl Windows
5	Gray Metal Fascia
6	Aluminum and Glass Railing
7	Metalic Look Panels
8	Exposed Concrete

No.	Date	Description
C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt		

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

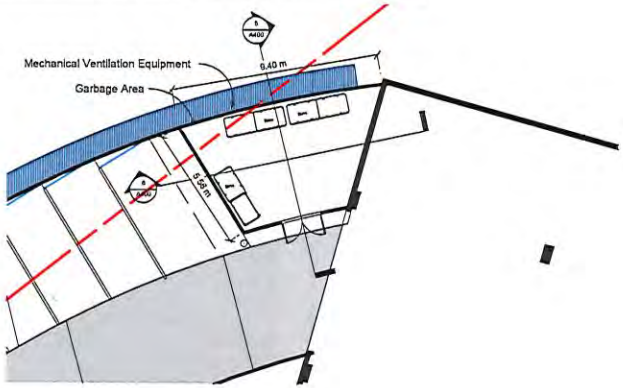
Material Reference

Project Number	202110012
Date	2022 10 21
Drawn by	Author
Checked by	Checker

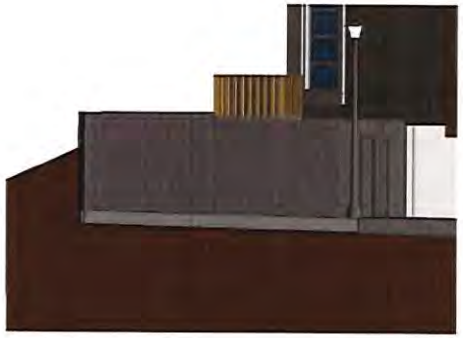
A500

Scale

Schedule C - Garbage Enclosures
DP 3060-21-08
1201 & 1251 Christie Road
Page 1 of 2

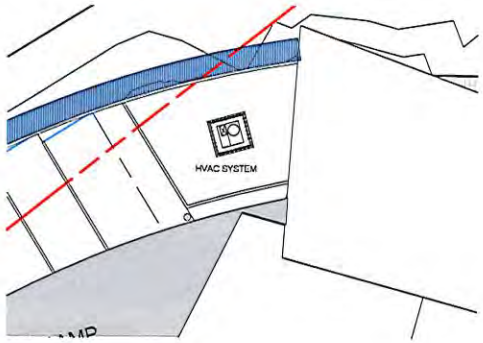


1 Garbage Area Floor Plan
1 : 100

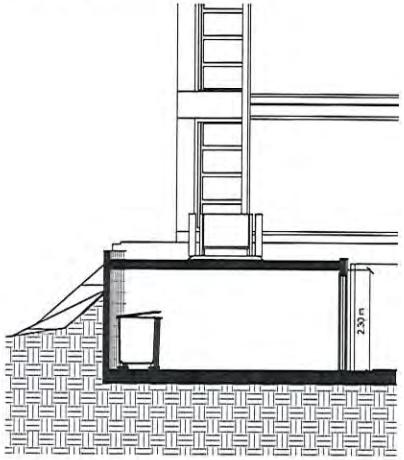


2 Garbage Area Elevation 1
1 : 50

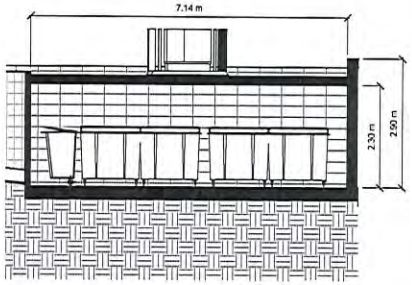
3 Garbage Area Elevation 2
1 : 50



4 Garbage Area Roof
1 : 100



5 Garbage Area Section 1
1 : 50



6 Garbage Area Section 2
1 : 50

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475

No.	Date	Description
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Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

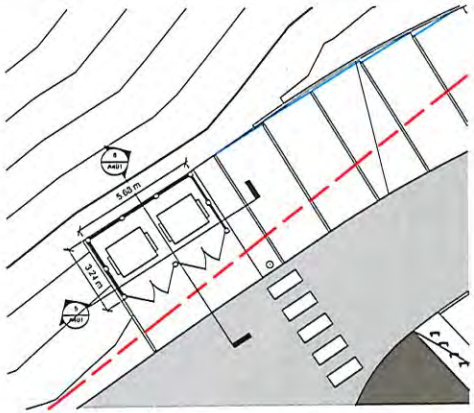
Building Garbage Area Detail

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

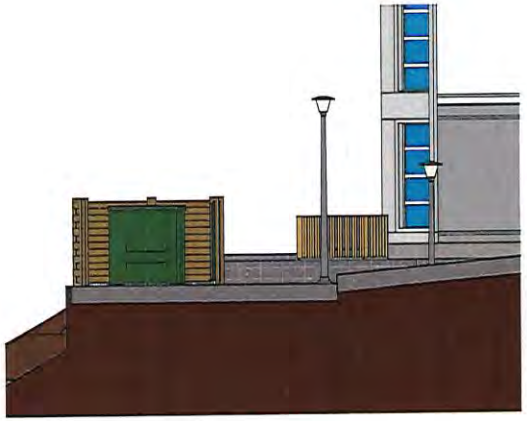
A400

Scale: As indicated

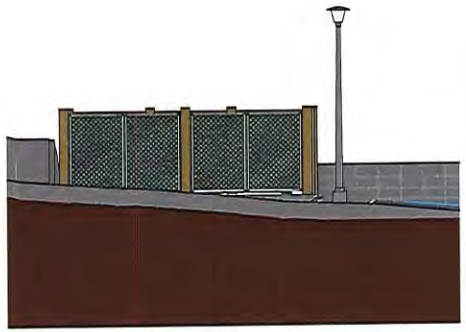
Schedule C - Garbage Enclosures
DP 3060-21-08
1201 & 1251 Christie Road
Page 2 of 2



1 TH Garbage Area Floor Plan
1 : 100



2 TH Garbage Elevation 1
1 : 50



3 TH Garbage Elevation 2
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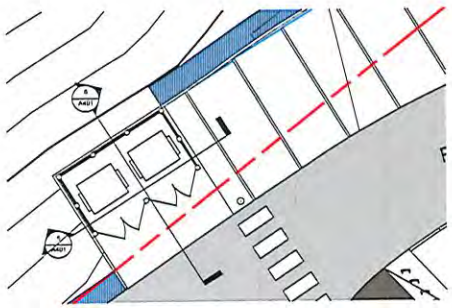
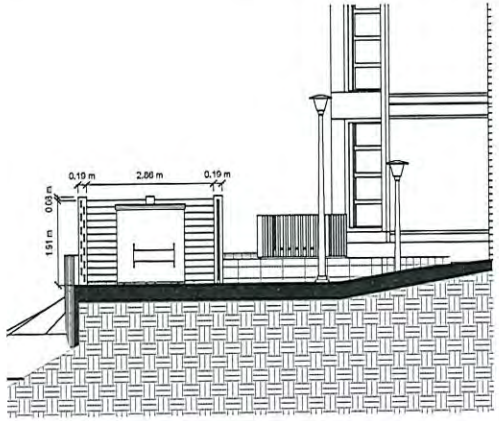
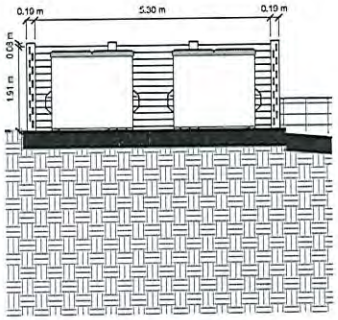


4 TH Garbage Area Roof
1 : 100



6 TH Garbage Section 1
1 : 50



5 TH Garbage Section 2
1 : 50

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475

No.	Date	Description

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Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

TH Garbage Area Detail

Project number	202110012
Date	2022 10 21
Drawn by	Author
Checked by	Checker

A401

Scale: As indicated

Schedule D - Landscape Plan
DP 3060-21-08
1201 & 1251 Christie Road
7 Pages

PLANTING NOTES

1. PLANTS SHALL BE INSTALLED AS DIRECTED BY THE DRAWING, NOTES AND DETAILS.
2. PLANT MATERIAL SUBSTITUTIONS WILL NOT BE ACCEPTED WITHOUT PRIOR WRITTEN APPROVAL.
3. ALL PLANT MATERIAL SHALL BE THOROUGHLY WATERED AND SOAKED AT THE TIME OF PLANTING.
4. TREE PROTECTION: PER THE MUNICIPAL DETAIL IF REQUIRED.
5. ALL LANDSCAPE MATERIAL IS TO COMPLY WITH THE CANADIAN LANDSCAPE STANDARD
6. SOIL ANALYSIS FOR PROPOSED GROWING MEDIUMS IS TO BE PROVIDED TO LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
7. ALL PLANTING BEDS TO BE FINISHED WITH 75mm OF BARK MULCH. REFER TO PLANTING DETAILS FOR INSTALLATION AROUND PLANT MATERIAL.
8. PLANT MATERIALS SPECIFIED FOR THIS PROJECT WILL CONFORM TO THE CANADIAN LANDSCAPE STANDARD AND MUNICIPAL LANDSCAPE STANDARD FOR SIZE, VARIETY AND CONDITION AS INDICATED ON THE PLANT LIST SHOWN ON THIS DRAWING. ANY PLANT DISPLAYING POOR GROWTH HABITS, INJURY OR DISEASE WILL BE REJECTED. ANY PLANT THAT IS REJECTED WILL BE REMOVED FROM THE SITE AND REPLACED WITH A PLANT OF ACCEPTABLE QUALITY AT NO ADDITIONAL COST TO THE OWNER.
9. REMOVE DEAD OR DAMAGED BRANCHES. ALL PRUNING SHALL BE PERFORMED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICES AND INTERNATIONAL SOCIETY ARBORISTS (I.S.A.) SPECIFICATIONS WITH APPROPRIATE TIMING FOR EACH SPECIES.
10. PROVIDE A ONE YEAR WARRANTY FOR THE PLANT MATERIAL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MAINTENANCE REQUIRED TO KEEP THE PLANTS IN A HEALTHY CONDITION DURING THE WARRANTY PERIOD UNLESS OTHERWISE AGREED UPON, AND FOR REPLACEMENT OF PLANT MATERIALS THAT ARE DEAD OR IN POOR CONDITION DURING THE WARRANTY PERIOD AT THE CONTRACTOR'S OWN EXPENSE. MAINTENANCE INCLUDES BUT IS NOT LIMITED TO:
    10.1 Regular schedule of watering of the plants as required and/or as directed by the Project Manager during construction and the warranty period. Plants shall be watered within 48 hours of written request by the Owner or Owner's representative. Failure to do so after the request shall result in the work being undertaken by others. The cost of the work shall be deducted from the total Contract Price or holdback, and otherwise recovered from the Contractor
    10.2 Maintenance and additional installation of mulch
    10.3 Weed removal
    10.4 Disease control

GENERAL NOTES

1. EXAMINE SITE AND CONFIRM EXISTING SITE CONDITIONS BEFORE BIDDING.
2. CONFIRM ALL MEASUREMENTS ON SITE. DO NOT SCALE DRAWINGS.
3. CONFIRM EXISTING AND PROPOSED GRADES PRIOR TO BEGINNING CONSTRUCTION WORKS.
4. CONFIRM MUNICIPAL REQUIREMENTS FOR BUILDING PERMITS, SETBACKS, BUILDING CODE WORKS, AND OTHER BY-LAW REQUIREMENTS. OBTAIN REQUIRED PERMITS PRIOR TO BEGINNING CONSTRUCTION WORKS.
5. OBTAIN UTILITY AND SERVICES LOCATES PRIOR TO BEGINNING CONSTRUCTION WORKS.
6. PROTECT FROM DAMAGE ALL EXISTING STRUCTURES, TREES, SURFACES, SITE FURNISHINGS, UNDERGROUND SERVICES AND OTHER EXISTING ELEMENTS THAT EITHER REMAIN ON SITE, ARE PART OF THE SITE ACCESS OR ARE ADJACENT TO THE SITE. PERFORM REPAIR AND MAKE GOOD WORKS FOR ANY DAMAGE THAT IS CAUSED BY THE CONTRACTOR'S WORK AT THE CONTRACTOR'S OWN EXPENSE.
7. UNLESS OTHERWISE SPECIFIED, CONTRACTOR SHALL GUARANTEE ALL WORKS AND MATERIALS FOR A PERIOD OF NOT LESS THAN ONE (1) YEAR. CONTRACTOR SHALL INSPECT THE LANDSCAPE ON A REGULAR BASIS AND REPLACE MATERIALS THAT ARE IN POOR CONDITION WITHIN TWO WEEKS OF INSPECTION OR NOTIFICATION.
8. THE CONTRACTOR SHALL MAINTAIN THE SITE IN GOOD WORKING ORDER WITH A CLEAN AND ORDERED APPEARANCE DURING THE PERIOD OF WORKS. PEDESTRIAN, PUBLIC AND ROAD AREAS ARE TO BE SWEPT AT THE END OF EACH DAY AND KEPT FREE OF DEBRIS. LANDSCAPE DEBRIS IS TO BE DISPOSED OFF SITE AT LEGAL AND APPROVED LOCATIONS.

IRRIGATION NOTES

1. IRRIGATION TO BE PROVIDED FOR ALL "SOFT LANDSCAPE AREAS" SHOWN ON THE DRAWING, USING A HIGH EFFICIENCY IRRIGATION SYSTEM.
2. IRRIGATED AREAS TO BE INSTALLED AS A DESIGN BUILD IRRIGATION SYSTEM FOR THE STUB OUTS PROVIDED. PROVIDE SUBMITTAL(S) OF DESIGN TO CONSULTANT AT LEAST ONE WEEK PRIOR TO INSTALLATION AND AS-BUILT DRAWING WITHIN ONE MONTH OF SUBSTANTIAL PERFORMANCE.
3. THE IRRIGATION SYSTEM DESIGN AND INSTALLATION SHALL BE IN ACCORDANCE WITH THE IRRIGATION INDUSTRY OF BC STANDARDS AND GUIDELINES.
4. ALL IRRIGATION VALVE BOXES TO BE EQUIPPED WITH QUICK COUPLERS.
5. USE DRIP IRRIGATION.
6. DO NOT SPRAY WATER ONTO TREE TRUNKS.

SODDING NOTES

1. SODDED AREAS AS SHOWN ON THE PLANTING PLAN ARE TO BE CERTIFIED CANADA NO. 1 CULTIVATED TURF SOD, WITH STRONG FIBROUS ROOT SYSTEM, THICK AND HEAVY GROWTH CONFORMING TO REQUIREMENTS OF THE CANADIAN LANDSCAPE STANDARD, AND OF THE FOLLOWING MIX OR APPROVED EQUAL:
    40% BLEND OF (3) VARIETIES OF KENTUCKY BLUEGRASS
    40% CREEPING RED FESCUE
    20% PERENNIAL RYEGRASS
    USE LATEST APPROVED CULTIVARS OF GRASS IN PROVINCE

    AREAS TO BE SODDED SHALL HAVE A MINIMUM 150MM TOPSOIL BASE.
2. LOOSEN SOIL SURFACE PRIOR TO SODDING. ELIMINATE BUMPS AND HOLLOWS. ROLL LIGHTLY WHEREVER TOPSOIL IS EXCESSIVELY LOOSE.
3. PRIOR TO SODDING, OBTAIN APPROVAL THAT FINISHED GRADE AND DEPTH OF TOPSOIL ARE SATISFACTORY.
4. DELIVER SOD TO SITE WITHIN 24 HOURS OF BEING LIFTED AND LAY WITHIN 36 HOURS OF BEING LIFTED. DURING DRY WEATHER PROTECT SOD FROM DRYING, AND WATER SOD AS NECESSARY TO ENSURE ITS VITALITY AND PREVENT THE LOSS OF SOIL IN HANDLING. DRY SOD WILL BE REJECTED.
5. LAY SOD DURING GROWING SEASON. LAY SOD IN ROWS, PERPENDICULAR TO SLOPE, AND WITH JOINTS STAGGERED BUTT SECTIONS CLOSELY WITHOUT OVERLAPPING OR LEAVING GAPS BETWEEN SECTIONS. CUT OUT IRREGULAR OR THIN SECTIONS WITH SHARP IMPLEMENTS.
6. WATER SOD IMMEDIATELY AFTER LAYING TO OBTAIN MOISTURE PENETRATION INTO TOP 150MM OF TOPSOIL. MAINTAIN SODDED AREAS FROM START OF INSTALLATION UNTIL FINAL ACCEPTANCE.

SEEDING NOTES

1. AREAS DESIGNATED FOR SEED WILL FOLLOW THESE GUIDELINES.
2. REMOVE ALL DEBRIS INCLUDING BUT NOT LIMITED TO ALL GRANULAR STONE, CONCRETE, WOOD AND METAL. SCARIFY ALL DISTURBED AREAS TO ELIMINATE COMPACTION OF TOPSOIL.
3. TO PREPARE AREAS FOR SEEDING, SPREAD, LOOSEN AND FINE GRADE TOPSOIL. GRADE FOR POSITIVE DRAINAGE. DEPTH OF TOPSOIL TO BE MIN. 150MM.
4. TO ENSURE ACCEPTANCE OF THE COMPLETED WORK, THE CONTRACTOR SHALL NOT COMMENCE SEEDING UNTIL THE PROJECT MANAGER HAS APPROVED FINE GRADES.
5. SEEDING OPERATIONS SHALL BE COMPLETED BETWEEN SPRING THAW AND JUNE 15TH FOR SPRING WORK, OR BETWEEN AUGUST 15TH AND OCTOBER 15TH FOR FALL WORK.
6. SEED APPLICATION METHOD: HYDROSEEDING BY APPROVED CONTRACTOR.
7. CONTRACTOR TO ENSURE ADEQUATE SEED MIX CATCH. SEEDED AREAS WILL BE ACCEPTED PROVIDED THAT A SUFFICIENT AMOUNT OF THE SEED HAS GERMINATED AND BECOME ESTABLISHED IN THE OPINION OF THE PROJECT MANAGER.
8. MAINTENANCE FOR SEEDED AREAS SHALL BEGIN IMMEDIATELY AFTER INSTALLATION AND SHALL CONTINUE UNTIL ACCEPTANCE BY THE PROJECT MANAGER.

SEED MIX TO BE AS FOLLOWS:
PREMIOR PACIFIC SEEDS COASTAL REVEGETATION MIX AT A SEEDING RATE OF 100 KG/HECTARE OR APPROVED EQUAL AT SEEDING RATE OF 100KG/HECTARE.

Krahn GROUP OF COMPANIES

KD Planning & DESIGN LTD

LEGEND

- TURF GRASS
- CONCRETE SIDEWALK PAVING
- DRIVEWAY
- GRAVEL PATHWAY
- BENCH
- BIKE RACK
- 1.8m TIMBER SECURITY FENCE
- 1.2m WOOD PICKET FENCE
- SPLIT RAIL FENCE
- PLAY TILES
- UNIT PAVERS
- PROPERTY LINE
- SETBACK LINE
- SEED MIX

19/04/22	ISSUED FOR B/C DP
10/11/22	ISSUED FOR COORDINATION
20/05/22	ISSUED FOR REVIEW
15/06/21	ISSUED FOR DP
29/06/21	ISSUED FOR REVIEW
11/06/21	ISSUED FOR REVIEW

1201 CHRISTIE ROAD
LADYSMITH, BC

LANDSCAPE PLAN, AND NOTES

DRAWN	
DESIGN	
CHECKED	
PROJECT NO.	

L1

PLANT LIST - ENTIRE SITE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	CONDITION
DECIDUOUS TREES						
	5	Prunus cerasifera 'Pissardi'	Cherry plum 'Pissardi'	6cm cal.	As per plan	1.8m CLEAR STEM, W.B.
	4	Pyrus calleryana 'Chanticleer'	Flowering pear	6cm cal.	As per plan	W.B.
	15	Malus fusca	Pacific crabapple	6cm cal.	As per plan	W.B.
	19	Quercus garryana	Garry oak	6cm cal.	As per plan	W.B.
	6	Populus tremuloides	Trembling aspen	6cm cal.	As per plan	W.B.
	7	Sorbus aucuparia	Sitka mountain ash	6cm cal.	As per plan	W.B.
	10	Alnus rubra	Sitka alder	6cm cal.	As per plan	W.B.
CONIFEROUS TREES						
	15	Abies grandis	Grand fir	2.5m Ht.	As per plan	W.B.
	9	Picea sitchensis	Sitka spruce	2.5m Ht.	As per plan	W.B.
	9	Pseudotsuga menziesii	Douglas fir	2.5m Ht.	As per plan	W.B.
SHRUBS						
	179	Gaultheria shallon	Salal	40cm ht.	1m O.C.	#2 Pot
	168	Pinus strobus 'Angel Fall'	Blue Shag Eastern White Pine	40cm ht.	1m O.C.	#2 Pot
	10	Vaccinium ovatum	California huckleberry	50cm ht.	1m O.C.	#2 Pot
	136	Yucca filamentosa	Adam's needle	40cm ht.	0.75m O.C.	#2 Pot
	56	Elaeagnus commutata	Silverberry	40cm ht.	1m O.C.	#2 Pot
	54	Ribes sanguineum	Red flowering currant	40cm ht.	1m O.C.	#2 Pot
	233	Rubus macrophylla	Salmonberry	50cm ht.	1m O.C.	#2 Pot
	24	Cornus sericea	Red osier dogwood	40cm ht.	1m O.C.	#2 Pot
	95	Physocarpus capitatus	Pacific ninebark	40cm ht.	1m O.C.	#2 Pot
PERENNIALS, GROUND COVERS, AND GRASSES						
	41	Fragaria chiloensis	Coastal strawberry	1 Gallon	0.45m O.C.	#1 Pot
	30	Arctostaphylos uva-ursi	Bearberry	1 Gallon	0.45m O.C.	#1 Pot
	429	Carex oshiensis	Redwood sedge	1 Gallon	0.45m O.C.	#1 Pot
	292	Thymus pseudolanuginosus	Woolly thyme	1 Gallon	0.45m O.C.	#1 Pot

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Krahn GROUP OF COMPANIES

KD Planning & DESIGN LTD

LEGEND

- TURF GRASS
- CONCRETE SIDEWALK PAVING
- DRIVEWAY
- GRAVEL PATHWAY
- BENCH
- BIKE RACK
- 1.8m TIMBER PRIVACY FENCE
- 1.2m WOOD PICKET FENCE
- SPLIT RAIL FENCE
- PLAY TILES
- UNIT PAVERS
- PROPERTY LINE
- SETBACK LINE
- SEED MIX

5	19/04/22	ISSUED FOR RE-DP
4	14/10/22	ISSUED FOR COORDINATION
3	09/03/22	ISSUED FOR REVIEW
2	02/02/22	ISSUED FOR DP
1	24/08/21	ISSUED FOR REVIEW
0	10/08/21	ISSUED FOR REVIEW

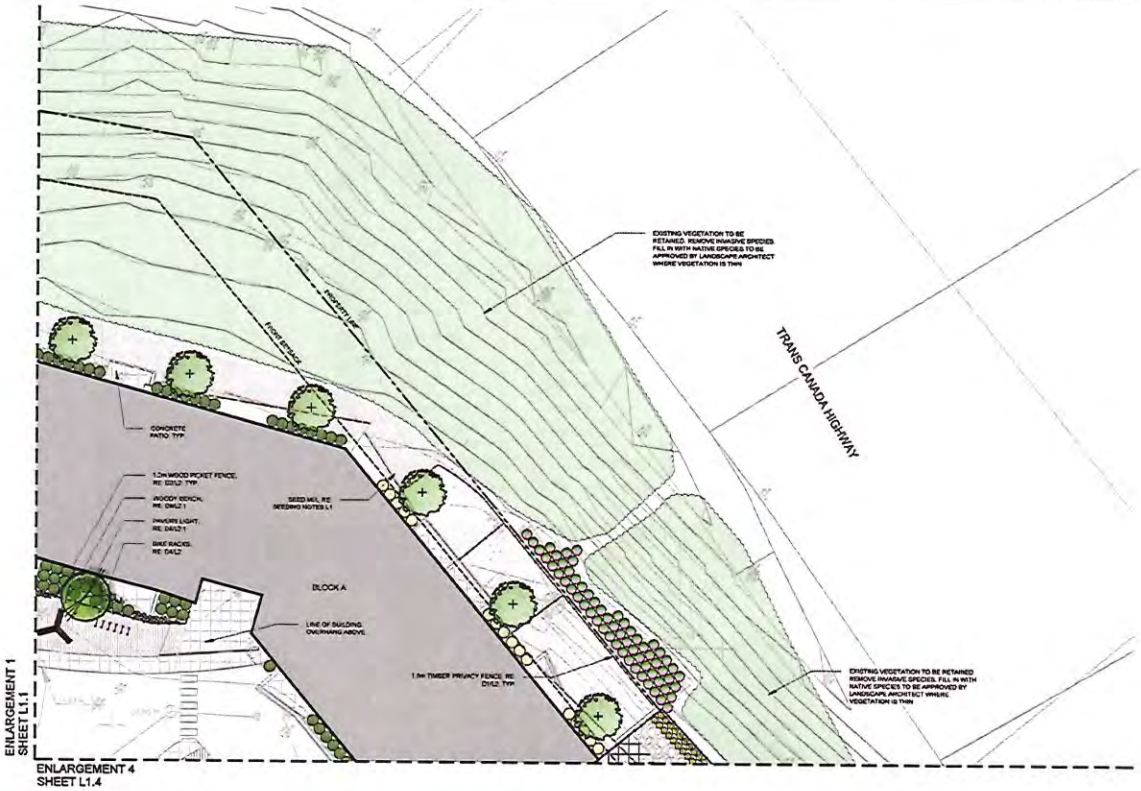
N

1201 CHRISTIE ROAD
LADYSMITH, BC

LANDSCAPE PLAN
ENLARGMENT 1

SCALE:	1:250
DRAWN:	RMK
DESIGNED:	JT
PROJECT NO:	210495

L1.1



PLANT LIST - ENTIRE SITE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	CONDITION
DECIDUOUS TREES						
	6	Prunus cerasifera 'Pissardi'	Cherry plum 'Pissardi'	6cm cal.	As per plan	1.8m CLEAR STEM, W.B.
	4	Pyrus calleryana 'Chanticleer'	Flowering pear	6cm cal.	As per plan	W.B.
	19	Malus fusca	Pacific crabapple	6cm cal.	As per plan	W.B.
	13	Quercus garryana	Garry oak	6cm cal.	As per plan	W.B.
	8	Populus tremuloides	Trembling aspen	6cm cal.	As per plan	W.B.
	7	Gaultheria shallonana	Sitka mountain ash	6cm cal.	As per plan	W.B.
	10	Alnus rubra	Sitka alder	6cm cal.	As per plan	W.B.
CONIFEROUS TREES						
	15	Abies grandis	Grand fir	2.5m ht.	As per plan	W.B.
	9	Picea sitchensis	Sitka spruce	2.5m ht.	As per plan	W.B.
	9	Pseudotsuga menziesii	Douglas fir	2.5m ht.	As per plan	W.B.
SHRUBS						
	179	Gaultheria shallon	Salal	40cm ht.	1m O.C.	#2 Pot
	196	Pinus virginiana 'Angel Fall'	Blue Shag Eastern White Pine	40cm ht.	1m O.C.	#2 Pot
	19	Vaccinium ovatum	California huckleberry	50cm ht.	1m O.C.	#2 Pot
	126	Yucca filamentosa	Adam's needle	40cm ht.	0.75m O.C.	#2 Pot
	56	Elaeagnus commutata	Silverberry	40cm ht.	1m O.C.	#2 Pot
	54	Ribes sanguineum	Red flowering currant	40cm ht.	1m O.C.	#2 Pot
	233	Rubus ursinus/spp	Salmonberry	50cm ht.	1m O.C.	#2 Pot
	24	Cornus sericea	Red osier dogwood	40cm ht.	1m O.C.	#2 Pot
	15	Physocarpus capitatus	Pacific ninebark	40cm ht.	1m O.C.	#2 Pot
PEREINNIALS, GROUND COVERS, AND GRASSES						
	61	Fragaria chiloensis	Coastal strawberry	1 Gallon	0.45m O.C.	#1 Pot
	30	Arctostaphylos uva-ursi	Bearberry	1 Gallon	0.45m O.C.	#1 Pot
	429	Oxalis oregana	Redwood sorrel	1 Gallon	0.45m O.C.	#1 Pot
	292	Thymus pseudolanuginosus	Woolly thyme	1 Gallon	0.45m O.C.	#1 Pot

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Krahn GROUP OF COMPANIES

KD Planning & DESIGN LTD

LEGEND

- TURF GRASS
- CONCRETE SIDEWALK PAVING
- DRIVEWAY
- GRAVEL PATHWAY
- BENCH
- BIKE RACK
- 1.8m TIMBER PRIVACY FENCE
- 1.2m WOOD PICKET FENCE
- SPLIT RAIL FENCE
- PLAY TILES
- UNIT PAVERS
- PROPERTY LINE
- SETBACK LINE
- SEED MIX

16/04/22	ISSUED FOR RE-DP
16/16/22	ISSUED FOR COORDINATION
03/03/22	ISSUED FOR REVIEW
02/02/22	ISSUED FOR DP
24/05/21	ISSUED FOR REVIEW
16/05/21	ISSUED FOR REVIEW

N

1201 CHRISTIE ROAD
LADYSMITH, BC

LANDSCAPE PLAN
ENLARGMENT 2

SCALE	1:200
DRAWN	RMC
CHECKED	JT
PROJECT NO.	210485

L1.2

PLANT LIST - ENTIRE SITE

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	CONDITION
DECIDUOUS TREES						
	5	Prunus serrulata 'Pink Perfection'	Cherry plum 'Pink Perfection'	6cm cal.	As per plan	1.8m CLEAR STEM, W.B.
	4	Pyrus calleryana 'Chanticleer'	Flowering pear	6cm cal.	As per plan	W.B.
	15	Malus fusca	Pacific crabapple	6cm cal.	As per plan	W.B.
	10	Cornus nuttallii	Carry ear	6cm cal.	As per plan	W.B.
	6	Populus tremuloides	Trembling aspen	6cm cal.	As per plan	W.B.
	7	Sorbus sitchensis	Sitka mountain ash	6cm cal.	As per plan	W.B.
	10	Alnus rubra	Sitka alder	6cm cal.	As per plan	W.B.
CONIFEROUS TREES						
	15	Abies grandis	Grand fir	2.5m ht.	As per plan	W.B.
	9	Picea sitchensis	Sitka spruce	2.5m ht.	As per plan	W.B.
	9	Pseudotsuga menziesii	Douglas fir	2.5m ht.	As per plan	W.B.
SHRUBS						
	179	Gaultheria shallon	Salal	40cm ht.	1m O.C.	#2 Pot
	198	Pinus strobus 'Angel Fall'	Blue Shag Eastern White Pine	40cm ht.	1m O.C.	#2 Pot
	16	Vaccinium ovatum	California huckleberry	50cm ht.	1m O.C.	#2 Pot
	136	Yucca filamentosa	Adam's needle	40cm ht.	0.75m O.C.	#2 Pot
	58	Euonymus alatus	Strawberry	40cm ht.	1m O.C.	#2 Pot
	54	Rhus aromatica	Red flowering currant	40cm ht.	1m O.C.	#2 Pot
	233	Buxus microphylla	Boxwood	50cm ht.	1m O.C.	#2 Pot
	29	Cornus sericea	Red osier dogwood	40cm ht.	1m O.C.	#2 Pot
	33	Physocarpus capitatus	Pacific ninebark	40cm ht.	1m O.C.	#2 Pot
PERENNIALS, GROUND COVERS, AND GRASSES						
	61	Fragaria chiloensis	Coastal strawberry	1 Gallon	0.45m O.C.	#1 Pot
	30	Arctostaphylos uva-ursi	Strawberry	1 Gallon	0.45m O.C.	#1 Pot
	429	Carex stricta	Tufted sedge	1 Gallon	0.45m O.C.	#1 Pot
	292	Thymus pseudolanuginosus	Woolly thyme	1 Gallon	0.45m O.C.	#1 Pot

0 5 10 15 20 m

Krahn GROUP OF COMPANIES

KD Planning & DESIGN LTD

LEGEND

- TURF GRASS
- CONCRETE SIDEWALK PAVING
- DRIVEWAY
- GRAVEL PATHWAY
- BENCH
- BIKE RACK
- 1.8m TIMBER PRIVACY FENCE
- 1.2m WOOD PICKET FENCE
- SPLIT RAIL FENCE
- PLAY TILES
- UNIT PAVERS
- PROPERTY LINE
- SETBACK LINE
- SEED MIX

4	19/04/22	ISSUED FOR RE-DP
3	16/10/22	ISSUED FOR COORDINATION
2	09/09/22	ISSUED FOR REVIEW
1	02/5/22	ISSUED FOR DP
2	26/08/21	ISSUED FOR REVIEW
1	16/06/21	ISSUED FOR REVIEW

N

1201 CHRISTIE ROAD
LADYSMITH, BC

LANDSCAPE PLAN
ENLARGMENT 3

SCALE:	1:200
DRAWN:	RMK
CHECKED:	JT
PROJECT NO:	210485

L1.3

Krahn GROUP OF COMPANIES

KD Planning & Design Ltd

LEGEND

- TURF GRASS
- CONCRETE SIDEWALK PAVING
- DRIVEWAY
- GRAVEL PATHWAY
- BENCH
- BIKE RACK
- 1.8m TIMBER PRIVACY FENCE
- 1.2m WOOD PICKET FENCE
- SPLIT RAIL FENCE
- PLAY TILES
- UNIT PAVERS
- PROPERTY LINE
- SETBACK LINE
- SEED MIX

19/04/22	ISSUED FOR RE-DP
16/10/22	ISSUED FOR COORDINATION
08/03/22	ISSUED FOR REVIEW
02/02/22	ISSUED FOR DP
24/05/21	ISSUED FOR REVIEW
15/06/21	ISSUED FOR REVIEW

N

1201 CHRISTIE ROAD
LADYSMITH, BC

LANDSCAPE PLAN
ENLARGMENT 4

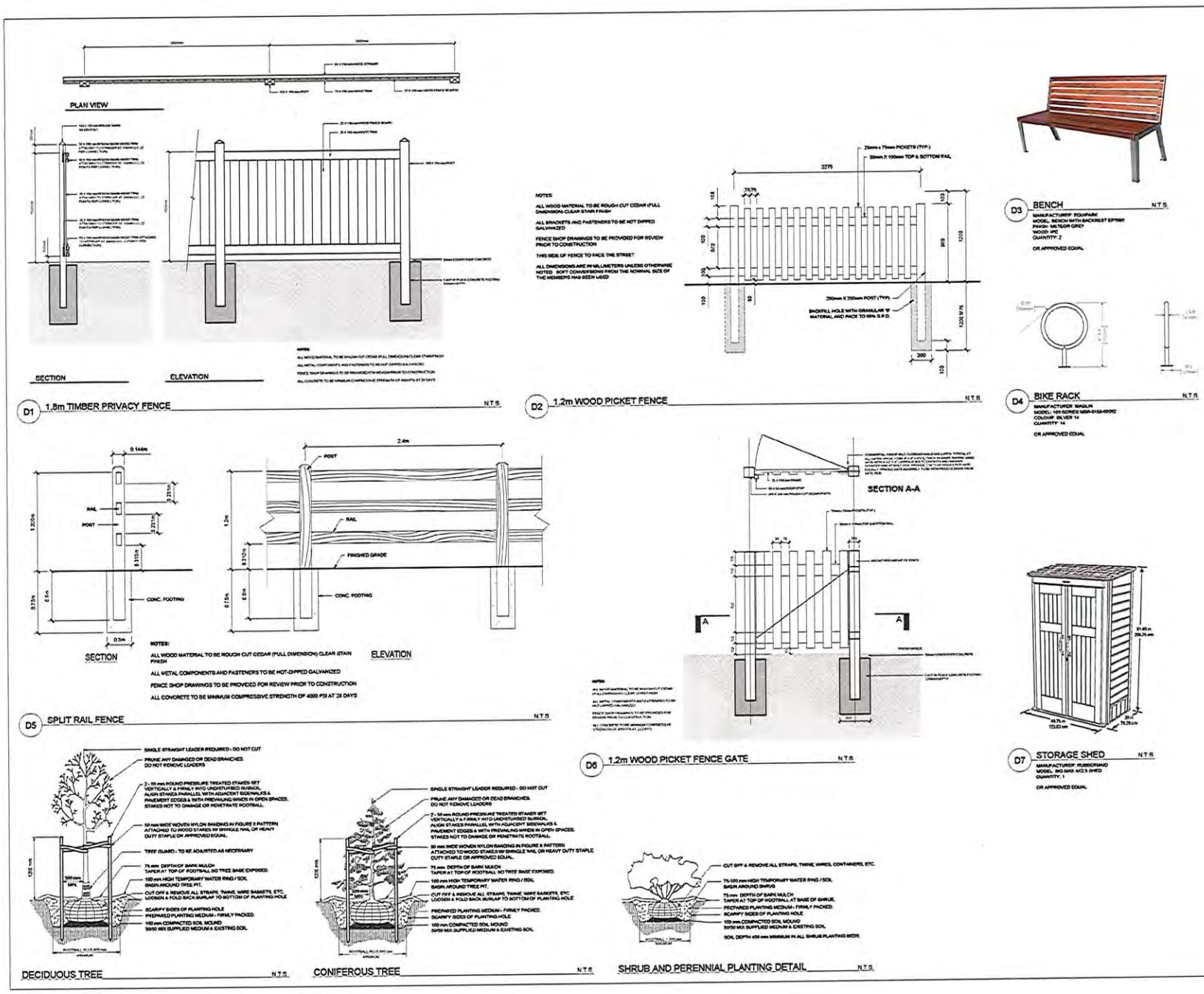
SCALE	1:200
DRAWN	RMK
CHECKED	JT
PROJECT NO	210485

L1.4

PLANT LIST - ENTIRE SITE

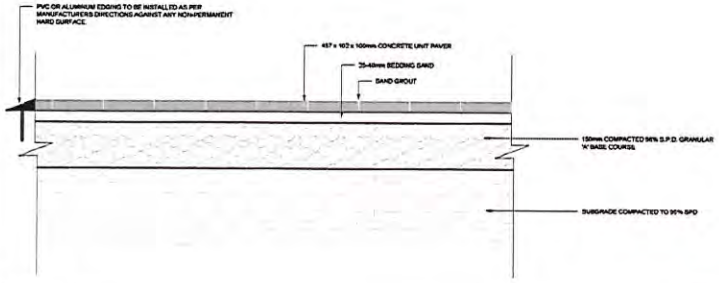
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	CONDITION
DECIDUOUS TREES						
	8	Prunus cerasifera 'Pissardi'	Cherry plum 'Pissardi'	6cm cal.	As per plan	1.8m CLEAR STEM, W.B.
	4	Pyrus calleryana 'Chanticleer'	Flowering pear	6cm cal.	As per plan	W.B.
	15	Malus fusca	Pacific crabapple	6cm cal.	As per plan	W.B.
	19	Quercus garryana	Garry oak	6cm cal.	As per plan	W.B.
	6	Populus tremuloides	Trembling aspen	6cm cal.	As per plan	W.B.
	7	Sorbus sitchensis	Sitka mountain ash	6cm cal.	As per plan	W.B.
	10	Alnus rubra	Sitka alder	6cm cal.	As per plan	W.B.
CONIFEROUS TREES						
	15	Abies grandis	Grand fir	2.5m ht.	As per plan	W.B.
	9	Picea sitchensis	Sitka spruce	2.5m ht.	As per plan	W.B.
	9	Pseudotsuga menziesii	Douglas fir	2.5m ht.	As per plan	W.B.
SHRUBS						
	179	Gaultheria shallon	Salal	40cm ht.	1m O.C.	#2 Pot
	196	Pinus strobus 'Angel Fall'	Blue Shag Eastern White Pine	40cm ht.	1m O.C.	#2 Pot
	10	Vaccinium ovatum	Coastal huckleberry	50cm ht.	1m O.C.	#2 Pot
	138	Yucca filamentosa	Adam's needle	40cm ht.	0.75m O.C.	#2 Pot
	56	Mahonia x media	Strawberry	40cm ht.	1m O.C.	#2 Pot
	54	Ribes sanguineum	Red flowering currant	40cm ht.	1m O.C.	#2 Pot
	233	Rubus nutkatensis	Salmonberry	50cm ht.	1m O.C.	#2 Pot
	24	Cornus sericea	Red osier dogwood	40cm ht.	1m O.C.	#2 Pot
	55	Physocarpus capitatus	Pacific ninebark	40cm ht.	1m O.C.	#2 Pot
PERENNIALS, GROUND COVERS, AND GRASSES						
	61	Fragaria chiloensis	Coastal strawberry	1 Gallon	0.45m O.C.	#1 Pot
	36	Arctostaphylos uva-ursi	Bearberry	1 Gallon	0.45m O.C.	#1 Pot
	429	Gaultheria mucronata	Wintergreen	1 Gallon	0.45m O.C.	#1 Pot
	280	Thymus pseudolanuginosus	Woolly thyme	1 Gallon	0.45m O.C.	#1 Pot

0 5 10 15 20 m

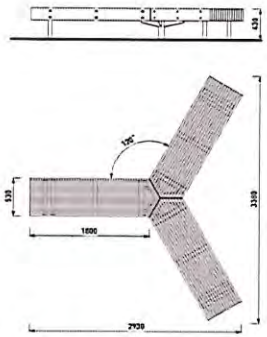

PLAN VIEW
SECTION
ELEVATION
D1 1.8m TIMBER PRIVACY FENCE N.T.S.
NOTES:
ALL WOOD MATERIAL TO BE ROUGH CUT CEDAR (FULL DIMENSION) CLEAR STAIN FINISH
ALL BRACKETS AND FASTENERS TO BE NOT DIPPED GALVANIZED
FENCE SHOP DRAWINGS TO BE PROVIDED FOR REVIEW PRIOR TO CONSTRUCTION
THIS SIDE OF FENCE TO FACE THE STREET
ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE NOTED. SOFT CONVERSIONS FROM THE NOMINAL SIZE OF THE MEMBERS HAS BEEN USED
D2 1.2m WOOD PICKET FENCE N.T.S.
D3 BENCH N.T.S.
MANUFACTURER: ROUNPARK
MODEL: BENCH WITH BACKREST EP7880
FINISH: METEOR GREY
WOOD: IPE
QUANTITY: 2
OR APPROVED EQUAL
D4 BIKE RACK N.T.S.
MANUFACTURER: MADLIN
COLOUR: SILVER 14
QUANTITY: 14
OR APPROVED EQUAL
SECTION
ELEVATION
NOTES:
ALL WOOD MATERIAL TO BE ROUGH CUT CEDAR (FULL DIMENSION) CLEAR STAIN FINISH
ALL METAL COMPONENTS AND FASTENERS TO BE HOT-DIPPED GALVANIZED
FENCE SHOP DRAWINGS TO BE PROVIDED FOR REVIEW PRIOR TO CONSTRUCTION
ALL CONCRETE TO BE MINIMUM COMPRESSIVE STRENGTH OF 4000 PSI AT 28 DAYS
D5 SPLIT RAIL FENCE N.T.S.
SECTION A-A
D6 1.2m WOOD PICKET FENCE GATE N.T.S.
D7 STORAGE SHED N.T.S.
MANUFACTURER: RUBBERMAID
MODEL: 8X6 MAX 6X2.5 SHED
QUANTITY: 1
OR APPROVED EQUAL
DECIDUOUS TREE N.T.S.
CONIFEROUS TREE N.T.S.
SHRUB AND PERENNIAL PLANTING DETAIL N.T.S.
Krahn GROUP OF COMPANIES
KD Planning & DESIGN LTD
1201 CHRISTIE ROAD
LADYSMITH, BC
DETAILS
AS NOTED
L2

UNIT PAVER SPECIFICATIONS: DARK
PATTERN: RUNNING BOND
NAME: MODULINE 4X18 PV-EX-10-MCD-4X18
COLOUR: VICTORIAN
MANUFACTURER: EXPOCRETE AN OLD CASTLE COMPANY
CONTACT: landscapecentre.com

UNIT PAVER SPECIFICATIONS: LIGHT
PATTERN: RUNNING BOND
NAME: MODULINE 4X18 PV-EX-10-MCD-4X18
COLOUR: NATURAL GREY
MANUFACTURER: EXPOCRETE AN OLD CASTLE COMPANY
CONTACT: landscapecentre.com



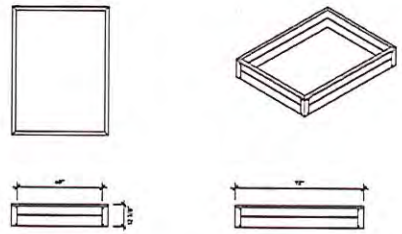
D8 PAVERS N.T.S.



D9 WOODY BENCH N.T.S.

MANUFACTURER: MACITE
MODEL: LWS332-WOODY
WOOD COLOUR: ARTOSH
POWDERCOAT COLOUR: PASTEL BLUE
QUANTITY: 1

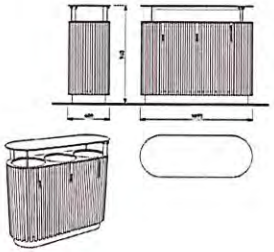
OR APPROVED EQUAL



D10 RAISED PLANTER N.T.S.

MANUFACTURER: WISHBONE
MODEL: ABUNDANCE RAISED PLANTER AP-48
COLOUR: WALNUT
QUANTITY: 3

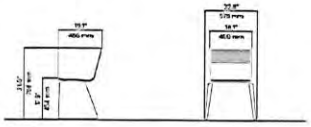
OR APPROVED EQUAL



D11 GARBAGE AND RECYCLING BIN N.T.S.

MANUFACTURER: MACITE
MODEL: GM15-GUINEH
POWDERCOAT COLOUR: PASTEL BLUE
QUANTITY: 3

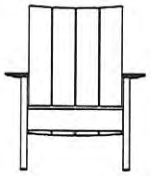
OR APPROVED EQUAL



D12 CHAIR N.T.S.

MANUFACTURER: VESTIRE
MODEL: APRIL GO CHAIR 7913
COLOUR: PEARL BLACKBERRY
QUANTITY: 20

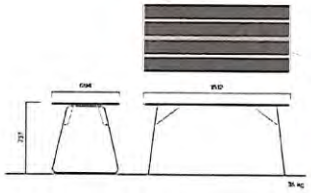
OR APPROVED EQUAL



D13 ADIRONDACK CHAIR N.T.S.

MANUFACTURER: LOLL DESIGNS / LANDSCAPE FORMS
MODEL: AMERICANA - LOUNGE CHAIR
COLOUR: APPLE RED
QUANTITY: 5

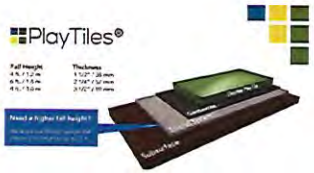
OR APPROVED EQUAL



D14 TABLE N.T.S.

MANUFACTURER: VESTIRE
MODEL: APRIL GO TABLE 7038
COLOUR: PEARL BLACKBERRY
QUANTITY: 5

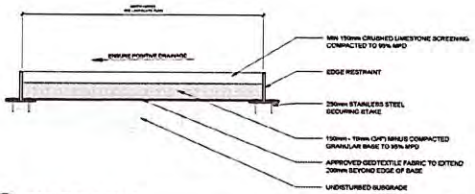
OR APPROVED EQUAL



D15 PLAY TILES N.T.S.

MANUFACTURER: INSOFLEX
MODEL: PLAY TILES 51mm
COLOUR: TEAL BLUE

OR APPROVED EQUAL



D16 GRAVEL WALKWAY N.T.S.

Krahn GROUP OF COMPANIES

KD Planning & DESIGN LTD

14/04/22	ISSUED FOR RE-DP
14/18/22	ISSUED FOR COORDINATION
09/04/22	ISSUED FOR REVIEW
02/02/22	ISSUED FOR DP
29/06/21	ISSUED FOR REVIEW
14/06/21	ISSUED FOR REVIEW

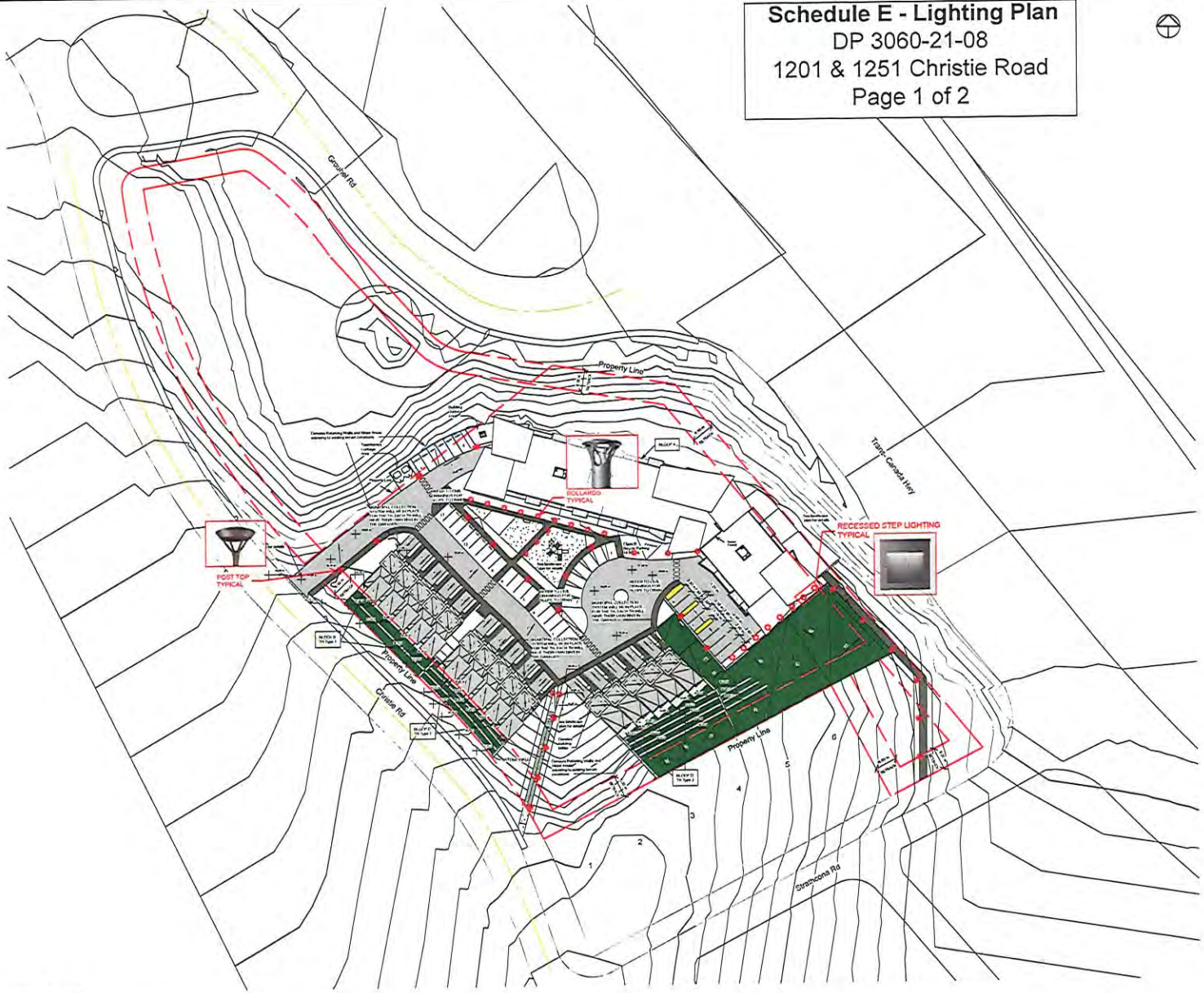
1201 CHRISTIE ROAD
LADYSMITH, BC

DETAILS

AS NOTED
RMK
JT
210465

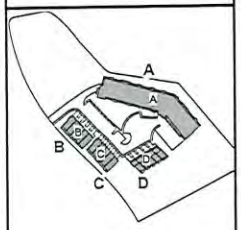
L2.1

Schedule E - Lighting Plan
DP 3060-21-08
1201 & 1251 Christie Road
Page 1 of 2



1 SITE PLAN
1 : 500

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description
C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 19 Civil Retaining Walls\2022 10 19 Lady Smith Mass Plan.rvt		

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

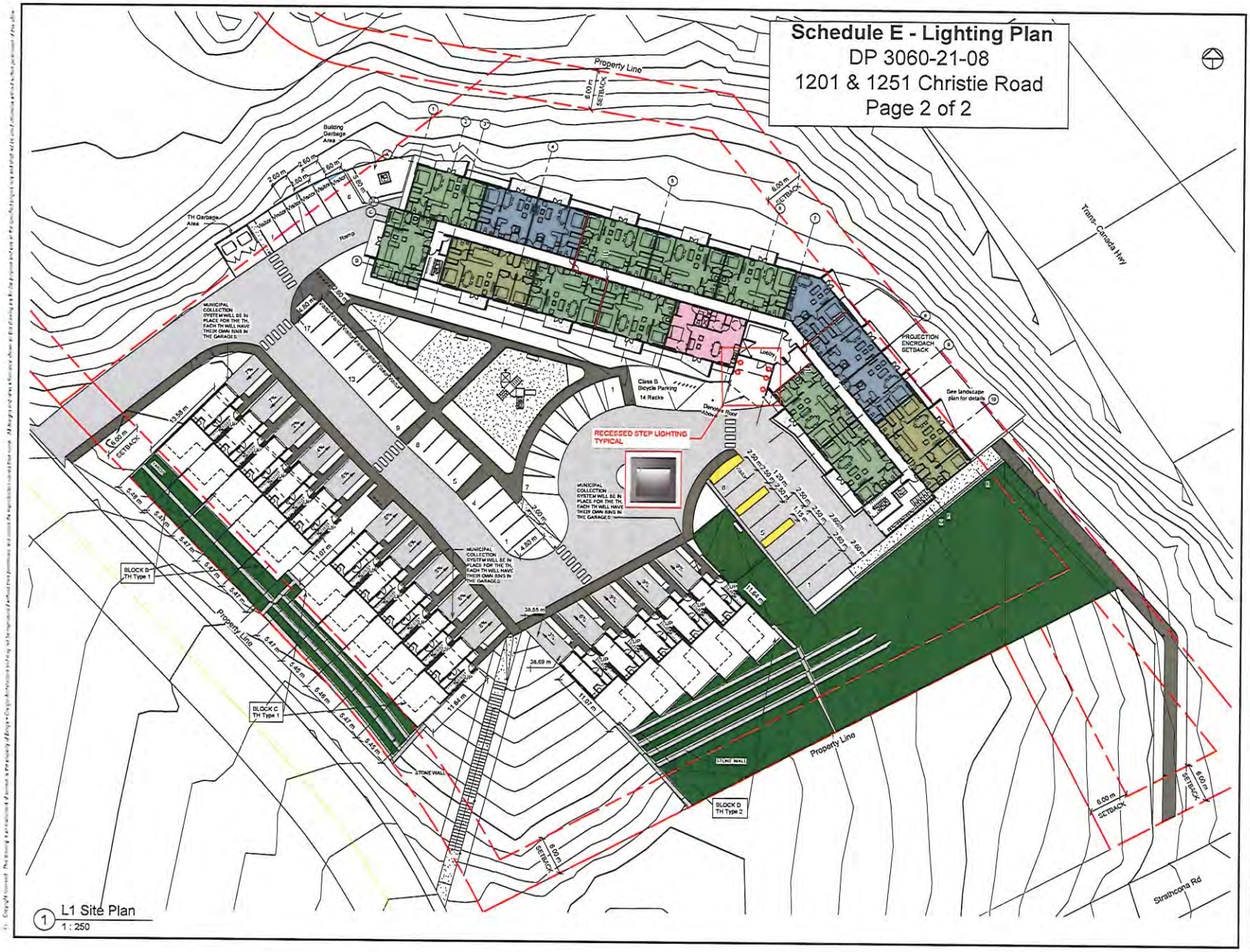
Site Plan

Project number	202110012
Date	2022 10 19
Drawn by	Aylanna Ruiz
Checked by	Xavier Crespo

A100

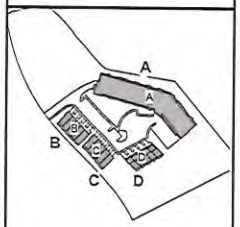
Scale: As indicated

Schedule E - Lighting Plan
DP 3060-21-08
1201 & 1251 Christie Road
Page 2 of 2



1 L1 Site Plan
1 : 250

BCA BIRLIGA + CRESPO ARCHITECTURE
300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description
C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 19 Civil Retaining Walls\2022 10 19 Lady Smith Mass Plan.rvt		

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

L1 Site Plan

Project number	202110012
Date	2022 10 19
Drawn by	Aylanna Ruiz
Checked by	Xavier Crespo

A101

Scale: As indicated

HEROLD ENGINEERING

Schedule F - Stormwater Management Plan
DP 3060-21-08
1201 & 1251 Christie Road
8 Pages

DATE: October 24, 2022 **PROJECT No.:** P22-6163
PROJECT NAME:
1201 Christie Road
Stormwater Management Review

Attn:
Town of Ladysmith
Engineering Department

From: Patrick Ryan, P. Eng.

☐ For Your Information/Records ☐ As Requested
☒ For Your Review/Approval ☐ ***URGENT***

Transmitted via: ☒Email ☐Mail ☐Courier ☐Hand ☐Fax No. 7 Pages Following

1201 Christie Road
Stormwater Management Review

To Whom it may Concern,

The intent of this review is to identify possible issues related to storm servicing for this site and to suggest appropriate approaches for the design of this development pertaining to stormwater management. The project is located at 1201 Christie Road in Ladysmith, BC. The existing lot is zoned R3-A (Low Density Residential) and is currently undeveloped (please see Figure 1 below). The proposed development consists one multi-family apartment building (Block A) and three multi-family townhouse buildings (Blocks B-D - please see Figure 2 below).

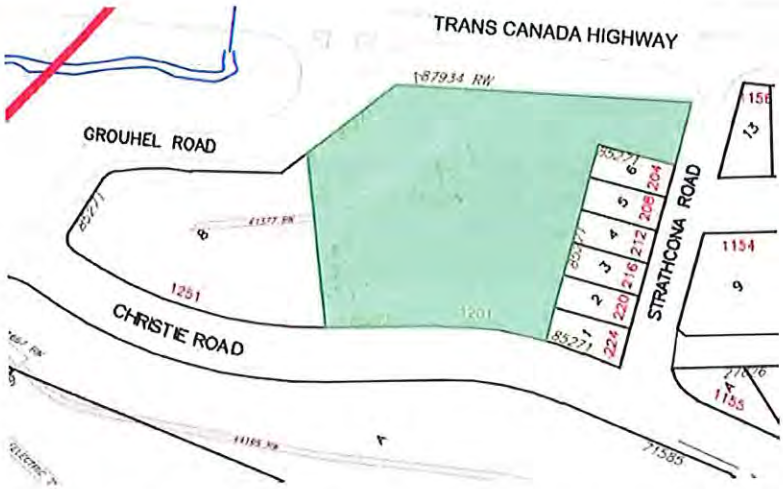


Figure 1: 1201 Christie Road (Credit: Town of Ladysmith Cadastral Map)

3701 Shenton Road, Nanaimo, BC V9T 2H1 Telephone: 250-751-8558 email: mail@heroldengineering.com

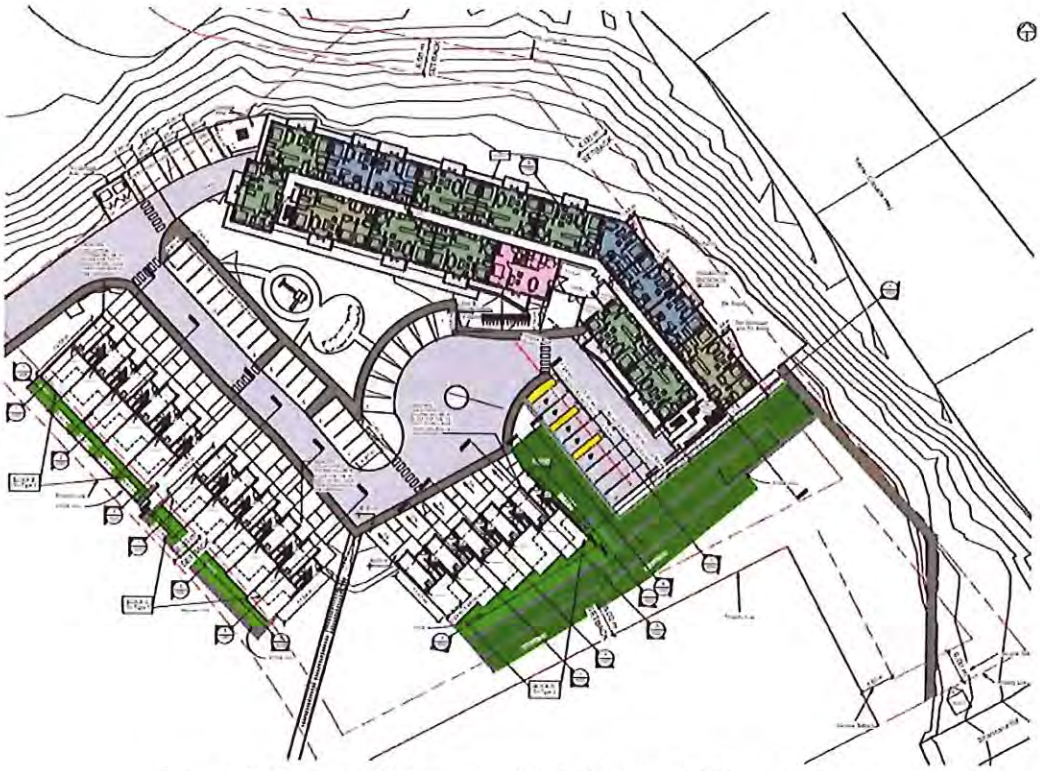


Figure 2: Proposed Development (Credit: BC Architecture)

Stormwater Management Rationale:

The following stormwater management plan was created in conjunction with the project architect (BC Architecture) and Landscape Architect (KD Planning & Design). The plan is based on Town of Ladysmith Engineering Standards & Specifications (2002) requirements as well as the "Stormwater Source Control Design Guidelines 2012" (SSCDG), which was consulted for stormwater management best practices. See drawing SK-1 for details.

Site Overview & Existing Conditions

1. The site is approximately 1.29ha in size, and slopes from west to east (towards the Trans-Canada Highway/Grouhel Road frontage). There is an existing ditch along the south side of the Trans-Canada Highway and Grouhel Road with a 600Ø culvert inlet near the northwest property corner which directs runoff into a 1050Ø storm sewer that outlets into Rocky Creek on the north side of Grouhel Road. Please see the attached Town of Ladysmith stormwater infrastructure map for details.

2. There is currently no piped storm sewer connection to the site. We propose to install a new storm sewer outlet for this development that outlets overland into the existing ditch noted in point #1.

3. An initial geotechnical review of the site completed by Evertek Engineering indicates that the subgrade of the site will be suitable for stormwater infiltration. The subsurface conditions are a compact sand with a permeability of 76 mm/hr. Where possible, the storm sewer system will be designed to infiltrate into the ground (via rock pit, subsurface detention tank, rain gardens,

absorbent soils, and pavers where feasible) in order to mimic the predevelopment conditions. Any infiltration facilities will be refined during detailed design in coordination with the project team.

Stormwater Detention

4. For the purposes of this report, the majority of stormwater that lands on the impermeable surfaces (building roofs, asphalt driveways and sidewalks), will be directed via roof leaders and catch basins to a below ground detention system which would either be a rock pit or modular tank. The system will be sized to detain a 10-year return period rainfall (minor) event in Ladysmith, which for this site, is 36.0m³. Due to the subgrade conditions noted in point #3, the detention system will be designed to infiltrate into the ground.

    a. In addition to the detention system noted above, the site will also include an additional below ground storage tank in advance or 'upstream' of the main detention system to collect roof leader drainage from Block A for re-use on site for irrigation. This tank will include an overflow to the site detention system, and will be sized in coordination with the mechanical and landscape consultants for irrigation demands.

    b. Due to the site grades, the parkade access runoff and sections of Block A perimeter drainage won't be able to directed into the systems via gravity flows. Flows from these areas will likely need to be pumped up to the detention system, or be directed to the northeast side of the site and into absorbent soils via gravity. Any pumped system will be part of the mechanical scope and will be refined in detailed design in coordination with the mechanical consultant.

    c. Where feasible, localized source control features for impermeable area drainage will be considered and reviewed (rain gardens, absorbent soils, swales etc.).

5. The outflow from the detention system will flow through an orifice-control manhole to limit the outflow to natural, pre-development (forested) levels. For this site, the allowable outflow is 53.17l/s. There will also be an overflow for storm events greater than a 10-year event to follow the major system noted below. The orifice-control manhole will outlet to the new storm sewer outlet noted in point #2. Please see the supporting calculations for details.

Water Quality

6. Runoff from impermeable parking areas will flow through an oil/grit separator before leaving the site. Where possible, runoff will be directed through swales and/or rain gardens to provide additional treatment.

Downstream Storm Sewer, Overflow and Major System

7. Currently, overland flow from a 100-year rainfall event on the site would travel east towards the ditch beside the Trans-Canada Highway and be directed towards Rocky Creek. The proposed development will include site grading to promote drainage to the storm sewer system and direct overland flows away from neighbouring properties.

Please let me know if you have any questions about the information presented above.

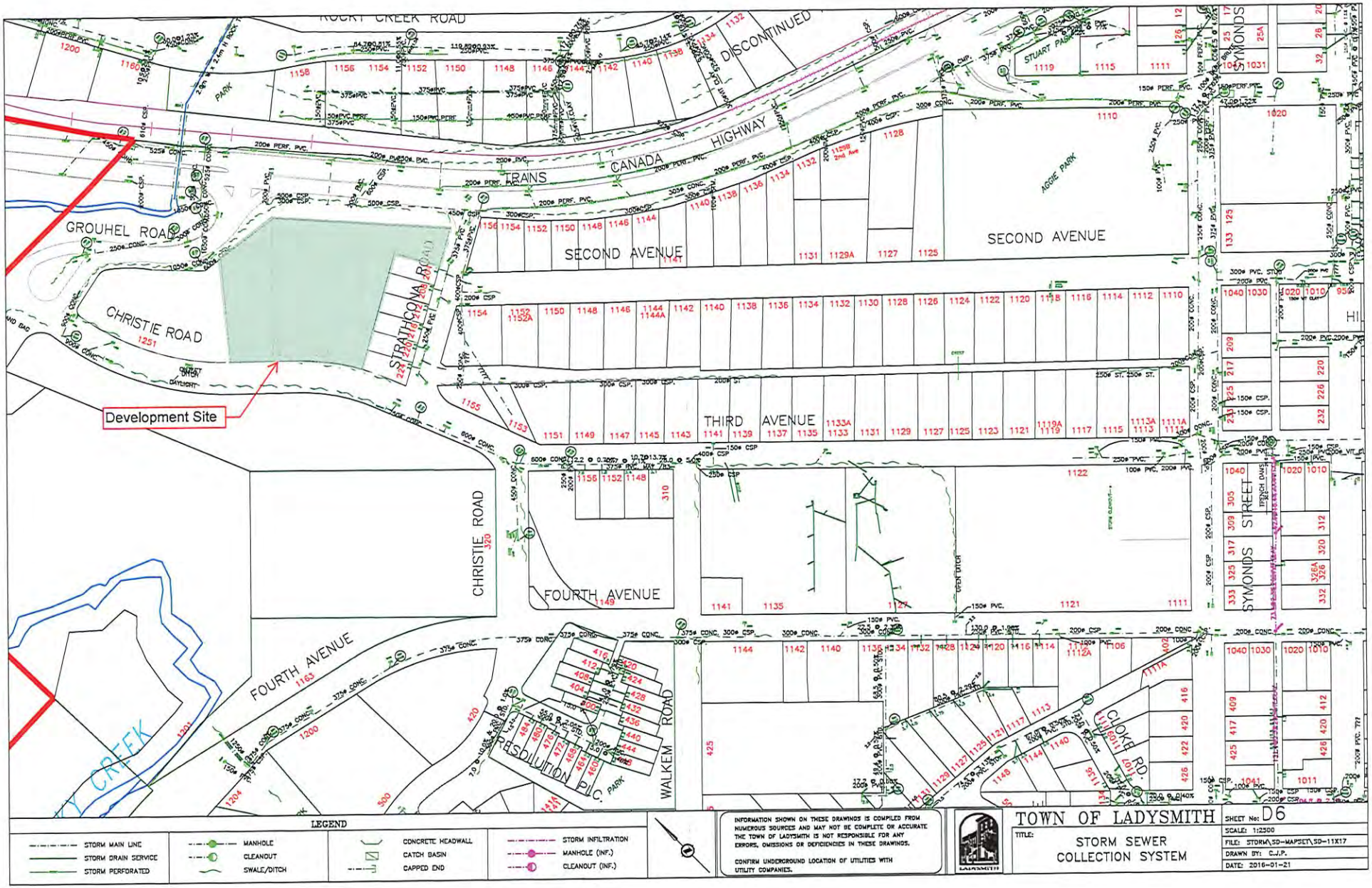
Regards,

Per: _____
Patrick Ryan, P. Eng.

CC: Westcor Lands Ltd.
BC Architecture

HEROLD ENGINEERING

3701 Shenton Rd. Nanaimo, BC V9T 2H1
mail@heroldengineering.com
(250)751-8558


ROCKY CREEK ROAD
DISCONTINUED
CANADA HIGHWAY
TRAINS
GROUHEL ROAD
CHRISTIE ROAD
STRATHCONA ROAD
SECOND AVENUE
THIRD AVENUE
FOURTH AVENUE
AGGIE PARK
STUART PARK
SYMONDS STREET
CHOKE RD.
WALKEM ROAD
RESOLUTION P.C. PARK
Development Site
LEGEND
STORM MAIN LINE
STORM DRAIN SERVICE
STORM PERFORATED
MANHOLE
CLEANOUT
SWALE/DITCH
CONCRETE HEADWALL
CATCH BASIN
CAPPED END
STORM INFILTRATION
MANHOLE (INF.)
CLEANOUT (INF.)
INFORMATION SHOWN ON THESE DRAWINGS IS COMPILED FROM NUMEROUS SOURCES AND MAY NOT BE COMPLETE OR ACCURATE. THE TOWN OF LADYSMITH IS NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR DEFICIENCIES IN THESE DRAWINGS.
CONFIRM UNDERGROUND LOCATION OF UTILITIES WITH UTILITY COMPANIES.
TOWN OF LADYSMITH
TITLE:
STORM SEWER COLLECTION SYSTEM
SHEET No: D6
SCALE: 1:2500
FILE: STORM\SD-MAPSET\SD-11X17
DRAWN BY: C.J.P.
DATE: 2016-01-21

PROJECT NAME: 1201 Christie Road Development
PROJECT LOCATION: Ladysmith, BC
DESIGNED BY: Scott Jensen, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: P22-6163
DATE: 24/10/2022

Predevelopment Area	C	Area (m^2)	Area (ha)
Forested	0.25	12900	1.29
N/A	0.00	0	0.00
Total Average	**0.25**	**12900**	**1.29**

Post Development Area	C	Area (m^2)	Area (ha)
Building Area	0.90	2820	0.28
Asphalt Parking Lot	0.90	2250	0.23
Sidewalk/Pavers	0.70	765	0.08
Landscaping	0.25	7065	0.71
N/A	0.00	0	0.00
Total Average	**0.53**	**12900**	**1.29**

IDF Curve	CITY OF NANAIMO

1. Based on the City of Nanaimo MOESS 2020 Dwg. No. SW-25 - Rainfall Curves

Results Summary		
Pre-Development Flow Rate (L/s)	53.17	
Post-Development Flow Rate (L/s)	113.18	10-Year
Total Detention Volume (m^3)	36.01	10-Year

Pages Following:
- 10-Year Detention Calculations

PROJECT NAME: 1201 Christie Road Development
PROJECT LOCATION: Ladysmith, BC
DESIGNED BY: Scott Jensen, EIT
REVIEWED BY: Patrick Ryan, P.Eng.

HEL PROJECT No.: P22-6163
DATE: 24/10/2022

IDF Curve	CITY OF NANAIMO	10-Year

Time of Concentration (min)	
t_c (Pre)	10
t_c (Post)	10

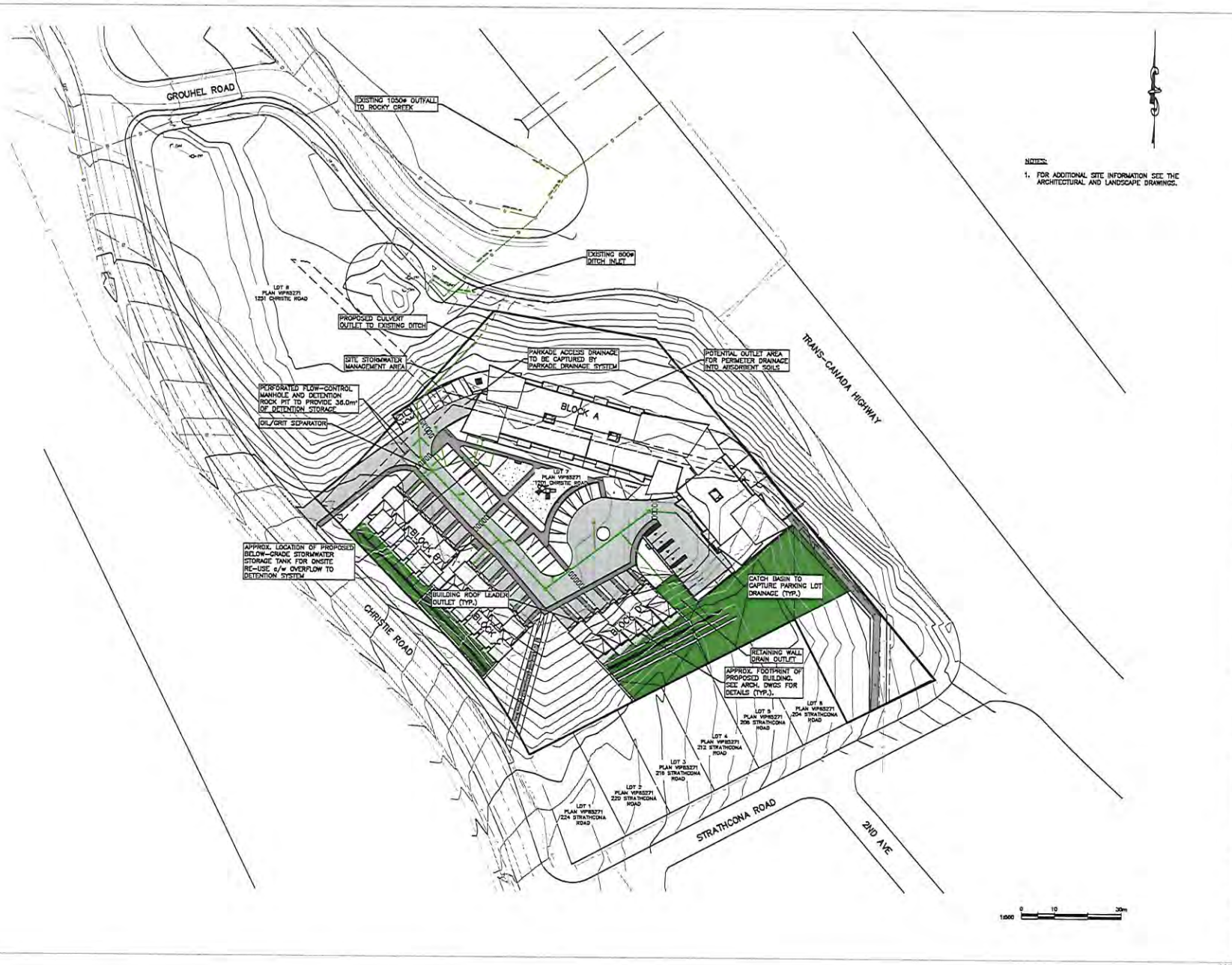
$R=A*t_c^B$	
A_2=	22.7
B_2=	-0.536

Predevelopment Area	C	Area (m^2)	Area (ha)	Flow (L/s)
Forested	0.25	12900	1.29	53.17
N/A	0.00	8874	0	0.00
Total Average	0.25	12900	1.29	53.17

Post Development Area	C	Area (m^2)	Area (ha)	Flow (L/s)
Building Area	0.90	2820	0.282	41.85
Asphalt Parking Lot	0.90	2250	0.225	33.39
Sidewalk/Pavers	0.70	765	0.0765	8.83
Landscaping	0.25	7065	0.7065	29.12
N/A	0.00	0	0	0.00
Total Average	0.53	12900	1.29	113.18

Duration (hr)	I (mm/hr)	Inflow (L/s)	Total Inflow Volume over Duration (L)	Total Allowable Outflow Volume over Duration (L)	Storage Required (m^3)
0.083	86.0	164.11	49233	15952	33.28
0.100	78.0	148.83	53579	19142	34.44
0.117	71.8	137.03	57552	22332	35.22
0.167	59.3	113.18	67910	31904	36.01
0.250	47.7	91.08	81968	47856	34.11
0.500	32.9	62.81	113063	95711	17.35
0.750	26.5	50.54	136467	143567	-7.10
1.000	22.7	43.32	155954	191422	-35.47

Maximum Storage Required (m^3)	**36.01**



NOTES:

1. FOR ADDITIONAL SITE INFORMATION SEE THE ARCHITECTURAL AND LANDSCAPE DRAWINGS.

ISSUED

No.	DATE	ISSUED FOR
A	2022.10.21	DEVELOPMENT PERMIT

CLIENT

1201 CHRISTIE ROAD DEVELOPMENT

LADYSMITH, BC

WESTCOR LANDS LTD.

HEROLD ENGINEERING

3701 Shenton Rd, Nanaimo, BC V9T 2H1
Tel: 250-751-8556 Fax: 250-751-8559
Email: mail@heroldengineering.com

STORMWATER MANAGEMENT PLAN

DESIGNED SMJ	ENGINEER'S SEAL
DESIGN REVIEW PGR	
DRAFTED SMJ	
DRAFTING REVIEW PGR	
PROJECT No. P22-6183	CLIENT DRAWING No.
SCALE H: 1:500 V: N/A	PERMIT No.
HEL DRAWING No. SK-1 1 of 1	REVISION A

DESTROY ALL DRAWINGS SHOWING PREVIOUS REVISION

File: H:\Projects\2022 Projects\P22-6183 1201 Christie Road Development\P22-6183 Civil Drawings.dwg Full Time: Oct. 24, 22 3:48 PM User: Patrick Ryan

Attachment C

3D View 1

3D View 2

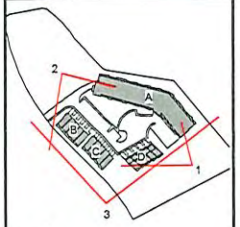
3D View 3

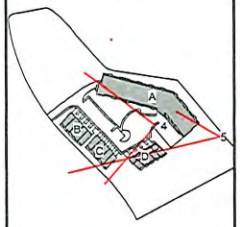
3D View 4

3D View 5

BCA BIRLIGA + CRESPO ARCHITECTURE

300-848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475





Note: Trees and vegetation shown in this images are conceptual only, see landscape plan for details

No.	Date	Description
C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt		

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

3D Views

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A001

Scale	1 : 2000

3D View 6

3D View 8

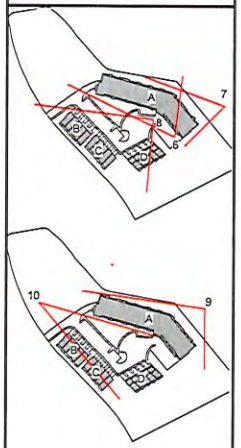
3D View 9

3D View 7

3D View 10

BCA BIRLIGA + CRESPO ARCHITECTURE

300-849 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



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No.	Date	Description
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Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

3D Views

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A002

Scale 1 : 2000

3D View 11

3D View 12

3D View 13

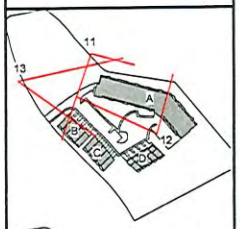
3D View 14

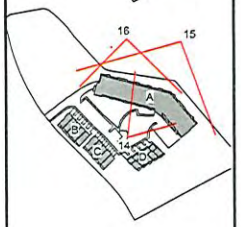
3D View 15

3D View 16

BCA BIRLIGA + CRESPO ARCHITECTURE

300 - 848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475





Note: Trees and vegetation shown in this images are conceptual only, see landscape plan for details

No.	Date	Description

C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

3D Views

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A003

Scale 1 : 2000

3D View 17

3D View 19

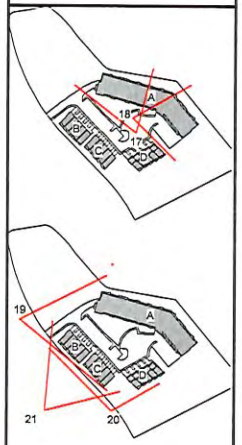
3D View 18

3D View 20

3D View 21

BCA BIRLIGA + CRESPO ARCHITECTURE

300 - 849 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description

C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

3D Views

Project number	202110012
Date	2022 10 21
Drawn by	Xavier Crespo
Checked by	Xavier Crespo

A004

Scale 1 : 2000

3D View 22

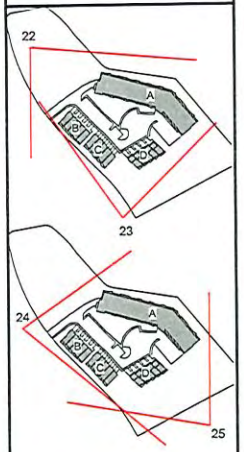
3D View 23

3D View 24

3D View 25

BCA BIRLIGA + CRESPO ARCHITECTURE

300-848 Courtney St. Victoria BC V8W 1C4
xcrespo@bcarchitecture.ca
778 400 5475



No.	Date	Description

C:\Users\SALOME\Documents\Trabajo\Lady Smith\Development Permit\2022 10 20 Civil Retaining Walls\2022 10 20 Lady Smith Mass Plan.rvt

Development Permit

1201 Christie Rd.
LADYSMITH
Westcor Lands Ltd.

3D Views

Project number	202110012
Date	2022 10 21
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A005

Scale 1 : 2000

ATTACHMENT D – REVIEW OF DPA GUIDELINES

The following table provides a summary of the consistency of the proposal for 1201 & 1251 Christie Road with the Development Permit Area 4 – Multi-Unit Residential.

Guideline	Staff Observations
Building Design	• Buildings are designed in a Pacific Northwest Theme with wood panel/metallic finishing and angled roofs. • According to the architect, the site plan and interior layouts were informed by consideration for privacy, light orientation etc.
Building Siting, Massing & Height	• The townhomes meet the height restrictions in the zoning bylaw. • The height of the multi-unit building is proportional to the site. The highest point of the multi-unit building is less than a metre higher than the highest peak of the townhouse buildings due to the grade change. • Because of the elevation change, the road (pavement) at the intersection of Strathcona Road and Christie Road is almost two metres higher than the roof of the multi-unit building. • Although there are many retaining walls, the site plan was designed to make use of the existing topography without significant cuts and fills.
Building Frontage	• Buildings are articulated/modulated and visually broken up into smaller units. • Buildings are oriented into an interior courtyard rather than the street to accommodate the natural topography. • The buildings have been designed with consideration for the views of the buildings from the adjacent streets (Christie Road, Strathcona Road, Trans-Canada Highway). • Blank walls have been kept to a minimum.
Roof Form	• Sloping roofs on the townhomes create visual interest from Christie Road and articulate each unit. • The flat roof of the apartment building has been modulated with architectural embellishments to add visual interest. • The elevator penthouse for the multi-unit building is integrated into the roof design.
Windows & Doors	• Townhouses have separate entrances with strong unit identity. • Windows are mainly recessed. • Contrary to the guidelines, the entrances are not oriented towards the street. They are oriented towards an interior courtyard due to the topography.
Signs, Canopies & Lighting	• Signage has not been proposed, any signage will require a sign permit.

Guideline	Staff Observations
	• Overhangs provide weather protection for building entrances including for each Townhouse and for the main entrance of the multi-unit dwelling. • Exterior lighting is provided to illuminate the exterior pathways, parking and amenity areas.
Livability	• Privacy has been considered in site plan and interior layouts. • The applicant has agreed to provide triple-pane windows and additional sound insulation for the walls facing the highway in the multi-dwelling building. • The main outdoor amenity space is sheltered from the highway noise by the multi-unit building. • Private balconies are provided for each unit in the multi-unit building. • There are balconies and rear patios for each townhouse. • Shared amenities for the property are proposed to include community garden plots, play equipment and a barbeque area.
Materials & Colours	• Buildings are sided with fibre cement panels, wood-composite and metallic panels. • All buildings use a cohesive colour palette made up of white, grey, wood, and metallics.
Mechanical, Electrical & Security Equipment	• Exterior mechanical and electrical components are strategically located. • The rooftop mechanical and exterior mechanical units are required to be screened.
Accessibility & Connectivity	• Townhomes have stairs and are less accessible. • Multi-unit building has accessible entrances at ground level and to the underground parking. • One accessible unit is proposed per floor for a total of 3 accessible units. • Pedestrian walkways connect all building entrances to the main entrance on Christie Road. Additional walkways provide connections to Christie Road and Strathcona Road.
Vehicle & Bicycle Parking	• The majority of the required parking for the multi-unit building is provided underground. Each townhome has a garage and a parking space in front of the unit. • The underground parking area will have two EV charge stations and two additional "EV charger ready" spaces. • The garages for the townhomes are all "EV charger ready". • Indoor and outdoor bicycle parking is provided. The bicycle storage for the multi-unit building includes charging outlets for e-bikes.

Guideline	Staff Observations
Landscape	• Existing vegetation and topography has been incorporated into the landscape plan. • Retaining walls are stepped and incorporate landscaping between the steps. • Wooden fences are provided to provide privacy between the townhomes. • Wooden split-rail and a wood picket fence are proposed to separate the amenity areas from the parking areas. • All areas of the property which are not used for other purposes are either landscaped or existing vegetation will be retained. • The landscape plan incorporates native and drought tolerant species. • Landscape bond of $105,475 will be required. A report from the landscape professional will be required to release the bond. • Drip irrigation is proposed with roof water
Energy Conservation, Rainwater Management, Water Conservation	• EV chargers and EV charger "ready" parking stalls are provided. • A conceptual level rainwater management plan has been provided, with the intention to incorporate low-impact strategies including maximizing ground infiltration and re-using captured water for irrigation. • Large areas of the property are landscaped and permeable surfaces are proposed for the amenity areas. • Additional measures are required through the development covenant on the property.
Recycling, Organics & Solid Waste Management	• Solid waste enclosures are provided.
Crime Prevention	• Exterior lighting is proposed and buildings overlook the amenity areas. • Landscape plan incorporated consideration for principles of safety and crime prevention.

Received May 13, 2022

Within Circulation Area

From: Raymond Gourlay
Sent: May 13, 2022 11:31 AM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: Christie Road Development

Hello,

I recently received the notice of development variance permit for 1201 & 1251 Christie Road. My family and I live at 1155 Christie Road, nearby the proposed development. I am in favour of the proposed development for several reasons:

1. Condos and townhouses fill an important role in the variety of housing needed in a town. Ladysmith has relatively little of such housing. Condos and townhouses are attractive for first time buyers, many of whom are young couples and families that are an important driver in economic growth, vibrancy, and workforce in our town. This class of housing is also ideal for many retirees who also play a critical role in the health of Ladysmith. Some retirees may want to downsize without leaving Ladysmith. This could mean more single-family homes become available, for which there is great demand. We want a town that is welcoming to all demographics and facilitating a variety of housing classes is key to this.

2. This is a good location for the proposed development. There is convenient access *from* the highway and *to* the highway (Southbound). The advantage of this highway access means there will not necessarily be any added traffic in most residential areas elsewhere in Ladysmith. This makes it lower-impact (on traffic) than in-fill developments that create more density in existing neighbourhoods or that create new neighbourhoods at the back of town.

The location is seperate from existing detached-house neighbourhoods which means it won't look or seem "out of place" or block anyone's view. The fact that it is less than one kilometre from downtown (groceries, the new bus stop, etc.) also makes it ideal for those without a vehicle, which is an important consideration.

All of that being said, I DO have concerns for the added traffic that 66 new residences will cause, specifically on Christie Rd to Symonds St and Strathcona Rd to 2nd Ave. Local traffic (driving to other parts of Ladysmith) is totally expected and acceptable, however the real problem lies with the intersection of Grouhel Rd and the Island Highway. As I mentioned above, turning South is safe and convenient from either Grouhel Rd or Strathcona Rd but turning North (left) at Grouhel is dangerous and inconvenient. As a result, the growing population in "The Diamond" and around our house (including me) often choose to access the highway via the intersection on 1st Ave. This causes excessive volume on 2nd Ave and Symonds St, both of which are residential streets with many pedestrians (and a ridiculous hill), not intended for this much traffic.

As part of approving the proposed development on Christie Rd, I urge the town to work with the BC Ministry of Transportation and Infrastructure to create a safe way for traffic to turn left at Grouhel Rd. Without resorting to a full intersection with stop lights, a designated turning lane could be added to safely allow traffic to turn left and join northbound traffic without waiting for a large opening in both directions of traffic. Turning lanes like this have been added in numerous

Vancouver Island communities with success. This could significantly reduce the traffic on the streets mentioned above and make this beneficial development even more attractive.

Sincerely,

Ray Gourlay

received May 29, 2022

From: James Ongarato
Sent: May 29, 2022 12:54 PM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: Your File: DVP 3090-22-01

We are against the application for "Development Variance Permit". A storey is 3.04 metres (10 ft). The existing Bylaw of 10.0 metres (32.8 ft) is quite adequate for a residential "...three-storey multiple-unit dwelling...". Adding 2.5 metres (8.2 ft) will significantly block the view from all vantage points needlessly.

Having stated this opposition to the Development Variance Permit, we would also like to state we are in favour of the development of this property within the "Town of Ladysmith Zoning Bylaw 2014, No. 1860" guideline(s).

James Ongarato

Sent from my iPad

Status: Registered Doc #: CA1880668 RCVD: 2011-01-25 RQST: 2021-05-04 14.11.30

FORM_C_V17 (Charge)

VICTORIA LAND TITLE OFFICE

Jan-25-2011 15:47:04.001

CA1880668

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

David MacLeod Pilling 5Z63G8

Digitally signed by David MacLeod Pilling 5Z63G8
DN: c=CA, cn=David MacLeod Pilling 5Z63G8, o=Lawyer, ou=Verify ID at www.verifyID.ca, ou=LTSA, ou=5Z63G8
Date: 2011.01.25 15:30:35 -08'00'

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

STAPLES McDANNOLD STEWART
BARRISTERS AND SOLICITORS
2ND FLOOR, 837 BURDETT AVENUE
VICTORIA, B.C., V8W 1B3

Tel. No. (250) 380-7744
File No. 173 017 DP/lg

Document Fees: $71.90

Deduct LTSA Fees? Yes ☑

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

SEE SCHEDULE

STC? YES ☐

3. NATURE OF INTEREST | CHARGE NO. | ADDITIONAL INFORMATION

Covenant | | Section 219 Covenant

4. TERMS: Part 2 of this instrument consists of (select one only)
(a) ☐ Filed Standard Charge Terms D.F. No. (b) ☑ Express Charge Terms Annexed as Part 2
A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

TOWN OF LADYSMITH

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

TOWN OF LADYSMITH

410 ESPLANADE, P.O. BOX 220
LADYSMITH BRITISH COLUMBIA
V9G 1A2 CANADA

7. ADDITIONAL OR MODIFIED TERMS:
N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)	Execution Date Y	M	D	Transferor(s) Signature(s)
Joanna Winter Commissioner for taking Affidavits for the Province of British Columbia 410 Esplanade Ladysmith, B.C. V9G 1A2 (as to both signatures)	11	01	21	Town of Ladysmith by its authorized signatories: Robert Hutchins - Mayor Sandy Bowden - Corporate Officer

OFFICER CERTIFICATION:
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

Status: Registered Doc #: CA1880668 RCVD: 2011-01-25 RQST: 2021-05-04 14.11.30

FORM_F_V17

LAND TITLE ACT
FORM E

SCHEDULE PAGE 2 OF 11 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

027-560-988 **LOT 7, DISTRICT LOT 147, OYSTER DISTRICT, PLAN VIP85271**

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

027-560-996 **LOT 8, DISTRICT LOT 147, OYSTER DISTRICT, PLAN VIP85271**

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

TERMS OF INSTRUMENT - PART 2

WHEREAS:

A. The Transferor is the registered owner in fee-simple of those lands and premises located within the Town of Ladysmith, in the Province of British Columbia, more particularly described as:

PID #027-560-988

Lot 7, District Lot 147, Oyster District, Plan VIP85271 ("Lot 7")

PID #027-560-996

Lot 8, District Lot 147, Oyster District, Plan VIP85271 ("Lot 8")

(collectively referred to as the "Lands")

B. The Transferee is the Town of Ladysmith;

C. The Transferor acknowledges that it is in the public interest that the development of the Lands be limited and wishes to grant this covenant to the Transferee;

D. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of:

- the use of land or the use of a building on or to be erected on land;
- that land is to be built on in accordance with the covenant;
- that land is not to be built on or subdivided except in accordance with the covenant;
- that land is not be sold or otherwise transferred separately;

may be granted in favour of the municipality and may be registered as a charge against the title to that land.

NOW THEREFORE THIS AGREEMENT WITNESSES that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE ($1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the Transferee (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

1. The Transferor covenants and agrees with the Transferee that it shall not use or permit the use of the Lands or any building on the Lands for any purpose, construct any building on the Lands or subdivide the Lands except in strict accordance with this Agreement.

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2. Design of Buildings

2.1 In the development of the Lands the Transferor shall cause any buildings and structures on the Lands to be developed and built in accordance with the design guidelines and green building guidelines attached as Schedule A to this agreement.

2.2 The covenant in section 2.1 does not detract from or relieve the Transferor of its obligations to comply with the official community plan, zoning bylaw and other applicable bylaws in the development of the Lands.

3. Greenspace

3.1 In the development of the Lands the Transferor shall create and maintain an area equivalent to a minimum of 44 m^2 per dwelling unit built on the Lands as:

(a) landscaped outdoor useable greenspace for residents of the development;

(b) a landscaped area to buffer the adjacent single family development located on lands legally described as Lots 1 to 6, District Lot 147, Oyster District, Plan VIP85271; and

(c) landscaped buffers between the development and all public highways.

3.2 Landscaping of the area under section 3.1 shall be done and maintained in accordance with the landscape plan attached as Schedule "B".

4. Discharge of Covenant

The Transferee shall, at the cost of the Transferor, cause the discharge of this section 219 covenant from title to the Lands following the issuance by the Transferee of a permit under section 920(2) of the *Local Government Act* that includes conditions respecting each of the conditions contained in sections 2.1 and 3.1 upon the completion by the Transferor of the requirements of the development permit to the satisfaction of the Transferee.

5. Indemnity

The Transferor shall indemnify and save harmless the Transferee from any and all claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which anyone has or may have against the Transferee or which the Transferee incurs as a result of any loss or damage or injury, including economic loss, arising out of or connected with:

(a) the breach of any covenant in this Agreement;

(b) the use of the Lands contemplated under this Agreement; and

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(c) restrictions or requirements under this Agreement.

6. The Transferor hereby releases and forever discharges the Transferee of and from any claims, causes of action, suits, demands, fines, penalties, costs or expenses or legal fees whatsoever which the Transferor can or may have against the Transferee for any loss or damage or injury, including economic loss, that the Transferor may sustain or suffer arising out of or connected with:

(a) the breach of any covenant in this Agreement;

(b) the use of the Lands contemplated under this Agreement; and

(c) restrictions or requirements under this Agreement.

7. At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.

8. Nothing contained or implied in this Agreement shall prejudice or affect the rights and powers of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders and regulations, all of which may be fully and effectively exercised in relation to the Lands as if the Agreement had not been executed and delivered by the Transferor.

9. Time is of the essence of this Agreement.

10. The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.

11. It is mutually understood, acknowledged and agreed by the parties hereto that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.

12. The Transferor shall pay the legal fees of the Transferee in connection with the preparation and registration of this Agreement. This is a personal covenant between the parties.

13. The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.

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

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

16. The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Transferee as a first charge against the Lands.

17. The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.

18. If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.

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

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C, page 1, attached hereto.

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Schedule "A"
Design Guidelines

Design Guidelines for Multi-family Developments

In 2008 the Town of Ladysmith completed an 'experienced-driven' community planning "Visioning" process which identified a sustainability strategy for the Town and identified a preferred character for the community. The "Design Guidelines" and "Green Building Guidelines" listed below are consistent with the Official Community Plan (Bylaw 1488) and are intended to guide the form of multi-family development towards the Ladysmith vision.

Multi-Family Development Design Guidelines

The objectives of the 'Multi-family Development Design Guidelines' are to ensure that site planning and architectural elements are of a human scale and create a sense of neighbourhood identity through a coherent architectural language with regard to form, site orientation, landscaping, and streetscape elements (Ladysmith: A Community Vision for a Sustainable West Coast Town – Appendix 1: Public Preference Handbook). The following guidelines apply to multi-family development.

- The scale, bulk, mass, character shape and form of new development must relate positively to neo-heritage, eco-responsive, and Pacific North West architectural character, which is expressed through the following features.
- The exterior design of individual residential units and clusters of residential units are to include façade modulation, attractive window patterns, roof line changes, alternating dormers, gables, stepped roofs, building plane material changes, and variations in colour.
- Street front porches and patios are to be included as architectural features and useable private outdoor space.
- The front building elevation should not be dominated by the garage.
- Windows, decks and balconies and landscape design are to respect privacy, sunlight exposure and views/privacy of neighbouring properties.
- Exterior building design elements, details, and materials will create a well-proportioned and unified building form.
- Site planning is to demonstrate urban site design elements, including:
  - Homeowner privacy, avoiding the casting of shadows on private outdoor space, and allowing for an engaging street presence.
  - Usable, attractive and well integrated public space networks.

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- Parking areas of smaller groupings of clustered parking, and landscape design including automobile to pedestrian pathways and alternative storm water management.
- Buildings oriented towards a public road.
- Avoiding side by side placement of identically designed homes.

Multi-Family Development Green Building Guidelines

The objectives of the 'Green Building Guidelines' are to promote sustainable development which strives to reduce energy consumption, water and material use, and reduces impacts to the sites and ecosystems in which they are located (Ladysmith: A Community Vision for a Sustainable West Coast Town – Strategy #3).

Multi-family developments will include a combination of the following green features:

- For water conservation: installing individual unit water meters and low flow plumbing fixtures; supplementing irrigation systems with rain water collection systems.
- Landscape design that includes the use of native, drought tolerant plants; on-site stormwater management, opportunity for a community garden; pedestrian trail linkage opportunities to adjacent park and recreation spaces; use of permeable driveways and walkways where possible to reduce surface run-off and to enhance landscaped areas; use of rainwater collection.
- Providing locations for bicycle storage.
- Using energy efficient windows and appliances.

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SCHEDULE B

LANDSCAPE AND SCREENING GUIDELINES

1. PURPOSE

These guidelines set out basic landscaping objectives. The onus is on the applicant to provide a development that meets or exceeds these general standards. Landscape areas are intended to enhance the appearance of the site and the building and should not be regarded simply as those areas of the site that are left over after all other bylaw requirements have been met

2. GENERAL GUIDELINES

a) Those portions of the lot not used for buildings or structures off-street parking, off-street loading, or outside storage should be landscaped The use of native, drought tolerant plant material is preferable when appropriate

- A minimum of one tree should be provided for every 35 m^2 of landscape area.

- Recommended minimum container/caliper sizes are as follows:
  - Groundcover #SP3
  - Vines #1 pot
  - Shrubs #2 pot
  - Deciduous trees 6.0 cm. caliper
  - Conifer trees 1.5 m height

- Groundcover in landscape areas should be live plants rather than mulch, gravel, or rocks.

- Shrub and groundcover landscape areas should be established and filled in within three years for shrubs, or two years for groundcover.

- Plant shrubs and groundcovers in masses where appropriate, with at least three of each shrub together and at least 10 of one type of groundcover together.

- Raised beds for vegetable growing are desirable

- Drip irrigation is preferred.

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3. LANDSCAPE BUFFER GUIDELINES

- A suitable street tree as per the Town's approved list should be provided for every 15.0 m of property line abutting a public right-of-way except where there are existing canopy trees within the boulevard. Where trees are to be provided they should be planted subject to Engineering Department approval, on the boulevard at no cost to the municipality.

- A landscape buffer should be provided along the Trans Canada Highway frontages. Uses that do not require public exposure should be screened with berming, hedging, fencing, existing natural vegetation, or a combination thereof. Uses that require public exposure should utilize landscaping to provide another layer of detail to the development and to highlight architectural features.

4. PROTECTION OF TREES

Where possible, existing trees should be preserved and protected during construction.

- Care should be taken to maintain existing grades around trees or to provide properly constructed tree wells.

- Dirt, rock, construction materials, and debris should not be stored around existing trees.

- Trees to be retained should be protected with suitable fencing such as plywood boarding.

- Existing trees on public right-of-ways may not be removed or pruned without first obtaining approval from the Town and/or Ministry of Transportation.

5. OUTDOOR USEABLE GREENSPACE FOR THE RESIDENTS OF THE DEVELOPMENT

- Design for no dead space: every area has a purpose even for non-use.

- Identify where children and youth want to go or need to go and, to the extent possible, provide ways of getting there by foot that are as useable and safe for them as possible.

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- Separate pedestrian routes used by children and youth from heavily trafficked areas.
- Provide places for people through the use of scaled elements furniture warmth, and sense of comfortable enclosure with defined edges.
- Provide a comfortable space where public interaction and dialogue can occur.
- Incorporate a community garden opportunity.

6. PLAN SUBMISSION GUIDELINES

Plans submitted for development permit approval should include:

Landscape Plan and Plant List - plan prepared by a Landscape Architect or Landscape Designer indicating the location, species, and size of proposed planting material (the use of native, drought tolerant plant material is preferable where appropriate), existing trees to be retained, and grading, and exterior lighting information. Grades should be shown at the base of all trees to be retained as well as methods proposed for retention.

END OF DOCUMENT

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BRITISH COLUMBIA | Ministry of Transportation and Infrastructure

DEVELOPMENT SERVICES GENERAL COMMUNICATION

Your File #: 3060-21-08
eDAS File #: 2021-03357
Date: Jun/30/2021

Town of Ladysmith
Christina Hovey

Attention: Christina Hovey Senior Planner

Re: Proposed General Referral Approval Application for:
1201 Christie Road, Ladysmith
Map: 1158879,445148
1251 Christie Road, Ladysmith

Thank you for the referral, upon review the Ministry would like to see the Left out movements from the Hwy 1 and Grouhel Road intersection eliminated, this request would be in lieu of a Traffic Impact Assessment. Please advise, how you would like to proceed.

If you have any questions please feel free to call Jamie Leigh Hopkins at (250) 734-4825.

Yours truly,

Jamie Leigh Hopkins
Development Services Officer

Local District Address
Vancouver Island District
Third Flr
2100 Labieux Road
Nanaimo, BC V9T 6E9
Canada
Phone: (250) 751-3246 Fax: (250) 751-3289

March 25, 2022

Our File: 3060-21-08

James.miskulin@gov.bc.ca

James Miskulin, Client Relations Coordinator
Ministry of Transportation and Infrastructure
3rd Floor 2100 Labieux Road
Nanaimo, BC
V9T 6E9

Good afternoon Mr. Miskulin:

Regarding the below comments and the letter received from the Ministry of Transportation and Infrastructure (MOTI) on 30 June 2021 (attached), the Town of Ladysmith (Town) has the following comments.

The Town acknowledges the safety concern with left turn movements at Grouhel Road and Hwy 1, but has concerns regarding increased traffic originating from the neighbouring Diamond community of about 170+ car dependent homes. Closing the left turn movement onto Hwy 1 will leave drivers with three options:

- Turn right onto Hwy 1 and then left onto Ludlow Road and navigate back to Hwy 1 northbound;
- Turn right onto Hwy 1 and then right onto 1st Avenue, 180° around the Symonds and 1st round-about, then left onto Hwy 1 northbound; or
- Follow Christie Road through the Town including 1st Avenue and turn left (northbound) onto Hwy 1 at the signalized intersection.

The Town anticipates the last option will be the more often chosen route for the Diamond residents. This route is shown in the attachment "Possible Town Routes". There are several issues with this route, including:

- The roads are generally local roads;
- The Christie / 4th Avenue intersection will need to be assessed and upgraded as required;
- Symonds Street is around 20% grade and not a suitable collector; and
- Congestion is high between Symonds and Hwy 1 on 1st Avenue.

The Town requests the MOTI first considers signalizing Grouhel and Hwy 1. This option seems the best for multiple parties including the Town, Diamond, and the forestry industry. It is our understanding that forestry trucks currently use the right turn movement to Ludlow Road and Rocky Creek Road, then northbound on Hwy 1. A signalized intersection would make left turn movements possible for large trucks. This section of MOTI highway is already a posted 70km/hr zone with a signalized intersection approximately 550m south of the Grouhel intersection. The Town anticipates the impact to highway movement would be less than signalizing South Davis Road.

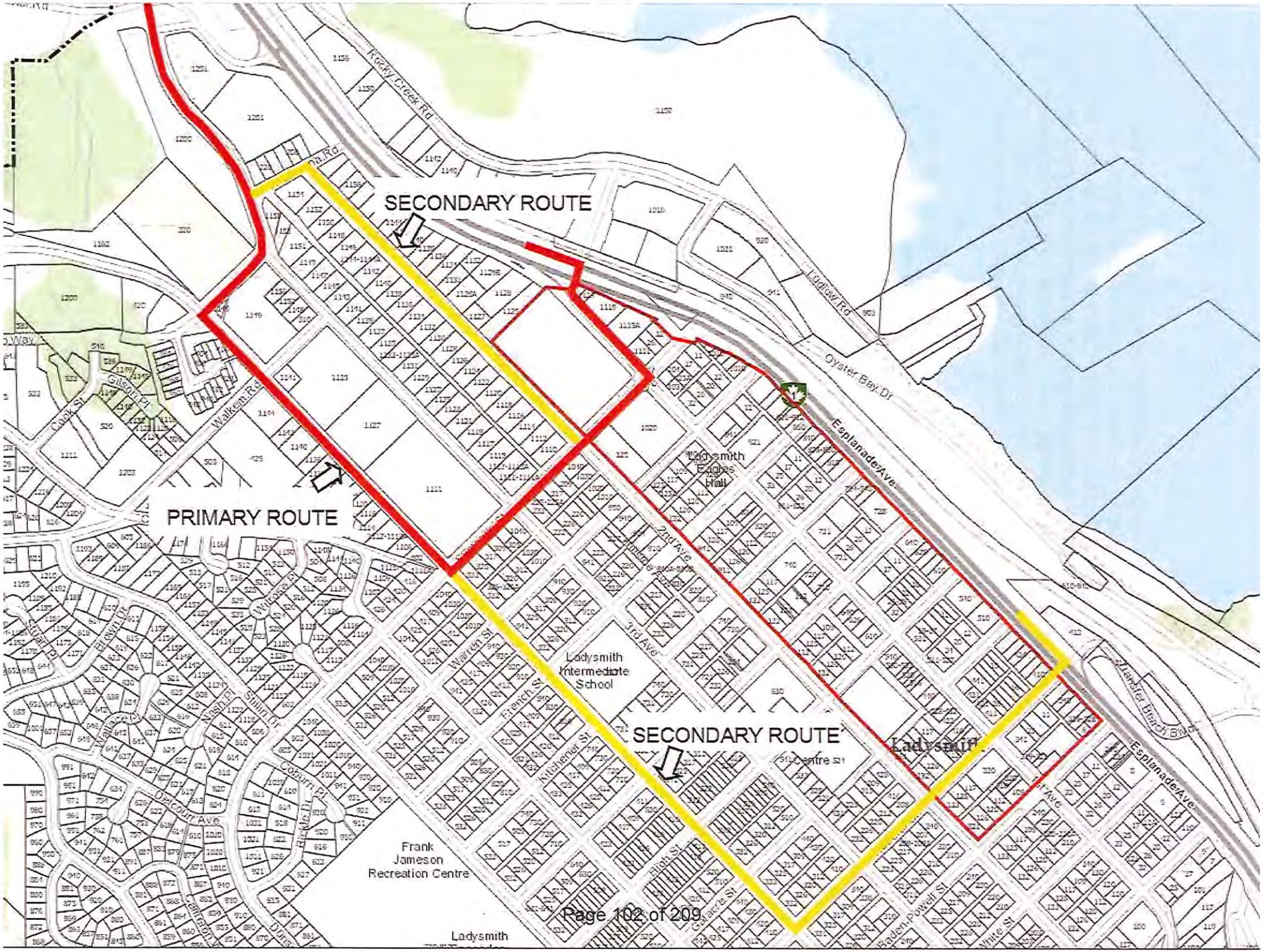
A second option would be to convert the Town portion of Christie Road into an active transportation corridor with limitations on travel including preventing south bound vehicle movement from the Christie / Grouhel intersection. I have attached a schematic of what is being considered. This would prevent the additional Diamond community traffic from choosing travel through the Town. We note that 550m to accelerate and change lanes could be challenging and 1st Avenue is quite congested.

I hope the MOTI will consider a signalized intersection or endorse changes to Christie Road. We are open to other possibilities and look forward to a reply.

Sincerely,

Christina Hovey
Senior Planner

Attachments


SECONDARY ROUTE
PRIMARY ROUTE
SECONDARY ROUTE
Rocky Creek Rd
Ludlow Rd
Oyster Bay Dr
Esplanade Ave
Ladysmith Eagles Hall
Ladysmith Intermediate School
Frank Jameson Recreation Centre
Transfer Beach Blvd
Walker Rd
Gibson Pl
Cook St
Warren St
French St
Kitchener St
2nd Ave
3rd Ave
Coburn Pl
Oldcourt Ave
Nash Pl
Stuart Pl
Ladysmith


APPROXIMATE TOWN BOUNDARY
ACTIVE TRANSPORATION IMPROVEMENTS
VEHICLE IMPEDIMENT
APPROXIMATE DEVELOPMENT ACCESS

BRITISH COLUMBIA | Ministry of Transportation and Infrastructure

DEVELOPMENT SERVICES GENERAL COMMUNICATION

Your File #: 3060-21-08
eDAS File #: 2021-03357
Date: Jun/30/2021

Town of Ladysmith
Christina Hovey

Attention: Christina Hovey Senior Planner

Re: Proposed General Referral Approval Application for:
1201 Christie Road, Ladysmith
Map: 1158879,445148
1251 Christie Road, Ladysmith

Thank you for the referral, upon review the Ministry would like to see the Left out movements from the Hwy 1 and Grouhel Road intersection eliminated, this request would be in lieu of a Traffic Impact Assessment. Please advise, how you would like to proceed.

If you have any questions please feel free to call Jamie Leigh Hopkins at (250) 734-4825.

Yours truly,

Jamie Leigh Hopkins
Development Services Officer

Local District Address
Vancouver Island District Third Flr 2100 Labieux Road Nanaimo, BC V9T 6E9 Canada Phone: (250) 751-3246 Fax: (250) 751-3289

STAFF REPORT TO COUNCIL

Report Prepared By:	Christina Hovey, RPP, MCIP, Senior Planner
Reviewed By:	Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date:	November 15, 2022
File No:	**4320-90-22-01 (LCRB File No. 055348)**
Re:	**Referral for Non-Medical Cannabis Retail Store – Unit # 16, 370 Davis Road ("Flight Cannabis Co.")**

RECOMMENDATION:

That Council, having considered the general impact on the community and the views of residents pursuant to section 33 of the *Cannabis Control and Licensing Act*, consider whether to:

1. Recommend that the Province issue a licence for a non-medical cannabis retail store at Unit # 16, 370 Davis Road for "Flight Cannabis Co."; and

2. Pursuant to section 13.5 of the Cannabis Licensing Regulation, provide reasons for the recommendation, based on:
   - The views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general;
   - Submissions from the public;
   - The context of the proposed location;
   - Local land use regulations; and/or
   - Other considerations.

EXECUTIVE SUMMARY:

A non-medical cannabis retail store ("Flight Cannabis Co.") is proposed at Unit #16, 370 Davis Road (Coronation Mall). Under the *Cannabis Control and Licensing Act* (CCLA), a non-medical cannabis retail store licence cannot be issued without a positive recommendation from the local government. Accordingly, the Province referred this licence application to the Town of Ladysmith and Council is requested to provide a response and explain their reasons. Staff confirm that the proposed use complies with the Zoning Bylaw. Council must also consider the views of the local government on the impact of the proposal/cannabis retail in general, as well as the views of residents when providing a reason for their recommendation to the Province.

PREVIOUS COUNCIL DIRECTION:

Resolution #/ Date	Resolution
CS 2020-004, Jan. 7, 2020	That Council: 1. Adopt Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw 2021; 2. Adopt Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 7, 2019, No. 2022; and 3. Approve Cannabis Retail Stores Public Notification Procedures Policy 13-6410-1

Resolution #/ Date	Resolution
CS 2019-298, Sept 16, 2019	(Recommendations from the Municipal Services Committee Held September 9, 2019) That Council: 2. Direct staff to prepare the necessary bylaw amendments to allow the retail sale of cannabis in a specified area of commercially zoned properties generally described as 1st Avenue and Esplanade between Ludlow and Baden-Powell Streets, as well as at Coronation Square. 3. Direct staff to include in the bylaw amendment to allow the retail sale of cannabis in a specified area of properties zoned light industrial in the area generally described as Ludlow Road and Rocky Creek Road.

***Note:** Committee of the Whole received a report on July 13, 2021 regarding potential changes to regulations regarding Cannabis Retail.

INTRODUCTION/BACKGROUND:

The applicant has requested a licence for a non-medical cannabis retail store located at Coronation Mall at Unit #16 – 370 Davis Road and the Province referred the application to the Town (Attachment C). Council is asked to provide a recommendation and explain their reasons. The proposed store is located in the northwest corner of the main level of the Coronation Mall. The Coronation Mall is a multi-unit commercial plaza. Current tenants include a grocery store, pharmacy, liquor store, and many others (Attachment A). The proposed store is approximately 200m^2 (2200sq. ft) in area and will be called "Flight Cannabis Co." Details about the proposed store were provided by the applicant and are in Attachment B.

Figure 1: Location of Proposed "Flight Cannabis Co."

The Proposed Use is Permitted by the Zoning Bylaw:

Licenced, non-medical cannabis retail sales is a permitted use on some parcels in the Shopping Centre Commercial (C-5) zone, including on the subject property. Non-medical cannabis retail sales is also a permitted use in the Downtown Commercial (C-2) zone and there are two existing retail cannabis stores located in the downtown.

Role of the Local Government is to Provide Comments and Recommendations:
Under the *Cannabis Control and Licensing Act* (CCLA) the Province refers all non-medical cannabis retail store licence applications to the local government for comments and recommendations. If the local government decides to provide a response to the Province's referral, the CCLA requires the local government to gather the views of residents in respect of the application. The CCLA also requires the local government to provide their comments and recommendations in accordance with the *Cannabis Licensing Regulation.* Section 13(5) of the regulation stipulates the following requirements for providing comments and recommendations:

"(a) the comments and recommendations must be in writing;
(b) the comments must include the views of the local government or Indigenous nation on the general impact on the community;
(c) if the local government or Indigenous nation has gathered the views of residents under section 33 (3) of the Act, the comments must include
  (i) the views of the residents, and
  (ii) a description of the method used to gather those views;
(d) the recommendations must include a recommendation
  (i) that the licence be issued or amended, or
  (ii) that the licence not be issued or amended;
(e) the recommendations must include the reasons on which they are based."

Without a favourable recommendation from local government, the Province cannot issue a non-medical cannabis retail store licence. In this way, the Province has provided local government with a powerful, discretionary veto over whether a licence will be issued. In some cases, local governments' reasons are based on policies they have adopted to guide consideration of specific non-medical cannabis retail store licence referrals (e.g. proximity to other land uses [e.g. liquor stores, schools etc.] or cannabis stores, security requirements, etc.). However, Council adopted only geographic regulations in January 2020 when it amended the Zoning Bylaw to allow cannabis retail. Subsequently, not only does the decision of whether or not to endorse the application fall to Council but much of the analysis as well.

Accordingly, Council must consider the application and public feedback and make a resolution either endorsing or not endorsing the application with reasons for Council's decision. The reasons must include the views of the local government as well as the views of residents. In addition to public submissions, the views of local government may be informed by:

- the context of the proposed location (e.g. proximity to other land uses, density of land uses);
- the views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general (e.g. on the community, on the local economy);
- local land use regulations (e.g. zoning); and

- any number of other considerations (e.g. applicant's approach to managing the business).

The Liquor and Cannabis Regulation Branch's brochure "Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores" provides additional information for considering cannabis retail license referrals.[1] Attachment D provides previous Council resolutions relating to cannabis retail referrals. The resolutions are provided as examples of how a recommendation can be phrased.

ALTERNATIVES:

Council can choose to:

1. Provide a positive recommendation with reasons as required under the CCLA.
2. Provide a negative recommendation with reasons as required under the CCLA. This will require the Province to deny the licence application.
3. Refer consideration of the referral to a future meeting of Council.
4. Refer the file back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

In accordance with Section 33 of the *Cannabis Control and Licensing Act* (CCLA), certain licences, including retail cannabis licences, cannot be issued unless the local government gives a positive recommendation. If the local government decides to provide a response to the Province's referral, the local government must follow the requirements of the CCLA and the Cannabis Licensing Regulation (see above "the Role of Local Government" for details) and provide reasons for the recommendation based on the views of the local government on the general impact on the community. If the comments and recommendations do not meet the regulatory requirements, the Province may ask the Town to provide new or amended comments.

By issuing notice and gathering public submissions in accordance with the Town of Ladysmith's Cannabis Retail Stores Notification Procedures Policy, the Town has committed to providing comments and a recommendation on this application.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

In accordance with the Town of Ladysmith's Cannabis Retail Stores Public Notification Procedures Policy, notice was issued that Council has been asked to consider this application, inviting the public's written submissions. Notice was provided as follows:

- Published in the Ladysmith Chemainus Chronicle on November 3 and 10, 2022;
- Delivered by hand and mailed to the owners and residents of properties within 60 m of the subject property;

[1] https://www.ubcm.ca/sites/default/files/2021-08/local_government_role_in_licensing_cannabis_retail_stores.pdf

- Posted on the Town of Ladysmith website;
- Posted on the subject property; and
- Posted on notice boards at City Hall, the Development Services and Public Works offices, the Frank Jameson Community Centre, the library, and the Ladysmith & District Credit Union.

At the time of writing, no submissions have been received. If any submissions are received prior to Council's consideration of the referral, the submissions will be provided separately as late items. Along with any Council Resolution, staff will include the public submissions and a description of the Town's public notification procedures in the written response to the Province's referral.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

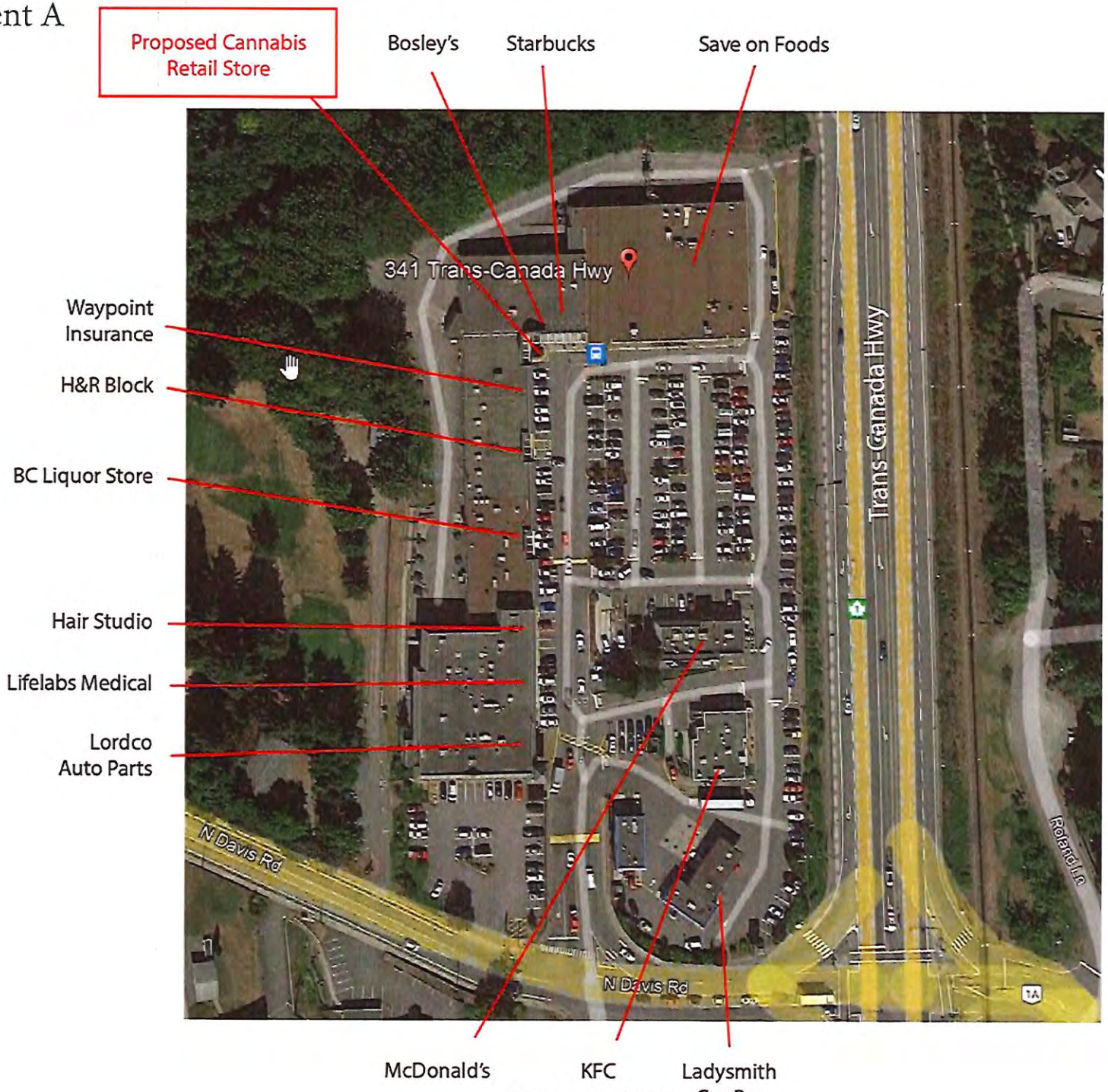
☐Infrastructure
☐Community
☐Waterfront
☒ Economy
☐ Not Applicable

I approve the report and recommendations.
Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

A. 370 Davis Road, Site Map
B. Application Information, Flight Cannabis Co., September 27, 2022
C. LCRB Referral
D. Sample Resolutions (Previous Council resolutions from Feb.18/21 and Mar.16/21

Attachment A



Attachment B

An Introduction to Flight Cannabis Co.

A Retailer of Cannabis and Cannabis Related Products

Flight CANNABIS CO.

PREPARED FOR THE TOWNSHIP OF LADYSMITH BC

CONTENTS

1 EXECUTIVE SUMMARY

Introduction

For over 25 years The Truffles Group has been driven by an unwavering commitment to excellence, innovation, community engagement and sustainability. With two and a half decades in operation, we've built a diverse and strong line of trusted brands that are interwoven with the social fabric of Vancouver Island.

As responsible operators and idea makers, we have a depth of experience in providing an elevated retail experience for controlled substances. Since 2007, we have proudly operated Cascadia Liquor stores and grown to eight locations with a highly professional track record.

Quality service and product offerings are ingrained in our core values. We invest in education for our staff and guests. We believe in quality over quantity. As such, all of our businesses operate as a premium hospitality experience in which our guests receive a high level of engaged service. This contributes to both improved guest/staff retention and a safe environment for customers and the community at large.

We are deeply connected to the communities where we operate. Locally owned and operated, we offer an understanding to the importance of working in collaboration with our community and it's stakeholders. We have been recognized for our leadership in operations, sustainability and community through recent awards such as, 2021 Best Cannabis Store (finalist, Times Colonist Reader's Choice Award), 2022 Best Liquor Store (finalist, Best in the City) and 2017 BC Liquor Retailer of the Year (winner, Able BC).

The Truffles Group is a group of businesses built on innovation, operational excellence, genuine hospitality and guided by responsible business ethics. We look forward to the opportunity to provide a safe, responsible cannabis retail experience that contributes positively to your neighbourhood.

Sincerely,

Keith Barbon, CPA, C.A.
Chief Executive Officer

2

Experience

ABOUT US

Founded in 1990, The Truffles Group is a collection of small businesses with a big vision. Locally-owned and operated, we have been devoted to changing the way people think about the hospitality, tourism and beveroge retail industries for over 25 years.

Guided by on unwavering entrepreneurial spirit, The Truffles Group is committed to being morket leaders and to continually inspire others with product quality and by creating memorable and lasting experiences for guests and our team.

Our purpose is to be leaders in everything we do; as strong corporate citizens, The Truffles Group believes in operating within a balanced system that allows for its people, the planet and profit to endure and co-exist.

We believe that our people are the heart and soul of our organization. Our teom keeps us rooted in our unwavering commitment to The Truffles Group's core values.

OUR STORYLINE

- **1990** We served our first meal ot Truffles Catering
- **2001** Truffles Catering added a new location; Habitat Food Services opens at Royal Roads University
- **2002** Canoe Brewpub joined the group
- **2007** Our first liquor store location opened for business (Cascadia Colwood)
- **2008** The Truffles Group took on a jungle and opened the doors at Victoria Butterfly Gardens
- **2008** Truffles Catering began providing a health conscious School Meal Program, producing 1,000 meals daily for the Victoria School Board. They also became the Exclusive Caterer to the Royal BC Museum
- **2009** Cascadia Quadro was born
- **2012** The Truffles Group expanded up-island by odding Cascadia Courtenay
- **2013** Cascadia Uptown had its start
- **2014** Cascadia Langford emerged
- **2016** Sequoia Coffee ot the RBCM opened to the public (Feb 2016)
- **2016** Cascadia Eagle Creek opened as the third Westshare location
- **2017** Cascadia opened its highly anticipated 7th location in Nanoose Bay
- **2020** Flight Cannabis Co. wos born and opened its first location in Langford
- **2020** Cascadia Parksville became our 8th location
- **2021** Flight Cannabis Nanaimo wos lounched

Our Purpose

To be leaders in everything we do; to provide memorable and lasting experiences for our guests and our team; to achieve sustainable growth with respect to our people, planet, and profit; to create a life-giving culture that is rooted in an unwavering commitment to our core values.

Our Core Values

- Community
- Integrity
- Quality
- Growth
- Fun!

OUR PEOPLE ARE THE HEART AND SOUL OF OUR BUSINESS

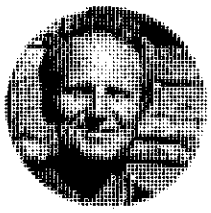
OUR TEAM

Experience

We are a team of talented and passionate individuals who are changing the way people think about hospitality, tourism and retail. We excel in our industries because we deliver exceptional value by providing the best quality products and services.

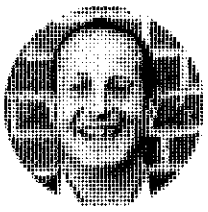
We are uniquely positioned to provide your community with a partnership they can trust based on a proven track record in controlled substance retail sales, and successful operations of our existing Flight Cannabis and Cascadia Liquor stores.

Our team understands the social sensitivity around the retail sale of cannabis and related products and the extra measures required to effectively operate these locations. We are committed to ensuring the safety, education and well being of our customers, staff and members of the community in which we serve.



Don Calveley
President & Founder
The Truffles Group

- Owner of several award-winning retail, faod and beverage businesses including Cascadia Liquor Stores, Sequoia Coastal Coffee and Truffles Catering
- Emplays over 400 peaple annually in his various businesses
- 25+ years of business ownership and operation on Vancouver Island



Keith Barbon
Chief Executive Officer
The Truffles Group

- KPMG alumni with over 18 years experience in finance, haspitality, real estate and business development
- Board of Governors – Order-in-council appointee (University of Victaria) 2019 – current
- Director of Urban Development Institute (UDI – Pacific)

Yasmin Nathoo
Director of Operations and People
The Truffles Group

- Over 20 years of strategic human resource management and over 7 years in overall operations management.
- Passionate about building strong cultures and team engagement
- Named one of Douglas Magazine's top young executives
- Avid supporter of community and charitable causes

Aaron Miller
Regional Manager
Flight Cannabis Co.

- 20 years hospitality and retail experience
- Passionate Cannabis Advocate
- Has successfully launched a new cannabis retail brand with two Flight Cannabis stares opening their doors in the last two years

EXPERIENCE + QUALIFICATIONS

Experience

THE TRUFFLES GROUP

- People powered – over 400 seasonal and full-time team members
- Culture of education – we invest in our people to allow them to provide quality service and product knowledge
- Community oriented – raised over $150,000 since 2016 to benefit local charities

RETAIL CANNABIS OPERATIONS

Flight Cannabis Co.

- First two locations, successfully opened less than a year apart.
- Well regarded, highly knowledgeable and approachable staff
- Focused on BC growers and producers

RETAIL LIQUOR OPERATIONS

Cascadia Liquor

- Grew to 8 locations in 13 years, employs over 145 staff in 8 different municipalities
- Leading private retailer known for unique products from the Pacific Northwest and the Okanagan, exceptional customer service and an elevated shopping experience
- Four new locations set to open in four communities during 2022 and 2023

EVENTS & CATERING OPERATIONS

Truffles Catering

- Vancouver Island's leading professional caterer for corporate events, weddings, private functions and office functions
- Executes over 800 events annually, 1000+ school meal lunches per day (including Colwood, SD62), over 150 office lunches monthly plus exclusive catering contracts with Royal Roads University in Colwood and the Royal BC Museum

CAFÉ OPERATIONS

Habitat Food Services

- Operating at Royal Roads University for over a decade, offers full range of hot and cold entrees plus 'grab and go meals' for students, staff and visitors

RESTRICTED/ CONTROLLED SALES

Experience

Controlled Sales Experience

As operators of Flight Cannabis and Cascadia Liquor, our team is well-versed in the nuances of age restricted and controlled substance sales.

Our company's standard practices ensure that our staff are trained in federal, provincial and municipal bylaws and regulatory processes to ensure the responsible sale of such items.

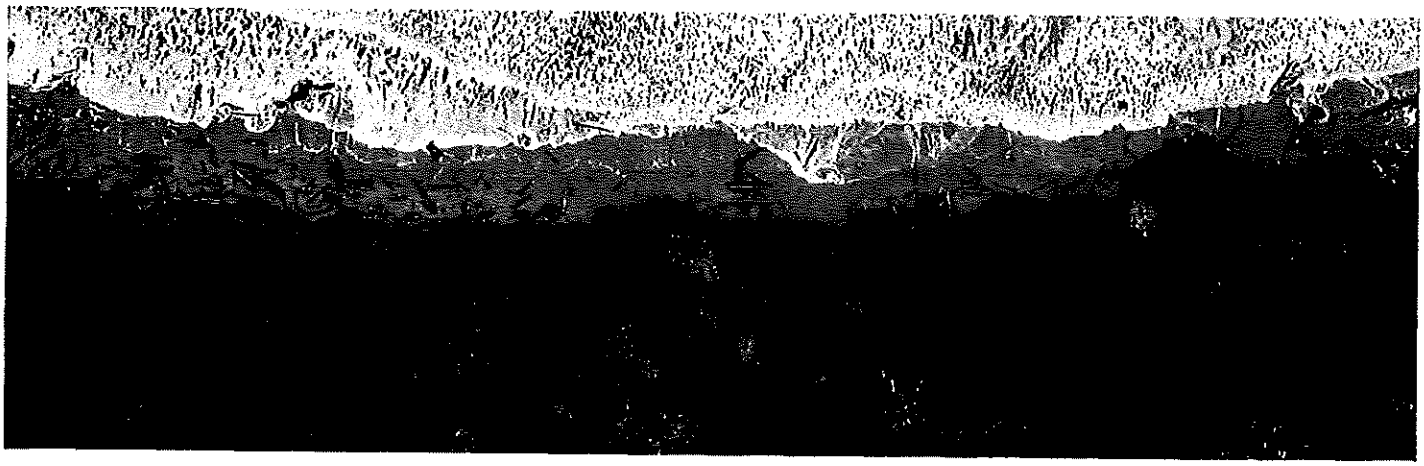
We have policies and procedures in place including Forced ID and Excessive Sales policies including tracking, staff criminal record checks, education and licensing.

Store security and monitoring are done through professionally installed and monitored alarm and security systems.

Enforcement Actions

We operate 12 Provincially controlled substance licenses with an exemplary record over the last 25 years. No criminal enforcement actions of any kind have been brought by municipal, provincial or federal agencies in the 25 years of business.

We are determined to carry on this exemplary track record in our new retail cannabis operations as we acknowledge our group reputation is at stake.



SAFETY + SECURITY

A Proven Track Record

Flight Cannabis stores are designed to be a premium experience: bright, vibrant, inviting and comfortable. This attracts a clientele that appreciates an elevated shopping experience.

The storefronts are safe, clean and bright. We maintain close relationships with our property managers to ensure they are kept this way.

Cannabis Security Actions

Security is a top priority:

- Utilization of top tier camera surveillance systems
- Provincially accredited training in the control of cannabis sales and consumption
- Design plans include discreet storefronts and open retail spaces
- Active engagement with LCRB inspectors, municipal law enforcement and bylaw officers
- Team members trained in site supervision and oversight as it pertains to minors and/or other potential concerns in the vicinity of the store
- Electronic access controls to secured storage areas

3

Culture

STAFF EDUCATION

Team & Leadership Development

Our team strives for continuous improvement. Managers are tasked with undertaking key initiatives each month to improve their team's performance, knowledge and productivity.

We believe that knowledge has a direct correlation to quality and leads to responsible consumption. This is one reason why we invest in education – both with our staff and our customers.

We also run monthly master-classes at our liquor store locations that aim to educate our customers on quality products and trends. This contributes to our culture of learning by educating our guests in a fun and safe environment while putting a focus on quality over quantity.

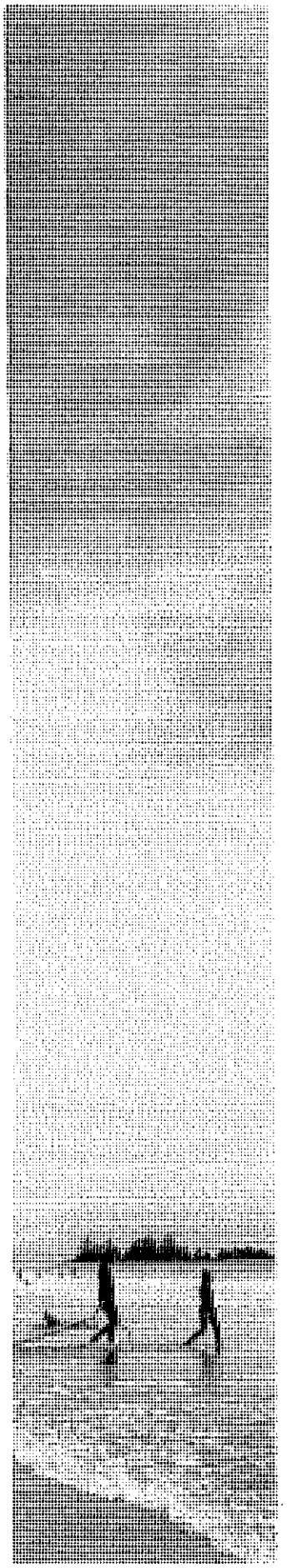
With a focus on service, our staff are continually trained to listen, engage and connect with all of our customers. This contributes to responsible service and allows us to maintain a professional track record as controlled substance retailers. We are proud of our history with no liquor or cannabis infractions since our inception in 2007.

Our management team regularly connects with the Liquor and Cannabis Regulation Branch (LCRB) to ensure we follow and adhere to the most up-to-date policies and practices.

Customer & Guest Engagement

All of our companies use a variety of metrics to ensure we create positive, memorable and lasting customer experiences.

Metrics include monthly mystery shopper reports, customer surveys, online ratings, customer comment cards and ongoing direct feedback.



COMMUNITY CONNECTION

Monthly Community Program

We are deeply connected to the communities in which we operate and believe giving back contributes to the betterment of Vancouver Island and its residents.

We are proud to participate in many community events around our many retail locations. This includes fundraising barbeques to benefit local charities, gift basket donations to local organizations and charitable events, major and community-based event sponsorship, minor league sports sponsorships and participation in local chamber of commerce and rotary clubs.

We also offer a community program that fundraises and generates awareness for selected charities in our communities. In 2021, we proudly donated over $40,000 to these charities with the support of our guests, clients and team.

The charities rotate quarterly and currently include the Mental Health Society of Greater Victoria, Lifecycles, Surfrider Foundation, and local soup kitchens.

This program not only provides funds and awareness, but also generates trust and connection to our guests. This trust has been imperative to generating a culture of safety and security in and around our locations.

SUSTAINABILITY

Corporate Responsibility

We are committed to being environmental stewards and have deep-rooted beliefs that sustainable initiatives should be more than a practice, but a priority.

All of The Truffles Group businesses have been certified by the Vancouver Island Green Business Collective (VIGBC). Every member of this collective has completed a set of tangible actions aimed at reducing their footprint on the environment.

We impact change through:

- Sourcing local product wherever possible
- Improving our energy efficiency
- Reducing amount of waste we generate

Sustainable Purchasing

- In 2014, we introduced a Sustainable Purchasing Policy to ensure that environmental and socially ethical decisions were made during all procurement

VIGBC

- As early adopters of sustainability, all of The Truffles Group businesses were certified by the Vancouver Island Green Business Certification Program in 2014
- Under the program, Canoe Brewpub was recognized as the Greenest Restaurant on Vancouver Island in 2014
- All businesses have since been re-certified annually with evolving benchmarks
- We were awarded with the 2017 EcoStar Community Leadership Award

OUR SUCCESS

Community Awards + Acknowledgments

2022

- **Finalist, Best Liquor Store** *(Black Press Media Best of the City, Cascadia Liquor)*

2021

- **Winner, Best Beer/Liquor Retailer** *(Black Press Media Best of the City, Cascadia Liquor)*
- **Finalist, Best Cannabis Store** *(Times Colonist Reader's Choice, Flight Cannabis)*
- **Finalist, Best Liquor Store** *(Times Colonist Reader's Choice, Cascadia Liquor)*

2020

- **Winner, Best Beer Selection** *(Black Press Media Best of the City, Cascadia Liquor)*
- **Finalist, Best Liquor Store** *(Times Colonist Reader's Choice, Cascadia Liquor)*

2018

- **Finalist, Liquor Retailer of the Year** *(BC Hospitality Industry Awards, Cascadia Nanoose Bay)*
- **Finalist,** *(Vancouver Island Business Excellence Awards, The Truffles Group)*

2017

- **Winner, Liquor Retailer of the Year** *(BC Hospitality Industry Awards, Cascadia)*
- **Winner, Community Leadership** *(EcoStar Awards, The Truffles Group)*
- **Winner, Best Customer Service** *(Best of the Westshore Awards, Cascadia Liquor)*
- **Winner, Best New Business** *(Best of the Westshore Awards, Cascadia Liquor)*
- **Winner, Best Business** *(Best of the Westshore Awards, Cascadia Liquor)*
- **Finalist, Sustainability Award** *(Comox Valley Chamber, Cascadia Liquor)*
- **Finalist, Best Liquor Store** *(Times Colonist Reader's Choice, Cascadia Liquor)*
- **Winner, Best Liquor Cold Beer & Wine** *(Comox Valley Best of the City, Cascadia)*

2016

- **Finalist, Business of the Year** *(Business Examiner, Cascadia Liquor)*
- **Finalist, Customer Service Excellence** *(Comox Valley Chamber, Cascadia Liquor)*

4

BUSINESS PLAN

Business Plan

A) PROPOSED HOURS OF OPERATION

Our hours of operation will be between 9:00 am and 10:00 pm, 7 days a week, unless otherwise set by municipal or provincial regulations.

Our retail cannabis store will be closed:

- on Christmas Day (December 25); and
- at all times other than the hours endorsed via Provincial regulations or bylaws

B) PROPOSED PLAN

(i) Compliance with Regulatory Framework

We propose the following measures for Safe and Responsible Cannabis Sales:

Education Programs

- staff to complete mandatory programs that educate licensees, managers and teams about their legal responsibilities when selling controlled substances, and provides effective techniques to prevent problems related to over-service

Display of Social Responsibility Materials

- prominently display social responsibility collateral

Controlling the Store

- our team is responsible for controlling the behavior of customers
- no one will be harmed as a result of cannabis misuse or criminal activity in or outside our store
- if staff, customers or members of the community have reason to be concerned that there is a threat to their safety, we will act on these concerns

Preventing Disturbances

- ensure adequate lighting outside the store and in the parking lot
- regular supervision of storefront & parking

- we will post signs asking patrons not to disturb the neighbours
- an effective ventilation system will be installed as required

Minors

- minors (those under the age of 19) are not allowed in a licensed cannabis retail store
- we will not employ or sell to minors

Identification (ID) Requirements

- minors are not sold cannabis – our staff is trained to ID anyone appearing 35 or younger with two pieces of authentic government issued ID
- staff must decide on a case-by-case basis if the ID presented proves that the person is not a minor, if the person cannot produce two pieces of acceptable identification, service will be refused

Intoxicated Patrons

- we will not let a person who is intoxicated or exhibiting signs of intoxication enter or remain in the store
- we will refuse the person service, have the person removed and ensure they depart safely
- we will not permit cannabis consumption in or around the store

Disorderly or Riotous Conduct

- we will not allow violent or disorderly conduct or unlawful activities to take place in or outside our store
- an individual who has been asked to leave or has been barred from entering the store must not return for at least 24 hours (if they return within 24 hours, we must notify police)

BUSINESS PLAN (CONT.)

(iii) Neighbourhood Impact

Applicable community neighbourhood groups will be consulted to ensure all efforts are made for a positive, safe and community-oriented cannabis retail location in the neighbourhood.

In 2009, Cascadia Liquor entered a location that was previously challenged by security and safety concerns in the community. We succeeded in rejuvenating the location and are now a positive and active member of our neighbour and business community.

We follow a similar strategy in our Cannabis retail locations with the following tactics:

- Meet with Local community group
- Restrict trade hours
- Include security protocols
- Actively monitor storefront + parking
- Ensure our store is clean, bright, inviting and comfortable to attract a clientele who appreciate an elevated shopping experience
- Provide attentive & educational service promoting healthy consumption
- Limit sales of items that may attract challenging clientele i.e.. single-use packaging or specific merchandise

(vi) Educational Initiatives

Staff will be trained and educated prior to commencing guest engagement on the following:

- Safe consumption of cannabis
- Variance of cannabis strains and products
- Legal use of cannabis
- Comparison of CBD (Cannabidiol) and THC (Tetrahydrocannabinol)
- Positive lifestyle cannabis use

Educational classes will also be provided to customers on all of the above topics.

- In all cases, consumer centric educational classes will promote a healthy and positive user relationship with cannabis that will focus on quality products over a high quantity of consumption

(vii) City Collaboration

The Truffles Group will work alongside the applicable community stakeholders and police forces to create a successful plan to address regulatory, social and community issues in relation to the sale of cannabis and related products if they arise.

Physical space

- Employee: 7+
- Location: Coronation Mall
- Parking spots: 50+
- Total footprint: 2,200 Sq. Ft.

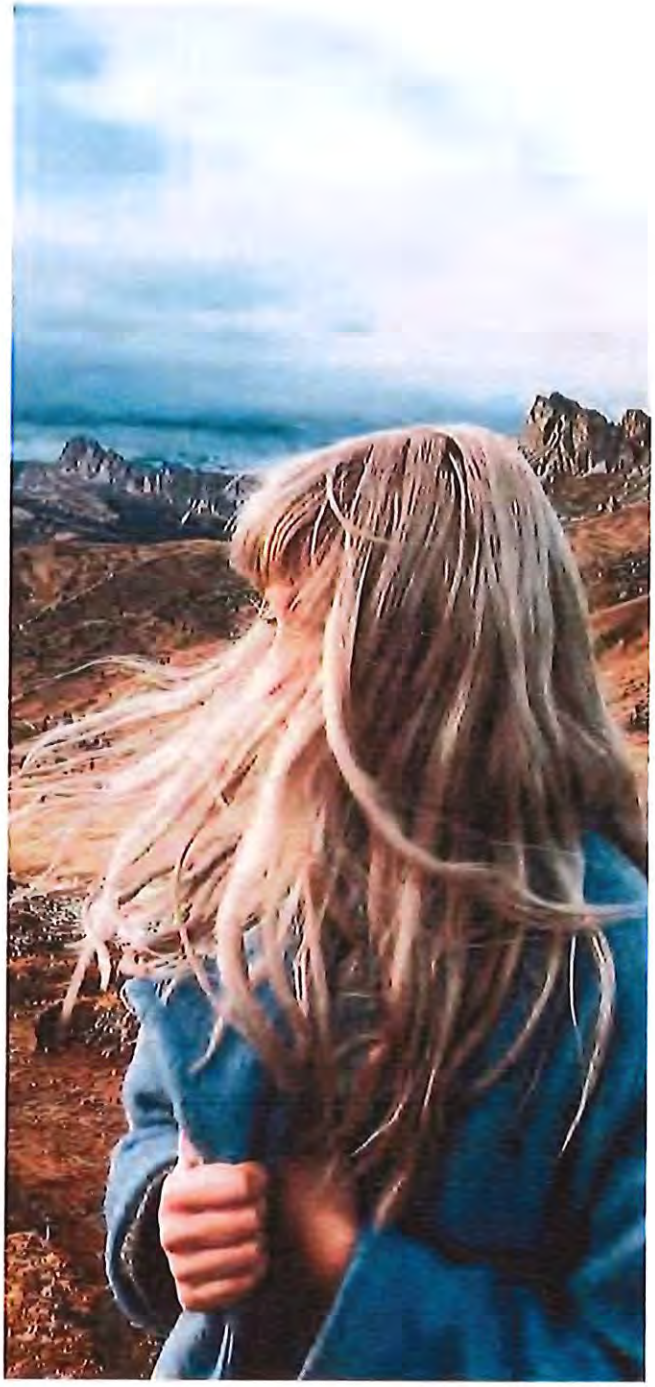
5 DESIGN CONCEPT

Store Design

The design inspiration for the stores is inspired by a subtle west coast aesthetic. The fresh, friendly, natural allure of the region is captured through the use of natural materials, a neutral color palette, live plants and high-quality fixtures and finishes. With a focus on customer service and product education, shoppers feel welcome to interact with staff or browse products on their own at one of the iPad stations integrated at the ends of the central retail displays. For those who know what they are looking for, an express checkout (Priority Boarding) counter allows them to get in and out quickly. Large menu screens above the cash counter display rotating product offerings, current pricing and product information.

The exterior of the store is modern and minimalist with dimensional illuminated signage, and stylized graphics that create visual interest and draw people to the store. The modern aesthetic flows inside with geometric millwork details, wood clad feature walls and dark stone counters. Decorative pendant lights over the feature retail displays, combined with LED suspended track and ambient lighting, create a space that is bright and playful.

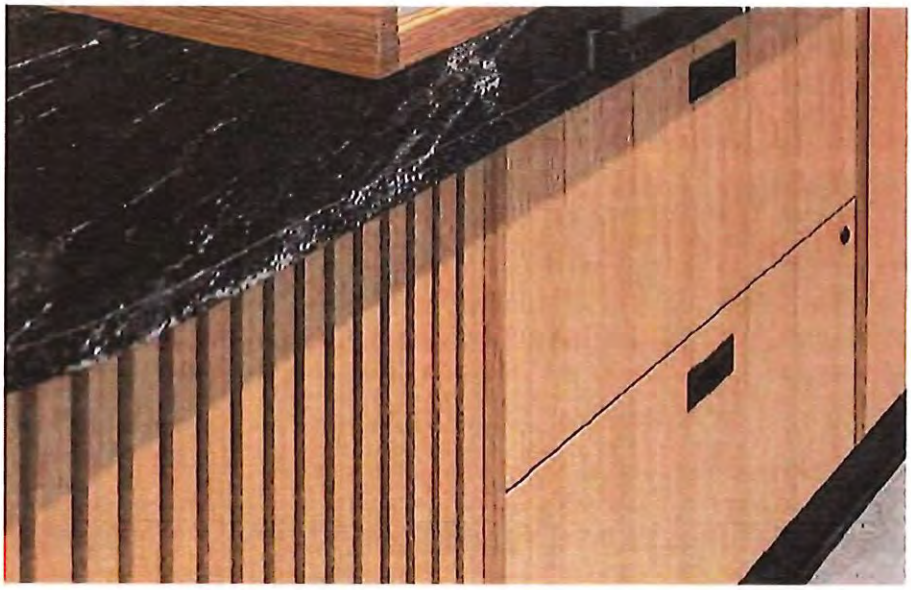
Many cannabis stores feel empty or clinical, therefore our aim is to create a more boutique shopping experience and a space that is welcoming and exciting while adhering to the evolving government regulations for cannabis sales (obscured visibility into the store, controlled signage & messaging, locked product displays).



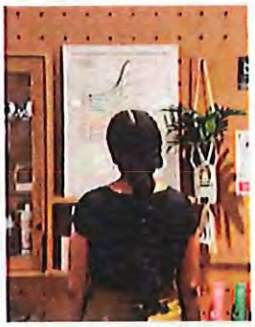

SOCIAL DISTANCING

LOOK & FEEL

Store Design




Flight
CANNABIS CO.
Open
101
Flight



Flight

CANNABIS CO.

Attachment C

BRITISH COLUMBIA

Job # 055348

September 27, 2022

Via email: DS@ladysmith.ca

Jacob Belobaba
Director of Development Services
Ladysmith

Dear: Jacob Belobaba

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: 1258083 B.C. LTD.
Proposed Establishment Name: Flight Cannabis Co
Proposed Establishment Location: Unit 16 – 370 Davis Road, Ladysmith ,V9G1T9

The Applicant, 1258083 B.C. LTD., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant contact is Aaron Miller they can be reached at 2505167507 or via email at aaron@flightcannabis.ca

Local governments and Indigenous nations are a crucial part of the licensing process. Section 33(1) of the *Cannabis Control and Licensing Act* prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the CRS licence application from the local government or Indigenous nation.

The LCRB is requesting the city of Ladysmith to consider the application and provide the LCRB with a written recommendation with respect to the application. To assist with your assessment of the application, a site map of the proposed cannabis retail store is attached. The following link opens a document which provides specific and important information and instructions on your role in the CRS licensing process, including requirements for gathering the views of residents.

Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores

The LCRB will initiate an applicant suitability assessment regarding this CRS application, also known as a "fit and proper" assessment of the applicant and persons associated with the applicant. Once the assessment is complete, you will be notified of the LCRB's determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

If you choose not to make any recommendation regarding this application, please contact the LCRB at the earliest convenience. Please note that a Cannabis Retail Store Licence cannot be issued unless the LCRB receives a positive recommendation from the local government or Indigenous

Liquor and Cannabis Regulation Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
645 Tyee Road
Victoria BC V9A 6X5
Phone: 250 952-5787
Facsimile: 250 952-7066

Website:
www.gov.bc.ca/cannabisregulationandlicensing

BRITISH
COLUMBIA

nation. Similarly, if a local government or Indigenous nation decides not to make any recommendation, the LCRB will not consider the application any further.

If you have any questions regarding this application, please contact me at #778-698-5417 or Paige.Johns@gov.bc.ca.

Sincerely,

Paige Johns
Senior Licensing Analyst

Attachment

copy:
Applicant

Liquor and Cannabis Regulation Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 9J8

Location:
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www.gov.bc.ca/cannabisregulationandlicensing

8. DEVELOPMENT APPLICATIONS

8.1 Referral for Non-Medical Cannabis Retail Store - 411B 1st Avenue ("Local Cannabis Co.")

CS 2021-077
That Council, having considered the general impact on the community and the views of the residents, pursuant to section 33 of the *Cannabis Control and Licensing Act*, recommend that the Province issue a licence for a non-medical cannabis retail store at 411B 1st Avenue ("Local Cannabis Co.").
Motion Defeated
OPPOSED: Mayor Stone and Councillors Jacobson, Johnson, McKay and Stevens

CS 2021-078
That Council, having considered the general impact on the community and the views of the residents, pursuant to section 33 of the *Cannabis Control and Licensing Act*, recommend that the Province not issue a licence for a non-medical cannabis retail store at 411B 1st Avenue ("Local Cannabis Co.").
Motion Carried
OPPOSED: Councillors Paterson and Virtanen

CS 2021-079
That Council, pursuant to section 13.5 of the *Cannabis Licensing Regulation*, provide the following reasons for recommending that the Province not issue a licence for a non-medical cannabis retail store at 411B 1st Avenue:

1. The application is not the highest and best use of the retail location in that precinct;
2. The proposed location is in close proximity to other existing cannabis retailers; and
3. There is availability of potential locations in other permitted areas.

CS 2021-080
Amendment
That Council amend Resolution CS 2021-079 to remove item 2, "The proposed location is in close proximity to other existing cannabis retailers."
Amendment Defeated
OPPOSED: Mayor Stone, Councillors Jacobson, McKay, Paterson

The question was called on the main motion as presented.
Motion carried
OPPOSED: Councillors Paterson, Virtanen

CS 2021-081
That Council refer the topic of cannabis retail sites to a future Committee of the Whole meeting for discussion and consideration.
Motion Carried

9. BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING

9.1 Application to Rezone 336 Belaire Street from 3 to 4 Storeys

CS 2021-082
That Council:
1. Proceed with first and second reading of "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 36) 2021, No. 2066"; and
2. Direct staff to proceed with scheduling and notification for a Public Hearing for "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 36) 2021, No. 2066".

Motion Carried

9.2 Official Community Plan Amendment - Development Permit Exemption for Single Family Development in the Multi-family Development Permit Area

CS 2021-083
That Council:
1. Give first and second reading of "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 66) 2021, No. 2070";
2. Consider "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 66) 2021, No. 2070" in conjunction with the Town's

From MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, February 18, 2020
7:00 P.M.
Council Chambers, City Hall

9. DEVELOPMENT APPLICATIONS

9.1 Non-Medical Cannabis Retail Store Licence Referral -- 510C Esplanade Avenue ("Jerry's Cannabis")

CS 2020-061
That Council, pursuant to the *Cannabis Control and Licensing Act* and the *Cannabis Licensing Regulation*, recommend that the Province of British Columbia issue a licence for a non-medical cannabis retail store at 510C Esplanade Avenue ("Jerry's Cannabis").
Motion Carried

CS 2020-062
That Council advise the Province of British Columbia that the proposed location for Jerry's Cannabis (510C Esplanade Avenue) falls within the specified area approved by Council for the retail sale of cannabis.
Motion Carried

CS 2020-063
That Council advise the Province of British Columbia that Council has no concerns about the impact of the proposed non-medical cannabis retail store at 510 C Esplanade Avenue.
Motion Carried

CS 2020-064
That Council advise the Province of British Columbia that all submissions from the public regarding the proposed retail sale of non-medical cannabis at 510C Esplanade Avenue have been in favour of the licence application.
Motion Carried

Committee of the Whole Recommendations to Council November 15, 2022

At its October 8, 2022 meeting, the Committee of the Whole recommended that Council:

1. Approve Asset Retirement Obligations Policy No. 05-1835-A, which will take effect on January 1, 2023.

2. Approve Snow and Ice Removal Policy 11-5400-A.

TOPIC:	Asset Retirement Obligations	
POLICY No:	05-1835-A	
APPROVED BY:		RESOLUTION No:
DATE:		
AMENDED:		

Effective Date

This policy comes into effect on January 1, 2023.

Policy Statement

The Town of Ladysmith shall account for and report on asset retirement obligations (ARO) in compliance with the Public Sector Accounting Board (PSAB) Handbook, section 3280.

Purpose

The objective of this Policy is to stipulate the accounting treatment for AROs so that users of the financial reports can discern information about these assets, and their end-of-life obligations. The principal issues in accounting for AROs is the recognition and measurement of these obligations.

Application

This Policy applies to all departments, branches, boards and agencies falling within the reporting entity of the Town of Ladysmith, excluding DL2016 Holdings Corporation Ltd., that possess asset retirement obligations including:

- Assets with legal title held by the Town
- Assets controlled by the Town
- Assets that have not been capitalized or recorded as a tangible capital asset for financial statement purposes

Existing laws and regulations require public sector entities to take specific actions to retire certain tangible capital assets at the end of their useful lives. This includes activities such as removal of asbestos. Other obligations to retire tangible capital assets may arise from contracts or court judgments, or lease arrangements.

The legal obligation, including obligations created by promises made without formal consideration, associated with retirement of tangible capital assets controlled by the Town, will be recognized as a liability in the books of the Town of Ladysmith, in accordance with PS3280, which the Town will be adopting starting January 1, 2023.

AROs result from acquisition, construction, development or normal use of the asset. These obligations are predictable, likely to occur and unavoidable. AROs are separate and distinct from contaminated site liabilities. The liability for contaminated sites is normally resulting from unexpected contamination exceeding the environmental standards. Asset retirement obligations are not necessarily associated with contamination.

1. Policy Requirements

A. Recognition

A liability should be recognized when, as at the financial reporting date:

- there is a legal obligation to incur retirement costs in relation to a tangible capital asset;
- the past transaction or event giving rise to the liability has occurred;
- it is expected that future economic benefits will be given up; and
- a reasonable estimate of the amount can be made.

A liability for an ARO cannot be recognized unless all the criteria above are satisfied.

The estimate of the liability would be based on requirements in existing agreements, contracts, legislation or legally enforceable obligations, and technology expected to be used in asset retirement activities.

The estimate of a liability should include costs directly attributable to asset retirement activities. Costs would include post-retirement operation, maintenance and monitoring that are an integral part of the retirement of the tangible capital asset.

Directly attributable costs would include, but are not limited to, payroll and benefits, equipment and facilities, materials, legal and other professional fees, and overhead costs directly attributable to the asset retirement activity.

Upon initial recognition of a liability for an asset retirement obligation, the Town will recognize an asset retirement cost by increasing the carrying amount of the related tangible capital asset (or a component thereof) by the same amount as the liability. Where the obligation relates to an asset which is no longer in service, and not providing economic benefit, or to an item not recorded by the Town as an asset, the obligation is expensed upon recognition.

The capitalization thresholds applicable to the different asset categories will also be applied to the AROs to be recognized within each of those asset categories.

B. Subsequent Measurement

The asset retirement costs will be allocated to accretion expense in a rational and systemic manner (straight-line method) over the useful life of the tangible capital asset or a component of the asset.

On an annual basis, the existing AROs will be assessed for any changes in expected cost, term to retirement, or any other changes that may impact the estimated obligation. In addition, any new obligations identified will also be assessed.

C. Presentation and Disclosure

The liability for AROs will be disclosed.

D. Department Responsibilities

Departments are required to:

- Communicate with Finance on retirement obligations, and any changes in asset condition or retirement timelines.
- Assist in the preparation of cost estimates for retirement obligations.
- Inform Finance of any legal or contractual obligations at inception of any such obligation.

Finance
Finance is responsible for the development of and adherence to policies for the accounting and reporting of AROs in accordance with Public Sector Accounting Board section 3280. This includes responsibility for:

- Reporting AROs in the financial statements of the Town and other statutory financial documents
- Monitoring the application of this Policy
- Managing processes within the Town's Tangible Capital Asset workbook
- Investigating issues and working with asset owners to resolve issues

Public Works; Parks Recreation & Culture; and Development Services
Public Works; Parks Recreation & Culture; and Development Services are responsible for providing cost-effective projections of AROs, consulting with engineers, technicians, and other personnel familiar with the assets and conditional assessments, collecting the relevant information required to minimize service cost, and providing the information to the Finance Department for processing.

E. Decision Tree

Decision tree – Scope of Applicability is attached as Appendix A to this Policy.

2. Legislative and Administrative Authorities

Public Sector Accounting Board, Public Sector Handbook, Section PS 3280 Asset Retirement Obligations.

3. Definitions

Accretion expense is the increase in the carrying amount of a liability for asset retirement obligations due to the passage of time.

Asset retirement activities include all activities related to an asset retirement obligation. These may include, but are not limited to:

- decommissioning or dismantling a tangible capital asset that was acquired, constructed, developed, or leased;
- remediation of contamination of a tangible capital asset created by its normal use;
- post-retirement activities such as monitoring; and
- constructing other tangible capital assets to perform post-retirement activities.

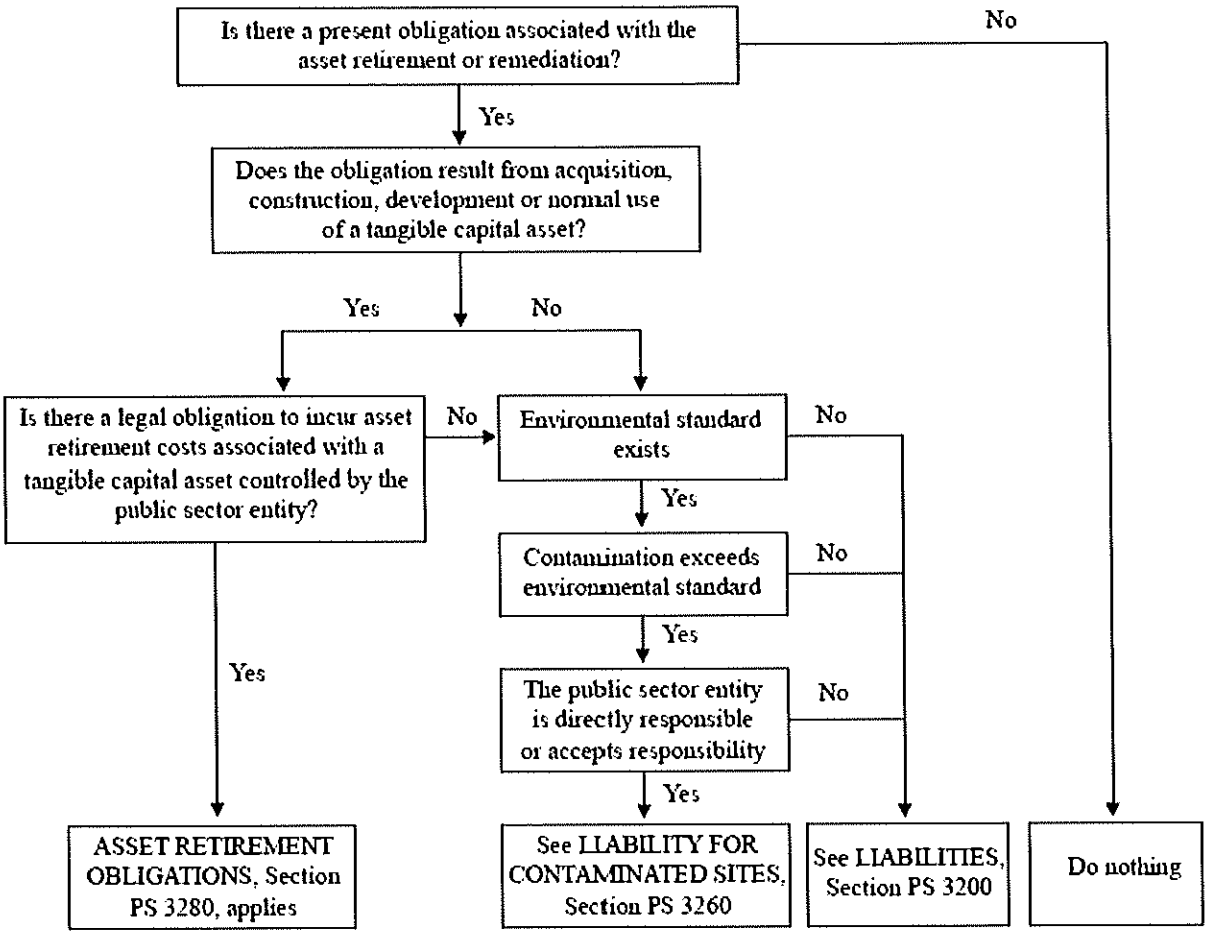
Asset retirement cost is the estimated amount required to retire a tangible capital asset.

Asset retirement obligation is a legal obligation associated with the retirement of a tangible capital asset.

Retirement of a tangible capital asset is the permanent removal of a tangible capital asset from service. This term encompasses sale, abandonment or disposal in some other manner but not its temporary idling.

Appendix A

Decision tree – Scope of Applicability



TOPIC:	Snow and Ice Removal
POLICY No:	11-5400-A
APPROVED BY: Council	RESOLUTION No:
DATE:	
AMENDED:	

POLICY

The Council of the Town of Ladysmith wishes to provide for the safe passage of vehicles and pedestrians within the Town by ensuring that snow and ice control operations are carried out on roads and sidewalks in a timely manner in accordance with priorities identified by Council, included as Appendix A of the Policy. Snow and ice control established by this policy is a reasonable allocation of budgetary resources and available Town personnel and equipment considering its other priorities.

WEATHER RESPONSE

The Manager of Operations or designate will direct snow plowing and ice control after a weather event during regular operational hours. Staff scheduled for after-hour standby duty will be directed by the Manager of Operations or designate to commence snow plowing and or ice control operations in accordance with the guidelines of the Snow and Ice Control Plan based on weather prediction software and routine observations.

SNOW CONTROL

Snow will not be plowed or removed if the depth is less than 50mm unless conditions exist where ice could form posing a danger to road users, in which case snow and ice control may commence at a depth of less than 50mm.

Snow will be plowed to the side of roads with no attempt to clear access to driveways except in extreme emergencies. Snow hauling from a roadway will not be considered unless there is insufficient space to allow two travel lanes or if designated parking areas in the Town are inaccessible because of stored snow.

ICE CONTROL

Road surfaces will be pre-treated with brine when conditions permit. Roads will be sanded and/or salted when snow and ice is present and represents a hazard to road users. Roads will not be sanded and/or salted prior to freezing conditions.

PRIORITIES

Snow plowing and ice control will be carried out on a priority basis to best serve the needs of emergency vehicles and the public.

First Priority Roads include:

- Emergency routes
- Community Health Centre access
- School zones
- Town water and wastewater facilities

Second Priority Roads include:

- Hills
- Commercial core
- Main collector roads

Third Priority Roads include:

- Residential roads
- Cul-de-sacs
- Alleyways

First priority routes are maintained until conditions are under control, only then are resources directed to subsequent routes. If conditions deteriorate on any of the first priority areas, resources will be redirected back.

Addressing road priorities may be balanced against efficiency of operation resulting in some lower priority roads or hills being treated because due to the vicinity of high priority routes.

In the event of an emergency, resources may be diverted to a non-priority road to allow access. Similarly, resources may be diverted to access the homes of Public Works staff, within the Town's boundary, to enable them to attend their workplace to operate snow and ice control equipment if required.

SIDEWALKS AND PARKING LOTS

Sidewalks or parking lots will not be considered until adequate resources have been directed to the control of snow and ice on first priority areas.

The Town will be responsible for snow clearing and ice control on sidewalks on a priority basis in accordance with the Snow and Ice Control Plan. Addressing sidewalk priorities may be balanced against efficiency of operation resulting in some lower priority or additional sidewalks being done.

Snow removal from sidewalks fronting private property is the responsibility of the property owner in accordance with "Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309".

Town operators will not lift plow blades to avoid driveways nor send crews afterward to clear driveways or sidewalks.

GENERAL

Equipment will be assessed for road worthiness and mechanical efficiency in the months prior to the onset of winter conditions.

Operators of snow and ice control equipment will carry out their work in as safe a manner, to both public and to themselves, as conditions permit.

Snow and ice control will not be conducted on private property, including strata developments, unless it is necessary for the purpose of accessing some part of the Town's infrastructure. Exceptions can also be made where an emergency request is made by Police, Fire, or Ambulance access.

Resources will be diverted to snow and ice control operations on the basis of personnel, equipment and material availability while ensuring adequate rest for personnel and the ability to repair equipment if damaged. Private contractors may be hired under extreme conditions when adequate Town resources cannot be made available.

Snow and ice conditions within the Town varies considerably due to topography and size; therefore, discretion is permitted to operators to make a judgement regarding the method of control if conditions change when moving from one area to another. Equipment operators are expected to consult with the Supervisor, if available, regarding method of control.

Decisions regarding snow and ice control shall be made by the Manager of Operations or designate. It is understood that, because of the variability of conditions across the Town, snow and ice control in some areas may not be in exact compliance with this policy.

APPENDIX A

Snow and Ice Control Plan

Prepared by Infrastructure Services

LADYSMITH

TABLE OF CONTENTS

INTRODUCTION

The Snow and Ice Control Plan has been created as a guide to the Town of Ladysmith's Snow and Ice Control Policy. The intent of this Plan is to advise the public, Council and Town staff of when and how snow and ice will be dealt with by the Public Works Department as well as to identify some of the constraints and issues around snow and ice control. The Snow and Ice Control Plan has been endorsed by Town Council and covers all Town roads as well as designated parking lots and sidewalks.

The Town of Ladysmith (Town) maintains over 65 km of roads and lanes. Budgetary, equipment, and personnel constraints render it impossible for all the roads in the Town to be completely cleared of snow and ice in a single day. This plan identifies the priorities for snow removal and the order in which areas will be serviced after a major snowfall.

Winter weather can be very unpredictable and the Town's ability to meet the goals and objectives set out in this Plan can be impacted by equipment breakdowns, personnel shortages and budget limitations. This Plan is considered a response to the best-case scenarios assuming that all the equipment is in good working order and all staff are available for work. The Town will make every attempt to achieve the goals set out in this plan in as short a timeframe as operationally possible.

MISSION

The Town's mission is to serve the community by providing a road system and sidewalks that are passable and reasonably safe as much of the time as possible within the limitations imposed by weather conditions, the natural environment and the availability of equipment, material, staff and financial resources.

GOALS

The Town's goal is to provide for the needs of emergency service vehicles, achieve safe conditions for drivers and pedestrians, and have all roads passable within 48 hours once the snowfall or weather event has ended.

LIMITATIONS

There are many variables to snow and ice control that can affect the Town's ability to achieve objectives set out in this policy. Multi-day storms, varying storm or weather conditions, severe cold temperatures, staff illness or injury, equipment failure, and/or other emergencies within the Town as well as budgetary constraints can extend the time required to clear roads and reduce the effectiveness of this Plan.

Due to unpredictable weather conditions, the Town cannot guarantee that roads or sidewalks will be completely bare, nor will the Town salt and or sand the entire road network. Winter driving also means visibility may be poor as a result of fog or heavy snow. Because of these and other conditions, the maximum legal speed limit may not be possible at all times and drivers are reminded to exercise caution and drive according to road conditions, especially when navigating many of the hills in and around Ladysmith.

PRIORITIES

The Town has identified "first priority", "second priority", and "third priority" snow clearing routes. *(See map on page 8)*

First priority includes: road access for emergency service providers; road access to the Town's Community Health Centre; road access to Town water and wastewater facilities; and, school zones when applicable. Secondary priority includes hills, commercial core, and main collector roads. Third priority includes residential roads, cul-de-sacs, and, alleyways.

First priority routes are maintained until conditions are under control; only then are resources re-directed to subsequent routes. If conditions deteriorate on any of the first priority routes, resources will be redirected back.

Addressing road priorities may be balanced against efficiency of operation resulting in some lower priority roads or hills being treated because they are in the vicinity of high priority routes. In the event of an emergency, resources may be diverted to a non-priority road to allow access. Similarly, resources may be diverted to access the homes of Public Works staff to enable them to attend their workplace to operate snow and ice control equipment.

SIDEWALKS, DRIVEWAYS AND BOULEVARDS

It is the responsibility of property owners to clear snow from sidewalks fronting or adjacent to their properties as per "Town of Ladysmith Streets and Traffic Bylaw 1998, No. 1309".

The Town will clear sidewalks and parking lots adjacent to Town-owned buildings and property, as well as sidewalks along 1st Avenue in the downtown core. This work will be scheduled to coincide with morning, daytime, and evening pedestrian use and not on a 24-hour basis. While the Town places sidewalks as a priority, resources may not be available for sidewalks and parking lots until adequate resources have been directed to the control of snow and ice on first priority roads.
(See map on page 9)

During typical road clearing circumstances, snow will be plowed to the right side of the road and no attempt will be made to clear access to driveways except in extreme emergencies. As a result of plowing, snow piles (windrows) may be created in driveways and clearing these windrows is the responsibility of the homeowner.

There are occasions when damage could occur to private property and public boulevards. Residents are encouraged to advise the Town in writing if damage has occurred. The Town will not accept liability for the repair of boulevard lawns damaged by salt or sand from winter operations.

PRIVATE PROPERTY / STRATAS

Snow and ice control will not be conducted on private property, including strata developments, unless it is necessary to access Town infrastructure. Exceptions may be made if an emergency request is made for access by police, fire or ambulance.

Snow removed from private property must not be stored or taken to Town-owned land or roads.

SNOW HANDLING AND HAULING

As noted, the Town's priority is to plow the roads and make them passable for motor vehicles. As such, snow is first cleared from the traffic lanes and moved toward the roadside on or near gutters, parking spaces and boulevards. Once accumulations have reached a certain size, and depending on location, the Town may haul the snow to designated storage sites.

Snow is not typically removed from a roadway unless there is insufficient space to allow two travel lanes or unless designated parking areas in the town are not accessible because of stored snow.

Snow hauling is very costly and time consuming and can take significantly more resources than snow plowing. The Town uses the following criteria to determine which area may have snow hauled away:

- emergency vehicle access;
- imminent safety concerns;
- pedestrian access and safety;
- vehicular line of sight issues;
- future snow storage areas;
- flooding issues; and
- complexity of snow removal.

Other criteria affecting the decision to haul snow will be based on commercial areas, contractor snow piles (snow from Town-owned land only), Town events, private functions, etc.

The frequency of snow hauling is contingent upon safety concerns, personnel, equipment availability, budgets and operational concerns. Limitations due to lack of available, suitable Town-owned land means that a finite amount of snow can be stored.

WINDROW AND STOCKPILED SNOW HAZARD

The plow trucks, grader and other equipment are used in some areas to widen the road, rather than remove snow, during a snow event or immediately after. Windrows will be pushed further onto the Town boulevards to allow for more snow storage if more snow is forecast.

These windrows and other stockpiles of snow can be hazardous for the following reasons:

- The solidity of the snow and the ability of the snow to support applied weight can vary considerably based on ambient weather conditions.

- The solidity of the snow can vary considerably depending on the degree of work hardening that has occurred due to the snow plowing activities.

- The solidity of the snow can vary considerably due to soft spots or pockets of air that can lead to sink holes or a collapse of the snow.

- The collapse of a windrow or other stockpile of snow could trap a person and could possibly result in suffocation or the onset of hypothermia.

- The opacity of the snow can prevent the visual detection of other hazards that may be present either in or under the accumulated snow resulting in a concealed condition.

- The surface of the snow may be slippery and could result in a loss of footing.

Stepping onto or into a windrow or other stockpile of snow could result in serious injury or death and should be avoided. It is recommended that persons attempting to access property that is located on the other side of a windrows or other stockpile of snow seek an alternate point of access, wait until snow has been removed or melted. Please educate and watch children to make sure they do not play in or on windrows or other stockpiled snow.

SNOW AND ICE CONTROL PROCEDURES

Dispatching Snowplows and Sanders

Streets staff are on call to respond 7 days per week and will initiate snow and ice control operations in accordance with the Town's Snow and Ice Control Policy. The factors for making that decision include snow accumulation of 50mm; forecasted accumulations of snowfall; icy conditions which seriously affect traffic or safety; flooding or rain-on-snow weather event.

Although the Town will respond to events 24 hours a day, 7 days a week, there may be times when response is delayed due to unpredictable weather events occurring outside of the regular work schedule.

Immediate snowplowing operations will not generally be conducted for snowfalls of less than 50mm. During extended periods of snowfall, Town staff will clear collector roads to keep them open to traffic and emergency vehicles before moving on to lower priority roads. Snow will be plowed in a manner to minimize any traffic obstructions. During very heavy snowstorms, Town resources may be devoted to maintaining high priority roads, with residential streets left until the snow has stopped falling.

Snow and Ice Control Methods

Decisions regarding snow and ice control shall be made by the Manager of Operations or designate. It is understood that because of the variability of conditions across the Town, snow and ice control in some areas may not be in exact compliance with this Plan.

The Streets Supervisor will determine which equipment is to be used to remove snow in the different areas of the Town. Generally, the Town has set routes for trucks, plows and graders; however, during heavy snow, black ice or rain-on-snow conditions, the equipment typically used may not be effective and other equipment will be used instead.

Truck plows move quickly and can clear roads in a timely fashion, but can be limited in heavy snow conditions or when pushing back existing windrows. Graders are slower but can move more snow and have the added power to move existing snow piles when widening roads. Hand shoveling, blowing and plowing of Town parking lots, sidewalks and other locations as will commence when required by accumulation of snow or ice.

Use of Sand, Salt and Brine Solution

Depending on weather forecast and conditions, the Town may apply a liquid (Sodium Chloride) brine solution as a proactive measure if the roads are dry and before any snow has fallen or frost/ice has formed. The liquid is applied to reduce snow or ice forming and to facilitate melting. The Town may use sand and salt when there is hazardous ice or slippery road conditions. Roads will not typically be sanded and/or salted prior to freezing conditions occurring.

Once the roads are cleared of snow, the Town may continue sanding on paved roads focussing on intersections, bridges, curves and hills. To ensure that the sand is effective, the Town uses a processed, washed material manufactured for use on roads. The first priority when treating the road is to ensure that product is properly applied to road surfaces. It is very important that motorists slow down, move over and do not follow too closely behind the trucks as the operators cannot always turn off the material spreader when other vehicles are nearby.

The Town recognizes the effect of salt on the environment and uses as little as possible. Salt is not effective when pavement temperatures are below -7°C; however, in certain conditions salt is necessary and will be used. Salt will not be applied when temperatures are -12°C or colder.

Priorities for Plowing

Priority 1	Emergency routes, school zones, access to Town water/wastewater facilities	Plowed by single axle or tandem trucks continuously during snowfall. Graders used as required.
Priority 2	Hills, commercial core, main arterial roads	Plowed by single axle or tandem trucks after Priority 1 is completed, graders used as required.
Priority 3	Residential roads, cul-de-sacs, alleyways	Plowed by single axle or tandem trucks after Priority 1 and 2 are completed, graders used as required.

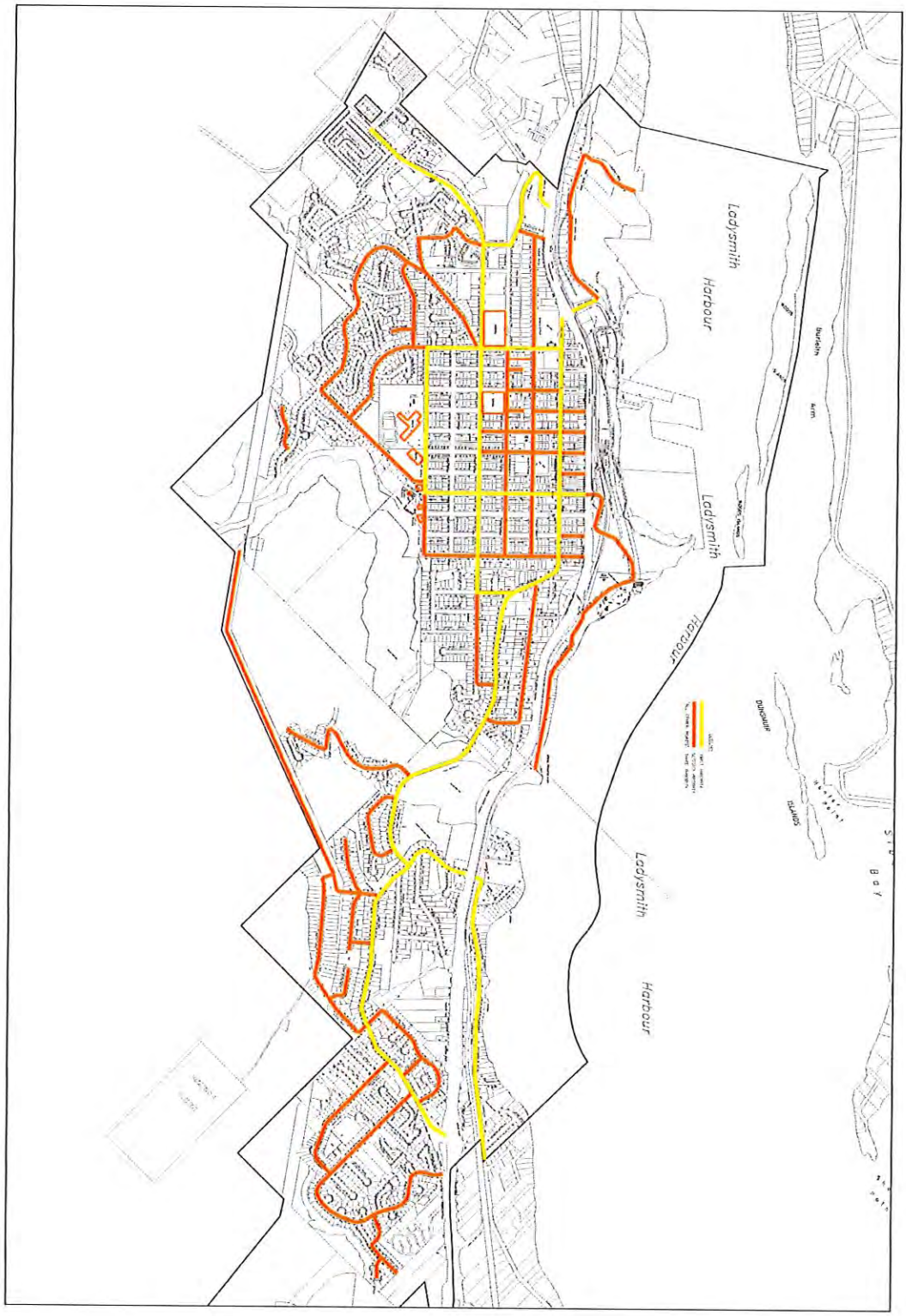
ADDITIONAL INFORMATION

Questions or concerns regarding snow and ice control or road conditions should be directed to the Town of Ladysmith Infrastructure Services Department at 250-245-6445.

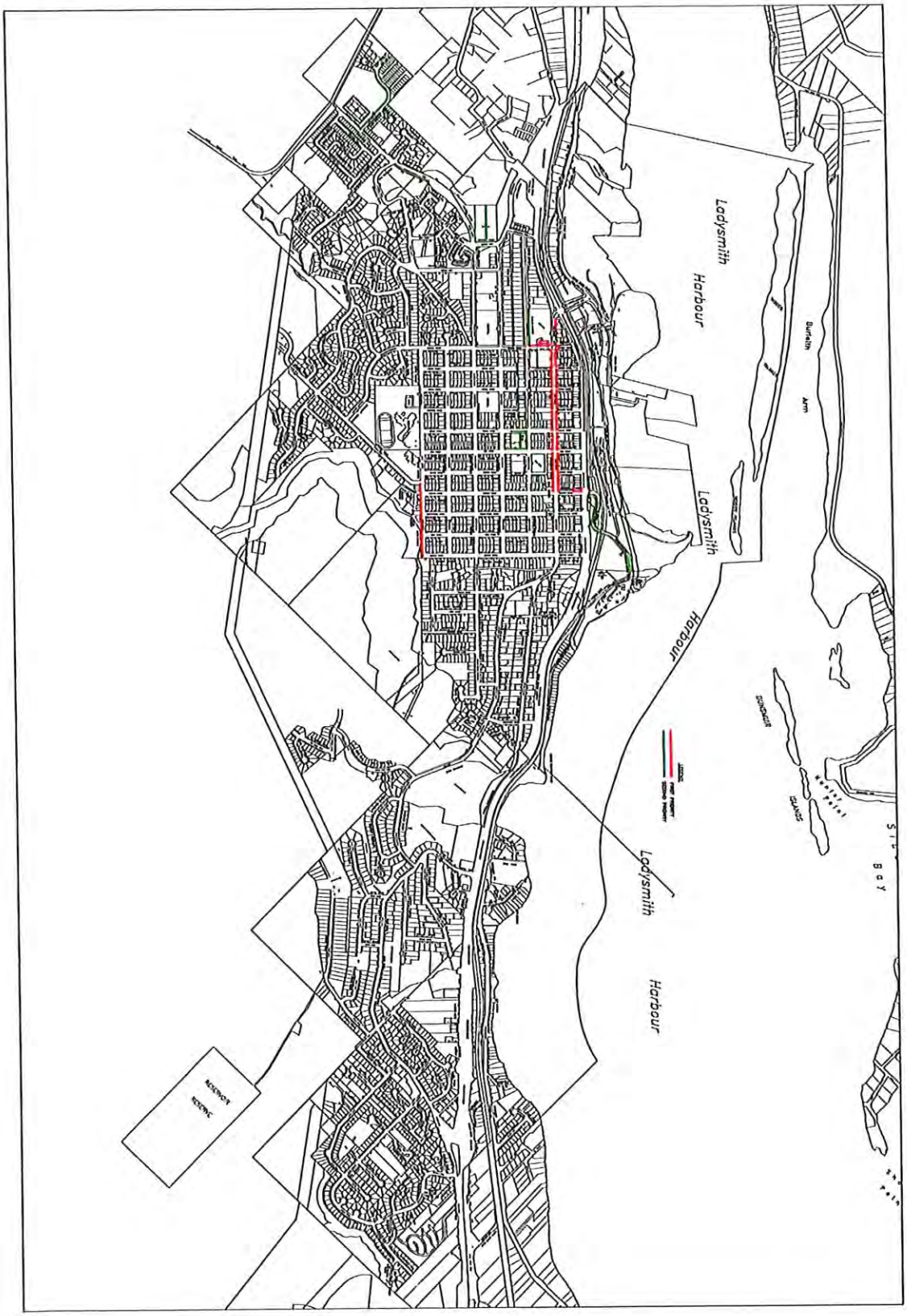
General information, as well as this Snow & Ice Management Plan, is available on the Town's website: www.ladysmith.ca.

Updates regarding snow and ice control operations will be posted on our website reminding residents about snow conditions, equipment, bylaws, and rules regarding snow removal.

MAP SHOWING ROAD CLEARING PRIORITIES



MAP SHOWING SIDEWALK AND PARKING LOT PRIORITIES



LADYSMITH

COMMITTEE OF THE WHOLE MEETING

MINUTES

Tuesday, November 8, 2022
6:30 P.M.
Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Councillor Amanda Jacobson, Chair
Mayor Aaron Stone
Councillor Ray Gourlay
Councillor Tricia McKay
Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma
Chris Geiger
Donna Smith
Matt O'Halloran
Sue Bouma

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1. CALL TO ORDER AND ACKNOWLEDGEMENT

Councillor Jacobson, Chair, called this Committee of the Whole meeting to order at 6:30 p.m., and acknowledged with gratitude that it was being held on the traditional unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CW 2022-046
That the agenda for this November 8, 2022 Committee of the Whole meeting be approved.
Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held September 27, 2022

CW 2022-047
That the minutes of the Committee of the Whole meeting held September 27, 2022 be approved.
Motion Carried

4. REPORTS

4.1 Department Overviews

Allison McCarrick, CAO, welcomed new Councillor Ray Gourlay to the Committee of the Whole meeting and explained that the following presentation by the senior managers would provide an overview of each Department's responsibilities. These responsibilities will be reviewed in greater detail during the Strategic Planning process.

4.2 Asset Retirement Obligations Policy No. 05-1835-A

CW 2022-048
That the Committee recommend that Council approve Asset Retirement Obligations Policy No. 05-1835-A which will take effect on January 1, 2023.
Motion Carried

4.3 Snow and Ice Removal Policy 11-5400-A

CW 2022-049
That the Committee recommend that Council approve Snow and Ice Removal Policy No. 11-5400-A.
Motion Carried

5. COUNCIL SUBMISSIONS

5.1 Committee of the Whole Start Time

CW 2022-049
That the Committee request that staff contact the School District to inquire if there are opportunities during the school year to hold Council or Committee of the Whole meetings at Ladysmith Secondary School, during school hours, so that students can attend and participate.
Motion Carried

Council acknowledged departing Corporate Officer, Donna Smith, and expressed their appreciation for her competence and sense of fun. They wished her well in her retirement.

5. ADJOURNMENT

CW 2022-050
That this Committee of the Whole meeting adjourn at 7:55 p.m.
Motion Carried

CERTIFIED CORRECT:

Chair (Councillor A. Jacobson)

Corporate Officer (M. O'Halloran)

Minutes of the Poverty Reduction Task Group
October 6, 2022, 10:00am
Zoom

COMMITTEE MEMBERS PRESENT:
Myf Plecas
Millie Stirling
Lydia Neubauer
Sandra Thomson
Ryan Watson

STAFF/COUNCIL PRESENT:
Shannon Wilson
Councillor Tricia McKay

REGRETS:
Jacqueline Neligan
Carmen Hildebrand
Jessica Chomyn
Cheryl Sampson

CALL TO ORDER AND ACKNOWLEDGEMENT

The facilitator acknowledged with gratitude that this meeting was taking place on the traditional, unceded territory of the Stz'uminus First Nation.

AGENDA

That the Poverty Reduction Task Group approve the agenda for the meeting as presented.
Motion carried.

MINUTES

That the Poverty Reduction Task Group approve the Minutes from August 22, 2022 as presented.
Motion carried.

CURRENT BUSINESS

Welcome & Introductions

- Members of the PRTG each introduced themselves to the group.

Project Updates & Discussions

- Updates were shared about each section of the project:
- Food delivery from the LRCA food bank is being delivered to Stz'uminus however, a driver is still being recruited due to staffing changes at the Stz'uminus Health Centre.
- Volunteers have been working to recover fruit through the gleaning project facilitated by the LRCA.
- A separate Food Security Sub-committee will meet to discuss planning for the Food Fair which will be held in March 2023 with a focus on planting, seed sharing, "growing a row", Indigenous traditional foods, promotion & volunteer recruitment for fall 2023 gleaning program, etc.

- A plan has been outlined to create an evaluation framework for the project led by Task Group members Councillor McKay, Sandra and Rosalie. They will meet again following the election.
- Education and awareness event dates were discussed with confirmed dates expected shortly for early in 2023.

Wrap up & Next steps

- Set up a meeting for the Food Security Sub-committee to plan details for food security actions
- Set up a meeting after the election to continue developing an evaluation framework
- Confirm date for Food Fair in March 2023
- Work on a list of potential films for the Community Dialogues
- Connect with Cowichan Cultural Connections Society on designing and scheduling Community Cultural Workshops

Meeting adjourned at 11:02am

Next Meeting scheduled for November 9, 2022 at 10am.

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Facilitator (Sandra Thomson)

RECEIVED:

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Corporate Officer (D. Smith)

Minutes of the Parks, Recreation & Culture Advisory Committee
Wednesday, October 19, 2022 at 7:00pm
Frank Jameson Community Centre

COMMITTEE MEMBERS PRESENT:

Lynda Baker, Chair
Colleen Butcher
Kelly Daniels
Geoff Dean
Terri Merritt-Worden
Councillor Duck Paterson

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang, Minute Taker
Mike Gregory, Guest

REGRETS:

Gordon Filewych
Jacqueline Huard
Bruce Mason
Lucy Partington

CALL TO ORDER AND ACKNOWLEDGEMENT

In the absence of an appointed Chair, Councillor D. Paterson called the meeting to order at 6:58pm and acknowledged with gratitude that it was taking place on the traditional, unceded territory of the Stz'uminus First Nation.

AGENDA

2022-27:
That the Parks, Recreation & Culture Advisory Committee approve the agenda for the meeting as presented.
Motion Carried.

MINUTES

2022-28:
That the Parks, Recreation & Culture Advisory Committee approve the minutes of the September 21, 2022 meeting as presented.
Motion Carried

NEW BUSINESS

Introductions
New members of the Committee were introduced and returning members were welcomed back.

OLD BUSINESS

Elect Chair and Co-Chair
2022-29:
That the Parks, Recreation & Culture Advisory Committee appoint L. Baker as Chair and G. Dean as Co-Chair.
Motion Carried

L. Baker assumed the Chair.

Civic Recognition Program
Council Resolution CS 2022-073
That Council refer the "Civic Recognition" program to the Parks, Recreation & Culture Advisory Committee to develop a draft policy for Council's consideration.

T. Merritt-Worden provided an overview of the City of Silverton's Annual Community Award Program selection and criteria for the Committee's review.

Parks, Recreation & Culture staff advised that they would bring an inventory of local program awards, such as the Chamber of Commerce awards, the Historical Society Awards, etc. to a future Committee meeting to assist the committee as they draft the policy.

Park Implementation Plan – Review engagement/capture improvements
The Committee looked at feedback from the survey to determine if there were any other emerging items missed. At next meeting the Committee will reevaluate these proposed phases and see if it can add more items and look at costing from each phase.

Parking will be addressed through the Town's Active Transportation Grant, which will be used for improvements to Colonia Drive, including plans to improve crosswalks, walkways and entry point to the park.

PRC DEPARTMENT UPDATE

C. Barfoot provided an update regarding the following:

- Facility Projects
- Programs

NEXT MEETING

7:00pm on Wednesday, November 16, 2022 at FJCC.

ADJOURNMENT

2022-30:
That the Parks, Recreation & Culture Advisory Committee adjourn this meeting at 8:05pm.
Motion Carried

MINUTES
Community Planning Advisory Committee

Wednesday, November 2, 2022 at 7:00 p.m.
City Hall Council Chambers, 410 Espanade

PRESENT: Chair – Jason Harrison; Members – Brian Childs, Jason Robertson, Steve Frankel, Abbas Farahbakhsh, Tamara Hutchinson; Council Liaison – Marsh Stevens; Senior Planner – Christina Hovey; Recorder – Cassandra Taylor

ABSENT: Member - Jennifer Sibbald

GUESTS: Applicants – Angela Quek, Sarah Raymoure, Randy Repass, and Sally-Christine Rogers (file No. 3360-22-06)

Jason Harrison called the meeting to order at 7:06 PM, acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus First Nation.

1. AGENDA APPROVAL

It was moved, seconded and carried that the agenda of the November 2, 2022 Community Planning Advisory Committee meeting be approved.

2. ADOPTION OF MINUTES

It was moved, seconded and carried that the minutes of the October 5, 2022 Community Planning Advisory Committee meeting be approved.

3. COUNCIL REFERRALS

a. **OCP & Zoning Bylaw Amendment 3360-22-06 – 440 1st Avenue**

The Senior Planner provided a brief overview of the proposal. It was noted that an OCP amendment would not be required for the proposal if the draft new OCP is passed as currently written. A Zoning Bylaw amendment would still be required.

Applicant Angela Quek provided a presentation which included a video showing the exterior views of the proposed building from street level and above. The applicant and property owners were available to answer questions from the committee. It was noted by the applicant the commitment to the Ladysmith heritage by maintaining the facade, downtown livability by creating new rental spaces, and economic growth by retaining and enhancing the lower-level commercial space. Some of the mentioned upgrades to the building include adding a sprinkler system, an elevator, EV charging stations, indoor bike storage, and laundry.

Committee members made positive comments about the proposal, in particular the proposed design, the revitalization of the heritage building and proposed enhancement of the lane.

Committee members raised concerns regarding the displacement of the current tenants and the lack of parking in the downtown area. The owners stated that they are prepared to help the current tenants in accordance with the guidance in "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093" ("Renoviction Bylaw"). Based on the advice of the Committee, Senior Planner C. Hovey committed to sending a referral to BC Housing regarding the displacement of the current tenants.

Committee members were concerned that the development only proposes a total of 4 parking spaces for the 22 residential units, but recognized that the opportunities for parking on the property are limited. The Committee discussed parking in the downtown at length. Councillor Stevens noted that the new OCP proposes to lower the parking requirements in the downtown area. The Senior Planner noted that the proposed OCP calls for regular occupancy studies for the downtown area. Other suggestions for parking included designating one or two parking spots for car share programs and considering residential parking permits.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommend that Council approve OCP & Zoning Bylaw Amendment application 3360-22-06 with the request that Council give special consideration to the following:

- **Provide support and assistance for the relocation of existing tenants; and**
- **Provision of innovative parking solutions**

4. NEW BUSINESS

a. Committee Structure and CPAC Terms of Reference

- The Senior Planner provided background on the rationale for the Town's committee restructuring and disbanding of previous committees in 2019.
- Development Services staff will now be adding an option in their staff reports for Council to refer files (back) to CPAC for all significant applications.
- Committee members stated that this change is positive. however some members expressed the overall feeling of being undervalued.

5. MONTHLY BRIEFING

- Councilor Stevens will remain as Council Liaison for the Community Planning Advisory Committee for 2023. Councilor Jacobson has been appointed as the alternate Council Liaison.
- The draft OCP has received first reading. A new survey for the draft OCP is currently online. The Town is hosting an OCP pancake breakfast on November 5, 2022, which is open to the public.

The following files, that the Committee previously reviewed, have been to Council since the last meeting:

- Lot B Russell Rd (3360-21-03)

6. NEXT MEETING – TBD

7. ADJOURNMENT

It was moved, seconded and carried that the meeting be adjourned at 8:36 PM.

Chair (J. Harrison)

RECEIVED:

_____

Corporate Officer (D. Smith)

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: November 15, 2022
File No:
Re: **2023 Financial Plan – General Operations**

RECOMMENDATION:

That Council approve:

1. An additional full-time position of Parks Maintenance Worker II starting January 1, 2023;
2. Temporary part-time positions of Development Services Administration Assistant and Planner starting January 1, 2023 with the funding to come from reserves;
3. An additional $87,000 in the 2023-2027 Financial Plan for Pavement Maintenance; and
4. An additional $8,000 for additional Public Engagement software.

EXECUTIVE SUMMARY:

This is the third budget meeting discussing the 2023 Financial Plan. The focus of this report is General Operations. Continuing to provide the existing level of service will cost an additional $372,047 or 4.65% municipal budget increase. This amount does not include other agency taxation. Staff are also requesting funding for an additional full-time position, two temporary part-time positions and an expansion to the pavement management and public engagement services. The cost of these additional items is $152,180 and it has not been included in the budget figures presented.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The General Operating budget is the next topic in the budget meeting discussions of the 2023-2027 Financial Plan. Overall, there is a $372,047 or 4.65% municipal budget increase.

The municipal taxes are only part of the overall property tax bill; the Town collects funds

for other agencies based on their requests. Thus far, the Vancouver Island Regional Library is the only other agency that has provided their 2023 budget, which includes a 10% increase to their levy (from $443,650 to $486,407).

The budget was prepared based on existing service level. There are additional requests for higher level services. These amounts are not included in the presented budget as a separate decision is required prior to inclusion. These requests include:

Personnel

- Full-time Parks Maintenance Worker II
- Part-time Development Services Administrative Assistance (3 days per week)
- Part-time Planner (3 days per week)

Services

- Public Engagement Software
- Pavement Maintenance

Should Council approve these requests, the total municipal budget increase would be an additional 1.90%, for a total budget increase of 6.56%.

Overall, the budget was prepared to include the CUPE negotiated increase (2.5%) plus benefits, the contractual obligations for exempt staff and Council increase (2%), utility increases (2.7% to 3.5%). Inflationary rates are also included in certain departments of the budget.

The budget was also prepared based on the current Financial Plan objectives and policies:

- The Town will increase the proportion of revenue that is received from user fees and charges until the fees and charges more closely meet the costs incurred to provide the services.
- The Town will review all user fee levels to ensure they are adequately meeting both the capital and delivery costs of the service.
- Water and Sanitary Sewer Rates will be reviewed to ensure that appropriate user fees are charged, rather than taxation, to lessen the burden on its limited property tax base.
- Borrowing will be considered when a capital project will provide benefits to taxpayers over a long period.
- Pursuant to Council's direction, the Town will build a reserve to fund major capital projects. A minimum of 10% prior year's municipal tax levy will be transferred to

General Capital projects. A further 5% of the prior year's municipal tax levy will be transfer to an infrastructure deficit.

Corporate Administration

Within Corporate Administration are the areas of Mayor and Council, the office of the Chief Administrative Officer, Legislative Services, Financial Services, Information Technology, and Human Resources. Overall, the area is increasing 10.15%.

To offset the expenses, there are various revenues and reserves used to reduce the reliance on taxation. Water and Sewer funds pay an administration fee from their respective funds to administration, the waterfront implementer role is fully funded from reserves and the principal payment on the Churchill property is funded from the real property reserve.

Staff are requesting additional funds to increase public engagement. Previously, the Town was part of a group purchase to utilize public engagement software. As the members of the group have opted to use other software, the Town needs to set aside additional funds if it wishes to use another platform. Staff are requesting $8,000 (annually), which is a 0.1% tax increase.

Protective Services

This area, made up of Policing, Fire and Bylaw, will see a 16.65% budget increase. Much of this increase is due to a full year of funding for the Fire Chief position and the debt payments on the new aerial truck, and e-comm costs.

The Police Tax amount is increasing $137,348 or a budget increase of 9.43%. The per-member costs increased from $203,416 to $213,610 plus overtime. The Town pays for 70% of the eight members. The Policing budget contains a $50k increase for e-comm as this fee, currently paid by the Province, will be the responsibility of the municipality starting in 2025. The estimated cost is $192,000 per year. In 2022, when the transition was first discussed, $49,000 was included in the budget based on preliminary costs. As the Town will be required to fully fund this cost by March of 2025, staff are phasing the cost in over the next few years. Council could choose to keep the e-comm costs at $49,000, which would save $50,000 in police taxes or eliminate the full $99,000. The Town will be required to pay ~$192,000 by March of 2025.

Infrastructure Services (Public Works)

This area will see a 6.88% budget increase. Inflation impacts this area the greatest in materials and supplies and fuel cost, though this is offset by a reduction in the amount

set aside for vehicle replacement. Additionally, there is a full year of funding for the position within the Engineering department that was approved in 2022.

The snow and ice budget is increasing by $24,385, mainly due to a larger budget for materials (brine, salt and sand).

There are substantial increases in the tipping fees at CVRD stations and the organics stations, though staff are proposing to keep the fees for Solid Waste Collection (garbage, recycling, and organics) the same at $14 per month. This can be achieved by reducing the amount of funds reserved from the Recycling BC rebate for the eventual automation of the service.

The additional position of Equipment Operator II, approved at the October 25, 2022 Council meeting, is shared between the water, sewer and road funds and is included in the presented budget.

Staff are requesting $87,000 (or a 1.09% budget increase) in additional funds to complete larger paving areas. The existing paving budget set aside $13,000 for contracted services paving. If approved, staff will be able to maintain larger sections of pavement replacement beyond the current patching and crack sealing.

Staff are also requesting an additional position within the Parks department. This would be a full-time position, allowing additional maintenance work to be year-round. If approved, there will be a reduction in the hours of the existing temporary Parks positions. The incremental cost of this new position is $57,180 or a 0.72% budget increase.

Development Services

The Development Services area is expected to be similar to previous years. Revenues from development permits are estimated to remain at $25,000.

Council may recall that a part time planner and a part time administrative assistant were added temporarily to this area for 2022. Staff request that these temporary positions continue, with the funding to come from reserves. This will be the final year these positions can be funded by reserve. These temporary positions are needed to get through the peak of the development applications.

Parks, Recreation & Culture and Facilities Maintenance

The Parks, Recreation & Culture budget as it relates to FJCC was approved in September. Now, with the Regional Recreation referendum that passed recently, the

phased-in amount of the regional funding will be included in the budget. Property owners will still see an overall property tax increase, though the increase will be in the CVRD taxation and a decrease in Ladysmith taxation lines on the property tax notice.

The new regional recreation amounts will be phased in. For 2023, the Town will see 33% of the funding coming from the region in 2023. For FJCC, it is expected that $618,696 in operating funding will be transferred from the Town to the CVRD, though there will be a reduction in the Area G&H grant by approximately $58,427.

Overall:

PRC & Facility Maintenance	$2,387,111
Reduction in Area G & H Grant	58,427
Shifting funding from ToL to CVRD	(618,696)
Net Ladysmith Taxation	1,826,842

Not all of the PRC budget is covered in the Regional Recreation funding. The Facility maintenance budget, apart from the FJCC building, will see an 8.2% budget change. This is due to an increase in utilities (hydro) as well as switching completely to in-house janitorial from a contractor.

Transfers to/from Reserves

In keeping with the current Financial Plan Policy, 10% of last year's municipal taxation (or $799,457) is allocated to capital projects and 5% (or $399,728) has been set aside for asset replacement.

There are also funds ($176,977) set aside for the vehicle/fleet replacement.

Other Revenues

With the rising interest rates, the return on investment is earning additional funds. The 2023 budget includes $650,000 in return in investment which is up $407,117 over 2022.

Assuming the split property tax penalty dates remain, the estimated penalty and interest revenue is increasing by $8,900.

ALTERNATIVES:

Council can direct staff to make adjustments to the Financial Plan. Some options include:

- Not approving the additional positions;
- Reducing the e-comm funding;

- Reducing the transfer to reserve for asset management by 1% which represents approximately the increase in pavement management; and/or
- Direct staff to reduce service levels.

FINANCIAL IMPLICATIONS:
As discussed throughout the report.

LEGAL IMPLICATIONS:
The Financial Plan must be adopted before May 15, 2023.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:
Citizens are encouraged to participate in budget discussions.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:
Each budget is prepared by the individual department.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☒Infrastructure
☒Community
☒Waterfront
☒ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

A. Changes per Department

ATTACHMENT A

Corporate Administration

	2023 Proposed Budget	2022 Amended Budget	$ change	% change	*notes*
Employment Costs	2,314,743	2,200,665	114,078	5%	*Contractual obligation & short term disability*
Debt payment	965,700	958,700	7,000	1%	*Churchill property – interest rate increase*
Contract Services	615,726	604,316	11,410	2%	*Inflationary*
Insurance	81,968	79,127	2,841	4%	*Estimated*
Materials & Supplies	79,882	94,150	- 14,268	-16%	*Reduction due to Council phones & tablets*
Utilities	24,302	23,461	841	4%	*Estimated*
Reserve	6,250	6,250	-	-	*Election reserve*
Equipment Use	1,009	1,022	- 13	-1%	*Use of fleet vehicle*
Sale of service	- 20,750	- 30,330	9,580	-32%	*Reduction in miscellaneous revenue*
Other	- 288,707	- 285,668	- 3,039	1%	
Grants	- 446,000	- 451,000	5,000	-1%	*Reduction in Small Communities Grant*
Surplus	-1,142,213	- 1,210,241	68,028	-6%	*Using funds for Waterfront Implementer and Churchill debt*

By Area		**2023 Proposed Budget**	**2022 Amended Budget**	**$ change**
Finance	expense	889,065	859,798	29,267
Corporate Service	expense	651,316	605,043	46,273
Administration	expense	342,320	324,427	17,893
Information Technology	expense	322,808	312,340	10,468
Human Resources	expense	280,999	275,658	5,341
Mayor & Council	expense	210,736	215,728	- 4,992
Community Contributions	expense	197,196	198,833	- 1,637
Leases & Debt	use of reserves	-952,700	-952,700	-
	expense	965,700	958,700	7,000
Bad Debt	expense	10,000	10,000	-
Election	use of reserves	-	- 23,145	23,145
	expense	6,250	31,155	-24,905
Waterfront Project	use of reserves	-189,513	-157,337	-32,176
	expense	189,513	157,337	32,176
Administration Charge	water & sewer admin	-313,207	-312,668	-539
	expense	42,177	39,672	2,505
Revenue	revenues	-466,750	-478,330	11,580

Protective Services

	2023 Proposed Budget	2022 Amended Budget	$ change	% change	*Notes*
Contract Services	1,637,630	1,530,785	106,845	7%	*RCMP & E-comm*
Employment Costs	510,930	437,417	73,513	17%	*Full time Fire Chief (full year)*
Debt payment	282,384	211,018	71,366	34%	*Full year of debt payments on Aerial Truck*
Materials & Supplies	114,066	115,477	- 1,411	-1%	-
Reserve	22,400	22,400	-	0%	-
Insurance	20,639	18,233	2,406	13%	*MIA estimate*
Other	8,000	8,000	-	0%	-
Utilities	4,819	5,079	-260	-5%	-
Equipment Use	2,425	2,103	322	15%	-
Grants	- 37,933	- 37,933	-	0%	-
Sale of service	- 288,032	- 270,186	- 7,846	7%	*Service Agreements*
Police Taxation	-1,593,713	- 1,456,365	-137,348	9%	*Ecomm & per-member cost*

By Area		**2023 Proposed Budget**	**2022 Amended Budget**	**$ change**
Fire Department	revenues	-91,762	-85,575	- 6,187
	expenses	550,454	485,637	64,817
Fire Vehicles	expenses	218,618	148,495	70,123
Bylaw Compliance	revenues	-100	-100	-
	expenses	107,976	101,649	6,327
Animal Control	revenues	-40,000	-29,000	- 11,000
	expenses	50,850	47,500	3,350
Police	revenues	-1,787,816	-1,649,809	-138,007
	expenses	1,675,395	1,567,231	108,164

Infrastructure Services

	2023 Proposed Budget	2022 Amended Budget	$ change	% change	*Notes*
Employment Costs	1,952,014	1,857,422	94,592	5%	*Full year – Engineering, Shared Eq Op position & Cantract obligations*
Contract Services	791,952	755,884	36,068	5%	*Tipping Fees*
Materials & Supplies	249,800	196,136	53,664	27%	*Snow & Ice materials + storm*
Equipment Use	176,521	156,521	20,000	13%	*Inflationary increase*
Utilities	175,301	164,562	10,739	7%	*Hydro*
Reserve	80,191	87,797	- 7,606	-9%	*Reductian in Recycling Reserve*
Insurance	4,940	4,704	236	5%	*MIA estimate*
Grants	-9,188	- 11,100	1,912	-17%	*Reduction in grant*
Sale of service	-1,029,648	- 984,159	- 45,489	5%	*Garbage Fees, Subdivision Permits*

By Area		**2023 Proposed Budget**	**2022 Amended Budget**	**$ change**
PW Operations	expenses	1,115,025	1,008,224	106,801
Parks	revenues	-9,188 -	-11,100	1,912
	expenses	725,943	695,443	30,500
Engineering	revenues	- 127,986	- 122,786	- 5,200
	expenses	365,227	335,087	30,140
PW Administration	expenses	175,572	172,110	3,462
Snow & Ice Removal	expenses	97,513	72,458	25,055
Building	revenues	- 170,000	- 150,000	- 20,000
	expenses	223,104	226,538	- 3,434
Garbage	revenues	- 699,462	- 687,423	- 12,039
	expenses	699,462	687,391	12,071
Cemetery	revenues	-32,200	-23,950	- 8,250
	expenses	28,873	25,775	3,098

Development Services

	2023 Proposed Budget	2022 Amended Budget	$ change	% change	*notes*
Employment Costs	439,863	429,512	10,351	2%	*Contractual Obligations*
Contract Services	30,984	24,300	6,684	28%	
Materials & Supplies	9,100	15,500	- 6,400	-41%	
Utilities	3,582	4,194	-612	-15%	
Surplus	- 5,000	-5,000	-	0%	*Board of Variance Reserve funding*
Sale of service	- 88,000	- 87,500	-500	1%	

		2023 Proposed Budget	2022 Amended Budget	$ change
Planning	revenues	- 30,000	- 30,000	-
	expenses	420,506	414,009	6,497
Heritage	expenses	8,687	8,132	555
Economic Development	revenues	- 63,000	- 62,500	-500
	expenses	54,336	51,365	2,971

Parks, Recreation & Culture + Facility Maintenance

	2023 Proposed Budget	2022 Amended Budget	$ change	% change	*notes*
Employment Costs	2,288,662	2,204,170	84,492	4%	*Contractual Obligations*
Contract Services	301,732	303,121	- 1,389	0%	*Reduction in Janitorial & increase in bank charges*
Utilities	235,059	212,970	22,089	10%	*Hydro & Natural gas. Increased usage*
Materials & Supplies	178,884	163,900	14,984	9%	*Janitoriol & program costs*
Insurance	69,527	66,216	3,311	5%	*MIA estimate*
Reserve	43,000	48,000	- 5,000	-10%	*Reserving LMS Moorage*
Equipment Use	11,987	11,254	733	7%	*inflation*
Other	3,300	3,300	-	0%	*PRC Commission*
Grants	-125,354	- 184,061	58,707	-32%	*Reduction in Area G & H*
Sale of service	-678,113	- 814,606	136,493	-17%	*Reduction in expected revenues*

By Area		**2023 Proposed Budget**	**2022 Amended Budget**	**$ change**
FJCC Administration	revenues	- 28,200	- 35,855	7,655
	expenses	833,480	791,678	41,802
Facility Maintenance	expenses	633,342	585,383	47,959
FJCC	revenues	- 50,300	- 87,628	37,328
	expenses	613,160	582,853	30,307
Recreation Programs	revenues	-139,724	-139,632	-92
	expenses	279,045	272,104	6,941
Fitness Studio	revenues	-196,872	-266,591	69,719
	expenses	303,265	328,780	-25,515
Aquatics	revenues	-388,371	-475,361	86,990
	expenses	449,859	438,533	11,326
Tourism	expenses	20,000	20,000	-

Other

	2023 Proposed Budget	2022 Amended Budget	$ change	% change	*Notes*
Transfer to Capital (10%)	799,456	735,835	63,621	9%	*Per Policy*
Transfer to Reserves (5%)	399,728	378,957	20,771	5%	*Per Policy*
Penalty & Interest	- 87,860	-73,960	-13,900	19%	*Based on historic*
Interest on investment	- 650,000	-242,883	-407,117	168%	*Interest rates*
Fleet Replacement	176,977	124,295	52,682	42%	*Replacement costs is greater than originally budgeted*

STAFF REPORT TO COUNCIL

Report Prepared By:	Chris Geiger, Fire Chief
Reviewed By:	Allison McCarrick, CAO
Meeting Date:	November 15, 2022
File No:	**1855 – 11P**
Re:	**UBCM - Community Emergency Preparedness Fund Grant Application**

RECOMMENDATION:

That Council:

1. Support Ladysmith Fire/Rescue's application to the UBCM Community Emergency Preparedness Fund Volunteer & Composite Fire Department Equipment & Training grant for fire fighting equipment for low to medium rise buildings; and
2. Confirm its willingness to provide overall grant management subject to receipt of grant funding.

EXECUTIVE SUMMARY:

Ladysmith Fire/Rescue has applied for a grant in the amount of $30,000 through the UBCM Community Emergency Preparedness Fund Volunteer & Composite Fire Department Equipment & Training program. The grant would provide funding to supply firefighting equipment for low to medium rise buildings. Staff request Council's support of the application and confirm that the Town will provide overall grant management if successful.

PREVIOUS COUNCIL DIRECTION:

CS 2019-336	2019-10-21	That Council: 1. Direct staff to submit a funding application to UBCM's Community Emergency Preparedness Fund requesting $25,000 for the training of six new Fire Department volunteer paid on-call recruits; and 2. Confirm the willingness to provide overall grant management.

INTRODUCTION/BACKGROUND:

As development continues in Ladysmith, particularly multi-story residential and commercial structures that employ fire sprinkler and standpipe systems, Ladysmith Fire/Rescue is compiling equipment that will allow them to take advantage of built-in firefighting systems and technology in these buildings. In conjunction with the release of the updated "Structure Firefighting Minimum Training Standards", the Community Emergency Preparedness Fund offers funding for the new equipment. This is a 100% funded program up to $30,000.

ALTERNATIVES:

Council can choose to not support the grant application for firefighting equipment for low to medium rise buildings.

FINANCIAL IMPLICATIONS:

The Fire/Rescue operating budget provides adequate funds to purchase essential equipment and provide training to accomplish day-to-day operations in accordance with the declared level of service. However, additional equipment will enhance the resiliency and effectiveness of our ability to operate within the complex, multi-story buildings that are becoming more common in Ladysmith. As we identify new areas within our level of service, new equipment has traditionally been funded outside of the current tax base. This equipment will be added to the Ladysmith Fire/Rescue inventory of firefighting equipment and will be subject to repair or replacement as needed within the operating budget moving forward.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Ladysmith Fire/Rescue enjoys a high level of support amongst the population of Ladysmith. Typically, news that Ladysmith Fire/Rescue is acquiring equipment that builds capacity and adds to operational readiness is met with support, particularly if that equipment can be secured with funding from outside sources.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

If successful, the Fire Department and the Finance Department will work together to purchase the equipment in accordance with the Town's purchasing policy.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☒Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☒Infrastructure
☐Community
☐Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Camelia Copp, Revenue Accountant
Reviewed By: Erin Anderson, Director of Financial Services
Meeting Date: November 15, 2022
File No:
Re: **Penalties due to Title Changes**

RECOMMENDATION:

That Council authorize the Director of Finance to use up to $1,000 to pay the 2022 penalty amounts for property taxes and utility accounts for mobile homes where the updated ownership information was not received from BC Assessment at time of billing.

EXECUTIVE SUMMARY:

At the time of billing for property taxes and utility bills some of the information received from BC Assessment related to mobile home ownership information was not current. As a result of this, some mobile home owners did not receive their property tax notice or their utility bills, therefore penalties have been applied to their accounts. Staff are requesting authorization to pay these penalties based on certain criteria.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The *Community Charter* (s.237) generally states that a tax notice must be delivered to an owner by mail at the address on the Assessment Roll. This ownership information comes to the Town via BC Assessment, though their data is collected through the Land Titles Office for real property and the Mobile Home Registry for mobile or manufactured homes. The Town has complied with the legislation.

Each week, the Town receives ownership and mailing address updates through an electronic file directly from BC Assessment. BC Assessment has been experiencing some delays in providing municipalities with the correct information in a timely manner. These delays resulted in the Town's ownership information not being updated prior to the property tax billing or utility billings. BC Assessment is working on fixing the issues on their end, though the files that staff are currently receiving date back to ownership

changes from the spring.

So far, the Town is aware of three mobile homes that changed hands earlier in the year, though the previous ownership information was all that was available at the time of billing. The Town learned about one of the properties directly from the owner though the Title information is yet to be updated by BC Assessment. The property owner is requesting that all the penalties be waived for the bills that were sent after the sale took place until the time the Title is updated. The issue was also brought to the local MLA's attention.

In November, the Town received a Notice of a Title Change dating back to a sale on April 29, 2022. The property owner has not received any bills directly from the Town and penalties have incurred. The third mobile paid the property taxes, but not the utility bills.

Only the Province can reverse a tax penalty as penalties are imposed based on Provincial legislation. Though the Town has done nothing wrong, staff are requesting that Council authorize the Director of Finance to "pay" these penalties from the Town's bad debt account. The number of properties is unknown at this time, though the criteria for qualifying for a penalty payment is specific and can be verified by BC Assessment data when it is received. Staff have more discretion when it comes to Utility penalties, though unpaid amounts, including penalties, are transferred to property taxes as of December 31st and begin accruing interest.

ALTERNATIVES:

Council can choose to:

1. Not authorize the Director of Finance to use up to $1,000 to pay the 2022 penalty amounts for property taxes and utility accounts for mobile homes where the updated ownership information was not received from BC Assessment at the time of billing. For the two properties, there is $106.05 in property tax penalties and $37.58 in utility penalties.
2. Direct staff to contact the Province to reverse the penalties. This will require a Council resolution for each property.

FINANCIAL IMPLICATIONS:

There was $51,100 budgeted for tax penalty revenue. Over $62,000 in penalties have been levied.

The total amount of penalty to be paid is unknown until the ownership information is received from BC Assessment.

LEGAL IMPLICATIONS:

Tax penalties are imposed by legislation. Utility penalties are imposed by Town bylaw.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☐Innovative Infrastructure
☐Healthy Community
☒ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☐ Economy
☒ Not Applicable

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By:	Richard Frost, Manager of Facility Operations
Reviewed By:	Chris Barfoot, Director Parks, Recreation & Culture
Meeting Date:	November 15, 2022
File No:	
Re:	**Parks, Recreation & Culture Capital Project and Recent Facility Repair Updates**

RECOMMENDATION:

That Council direct staff to amend the 2022-2026 Financial Plan by allocating up to $27,305 from the remaining cost savings funds for the Food Bank demolition and Transfer Beach Concession projects to the Transfer Beach projects and other facility maintenance.

EXECUTIVE SUMMARY:

In 2021, the Town of Ladysmith received grant funding through the Tourism Dependent Community Fund (TDC) to renovate the existing washroom building, make picnic shelter improvements and construct a new shelter covering the 'Salish Wind' canoe, as well as a few other projects yet to be completed. By the time the projects were well under way, inflation impacted the material and labour costs, resulting in these projects being over budget. There are some cost savings from other projects that came in under budget. Staff are permitted to utilize these savings in other capital projects up to a maximum amount. Additionally, other unforeseen issues within the facility maintenance budget have occurred over the past few months. Staff are requesting utilizing up to $27,305 from the cost savings to minimize the cost overruns.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

Budget amounts for projects are estimates prepared well in advance of when the work takes place. Occasionally, there are cost savings or cost overruns. When there are cost savings within one project, staff look at utilizing these amounts for other projects instead of stopping a project and requesting Council's approval. Per policy, staff are authorized to transfer 0.3% of the municipal taxation amount to cover cost overruns within projects.

There were savings from the demolition of the Food Bank and the demolition of the Concession which totaled $48,508. To date, staff have allocated $21,203 from these projects to other

projects with cost overruns which is the maximum permitted under the policy. Staff are requesting transfer approval of the remaining $27,305 to the following projects:

Transfer Beach Upgrade Projects

Picnic Shelters – *Budget $135k Cost to Complete $146k*

The two picnic shelter renovation projects presented challenges in the early stages of the project. Each of the shelters required additional engineering, materials and labour in order to meet the current building requirements for these types of structures. With the additional costs associated with site preparation, security fencing, construction and the cost of materials, the projects exceeded the proposed budgets for these shelters. Design modifications were made to help offset some of the additional expenses, however the savings were minimal. Another cost was the addition of an anti-graffiti coating that was applied to the walls inside the shelters during construction. This has already proved effective as the building was tagged over the summer, and staff were able to easily remove the graffiti using soap and water.

Canoe Shelter – *Budget $35k Cost to Complete $44k*

The project to construct a new shelter for the 'Salish Wind' canoe experienced some unforeseen challenges before construction began. The project design included a four-post shelter with new footings necessary to stabilize the shelter. Preliminary investigation using a hydro vac system revealed some unknown utilities in the locations designated for each of the footings. This resulted in further engineering and architecture design modifications to avoid relocating the power and water utilities. These modifications also included realigning the existing canoe base in order to avoid the utilities located in the site, removing the existing concrete base and pouring a new base with deeper footings than what was originally anticipated. This additional work resulted in further increased costs. Similar to the other projects, increased material and labour costs also impacted the budget.

Unanticipated Required Repairs

Vandalism and Theft *Costs of repairs and replacement $7k*

In early September, prior to the completion of the Transfer Beach Washroom project, two exhaust stacks were damaged through vandalism. Replacing the duct work was an additional cost of $2,611 plus labour, with the remaining damage being covered through the contractor. This vandalism, along with other graffiti to the newly renovated spaces and existing buildings such as the Horseshoe Club, have been unforeseen costs associated with the Transfer Beach area.

The recent facility challenges have also included the theft of two public AEDs from Forrest Field. Each AED comes at a cost of $2,000. Staff have taken measures to try and prevent this from

reoccurring, including relocating them to a more secure space still accessible to rentals, and by placing electronic tracking devices on the entire inventory of the publicly accessible AED units.

FJCC Main Swimming Pool	*Costs of repairs - $19k*

In May of 2022 it was discovered that the pool had a leak from one of the intake valves located below the pool deck surface. Testing and installation of a water usage meter provided accurate volume reading. Completing the repair work involved the removal of a 4 foot by 4-foot section of the deck, which was required for the hydro-excavation (hydro-vac) of the material to expose the faulty pipes and intake valve without causing any further damage to the rest of the pipework (Attachment A). This work was completed during shutdown to minimize the impact to operations and to the public. Although the repair was simple in nature, the work involved was extensive and resulted in using up remaining funds in the pools operational maintenance budget. Work included hydro-excavation, plumbing repairs, backfilling, concrete work and resurfacing the pool deck. Since completing the repairs, the water loss is almost non-existent apart from water loss through evaporation and usage. During the investigation, staff identified that the additional untreated water used to replace the water being lost from the leak was likely responsible for a recent increase in chemicals being used to ensure the pools maintained the legal and acceptable levels during this time.

City Hall Roof and Drainage Component Repairs	*Cost of repairs - $6.5k*

In late October a leak was detected above a corner office of the City Hall building. Upon investigation, the leak was due to the failure of old down spout piping that runs through the exterior wall of the building, The pipe was compromised by one of the mature trees on the site. Completing these repairs involved removing a section of the roof system to access the pipe, HAZMAT procedures based on the age of the building and rerouting the piping to the exterior of the building and bypassing the aging system all together. Cost of the short term roof, gutter and drainage repairs were approximately $6,500 (Attachment B).

This recent work is a short-term solution that will address the water entering the building, but investigation during this project has uncovered a much larger issue with the site. The perimeter drainage system that the roof drains feed into has been compromised and will require replacement. The roof itself will also require a full replacement in the next 2-3 years. Rough estimates for this work including the replacement of the drainage, are $100,000 and could be added to the 2023 Capital Budget. Staff are working with the consultants to establish a plan and confirm these costs before presenting this option.

ALTERNATIVES:

Council can choose to modify the Policy to increase the transfer amount to up to 1% of municipal taxes.

FINANCIAL IMPLICATIONS:

Staff request using cost savings from other projects which minimizes the financial impact.

LEGAL IMPLICATIONS:
N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:
The pool repairs were necessary to maintain operations of the pool. Closing the pool would have tremendous impacts on the programs and services in this area.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:
Repairs at City Hall were necessary to eliminate disruptions to and ensure the safety of those working in the area affected by the leak.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☐Green Buildings
☒Innovative Infrastructure
☐Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☒Infrastructure
☒Community
☒Waterfront
☐ Economy
☐ Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

A. FJCC Pool Repairs
B. City Hall Roof and Drainage Repairs

ATTACHMENT A
Photos Pool Leak Repair

ATTACHMENT B
Photos of Repairs to the City Hall Drain and Roof

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: November 15, 2022
File No:
Re: "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125"

RECOMMENDATION:

That Council give first three readings to "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125".

EXECUTIVE SUMMARY:

A recent request from a resident and subsequent investigation of heat pump noise and permitted locations revealed "Noise Suppression Bylaw 2003, No. 1478" did not provide a practical noise limit for heat pumps. Staff are recommending that an increase to the allowable noise limit be increased to 60dB for all times of day.

Additionally, staff have heard from many contractors that our construction noise exemption is difficult to work within and is more restrictive than other municipalities. Staff agree and propose a one hour extension to the Town's current exemption.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The Town's current Noise Bylaw includes overly restrictive heat pump noise levels and construction exemptions. Staff are proposing amendments to Sections 7 and 12 of Bylaw No. 1478 to bring many heat pumps into conformance, allow future heat pump installations to proceed, and permit construction schedules to be more flexible.

Heat Pump Noise

Section 7 - Current Bylaw Wording	Section 7 - Proposed Amendments
a) The Council is of the opinion that the operation of a heat pump or water pump resulting in a sound level at a point of reception located in a Quiet Zone in excess of 50 decibels between 7:00 a.m. and 10:00 p.m. on any day, or in excess of 45 decibels between 10:00 p.m. and 7:00 a.m. of the following day is objectionable and liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.	a) No person shall operate a heat pump or water pump resulting in a sound level at the point of reception located in a Quiet Zone in excess of 60 decibels any time of day.

Section 7 - Current Bylaw Wording	Section 7 - Proposed Amendments
b) No person shall emit or cause, suffer or permit the emission of sound from the operation of a heat pump or a water pump resulting in a sound level at a point of reception located in a Quiet Zone in excess of: i. 50 decibels between 7:00 a.m. and 10:00 p.m. on any day, or *ii.* 45 decibels between 10:00 p.m. and 7:00 a.m. of the following day.	Delete this item in its entirety.

Staff reviewed the Sound Pressure Levels (SPL) for a variety of heat pumps, which tended to be around 70dB to 80dB for a large system at maximum power, with a drop to below 60dB at a suitable distance from the property boundary for most normal sized systems. A heat pump is loudest when temperatures are low during the night, therefore 45dB is the current upper limit of permissible noise. This SPL is difficult to achieve without a great distance (30m or more) from the neighbouring property boundary. Staff believe there are many heat pumps out of compliance throughout Town.

Heat pumps are an excellent way to heat and cool residences, being up to 300% more efficient than electric baseboard heaters and 50% more efficient than a typical A/C window unit (BC Hydro). The use of heat pumps should be acceptable despite their relatively small noise penalty.

An increase to the acceptable noise level of 60dB has been proposed by staff. The time-of-day provisions were removed as they don't serve a useful purpose.

Construction Exemption

Section 12 - Current Bylaw Wording	Section 12 - Proposed Amendment
e) The erection, demolition, construction, reconstruction, altering or repairing of any building or other structure within the Municipality or the excavating of any street, highway, lane or any other land between the hours of 7:00 a.m. and 6:00 p.m. on each day except Sunday, or in the case of urgent necessity, at any other time during the week if such work is essential to the health, safety or protection of the public.	e) The erection, demolition, construction, reconstruction, altering or repairing of any building or other structure within the Municipality or the excavating of any street, highway, lane or any other land between the hours of 7:00 a.m. and 7:00 p.m. on each day except Sunday, or in the case of urgent necessity, at any other time during the week if such work is essential to the health, safety or protection of the public.

There is a separate exemption for blasting that limits work to 8am to 5pm except Sunday and statutory holidays. Staff are recommending this remain, as blasting noise can be very disturbing.

Staff reviewed the surrounding area municipalities and regional districts for similar exemptions and found the following:

Nanaimo	7am to 9pm
Duncan	7am to 8pm
CVRD	7am to 9pm
North Cowichan	7am to 8pm
RDN	7am to 10pm

Staff are recommending the Town's exemption be made 7am to 7pm, with all other requirements to remain the same. The Town's current exemption is more restrictive than all the canvased local governments and would remain the most restrictive with the amendment. Providing flexibility to contractors to complete work in a wider range of hours allows a project to be completed faster, which then reduces the duration of noise, road closures, dirty streets, and other unwanted activity.

ALTERNATIVES:

Council can choose to:

1. Amend either section 7 or 12 of "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125", rather than both.
2. Refer proposed "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125" back to staff for further information.
3. Not amend "Noise Suppression Bylaw 2003, No. 1478" at this time.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Recent discussions with residents indicate that new heat pumps are unlikely to meet the existing 45dB noise limit.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐Complete Community Land Use
☒Green Buildings
☒Innovative Infrastructure
☐Healthy Community
☐ Not Applicable
☐ Low Impact Transportation
☐ Multi-Use Landscapes
☐ Local Food Systems
☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

☐Infrastructure
☐Community
☐Waterfront
☐ Economy
☒ Not Applicable

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

A. "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125"

TOWN OF LADYSMITH

BYLAW NO. 2125

A Bylaw to amend "Noise Suppression Bylaw 2003, No. 1478"

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to"Noise Suppression Bylaw 2003, No. 1478":

1. Delete Item 7.a) in its entirety and replace with the following:

   a) No person shall operate a heat pump or water pump resulting in a sound level at the point of reception located in a Quiet Zone in excess of 60 decibels any time of day.

2. Delete Item 7.b) in its entirety.

3. Amend Item 12.e) by changing the stated times from 7:00 a.m. to 7:00 p.m.

Citation

4. This Bylaw may be cited for all purposes as "Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2022, No. 2125".

READ A FIRST TIME on the _____ day of _____, 2022
READ A SECOND TIME on the _____ day of _____, 2022
READ A THIRD TIME on the _____ day of _____, 2022
ADOPTED on the _____ day of _____, 2022

_____
Mayor (A. Stone)

_____
Corporate Officer (M. O'Halloran)

TOWN OF LADYSMITH

BYLAW NO. 2113

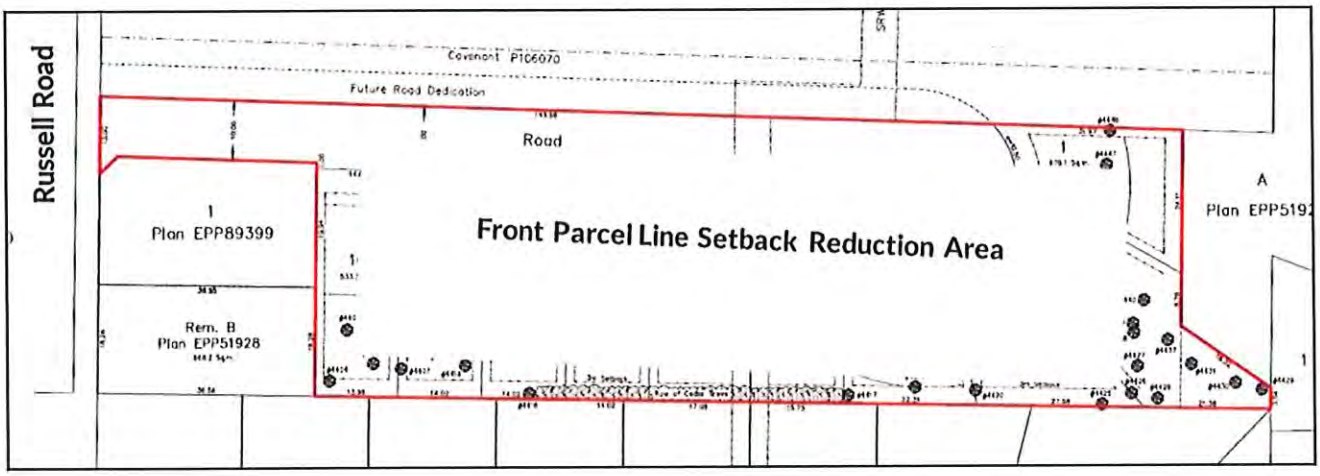
A Bylaw to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860"

The Council of the Town of Ladysmith in open meeting assembled enacts as the following amendments to "Town of Ladysmith Zoning Bylaw 2014, No. 1860":

1. Schedule A – Zoning Bylaw Text is amended by adding a new section 7 "Site Specific Regulations" in section 10.3 "Single Dwelling Residential – Small Lot A Zone (R-1-A)", as follows:

    a. "Despite section 5.c) and 5.d), the *Front Parcel Line* Setback for a *Principal Building* or *Structure* and an *Accessory Building* or *Structure* is 3.0 metres, for the area shown in Figure 10.3.1"

FIGURE 10.3.1 PLAN OF FRONT PARCEL LINE SETBACK REDUCTION AREA



2. Schedule B – Zoning Bylaw Map is amended to change the zone for the subject area, Lot B District Lot 67 Oyster District Plan EPP51928 Except Plan EPP89399, as shown in Schedule 1, attached to and forming part of this Bylaw, from R-1 to R-1-A.

Citation

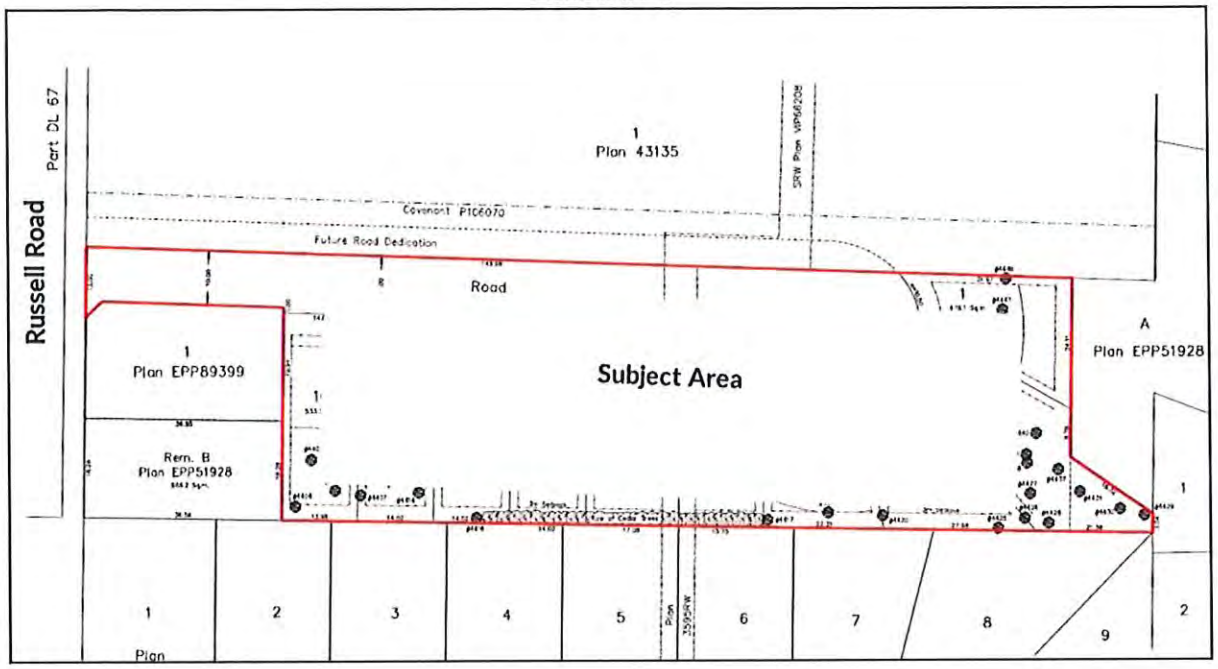
3. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) 2022, No. 2113".

READ A FIRST TIME on the _____ day of _____, 2022
READ A SECOND TIME on the _____ day of _____, 2022
READ A THIRD TIME on the _____ day of _____, 2022
PUBLIC HEARING not held in accordance with section 467 of the *Local Government Act*
APPROVED BY MINISTRY OF TRANSPORTATION & INFRASTRUCTURE
on the _____ day of _____, 2022
ADOPTED on the _____ day of _____, 2022

_____
Mayor (A. Stone)

_____
Corporate Officer

Schedule 1


Russell Road
Part DL 67
1
Plan 43135
Covenant P106070
Future Road Dedication
Road
1
Plan EPP89399
Subject Area
A
Plan EPP51928
Rem. B
Plan EPP51928
1
2
3
4
5
6
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8
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2

BYLAW STATUS SHEET
November 15, 2022

Bylaw #	Description	Status
2106	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106" (amend land use and Development Permit Areas at Lot 5, Holland Creek)	First and second readings, April 19, 2022. Public Hearing held August 2, 2022. Second reading rescinded, September 6, 2022. Second public hearing and third reading September 20, 2022. Conditions to be met prior to adoption.
2107	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.48) 2022, No. 2107" (include secondary suites, coach house dwellings and townhouse dwellings at Lot 5, Holland Creek)	First and second readings, April 19, 2022. Public Hearing held August 2, 2022. Second reading rescinded, September 6, 2022. Second public hearing and third reading September 20, 2022. Conditions to be met prior to adoption.
2120	"Road Closure and Dedication Removal Bylaw 2022, No. 2120" (allow the closure of the lane separating 621 & 631 1st Avenue to vehicle traffic)	First, second and third readings September 6, 2022. MOTI approval and public notice required.
2200	"Official Community Plan Bylaw 2022, No. 2200" (a new Official Community Plan for the Town)	First reading September 20, 2022. Referred to various agencies as per resolution CS 2022-230.

CVRD

175 Ingram Street
Duncan, BC V9L 1N8
www.cvrd.bc.ca

Office: 250.746.2500
Fax: 250.746.2513
Toll Free: 1.800.665.3955

October 24, 2022

File No.: 4020-20 Fireworks/LUSD

Town of Ladysmith
410 Esplanade
LADYSMITH BC V9G 1A2

To Whom it May Concern:

Re: Regional Approach to Fireworks Regulations

The Cowichan Valley Regional District (CVRD) Board of Directors has had numerous discussions recently with regard to the regulation of fireworks within the region.

Notwithstanding community concerns with regard to environmental impacts, and impacts on animals and livestock, the multiplicity of regulations and jurisdictional authority makes this a complicated issue.

- CVRD Bylaw No. 39 regulates the sale and discharge of fireworks within CVRD electoral areas, the Town of Ladysmith (TOL) and Town of Lake Cowichan (TOLC).

- TOL Bylaw No. 2115, provides additional regulations for the sale, possession and discharge of fireworks within Town of Ladysmith boundaries. Persons wishing to sell, possess or discharge fireworks within TOL boundaries must comply with both TOL and CVRD bylaws.

- TOLC Bylaw No. 807-2005, regulates fireworks, firecrackers and explosives within TOLC boundaries. Persons wishing to sell, possess or discharge fireworks within TOLC boundaries must comply with both TOLC and CVRD bylaws.

- The Municipality of North Cowichan (MNC) and City of Duncan (COD) have their own respective bylaws to regulate fireworks: MNC Bylaw No. 3810 and COD Bylaw No. 3116.

- Local government bylaws, including fireworks regulations, do not apply to lands within First Nations reserves.

At the CVRD Board meeting of Wednesday, April 27, 2022, the Board passed a resolution inviting municipal councils and First Nations to participate in the development of a regional approach to fireworks regulations.

The CVRD Board has expressed its commitment to supporting this important endeavor and I would respectfully request, on behalf of the CVRD Board, that your council take the opportunity to discuss this important issue and the opportunity to participate in the development of a regional approach to fireworks regulation, and respond to Ms. Danielle Myles Wilson, CAO at Danielle.MylesWilson@cvrd.bc.ca at your earliest convenience.

Sincerely,

Lori Iannidinardo
Chair

LI:AK\sb\ann
pc: Board of Directors

From: Jacqueline Neligan <laffexecutivedirector@shaw.ca>
Sent: November 9, 2022 10:14 PM
To: Julie Tierney <jtierney@ladysmith.ca>
Subject: LaFF's19thAnnualWinterCelebrationcombo.pdf

Hi Julie
I'd like to invite the Town to sponsor LaFF's 19th Annual Winter Celebration.
Can you please forward to Mayor and Council?
Thanks.

Jacqueline

LaFF Executive Director
www.familyandfriends.ca

Laff's 19th Annual

Winter Celebration

Inspired by the Nordic '**HYGGE**' Celebration, at this heartwarming community event we will be creating beautiful memories and delightful activities to do at home over the holiday season.

Crafts • Culinary Package • Delightful Snacks • Memory Book • Photo by CB Photography

NOVEMBER 26, 2022

9:00-10:00am
10:30-11:30am
12:00-1:00pm
1:30-2:30pm

Family ticket available through Event Bright

SCAN ME

@ilovetolaff
Ladysmith Family and Friends
www.familyandfriends.ca
laffadmin@shawbiz.ca

LaFF
LADYSMITH FAMILY + FRIENDS RESOURCE PROGRAM

LaFF's 19th Annual Winter Celebration

Saturday - November 26, 2022, Aggie Hall

Dear Community Partner,

LaFF has been wrapping a blanket of support and building community for the past 27 years. Inspired by the Nordic HYGGE* celebration, LaFF will create a warm and inviting Nordic Market, full of delightful activities to do at home over the holiday season, to help families intentionally build beautiful memories and traditions.
We need your help this holiday season as we continue to connect families and build a healthy and nurturing community for all. Thank you for sponsoring one of the following "Stations" or the event or making a donation to help LaFF help others in 2023. It Takes a Village and we are grateful you are a part of our village!

*HYGGE-a quality of coziness that makes a person feel content and comfortable

Market Station: Intention – item/ activity	Sponsorship Opportunity (full or partial funding)	I wish to inve$t this amount towards this Market Station
COMMUNITY: Connection - event sponsor	Minimum $2500	
WARMTH: Lighting, cozy - lantern	$1,000	
PRESENCE: Live in the moment - group selfie station	$500	
JOY: Delight - family meal	$1,500	
CONNECTION: Better together - group photo	$2,000	
GRATITUDE: Breathe it in – homemade bathing salts	$500	
HARMONY: Internal/external joy - tote, scroll, festive swag	$1,000	
COMFORT: Relax, get comfy - wellness package	$1,000	
TOGETHERNESS: Share - LaFF story book and journal	$2,000	
CREATIVITY: Build relationships - felt craft and reindeer feeding station	$1,000	
HOME: Peace and security - local honey and LaFF spice blend	$1,000	
NOURISH: Taste the love - silver dollar pancakes/fruit kabobs	$1,500	
DELIGHT: Homemade - pepper jelly, scone mix	$1,000	
CHEER(s): Celebrate the moments - mulled apple cider	$1,000	
BE: Be the change you want to see in the world	$80 per ticket (family/group)	Online starting Oct.10 on Eventbrite
SUPPORT: Help LaFF help others - general donation to LaFF	All donation$ welcome	

Ways to support the event	Benefits of sponsorship
• Sponsor a Market Station	• Supporting your community
• Donate and help LaFF Help Families	• Advertising your business online and at event
• Volunteer your time (contact us)	• Tax deduction for general donation to LaFF

Name/ business/ organization: _____

The total amount you would like to sponsor $_____

Contact information

Email: _____

Phone #: _____

Mailing Address: _____

Method of Payment:

Mail cheque and form to: Box 1830, Ladysmith BC, V9G 1B4

or

E-transfer: ilovetolaff@shaw.ca and leave a message in the memo directing your donation request as well as contact info.

For more information please do not hesitate to email laffadmin@shawbiz.ca or call 250-210-0870

LaFF Office: 532 1st Ave, Ladysmith Mail: Box 1830, Ladysmith BC, V9G 1B4 www.familyandfriends.ca

Thank you for making a difference in our community!

Sincerely,

Jacqueline and the LaFF'ing Team

LaFF LADYSMITH FAMILY + FRIENDS RESOURCE PROGRAM

ART COUNCIL
of LADYSMITH and DISTRICT

610 OYSTER BAY DRIVE (ON THE WAY TO TRANSFER BEACH), LADYSMITH, BC
OPEN 7 DAYS A WEEK | 11:00 AM TO 4:00 PM
PO BOX 2370 LADYSMITH BC V9G 1B8 | 250.245.1252
WWW.LADYSMITHWATERFRONTGALLERY.COM

November 10, 2022

Request for Letter of Support

The Arts Council of Ladysmith and District would like to request a letter of support from the Town of Ladysmith as we are currently preparing a grant application to the BC Arts Council Infrastructure Grant.

We are proposing that we erect or place structures on the land belonging to the Island Corridor Foundation adjacent to the train tracks. This portion of land is between the proposed Arts and Heritage Hub and the freeway. We would like to use the structures as office space, a classroom, a maker space, print studio, storage, and a washroom, with the possibility to expand to include a pottery studio.

We are applying for the $25 000 grant to hire a project manager to do the following:

1. Assessment of the type of building to use (mobile units, seacans etc)
2. Assessment of cost to clear the site.
3. Assessment of cost for site preparation.
4. Consulting with an Architect to provide initial drawings of the project.
5. Find out what permits will be needed.
6. Consult with a designer for the design of the buildings for specific use – washroom, maker space, office space, classroom space, print shop etc.
7. Consult structural engineer as necessary.
8. Consult the Stzu'minus elders and artists for design of the exterior.
9. Provide us with the scope of the work, a project plan and initial budget

This development will tie into the Art and Heritage Hub and when the Machine Shop renovation is completed and the ACLD can move back, the structures can be used to meet a variety of needs such as art studio spaces etc. Please note that the Island Corridor Foundation is supportive of this project.

Thank You

Ora Steyn on behalf of the

ACLD Board