

**A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
AGENDA
7:00 P.M.**

Monday, December 16, 2019
Council Chambers, City Hall

	Pages
1. CALL TO ORDER (7:00 p.m.)	
2. REGULAR MEETING (7:00 p.m.)	
3. AGENDA APPROVAL	
<u>Recommendation</u> That Council approve the agenda for this Regular Meeting of Council for December 16, 2019.	
4. MINUTES	
4.1 Minutes of the Regular Meeting of Council held December 2, 2019	9
<u>Recommendation</u> That Council approve the minutes of the Regular Meeting of Council held December 2, 2019.	
4.2 Minutes of the Public Hearings and Special Meeting of Council held December 2, 2019	13
<u>Recommendation</u> That Council approve the minutes of the Public Hearing and Special Meeting of Council held December 2, 2019.	
4.3 Minutes of the Special Meeting of Council held December 9, 2019	21
<u>Recommendation</u> That Council approve the minutes of the Special Meeting of Council held December 9, 2019.	
5. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING	

Recommendation

That Council:

1. Proceed with first and second reading of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027 and Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028;
2. Consider Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027 and Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028 in conjunction with the Town's Financial Plan and the Town's Liquid Waste Management Plan, pursuant to section 477(3)(a) of the *Local Government Act*;
3. Proceed with first and second reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029;
4. Direct staff to proceed with scheduling and notification of a public hearing for Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027, Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028, and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029 as required by section 464(1) of the *Local Government Act*; and
5. Require that the applicant, prior to final adoption of the proposed bylaw amendments, consolidate Lot 2 Suburban Lot 9 Oyster District Plan 1009, Lot 3 Suburban Lot 9 Oyster District Plan 1009, and Lot 4 Suburban Lot 9 Oyster District Plan 1009 (202/204 Dogwood Drive).

6. COMMITTEE REPORTS

6.1 Municipal Services Committee Recommendations to Council

Recommendation

That Council:

1. Refer the proposed Poet Laureate Programs to the Parks, Recreation and Culture Advisory Committee for comment.
2. Direct staff to commence discussion toward entering into a Service Agreement with the Arts Council of Ladysmith and District in relation to managing the Town's Poet Laureate Programs, and that Council be provided with a Draft Service Agreement for consideration.

7. REPORTS

7.1 Resident Alien Television Series – Street and Parking Closure Requests

40

Mary Jo Beirnes and Ken Brooker, co-location managers for the series, will be in attendance at the meeting.

Recommendation

That Council consider whether it wishes to approve the following requests from the production company for the television series *Resident Alien*:

1. Closures of Roberts Street between the Trans Canada Highway and First Avenue between January 24 and February 2, on the condition that the company has a traffic management plan and highway use permit in place, with appropriate signage south of Coronation Square for northbound traffic, and north of 1st Avenue for southbound traffic;
2. Intermittent closure of parking spaces between January 25 and February 4 on both sides of:
 - Roberts Street from the Trans Canada Highway to the west point of the Credit Union parking lot;
 - First Avenue between Gatacre Street and Baden Powell Street
 - High Street between 1st and 2nd Avenues;

With the condition that the production company provide staff to assist customers in accessing businesses in these areas, and offer delivery of prescriptions as required.

3. Closure of the Town's parking lot at 17 and 25 Roberts Street for filming from January 20 to February 5
4. Closure of the Town parking lot and spaces along the alley between Gatacre Street and Malone Road for work trucks and support vehicles from January 26 to February 2;
5. Use of the gated area of Lot 4 off Transfer Beach Boulevard for overflow truck parking, on the condition that the company completes any necessary fill or other work required
6. Closure of the gravel parking lot at Slack Point for truck parking
7. Closure of parking along Oyster Bay Drive north of the Machine Shop from January 27 to January 31 for use by production crew ;Use of the Town's property at the southern half of the parking

lot at Fishermen's Wharf and Rotary Boat Launch for the production 'circus';

8. Use of the Town's property on Buller Street east of 1st Avenue for parking, on the condition that the company completes and necessary fill or other work required

7.2 2020 Financial Plan Direction

44

Recommendation

1. That Council give early budget approval for the following projects:

• Activated Carbon Odor Control	140,000
• Edgewood Water Meter Replacement	50,000
• Fence – Transfer Beach	15,000
• Influent Wet Well Pump (Spare)	30,000
• Marine Signage for WWTP outfall line	30,000
• Mower Brush Cutter	15,000
• Screener Replacement – WWTP	100,000
• Sewer UV Pilot Study	60,000
• Shop Press	7,500
• Sign Upgrades (ICBC Cost Share)	24,000
• Sodium Hypo-Chlorite Arbutus Treatment Plant	50,000
• Soil Storage	100,000
• Spray Park upgrades	25,000
• Transfer Beach Lift Station	50,000
• Utility Box	30,000
• Utility Vehicle (ATV)	40,000
• Vehicle - Single Axle Dump Plow Truck	230,000
• Vehicle Replacement –Pickup Truck #69	45,000
• Vehicle Replacement - Pickup Truck #78	45,000
• Water Service Replacement - Transfer Beach	10,000
• Wood Chipper	62,000

And,

2. That Council direct staff to reduce the amount budgeted in 2020 for RCMP members from 8.0 to 7.5 members, resulting in a cost saving of \$68,821.

7.3 Contract for Mobile Website Update

55

Recommendation

That Council waive the purchasing policy and award the contract for upgrading the Town's website design for mobile accessibility and home page improvements to Graphically Speaking, for an amount up to \$35,000 including applicable taxes.

8. BYLAWS

8.1 Bylaw 2023: Adoption of Amendment to Council Procedure Bylaw and 2020 Council Meeting Schedule

58

The purpose of Bylaw 2023 is to change the schedule of Regular Council meetings to the first and third Tuesday of each month, to change the name of the Municipal Services Committee to "Committee of the Whole", and to schedule those meetings for the second Tuesday of every second month.

Recommendation

That Council:

1. Adopt Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (# 3) 2019, No. 2023;
2. Following adoption of Bylaw 2023, direct staff to advertise the 2020 Council meeting schedule in accordance with the *Community Charter*:
 - January 7 Council
 - January 14 Committee of the Whole
 - January 21 Council
 - February 4 Council
 - February 18 Council
 - March 3 Council
 - March 10 Committee of the Whole
 - March 17 Council
 - April 7 Council
 - April 21 Council
 - May 5 Council
 - May 12 Committee of the Whole
 - May 19 Council
 - June 2 Council
 - June 16 Council
 - July 7 Council
 - July 14 Committee of the Whole
 - July 21 Council
 - August 4 Council

- August 18 Council
- September 1 Council
- September 8 Committee of the Whole
- September 15 Council
- October 6 Council
- October 20 Council
- November 3 Council
- November 10 Committee of the Whole
- November 17 Council
- December 1 Council
- December 15 Council

8.2 Bylaw 2025: 2019 – 2023 Financial Plan Amendment 59

The purpose of Bylaw 2025 is to formalize the previously approved Financial Plan amendments.

Recommendation

That Council give first three readings to the 2019 – 2023 Financial Plan Bylaw 2019, No. 2000, Amendment Bylaw 2019, No. 2025.

8.3 Bylaw 2030: Revenue Anticipation Bylaw for 2020 69

The purpose of Bylaw 2030 is to obtain approval to borrow, if necessary, up to 75 per cent of the Property Taxes levied in 2019 in the amount of \$6,600,000 to support expenditures in 2020 prior to collection of property taxes.

Recommendation

That Council adopt the 2020 Revenue Anticipation Borrowing Bylaw 2019, No. 2030.

8.4 Bylaws 2032 and 2033: Water and Sewer Utility Rates Bylaws 70

The purpose of Bylaw 2032 is to amend the Water Services Rates Bylaw 1999, No. 1298.

The purpose of Bylaw 2033 is to amend the Sanitary Sewer Rates Bylaw 1999, No. 1299.

Recommendation

That Council adopt:

1. Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 2032; and
2. Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 2033.

9. CORRESPONDENCE

9.1 Quentin Goodbody, Ladysmith and District Historical Society: Potential Return of Plymouth 107 Railway Shunting Engine

74

Recommendation

That Council defer consideration of the request from the Ladysmith and District Historical Society in their correspondence dated November 24, 2019, to return the Plymouth 107 railway shunting engine to the society, until further details about the Arts and Heritage Hub are confirmed.

10. NEW BUSINESS

11. UNFINISHED BUSINESS

12. 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.

13. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Monday, December 2, 2019

5:00 P.M.

Council Chambers, City Hall

Council Members Present:

Mayor Aaron Stone
Councillor Duck Paterson
Councillor Amanda Jacobson (via
telephone)

Councillor Rob Johnson
Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Guillermo Ferrero
Erin Anderson
Jake Belobaba
Geoff Goodall

Clayton Postings
Joanna Winter
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:03 p.m., recognizing the traditional territory of the Stz'uminus People.

2. AGENDA APPROVAL

CS 2019-380

That Council approve the agenda for this Regular Meeting of Council for December 2, 2019.

Motion Carried

3. MINUTES

3.1 Minutes of the Special Meeting of Council held November 25, 2019

CS 2019-381

That Council approve the minutes of the Special Meeting of Council held November 25, 2019.

Motion Carried

4. 2020 BUDGET WORKSHOP - CAPITAL PROJECTS AND HIGHER LEVEL SERVICE REQUESTS

4.1 Presentation and Council Discussion

Staff made a presentation to Council regarding capital projects and higher level service requests for 2020, noting that Council could consider a potential reduction in the RCMP budget based on actual spending compared with the budget for the Town's share of detachment staffing. Staff advised Council that no decision was necessary until the next meeting and provided three different reduction options for their consideration.

4.2 Public Input and Questions

A member of the public enquired about the rationale for long-term borrowing regarding the proposed new firetruck.

4.3 2020 Financial Plan Deliberations – Higher Level Service Requests and General Capital

CS 2019-382

That Council:

1. Direct staff to include in the 2020-2024 Financial Plan, an increase in the Communications position hours from 20 hours per week to 35 hours per week, starting January 1st, 2020 for an additional amount of \$31,112 in salary, benefits and consumer price index increases.

Motion Carried

CS 2019-383

That Council direct staff to include in the 2020-2024 Financial Plan 2 part-time positions for janitorial services, commencing approximately June 5th, 2020 when the current service contract expire, for an additional amount of \$24,292 in wages, benefits and negotiated wage increase.

Motion Carried

CS 2019-384

That Council direct staff to include in the 2020-2024 Financial Plan a new position of Manager of Facilities, commencing July 1st, 2020, for an additional amount of \$59,485 in salary, benefits and consumer price index increase.

Motion Carried

CS 2019-385

That Council receive for information the preliminary 2020 General Capital Projects list.

Motion Carried

5. DEVELOPMENT APPLICATIONS

5.1 Development Permit 3060-19-16: 417 Symonds Street

CS 2019-386

That Council:

1. Issue Development Permit 3060-19-16 to permit the issuance of a building permit for the construction of a two storey coach house on Lot 9 Block 90 Oyster District Plan 703A (417 Symonds Street).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-19-16.

Motion Carried

6. REPORTS

6.1 Park Naming Request and Policy

CS 2019-387

That Council direct staff to develop a draft Park Naming Policy and application process for Council's consideration.

Motion Carried

6.2 Water Infrastructure Projects Grant and Borrowing Bylaw

CS 2019-388

That Council direct staff to prepare a borrowing bylaw in the amount of up to \$6,200,000 to support the Investing in Canada Infrastructure Program grant application for Water Supply Projects.

Motion Carried

7. BYLAWS

7.1 Bylaw 2023: Adoption of Amendment to Council Procedure Bylaw and 2020 Council Meeting Schedule

CS 2019-389

That Council:

1. Adopt Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (# 3) 2019, No. 2023;
 2. Confirm that its last meeting of 2019 will be held on Monday, December 16; and
 3. Following adoption of Bylaw 2023, direct staff to advertise the 2020 Council meeting schedule in accordance with the Community Charter:
- Motion Carried*

7.2 Bylaw 2030: Revenue Anticipation Bylaw

CS 2019-390

That Council give first three readings to the 2020 Revenue Anticipation Borrowing Bylaw 2019, No. 2030.

Motion Carried

7.3 Water and Sewer Utility Rates Bylaws

CS 2019-391

That Council give first three readings to:

1. Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 2032; and
2. Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 2033.

Motion Carried

8. QUESTION PERIOD

Members of the public enquired about utility rates and future rate increases.

9. ADJOURNMENT

CS 2019-392

That this Regular Meeting of Council adjourn at 6:14 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (J. Winter)



MINUTES OF A PUBLIC HEARING AND SPECIAL MEETING OF COUNCIL

Monday, December 2, 2019

7:00 P.M.

Ladysmith Eagles Hall

921 1st Avenue

Council Members Present:

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

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Guillermo Ferrero
Jake Belobaba
Joanna Winter

Mike Gregory
Sue Bouma

1. CALL TO ORDER

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

2. AGENDA APPROVAL

CS 2019-393

That Council approve the agenda for this Public Hearing and Special Meeting of Council for December 2, 2019.

Motion Carried

Mayor Stone informed the public that there were two Public Hearings on the agenda.

The first Public Hearing would allow the public the opportunity to provide their comments to Council about Bylaws 2018 and 2020 for the property at 336 Belaire Street.

The second Public Hearing would offer an opportunity to provide comments to Council about Bylaw 2021, which is a Zoning Bylaw amendment for the retail sale of cannabis.

3. PUBLIC HEARING NO. 1

3.1 Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2020

Members of the public present: 41

3.1.1 Outline of Public Hearing Process - Mayor Stone

Mayor Stone outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaws 2018 and 2020.

He advised that staff would introduce the proposed bylaw amendments, followed by public submissions. He reminded the public that the content of submissions would be made public and form a part of the public record for the hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw, although they may ask clarifying questions. He advised that once everyone had had an opportunity to be heard, the public hearing would be closed and no further submissions or comments could be accepted by members of Council.

3.1.2 Introduction of Bylaws - Director of Development Services

Jake Belobaba, Director of Development Services, introduced the following bylaws as the subject of the Public Hearing:

- Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2019, No. 2018; and
- Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2020;

Mr. Belobaba noted that the following property was the subject of the Bylaw amendments:

336 Belaire Street (Lot 1, District Lot 56, Oyster District, Plan 27861)

Mr. Belobaba advised the public that Bylaw 2018 would amend the Official Community Plan to:

1. Amend section 3.8.1 to add text stating residential uses in conjunction with commercial uses may be supported, in the Local Commercial Designation
2. Amend Map 2—Development Permit Areas, to designate the subject property as Development Permit Area 4—Multi-Unit Residential. He noted that the bylaw that received first and second readings was incomplete, and that it could be corrected at third reading. A revised copy of Bylaw 2018 was circulated.

Mr. Belobaba advised the public that Bylaw 2020 would amend the Zoning Bylaw to rezone the subject property to CD-6 Belaire Mixed-Use, which is a new zone that would allow residential and commercial uses at 336 Belaire Street.

The Public Hearing Notice was published in the Ladysmith Chronicle on November 21st and November 28th and posted on community notice boards and the Town's website. Pursuant to section 466(4) of the *Local Government Act* and section 10 of Development Procedures Bylaw 1667, written notice was delivered to the subject property and all properties located within 60 metres of the subject property.

A copy of the proposed bylaws and background information to be considered by Council was made available at the Front Counter of City Hall for the Notice period.

The applicant hosted two neighbourhood information meetings, one on February 21st 2019 and another on May 22nd 2019.

132 written submissions were received prior to the public hearing notice and one written submission was received after notice was sent out and prior to the Agenda deadline.

3.1.3 Public Submissions

Mayor Stone called for submissions to Council.

Jo Sheridan, 332 Belaire Street, expressed concerns regarding the lack of parking, the potential increase in traffic, the affect of the project on the neighbouring residents' view and the increase of

shade and darkness as a result of the proposed height of the building.

Vincent Herkel, 209 Rigby Place, spoke against the project, noting previous site-specific restrictions for the property. He presented a petition signed by 26 immediate residential neighbours of 336 Belaire Street, protesting the project.

Doug Judson, 218 Dogwood, expressed concerns about lack of parking as well as the form, fit and character of the proposed building. He cautioned Council that building and fire code regulations would require alterations to the current proposal.

Mayor Stone called for submissions to Council a second time.

Fred Stock, 4th Avenue Extension, spoke against the project, noting that it did not fit with the rest of the neighbourhood.

3.1.4 Final Call for Public Submissions - Mayor Stone

Mayor Stone called for submissions about Bylaws 2018 and 2020 a third and final time.

3.1.5 Closure of hearing for Bylaws 2018 and 2020 - Mayor Stone

Hearing no comments and receiving no additional submissions, Mayor Stone called the Public Hearing for Bylaws 2018 and 2020 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

4. PUBLIC HEARING NO. 2

4.1 Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021

Members of the public present: 40

4.1.1 Outline of Public Hearing Process - Mayor Stone

Mayor Stone advised the public that this second Public Hearing was convened pursuant to section 464 of the Local Government Act to allow the public to make representations to Council respecting matters contained in Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2021.

He reviewed the Public Hearing procedure, noting that staff would introduce the proposed bylaw amendment, followed by public submissions. He reminded the public that the content of submissions would be made public and form a part of the public record for the hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed Bylaw, although they may ask clarifying questions. He advised that once everyone had had an opportunity to be heard, the public hearing would be closed and no further submissions or comments could be accepted by members of Council.

4.1.2 Introduction of Bylaw - Director of Development Services

Jake Belobaba, the Director of Development Services, introduced the following bylaw as the subject of the Public Hearing:

- Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2021.

Mr. Belobaba noted that Bylaw 2021 applies to three areas designated in figures 11.2, 11.5 and 12.2.1 of the bylaw, generally described as

1. the downtown, in the area between Esplanade, First Avenue, Ludlow Road and Baden-Powell Street,
2. Coronation Square
3. Rocky Creek Road.

Mr. Belobaba advised that Bylaw 2021 would amend the zoning bylaw to allow the retail sale of recreational cannabis within select zones within the three designated areas.

The Public Hearing Notice was printed in the Ladysmith Chronicle newspaper on November 21st 2019 and November 28th 2019 and posted on community notice boards and the Town's website. Mail notification was not required pursuant to section 466(7) of the *Local Government Act*.

A copy of the proposed Bylaws and background information to be considered by Council was made available at the Front Counter of City Hall for the Notice period.

No written submissions were received prior to the Agenda deadline.

4.1.3 Public Submissions

Mayor Stone called for submissions to Council.

Mayor Stone called for submissions to Council a second time.

Caroline Fric, 2895 Emerald Place, spoke in support of the Bylaw.

4.1.4 Final Call for Public Submissions - Mayor Stone

Mayor Stone called for submissions about Bylaw 2021 a third and final time.

4.1.5 Closure of Hearing for Bylaw 2021 - Mayor Stone

Hearing no comments and receiving no submissions, Mayor Stone called the Public Hearing for Bylaw 2021 closed and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

5. SPECIAL MEETING OF COUNCIL CONVENES

CS 2019-394

That Council convene this Special Meeting of Council for December 2, 2019.
Motion Carried

6. BYLAWS - OFFICIAL COMMUNITY PLAN AND ZONING

6.1 Subject of Public Hearing No. 1 - Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2018 and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2020

The mayor advised that staff had informed him that the size of the application package caused problems uploading an earlier Council report and bylaw into the agenda management software and as a result, the version of Bylaw 2020 that received first and second readings was an earlier draft that contained a typo and omitted the clause referenced in the staff report reducing the required on-site loading spaces to one and allowing 50 per cent of off-street parking spaces to be small car spaces. The mayor proposed these minor changes so as to make the bylaw consistent with the proposal submitted by the applicant and referred to in the staff report. He noted that these changes are permitted under section 470 (b) of the Local Government Act and that staff could provide greater detail as to the nature of these changes to the bylaw."

CS 2019-395

That prior to third reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2019 No. 2020 Council accept the following amendments to Schedule I of the bylaw—which contains the text of the draft comprehensive development zone:

1. Reword subsection 5(c) to read: No Accessory Building or Structure, with a Finished Floor Area greater than 10 m², shall be located closer to the Parcel Line than the minimum Setback shown in the Table below; and
2. Add as subsection 7(b): Notwithstanding (a);
3. the total number of on-site loading spaces required on a parcel shall be one; and
4. a maximum of 50 percent of the total off-street parking requirement may be designated as small car spaces.

Motion Carried

OPPOSED: Councillor Johnson

CS 2019-396

That Council:

1. Proceed with third reading and final adoption of Bylaw 2018, cited as Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2019, No. 2018.
2. Proceed with third reading and final adoption of Bylaw 2020, cited as Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2020, as amended.
3. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2020 to the Ministry of Transportation and Infrastructure, pursuant to the Transportation Act.

AMENDMENT:

That Council amend part 2 of resolution 2019-396 to read as follows:

CS 2019-397

2. Proceed with third reading of Bylaw 2020, cited as Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2019, No. 2020.

Amendment Carried.

Main Motion as Amended Carried

6.2 Subject of Public Hearing No. 2 - Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2021

CS 2019-398

That Council:

1. Proceed with third reading of Bylaw 2021, cited as Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2021.
2. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2019, No. 2021 to the Ministry of Transportation and Infrastructure, pursuant to the Transportation Act.

Motion Carried

7. ADJOURNMENT

CS 2019-399

That this Public Hearing and Special Meeting of Council adjourn at 8:30 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (J. Winter)



MINUTES OF A SPECIAL MEETING OF COUNCIL

Monday, December 9, 2019

6:15 P.M.

Council Chambers, City Hall

Council Members Present:

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

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Erin Anderson
Jake Belobaba
Geoff Goodall
Clayton Postings

Joanna Winter
Sue Bouma
Mike Gregory

1. CALL TO ORDER

Mayor Stone called this Special Meeting of Council to order at 6:16 p.m., recognizing the traditional territory of the Stz'uminus People.

2. AGENDA APPROVAL

CS 2019-399

That Council approve the agenda for this Special Meeting of Council for December 9, 2019 as amended to include the following agenda item:

- Item 4.1., "Habitat for Humanity Request for a Letter of Support"

Motion Carried

3. BYLAWS

3.1 Town of Ladysmith Water Supply Works Loan Authorization Bylaw 2019, No. 2031

CS 2019-400

That Council:

1. Give first, second and third readings for Town of Ladysmith Water Supply Works Loan Authorization Bylaw 2019, No. 2031;
2. Refer Bylaw 2031 to the Inspector of Municipalities; and
3. Direct staff to seek approval of the electors for Bylaw 2031 through an Alternative Approval Process.

Motion Carried

OPPOSED: Councillor Johnson

3.2 Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (#3) 2019, No. 2023

CS 2019-401

That Council rescind adoption of Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (#3) 2019, No. 2023 due to an advertising error, and place Bylaw 2023 on the December 16th meeting of Council for adoption.

Motion Carried

4. NEW BUSINESS

4.1 Habitat for Humanity Request for Letter of Support

CS 2019-402

That Council write a letter to BC Hydro supporting negotiations between BC Hydro and Habitat for Humanity regarding the donation of the former sub-station property at 6th Avenue and Methuen Street as an ideal site for affordable housing.

Motion Carried

Council requested that a copy of the letter be sent to the Habitat for Humanity.

5. ADJOURNMENT

CS 2019-403

That this Special Meeting of Council adjourn at 6:21 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (J. Winter)

Subject to Adoption

STAFF REPORT TO COUNCIL

Report Prepared By: Julie Thompson, Planner
Meeting Date: December 16, 2019
File No: 3360-19-08
RE: OCP & ZONING BYLAW AMENDMENT APPLICATION –
 202/204 DOGWOOD DRIVE

RECOMMENDATION:

That Council:

1. Proceed with first and second reading of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027 and Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028;
2. Consider Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027 and Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028 in conjunction with the Town's Financial Plan and the Town's Liquid Waste Management Plan, pursuant to section 477(3)(a) of the *Local Government Act*;
3. Proceed with first and second reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029;
4. Direct staff to proceed with scheduling and notification of a public hearing for Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027, Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028, and Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029 as required by section 464(1) of the *Local Government Act*; and
5. Require that the applicant, prior to final adoption of the proposed bylaw amendments, consolidate Lot 2 Suburban Lot 9 Oyster District Plan 1009, Lot 3 Suburban Lot 9 Oyster District Plan 1009, and Lot 4 Suburban Lot 9 Oyster District Plan 1009 (202/204 Dogwood Drive).

EXECUTIVE SUMMARY:

The purpose of this report is to introduce Bylaws 2027, 2028, and 2029. The purpose of the proposed bylaws is to allow a proposed Neighbourhood Pub at 202/204 Dogwood Drive, by amending the Official Community Plan and the Zoning Bylaw.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2019-326 Oct. 21, 2019	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive the summary letter from the applicant for the neighbourhood information meeting held by the applicant on October 7, 2019 regarding the proposed development at 204 Dogwood Drive. 2. Consider the application to amend: <ol style="list-style-type: none"> a. the Official Community Plan (OCP): <ol style="list-style-type: none"> i. by adding the Commercial Development Permit Area (DPA 3) to the property at

	<p>204 Dogwood Drive; and</p> <p>ii. by adding a guideline to DPA 3 to allow for minor variances to the Zoning Bylaw landscaping regulations; and</p> <p>b. the Zoning Bylaw by rezoning the properties at 204 Dogwood Drive to allow Neighbourhood Pub as a site-specific permitted use within the existing Local Commercial (C-1) zone.</p> <p>3. Having given consideration to s.475 of the Local Government Act (consultation during OCP development), direct staff to:</p> <p>a. Refer the OCP amendment application 3360-19-08 to the Stz'uminus First Nation, pursuant to the Town's Memorandum of Understanding; and</p> <p>b. Refer application 3360-19-08 to the Community Planning Advisory Committee.</p> <p>4. Direct that staff:</p> <p>a. Work with the applicant regarding a community amenity contribution and/or land use matters and report back to Council;</p> <p>b. Commence the preparation of an OCP amendment bylaw and a Zoning amendment bylaw for the proposed development at 204 Dogwood Drive.</p> <p><i>Motion Carried</i></p>
--	---

INTRODUCTION/BACKGROUND:

An application has been received to amend the Official Community Plan (OCP) and Zoning Bylaw to establish a pub and micro-brewery on 204/202 Dogwood Drive. There is an existing building located on the property which consists of a 2.5 storey, 500m² dwelling with an attached single-storey commercial space, currently containing a barbershop. At the October 21, 2019 Council meeting, Council was presented with design renderings for a proposed addition to the existing building which was meant to contain the barbershop while the proposed pub would be contained within the existing commercial space. However, the applicant is no longer planning to construct an addition at this time and is proposing to renovate a portion of the existing dwelling space, so as to contain the barbershop.

Figure 1: Subject Property



The attached commercial building and dwelling straddle three separate parcels, all of which are currently zoned Local Commercial (C-1). Should the application proceed, the applicant is being

asked to consolidate the three lots prior to final adoption of the proposed bylaws. The combined size of all three parcels (hereafter referred to as the “subject property”) is 1577.68m² (0.158 ha).

DISCUSSION:

Official Community Plan:

The subject property is designated as Local Commercial under the OCP. The Local Commercial designation supports:

“small scale commercial centres located within and serving the daily needs of the surrounding residential population in neighbourhoods. It provides for a limited range of retail, office, and service uses, which do not compete with the commercial uses in the downtown core. The maximum density allowed in a Local Commercial designation is up to 0.5 FSR for commercial uses. The maximum floor area for any one commercial use is limited to 200 square metres.”

The scale of the proposed pub and overall density on the property is consistent with the OCP policies pertaining to floor area and floor space ratio, while the existing C-1 zoning allows for a variety of uses, including the existing barbershop, intended to serve the daily needs to the surrounding residential population. There are no neighbourhood pubs with a micro-brewery currently located within the downtown core. However, it is noted that an OCP and Zoning Bylaw amendment for a mixed-use development with a micro-brewery is currently underway at 336 Belaire Street, located approximately 200m from the subject property.

Two out of the three parcels that make up the subject property are within the Commercial Development Permit Area (DPA 3). The most western parcel is not located within a DPA. It is therefore proposed to amend the OCP to include this parcel into DPA 3. The objective of DPA 3 is to:

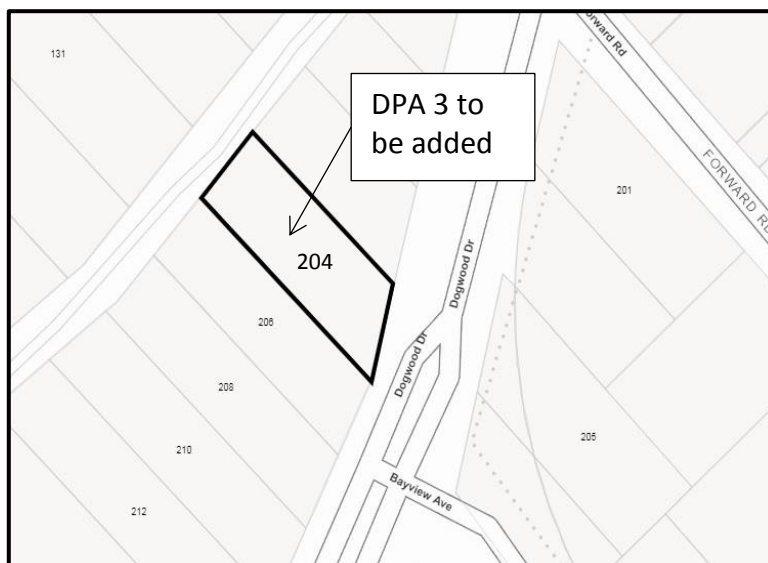
Figure 2: DPA 3 Map Amendment

“enhance highway commercial, tourist commercial, general commercial, and neighbourhood commercial development in Ladysmith and ensure that commercial development is complementary to the existing character of Ladysmith, and aligned with the Town’s vision for future growth.”

Alterations to the exterior of the existing building or construction of new structures, such as an outdoor patio, will require issuance of a development permit (DP).

Zoning:

The subject property is currently



zoned Local Commercial (C-1) which permits the following principal uses: Single Unit Dwelling, Convenience Store, Restaurant, Coffee Shop, Personal Service Establishment, Office, and Artist Studio. The existing barbershop falls under the Personal Service Establishment use.

To accommodate the proposed development, a site-specific amendment to the C-1 zone is proposed to permit a Neighbourhood Pub as a principal use on the subject property. The Zoning Bylaw defines Neighbourhood Pub as:

“a liquor primary establishment licensed as such under the Liquor Control and Licensing Act, and may include a Micro-Brewery and a wine bar.”

The maximum gross floor area for any one commercial use in the C-1 zone is 100m². The proposed gross floor area for the pub including an electrical room, garbage area (attached to the rear of the building) and bathrooms is approximately 126m². Further, the applicant would like to construct a 45m² (480ft²) outdoor patio for the pub, proposed to be located at the front of the building to accommodate additional seating. As such, it is proposed to also include a site specific amendment to the C-1 zone that would allow the Neighbourhood Pub to be a maximum of 200m², while all other commercial uses would continue to be restricted by the existing 100m² limit. The barbershop is proposed to occupy less than 100m² of gross floor area. Although the proposed site specific Zoning Bylaw amendment would allow the Neighbourhood Pub to occupy up to 200m² in gross floor area, the overall permitted density (regulated through floor space ratio) on the subject property is not proposed to change.¹

Landscaping Requirements:

The landscaping and screening regulations in the Zoning Bylaw require landscape buffers for the proposed development because the subject property is commercially zoned and abuts parcels (on the western and eastern sides) zoned to allow residential use. A landscape buffer is therefore required for both the western and eastern sides of the subject property. However, the eastern side of the subject property is used strictly for residential purposes, which would serve as an effective buffer between the commercial use and the neighbouring residential property. As such, an amendment to the OCP is proposed such that a new guideline is added to DPA 3 to allow for variances to the Zoning Bylaw landscape buffer requirements through the DP approval process, where an alternative buffer already exists or will be provided.

The DPA 3 guidelines are applicable to all properties within DPA 3; as such, the proposed amendment to the guidelines would allow for variances to the Zoning Bylaw landscape buffer regulations on any property within DPA 3, where it is deemed appropriate through a DP application. DPA 3 is currently located on 28 individual properties.

Parking Requirements:

In accordance with the parking and loading regulations of the Zoning Bylaw, the current development proposal will require 14 parking spaces including one accessible space. The

¹ Floor space ratio (FSR) refers to the total gross floor area of all buildings and structures on the parcel divided by the parcel area. The maximum permitted FSR in the C-1 zone is 0.5. The existing buildings and structures on the subject property occupy a FSR of approximately 0.4.

applicant is proposing to provide the commercial parking spaces in the existing parking lot in front of the commercial building, accessed from Dogwood Drive. Residential parking is presently accommodated off the rear lane on the east side of the property. The Zoning Bylaw also requires bicycle parking spaces and shade trees to be located within the parking area. It is noted the DPA 3 guidelines allow variances to the Zoning Bylaw parking requirements where strict compliance with the regulations would undermine the character of the area.

Proposed Bylaws:

At its meeting on October 21, 2019 Council directed that staff proceed with drafting of the necessary bylaws. Three bylaws have been drafted and they are summarized below:

- *Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027:* Amends OCP Map 2 - Development Permit Areas, by placing Lot 4 Suburban Lot 9 Oyster District Plan 1009 (see Figure 2) into DPA 3.
- *Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2028:* Adds a guideline into DPA 3 to allow for variances to the Zoning Bylaw landscaping requirements through the DP approval process, where the abutting residential parcels would be buffered through alternative measures on the parcel, such as topography, non-commercial land uses, other structures and/or landscaping, or existing vegetation.
- *Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029:* Amends the C-1 zone on a site specific basis to allow a Neighbourhood Pub use on the subject property with a maximum gross floor area of 200m².

Community Amenity Contribution:

At its meeting on October 21, 2019, Council recommended that staff work with the applicant regarding a community amenity contribution (CAC) and report back to Council. Staff is not recommending a CAC for the proposed development. The scale and changes proposed to the C-1 zone are minor and CACs are not always collected through minor rezoning applications. It is noted that any applicable development cost charges (DCCs) will be calculated at the time of building permit in accordance with the DCC bylaw. DCCs provide funds to assist in paying the capital costs to Town infrastructure.

ALTERNATIVES:

Council can choose to:

1. Amend any or all of the bylaws and give the bylaws first and second reading as amended.
2. Defeat any or all of the proposed bylaws.
3. Refer the proposal back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

Section 477(3)(a) of the *Local Government Act* requires that Council consider OCP amendments in conjunction with the Town's Financial Plan following first reading of the amending bylaws. As

such, the application was referred to the Financial Services department for comment. Financial Services has no concerns regarding the proposed OCP amendments but has stated that the subject property is currently assessed as Class 1 – Residential. If the amendments to the OCP are approved, it is expected that a Class 6 – Business valuation will be added to the overall assessment. The property was assessed as Residential/Business Class up until 2011.

LEGAL IMPLICATIONS:

Section 477(3)(a) of the *Local Government Act* requires that Council consider OCP amendments in conjunction with the Town's Liquid Waste Management Plan following first reading of the amending bylaws. The application was referred to the Infrastructure Services department for comment. No comments have been received.

Section 476 of the *Local Government Act* requires that the local government consult with the local school district board of education regarding OCP amendments. If Council wishes to proceed with first and second reading of the amending bylaws, the application will be referred to the School District 68 Board of Education.

Pursuant to section 52 of the *Transportation Act*, the application must be referred to the Ministry of Transportation and Infrastructure following third reading of the zoning amendment bylaw. This referral is required as the subject property is located within 800m of a controlled access highway.

If the application proceeds a public hearing will be required in accordance with the *Local Government Act*.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The application was referred to the Stz'uminus First Nation on October 31, 2019, pursuant to the Town's Memorandum of Understanding. A response from the Stz'uminus First Nation was received on December 2, 2019 noting no objections to the proposed OCP amendments.

One neighbourhood information meeting was held by the applicant on October 7, 2019. A letter was also received by a member of the public with concerns regarding the application. The applicant's summary of the neighbourhood information meeting and the public submission are attached to this report. A summary of concerns and staff comments are shown in Table 1, below:

Table 1: Public Concerns & Staff Comments Summary

Public Concern	Staff Comments
Increase in local traffic/parking/alley deliveries	The application was referred to Engineering for comment. No concerns were noted from Engineering with regards to an increase in traffic and parking. Parking and loading requirements are specified within the Zoning Bylaw and the DPA 3 guidelines.
Odours associated with brewing	The applicant has stated that odours associated with brewing will be similar in intensity to the odours produced by a restaurant. Although not expected,

	any odours that become a nuisance may be addressed through the Town's Nuisance Abatement Bylaw No. 1893.
Hours of operation/impact on neighbourhood peace	There is no existing Town bylaw that would restrict the hours of operation on the proposed pub. However, the Town's Noise Suppression Bylaw No. 1478 and Nuisance Abatement Bylaw No. 1893 would apply. The Neighbourhood Pub may also be subject to hours of operation established under a provincial liquor license.
Door well that encroaches into the rear lane	The commercial section of the existing building is sited at 0m from the rear parcel line. An existing door exits into a door well on the rear lane. The applicant will be required at the building permit stage to remove the door well as the rear exit does not conform to current building code requirements, encroaches onto Town property, and is a safety concern. The door is currently utilized as a rear exit for the barbershop operating within the existing building. The barbershop is proposed to be relocated through the proposed development.
Non-conformity of the existing building	The commercial portion of the principal building on the subject property is sited at 0m from the rear parcel line, which does not conform to current Zoning Bylaw siting requirements. However, the building is permitted to exist at its current siting (except for the door well), pursuant to section 529 of the <i>Local Government Act (LGA)</i> , as it was constructed before the adoption of the Zoning Bylaw. As the existing uses within the building conform to Zoning Bylaw regulations, the building may also be maintained, extended or altered provided that these changes do not increase the degree of non-conformity. It is noted that section 529 of the <i>LGA</i> allows the building to be maintained indefinitely in its current siting; however, if the building is ever completely destroyed or dismantled, a new building must conform to current Zoning Bylaw regulations.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was referred to Building Inspection and Engineering for comments and concerns were noted regarding the door well encroachment into the rear lane, including Town liability for egress from the building and the potential for a car to drive into the door well. Building and Engineering requirements will be addressed at the building permit stage, including removal of the door well.

COMMUNITY PLANNING ADVISORY COMMITTEE REVIEW:

The application was reviewed by the Community Planning Advisory Committee (CPAC) on Wednesday, October 30, 2019. CPAC endorsed the application in principal for a neighbourhood pub use at 204 Dogwood Drive, and recommended that consideration be given to neighbourhood friendly hours of operation, a review of parking requirements for potential to increase bicycle parking, and public realm enhancements.

It is noted that the proposed development will require a DP and the overall site design will be considered in greater detail at the DP stage.

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(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027
 Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028
 Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029
 Neighbourhood Information Meeting Summary Letter, received October 8, 2019
 Public Submission, received October 22, 2019

TOWN OF LADYSMITH

BYLAW NO. 2027

A bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS pursuant to section 488 (1)(f) of the *Local Government Act*, an official community plan may designate development permit areas for the establishment of objectives for the form and character of commercial, industrial or multi-family residential development;

AND WHEREAS the Municipal Council considers it advisable to amend "Official Community Plan Bylaw 2003, No. 1488";

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

- 1. Map 2 – Development Permit Areas of " Official Community Plan Bylaw 2003, No. 1488" is hereby amended as follows:
 - a. By designating the subject property legally described as Lot 4 Suburban Lot 9 Oyster District Plan 1009 (204 Dogwood Drive) as shown in **Schedule I** which is attached to and forms part of this Bylaw as, DPA 3 – Commercial.

CITATION

- (3) This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.60) 2019, No. 2027"

READ A FIRST TIME on the day of , 2019

READ A SECOND TIME on the day of , 2019

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

on the day of ,

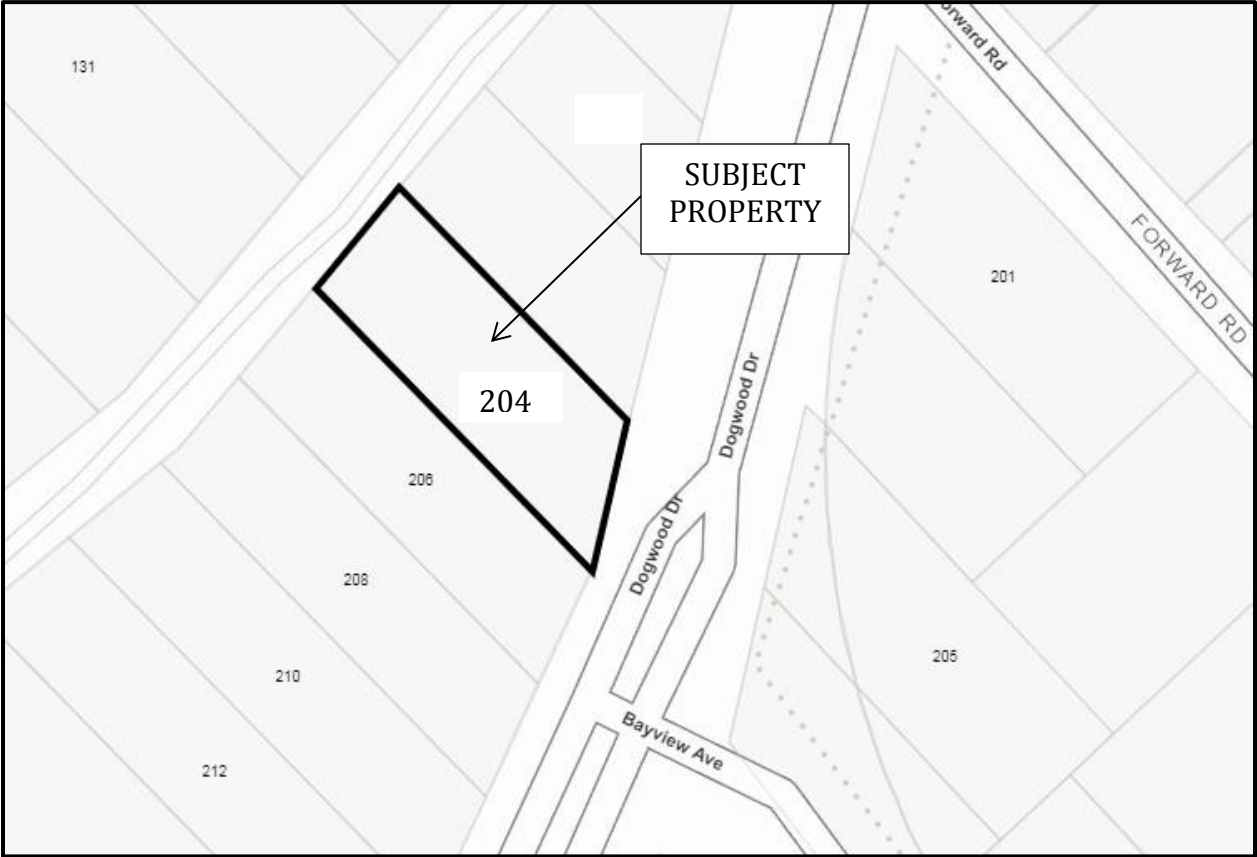
READ A THIRD TIME on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2027



TOWN OF LADYSMITH

BYLAW NO. 2028

A bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

AND WHEREAS pursuant to section 488 (1)(f) of the *Local Government Act*, an official community plan may designate development permit areas for the establishment of objectives for the form and character of commercial, industrial or multi-family residential development;

AND WHEREAS the Municipal Council considers it advisable to amend "Official Community Plan Bylaw 2003, No. 1488";

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

- 1. Schedule A.1 – Town of Ladysmith Development Permit Areas of "Official Community Plan Bylaw 2003, No. 1488" is hereby amended as follows:
 - a. By adding the following new guideline to DPA 3 – Commercial, Section 13 – Landscape following guideline (h) and renumbering the subsequent guidelines accordingly:

“(i) The minimum landscape buffer requirements provided in Part 7 of the Zoning Bylaw may be varied where the abutting parcels in a zone that permits residential use would be buffered through alternative measures on the parcel such as, topography, non-commercial land uses, other structures and/or landscaping, or existing vegetation.”

CITATION

- (3) This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No.61) 2019, No. 2028"

READ A FIRST TIME on the day of , 2019

READ A SECOND TIME on the day of , 2019

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

on the day of ,

READ A THIRD TIME on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

TOWN OF LADYSMITH

BYLAW NO. 2029

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

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

AND WHEREAS the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 2014, No. 1860";

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

- (1) Schedule A – Zoning Bylaw Text of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” is hereby amended as follows:
 - (a) By adding a new subsection (b) to Section 9 Site Specific Regulations under Section 11.1 Local Commercial (C-1) Zone:

“(b) For the subject *Parcel* shown in Schedule I, formed by consolidation of the three parcels legally described as Lot 2 Suburban Lot 9 Oyster District Plan 1009, Lot 3 Suburban Lot 9 Oyster District Plan 1009, and Lot 4 Suburban Lot 9 Oyster District Plan 1009 (202/204 Dogwood Drive), the following site specific regulations shall apply:

 - i) A *Neighbourhood Pub* is permitted as a *Principal Use*.
 - ii) Despite Section 11.1(4)(a), the maximum *Gross Floor Area* for a *Neighbourhood Pub* use is 200 square metres.”

CITATION

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.30) 2019, No. 2029”

READ A FIRST TIME on the day of , 2019
READ A SECOND TIME on the day of , 2019

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

READ A THIRD TIME on the day of ,

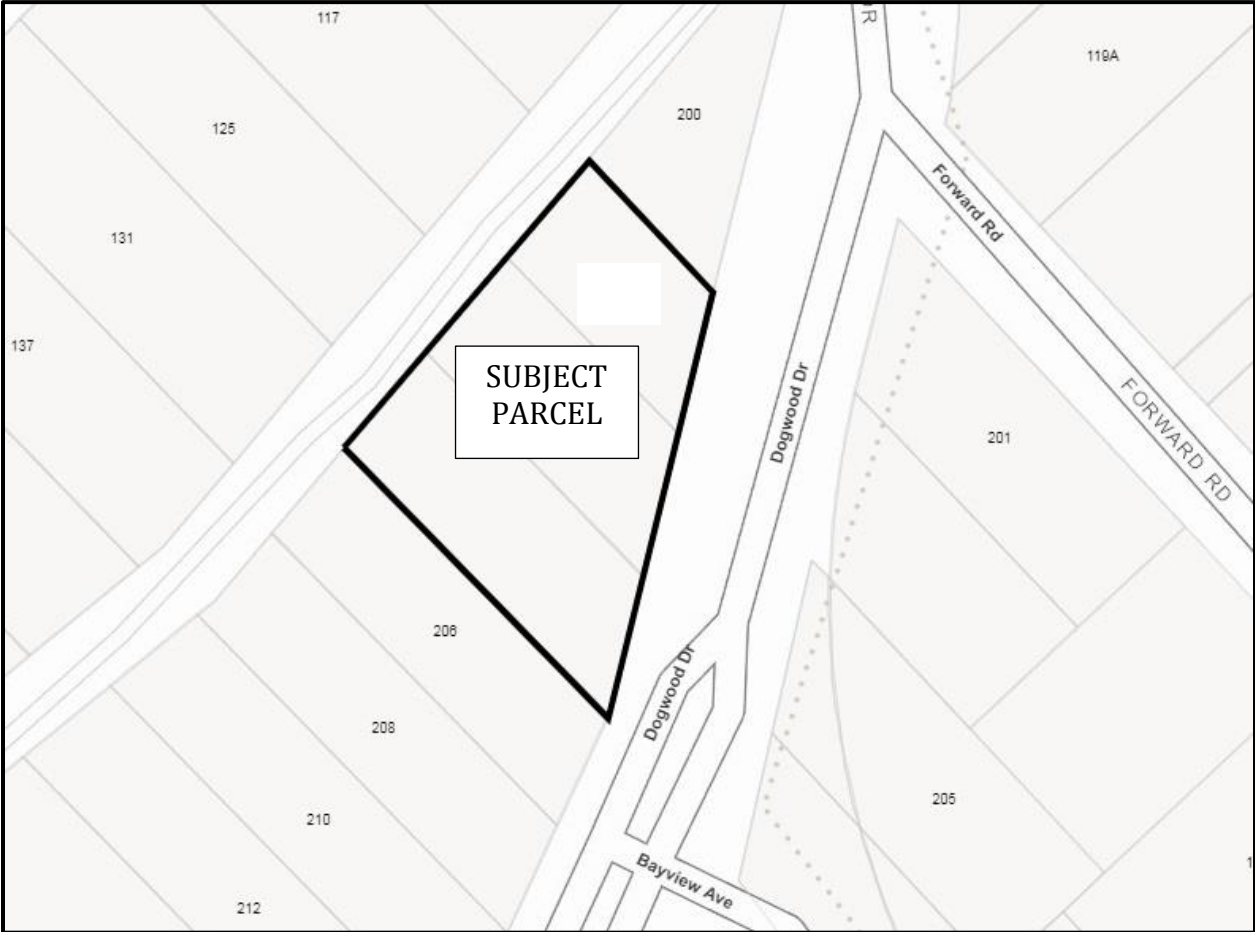
APPROVED pursuant to s. 52(3)(a) of the *Transportation Act*
on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2029



Julie Thompson

From: ROD ALSOP
Sent: October 8, 2019 11:50 AM
To: Julie Thompson
Subject: Shoot the Moon Neighborhood meeting

Hi Julie,

We held an information meeting last night(Oct 7th) for our neighborhood. 100+ invites were sent out. We had approximately 40 people show up at the high school at 7pm. The meeting lasted approximately 40 minutes and was overall very well received.

The main concerns that came up were regarding an increase in local traffic, parking off the property, alley deliveries, smells associated with brewing, hours of operation and impact on neighborhood peace (drunk people). Jon and I spoke to all of the concerns at the meeting and we were able to address most of these issues appropriately.

There were definitely more positive comments than negative, with many people expressing how little impact this would have in terms of development as it is an existing commercial business already, happy to see the barber shop staying and not just being replaced.

Let me know if there is anything more that you need regarding details about the meeting

Cheers

Rod

ps

floor area of the house is coming

Noel McKenna
125 Methuen Street
Ladysmith, BC



October 21, 2019

To Mayor and Council:

RE: OCP & zoning bylaw amendment application – R. Alsop 204 Dogwood Drive.

With regards to the application before you I have a number of concerns. I know this is the start of the process and I feel that these items should be considered and dealt with along with all the other items that are being considered.

My main concern is the location of the building that is up for redevelopment . There is no setback from the rear lot line at present. I would like the planning staff to investigate to see if this building was built and located on the site according to the original permits. I do know that the doors that exit onto the lane way, were not part of the original building. They were put in around 2006 or 2007, and I believe without a permit. To allow access to these doors there was a ramp put in because of the slope of the lane. This access to the doors is entirely on town property.

I would like to know if this work was permitted. The addition of these doors increased the degree of non-conformity and as such should not have been allowed.

With the extent of the work that is proposed for this building and taking into account the changes that will be happening with the merging of the lots, I feel that the current building must be brought up to meet existing codes and regulations.

I feel that this issue must be dealt with before this development is allowed to proceed. Thank you for your time.

Noel McKenna

Municipal Services Committee Recommendations to Council December 16, 2019

At its December 9, 2019 meeting the Municipal Services Committee recommended that Council:

1. Refer the proposed Poet Laureate Programs to the Parks, Recreation and Culture Advisory Committee for comment.
2. Direct staff to commence discussion toward entering into a Service Agreement with the Arts Council of Ladysmith and District in relation to managing the Town's Poet Laureate Programs, and that Council be provided with a Draft Service Agreement for consideration.

STAFF REPORT TO COUNCIL

Report Prepared By: Joanna Winter, Manager of Legislative Services
Meeting Date: December 16, 2019
File No:
RE: **RESIDENT ALIEN TELEVISION SERIES – STREET AND PARKING CLOSURE REQUESTS**

RECOMMENDATION:

That Council consider whether it wishes to approve the following requests from the production company for the television series *Resident Alien*:

1. Closures of Roberts Street between the Trans Canada Highway and First Avenue between January 24 and February 2, on the condition that the company has a traffic management plan and highway use permit in place, with appropriate signage south of Coronation Square for northbound traffic, and north of 1st Avenue for southbound traffic;
2. Intermittent closure of parking spaces between January 25 and February 4 on both sides of:
 - Roberts Street from the Trans Canada Highway to the west point of the Credit Union parking lot;
 - First Avenue between Gatacre Street and Baden Powell Street
 - High Street between 1st and 2nd Avenues;

With the condition that the production company provide staff to assist customers in accessing businesses in these areas, and offer delivery of prescriptions as required.

3. Closure of the Town's parking lot at 17 and 25 Roberts Street for filming from January 20 to February 5
4. Closure of the Town parking lot and spaces along the alley between Gatacre Street and Malone Road for work trucks and support vehicles from January 26 to February 2;
5. Use of the gated area of Lot 4 off Transfer Beach Boulevard for overflow truck parking, on the condition that the company completes any necessary fill or other work required
6. Closure of the gravel parking lot at Slack Point for truck parking
7. Closure of parking along Oyster Bay Drive north of the Machine Shop from January 27 to January 31 for use by production crew ;Use of the Town's property at the southern half of the parking lot at Fishermen's Wharf and Rotary Boat Launch for the production 'circus';
8. Use of the Town's property on Buller Street east of 1st Avenue for parking, on the condition that the company completes and necessary fill or other work required

EXECUTIVE SUMMARY:

The television series *Resident Alien* will be on location in Ladysmith between January 20 and

February 5. These dates incorporate pre- and post-production work, as well as actual filming. The production company has requested use of Town properties, as well as closure of a number of parking spaces and roads as outlined in the recommendation.

The requests are quite similar to the areas used by the crew for *Sonic the Movie* in September 2018. As this filming is for one episode in a television series, the duration and impact of the filming are anticipated to be somewhat less than experienced with *Sonic*.

PREVIOUS COUNCIL DIRECTION

N/A

INTRODUCTION/BACKGROUND:

Resident Alien is a slightly dark yet comedic fish-out-of-water story that follows a crash-landed alien named Dr. Harry, played by Alan Tudyk, who, after taking on the identity of a small town Colorado doctor, slowly begins to wrestle with the moral dilemma of his secret mission of destruction on Earth. This leads him to ponder the question: are human beings actually worth saving instead of obliterating?

Ladysmith has been chosen to play the Town of Patience, Colorado.

Filming is scheduled to take place between January 27 and 31. Production staff will be in Ladysmith starting on or about January 20 for pre-production work and expect to be fully wrapped up by January 27. More filming is expected to take place in February or March.

The key sites being used for the series are the Ladysmith and District Credit Union (medical clinic); Roberts Street Parking Lot (diner exterior); Barnacle Barney's (pub), Travellers' Hotel (Patience Town Hall) and the Phoenix Restaurant (bowling alley exterior).

The company is also proposing to place generators in various locations in the community.

The production company advises staff that their representatives have been in negotiations with affected property owners for compensation and assistance with mitigating the effects on customers. These include assistance from production company staff with carrying purchases to vehicles when they are parked further away from shopping than normal and working with Pharmasave for prescription delivery and alternative customer parking. In addition, the company will have production assistants on site at various locations to provide direction and assistance to pedestrians. This approach worked successfully with the *Sonic* production.

ALTERNATIVES:

Council can choose to:

- Amend the requests

- Approve some or none of the requests
- Amend the fees charged

FINANCIAL IMPLICATIONS:

Parking lots, other property and parking spaces will be rented at the same day rate as charged to *Sonic*. Staff are developing an updated film policy for Council's consideration, which may increase these rates. However, as this is not in place yet, the previously used rates will apply to *Resident Alien*. Current rates are in the table below.

Item	Cost
Parking stalls	\$2.00/stall/day
Buller Street Vacant Lot	\$750 total rate
Gravel Waterfront Parking (Circus)	\$167.34/day
Gravel Transfer Beach Parking	\$167.34/day
Gated section, Lot 4	\$750 total rate
Policing	Reimbursed at cost
Town staff wages & Fire/Rescue call-out	Reimbursed at cost

LEGAL IMPLICATIONS:

The production company will sign the appropriate film permit and have necessary insurance and liability coverage in place.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that the filming will generate considerable excitement in the community, which will be offset by the inconvenience of loss of access to parking and the other disruptions created by a production of this size. The film company will continue to reach out to the community to address concerns and answer questions in advance of, and during, filming.

Staff will approve the film company's communications to residents prior to distribution.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Services takes the lead in film liaison and permit work. Legislative Services has responsibility for street closures and communications. Public Works will provide staff to remove banners, benches and other items as requested by the production company.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|---|
| <input type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> Economy |
| <input type="checkbox"/> Community | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Waterfront | |

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Meeting Date: December 16, 2019
File No:
RE: 2020 Financial Plan direction

RECOMMENDATION:

1. That Council give early budget approval for the following projects:

Activated Carbon Odor Control	140,000
Edgewood Water Meter Replacement	50,000
Fence – Transfer Beach	15,000
Influent Wet Well Pump (Spare)	30,000
Marine Signage for WWTP outfall line	30,000
Mower Brush Cutter	15,000
Screener Replacement - WWTP	100,000
Sewer UV Pilot Study	60,000
Shop Press	7,500
Sign Upgrades (ICBC Cost Share)	24,000
Sodium Hypo-Chlorite Arbutus Treatment Plant	50,000
Soil Storage	100,000
Spray Park upgrades	25,000
Transfer Beach Lift Station	50,000
Utility Box	30,000
Utility Vehicle (ATV)	40,000
Vehicle - Single Axle Dump Plow Truck	230,000
Vehicle Replacement - Pickup Truck #69	45,000
Vehicle Replacement - Pickup Truck #78	45,000
Water Service Replacement - Transfer Beach	10,000
Wood Chipper	62,000

And,

2. That Council direct staff to reduce the amount budgeted in 2020 for RCMP members from 8.0 to 7.5 members, resulting in a cost savings of \$68,821.

EXECUTIVE SUMMARY:

Staff request approval for select capital projects ahead of the 2020-2024 Financial Plan bylaw. The projects were presented during the Financial Plan (budget) deliberations. In order to move forward with the financial plan, staff request direction regarding the potential cost savings of budgeting for 7.5 RCMP members instead of the current 8.0.

PREVIOUS COUNCIL DIRECTION

n/a

INTRODUCTION/BACKGROUND:**Early Budget Approval**

Budget deliberations for the 2020-2024 Financial Plan has taken place during the last four Council meetings. The November 25th and December 2nd meetings specifically highlighted the capital projects staff request early budget approval. Early budget approval is requested in order to being sourcing products or tendering projects early in order to get best pricing.

RCMP

During the December 2nd meeting, staff presented options of reducing the budgeted regarding the RCMP member strength (see attachment). This is just a budget reduction; the Town is still proceeding with the additional RCMP member to be in the detachment for 2020. Staff are confident there will be at least \$70,000 in the RCMP reserve in the event that the Town is budgeted for the full 8.0 members in 2020.

ALTERNATIVES:

Early Budget Approval: Council can choose to wait for the 2020-2024 Financial Plan bylaw to be approved.

RCMP: Council can choose to budget for the full 8.0 members or to budget for any amount between 7.5 and 8.0 members.

FINANCIAL IMPLICATIONS:

Early approval of these select projects means the funds will be committed and the project cannot be removed when the financial plan bylaw is presented. The attached report details the amounts to come from property taxation, water user fees and sewer user fees.

The overall property tax amount will be reduced if Council approves the reduction in the budget for the RCMP members.

LEGAL IMPLICATIONS:

n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The respective department will begin working on these select projects if Council grants early budget approval.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

☐ Complete Community Land Use

☐ Low Impact Transportation

- ☐ Green Buildings
- ☐ Innovative Infrastructure
- ☐ Healthy Community
- ☐ Not Applicable

- ☐ 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(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

2020 Early Budget Project Details

Slides from Dec 2nd 2019 budget presentation regarding potential RCMP budget reduction

2020 Early Budget Approval Requests

Parks & Rec

Parks & Playgrounds



Fence - Transfer Beach

\$15,000

Description Install fencing & signage on embankment behind Kinsmen Shelter at Transfer Beach

Purpose To increase safety and reduce access to embankment

Taxation Water Utility Sewer Utility

Parks & Rec

Parks & Playgrounds



Spray Park Upgrades

\$25,000

Description Repair damaged play surface and upgrade spray park mechanical system

Purpose To upgrade mechanical components and repair surface in spray park

Taxation Water Utility Sewer Utility

Public Works

Equipment



Shop Press

\$7,500

Description Shop Press is used for Equipment Maintenance, press wheel bearing etc.

Purpose Having a tool in the maintenance shop and not having to take parts to another remote location to have work done.

Taxation Water Utility Sewer Utility

Public Works

Equipment



Utility Box

\$30,000

Description Utility Box - for storage and securing tools

Purpose To replace conventional box with a utility box that will be better suited for maintenance

Taxation Water Utility Sewer Utility

2020 Early Budget Approval Requests

Public Works

Equipment



Vehicle - Single Axle Dump Plow Truck

\$230,000

Description Single axle dump plow truck

Purpose This dump truck , plow truck will provide additional service for hauling material & additional service for snow and ice control during winter months.

Taxation

0

Water Utility

0

Sewer Utility

0

Public Works

Equipment



Vehicle Replacement - Pickup Truck #69

\$45,000

Description Half tonne Pickup Truck

Purpose Unit 69 is a Ford F 150 4x4 pickup truck, it has passed its life expectancy and is showing signs of equipment failure.

Taxation

0

Water Utility

0

Sewer Utility

0

Public Works

Equipment



Vehicle Replacement - Pickup Truck #78

\$45,000

Description Half tonne Pickup Truck

Purpose Unit 78 is a Ford F 150 4x4 pickup truck, it has passed its life expectancy and is showing signs of equipment failure.

Taxation

0

Water Utility

0

Sewer Utility

0

Public Works

Parks & Playgrounds



Wood Chipper

\$62,000

Description Purchase a wood chipper for the Parks crew

Purpose To reduce contractor costs & utilize the sawdust materials in compost site

Taxation

52,000

Water Utility

0

Sewer Utility

10,000

2020 Early Budget Approval Requests

Public Works

Water



Edgewood Water Meter Replacement

\$50,000

Description Edgewood water meter is located at Edgewood Estates

Purpose Currently the water meter and the configuration of water infrastructure for the water meter is not functional, this will need to be upgraded to municipal standards.

Taxation

0

Water Utility

50,000

Sewer Utility

0

Public Works

Water



Mower Brush Cutter

\$15,000

Description Brush cutter for Dam Maintenance

Purpose A Brush cutter can be used to maintain the West and East face of Holland Lake Dam

Taxation

0

Water Utility

15,000

Sewer Utility

0

Public Works

Water



Sodium Hypo-Chlorite Arbutus Treatment Plant

\$50,000

Description Replacement of disinfection process from chlorine gas to sodium hypo-chlorite

Purpose To change the disinfection process from chlorine gas to a safer product, Sodium Hypo - Chlorite

Taxation

0

Water Utility

50,000

Sewer Utility

0

Public Works

Water



Utility Vehicle (ATV)

\$40,000

Description This is a small trail unit to fully access watershed

Purpose To patrol the water shed areas , Chicken Ladder intake, Stocking and Holland Lake Dams, water mains.

Taxation

0

Water Utility

40,000

Sewer Utility

0

2020 Early Budget Approval Requests

Public Works

Water



Water Service Replacement - Transfer Beach

\$10,000

Description Transfer Beach Washroom Water service replacement

Purpose The water service that provides water to the washrooms requires replacing due to age.

Taxation

0

Water Utility

10,000

Sewer Utility

0

Public Works

Sewer/Compost



Activated Carbon Odor Control

\$140,000

Description Activated carbon (filter) is part of the odor control process for the WTP.

Purpose To reduce the sewage odour from the WWTP

Taxation

0

Water Utility

0

Sewer Utility

140,000

Public Works

Sewer/Compost



Influent Wet Well Pump (Spare)

\$30,000

Description Pumps used in treatment process

Purpose To have a spare in the event that the main pump fails

Taxation

0

Water Utility

0

Sewer Utility

30,000

Public Works

Sewer/Compost



Marine Signage for WWTP outfall line

\$30,000

Description Marine signs are located in the Ladysmith harbour below the WWTP

Purpose Install Signs that conform the Federal regulations for out fall line

Taxation

0

Water Utility

0

Sewer Utility

30,000

2020 Early Budget Approval Requests

Public Works

Sewer/Compost



Screener Replacement - WWTP

\$100,000

Description Screener removes unwanted materials before treatment process begins

Purpose Replace aging screener

Taxation

0

Water Utility

0

Sewer Utility

100,000

Public Works

Sewer/Compost



Sewer UV Pilot Study

\$60,000

Description Begin testing options for the Post-treatment UV disinfecting options

Purpose To test the effectiveness of UV for the WWTP discharge

Taxation

0

Water Utility

0

Sewer Utility

60,000

Public Works

Sewer/Compost



Soil Storage

\$100,000

Description Construct a soil storage area complete with roof

Purpose To have soil from the compost process covered and kept dry as per OMAR regulations

Taxation

0

Water Utility

0

Sewer Utility

100,000

Public Works

Sewer/Compost



Transfer Beach Lift Station

\$50,000

Description Transfer Beach Lift Station is connected to the washrooms

Purpose The lift station requires upgrades to the electrical system and holding tank. The lift station does not function well under periods of high use.

Taxation

0

Water Utility

0

Sewer Utility

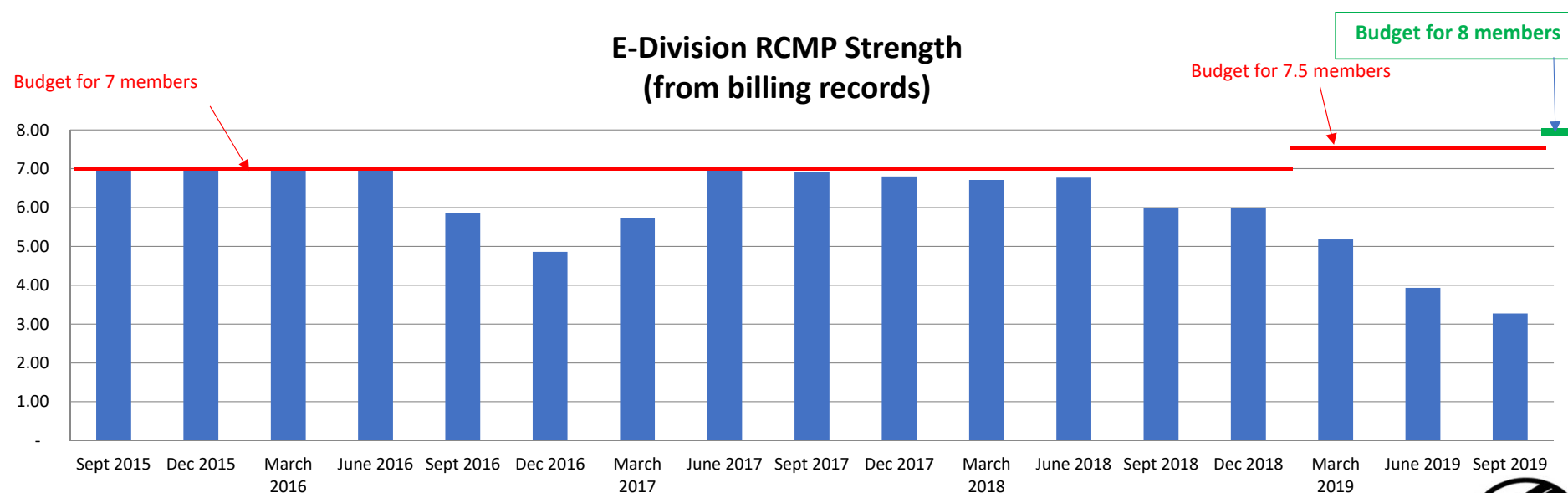
50,000

2020 Early Budget Approval Requests

Public Works	Roads/Sidewalks	<input checked="" type="checkbox"/>
Sign Upgrades (ICBC Cost Share)		\$24,000
<i>Description</i>	Purchase and installation of reflective sign strips	
<i>Purpose</i>	To improve the visibility of stop, crosswalk and school signs in Ladysmith	

Taxation	<div>5,650</div>	Water Utility	<div>0</div>	Sewer Utility	<div>0</div>
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Potential Reduction



Potential Reduction

	Included in 2020 Financial Plan	Reduction Option #1	Reduction Option #2	Reduction Option #3
Authorized members	8	8	8	8
Budgeted members	8	7.9	7.75	7.5
Cost (TOL) of additional budgeted members *	1,024,920	1,087,384	1,066,738	1,032,327
Difference from current	0	- 13,764	- 34,410	-68,821
General Taxation %	0	- 0.16%	- 0.39%	- 0.78%

*include estimated overtime

STAFF REPORT TO COUNCIL

Report Prepared By: Joanna Winter, Manager of Legislative Services
Meeting Date: December 16, 2019
File No:
RE: CONTRACT FOR MOBILE WEBSITE UPDATE

RECOMMENDATION:

That Council waive the purchasing policy and award the contract for upgrading the Town's website design for mobile accessibility and home page improvements to Graphically Speaking, for an amount up to \$35,000 including applicable taxes.

EXECUTIVE SUMMARY:

Council had approved \$35,000 in the 2019 capital budget for website improvements, including design for improved accessibility on mobile devices such as smart phones and tablets.

Staff are confident in the company's local government website experience, knowledge of current website trends, and design capabilities, and are recommending that Council waive the purchasing policy in order to contract with the Town's existing website designer/manager for this upgrade project.

PREVIOUS COUNCIL DIRECTION

The funds are included in the 2019 capital plan.

INTRODUCTION/BACKGROUND:

Staff issued a request for proposals on this project in October. However, as this is not a complete redesign and rebuild of the existing website, letting the contract to another design firm creates additional complications and cost, as Graphically Speaking holds the current contract for the Town's website maintenance. Given the level of complication and potential for additional costs and possible site downtime in transferring the entire website to a new design and maintenance team, staff cancelled the RFP and are recommending that Council waive the purchasing policy in order to contract with Graphically Speaking for the mobile website improvements.

The Town's current website is built using the content management system Sitefinity. Given that this project is for upgrades to the existing site, and not a complete site rebuild, the contract must be let to a firm with extensive experience with this content management system. This does limit the number of potential respondents to the RFP.

Graphically Speaking is a Sitefinity Platinum Partner with more Sitefinity installs than any other Canadian developer. The company has extensive knowledge of the Town's website functional and constituent service requirements.

The Town's purchasing policy generally requires that any contract worth more than \$25,000 go to tender or RFP.

However, the purchasing policy provides the following for this type of specific technological service:

SOLE SOURCING

The requirement for a competitive process may be waived, if negotiating with a single supplier would offer better value. Examples of sole source items includes:

- technological advancement;
- standardization;
- compatibility with another item;
- clearly superior product;
- expertise in a specific area or field that cannot be matched by others;
- warranty requirements.

ALTERNATIVES:

Council can choose to:

1. Direct staff to re-issue the Request for Proposals with provision for the successful proponent to take over the ongoing site maintenance to the existing; or
2. Cancel the mobile website project

FINANCIAL IMPLICATIONS:

Minimal, as the Request for Proposals document provided the project budget. Working with a known provider may result in some cost savings as the staff at Graphically Speaking are familiar with the site.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Given the growing number of people accessing websites on mobile devices, an updated, mobile friendly website will be an additional service the Town can provide to residents and visitors.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Legislative Services manages the website, and all departments contribute as needed.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|--|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |

- ☐ Innovative Infrastructure
- ☐ Healthy Community
- ☒ Not Applicable

- ☐ Local Food Systems
- ☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

- ☐ Infrastructure
- ☒ Community
- ☐ Waterfront
- ☐ Economy
- ☐ Not Applicable

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

TOWN OF LADYSMITH
BYLAW NO. 2023

A BYLAW TO AMEND COUNCIL PROCEDURE BYLAW 2009, NO. 1666

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

1. Amendments

a) Amend section 2.1 to read as follows:

“Subject to Subsection 2.2 to 2.4 inclusive of this bylaw, regular meetings of Council shall be held on the first and third **Tuesday** of each month at 7:00 p.m. in the Council Chambers at City Hall, except where Council determines that a meeting will be held elsewhere.”

b) Amend section 5.1 to read as follows:

“In this section:
“Primary Committee” means the following committee of council:
(a) **Committee of the Whole**”

c) Insert a new section 22, to read as follows:

22. COMMITTEE OF THE WHOLE

- 22.1 Council will meet as Committee of the Whole on the second Tuesday of every second month to give preliminary consideration to proposed policies, services and/or other matters and make recommendations to Council.
- 22.2 Committee of the Whole meetings will take place at City Hall unless, by resolution, Council has chosen another location specified in the resolution.

and renumber all remaining sections accordingly.

2. Citation

This Bylaw may be cited for all purposes as “Town of Ladysmith Council Procedure Bylaw 2009, No. 1666, Amendment Bylaw (# 3) 2019, No. 2023.

READ A FIRST TIME	on the	4th	day of	November, 2019
READ A SECOND TIME	on the	4th	day of	November, 2019
READ A THIRD TIME	on the	4th	day of	November, 2019
ADOPTED	on the	2nd	day of	December, 2019
RESCINDED	on the	9th	day of	December, 2019
RE-ADOPTED	on the		day of	

Mayor (A. Stone)

Corporate Officer (J. Winter)

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Meeting Date: December 16, 2019
File No: 1700-01
RE: 2019 – 2023 Financial Plan Amendment

RECOMMENDATION:

That Council give first three readings to the 2019 – 2023 Financial Plan Bylaw 2019, No. 2000, Amendment Bylaw 2019, No. 2025.

EXECUTIVE SUMMARY:

Throughout the year, and as projects emerge, Council directs staff to amend the Financial Plan. The purpose of this bylaw is to formalize the previously approved Financial Plan amendments.

PREVIOUS COUNCIL DIRECTION

CS 2019- 377	25- Nov- 2019	That Council: 1. Allocate up to \$200,000 from water reserves to fund installation of an emergency bypass system around a blockage in the water main below the Stocking Lake Dam; 2. Direct staff to adjust the 2019 to 2023 Financial Plan accordingly; 3. Direct staff to retain the services of Koers & Associates Engineering Ltd for engineering services associated with this project; and 4. Direct staff to waive the purchasing policy and direct award construction of all works associated with this valve failure to David Stalker Excavating Ltd.
CS 2019- 376	25- Nov- 2019	That Council: 1. Direct staff to submit an application for the grant funding application for the Water Supply Infrastructure Projects through the ICIP – Green Infrastructure: Environmental Quality Sub-stream, and 2. Support the project and commit to its share (\$6,200,000) of the project.
CS 2019- 368	18- Nov- 2019	That Council: 1. Direct staff to increase the budget for the Town's share of Russell Road reconstruction to a total cost of \$151,100 with the additional funds to come from the Infrastructure Reserve; and 2. Direct staff to adjust the 2019 – 2024 financial plan accordingly.

CS 2019- 367	18- Nov- 2019	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to submit an application to the UBCM Child Care Space Creation Program for up to \$1 million for additional child care spaces in the Town of Ladysmith at the Boys and Girls Club of Central Vancouver Island (BCCCVI) building at 220 High Street, and confirm that if successful the Town agrees to manage the delivery of the program as defined within the program requirements; 2. Authorize the Town to enter into a 15 year commitment with the Province of BC to provide child care spaces in the community if the Town is successful in receiving the grant; and 3. Authorize staff to draft a partnership agreement for Council consideration which defines the Town's and BGCCVI's responsibilities and commitments relating to child care services at 220 High Street.
CS 2019- 358	04- Nov- 2019-	<p>That Council:</p> <ol style="list-style-type: none"> 1. Award Contracts 1 and 2 for the Holland Creek Water Supply Main Replacement to IWC Excavating Ltd. for \$367,293.15 including GST; 2. Increase the water capital budget for the project titled Holland Creek Water Supply Main by \$60,000 to a total project cost of \$443,000, with the additional funds to come from the 2019 projected water surplus; and 3. Direct staff to amend the 2019-2023 Financial Plan accordingly.
CS 2019- 330	21- Oct-19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to allocate \$30,000 from the Rotary Boat Launch Float project to complete the recommended synthetic turf field reconditioning and purchase two 23' soccer goal/nets; and 2. Amend the 2019-2023 financial plan accordingly.
CS 2019- 339	21- Oct-19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to partner with the developer of 1240 4th Avenue for the construction of approximately 50m of road between the end of the existing road at the west side of Rocky Creek and the boundary of 1240 4th Avenue; . 2. Direct that the Town's portion of the works is limited to paving consisting of 50 mm of asphalt at a width of 7 metres; 3. Direct staff to fund the \$17,000 for the project from the infrastructure reserve; and 4. Amend the 2019 to 2023 Financial Plan accordingly.
CS 2019- 340	21- Oct-19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to remove all locust trees located within the Town's boulevards including removal of stumps at a cost of \$25,730 and replace them with dwarf ornamental pear trees; 2. Confirm that funding for this project be allocated with \$17,330 to come from prior year surplus and the remainder to be absorbed in the parks operations budget; and 3. Amend the 2019-2023 Financial Plan accordingly. <p>OPPOSED: Councillor Johnson</p>
CS 2019- 314	07- Oct-19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to utilize \$50,000 from prior year surplus funds for Parks Operations; and 2. Amend the 2019-2023 Financial Plan.

CS 2019- 320	07- Oct-19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive the final report for Lot 108 Park Plan Update and direct staff to include the Lot 108 Park Plan recommendations in future capital plans; 2. Direct staff to work with the existing Lot 108 Service Group to construct the pathway based on the design and criteria identified within the Lot 108 Park Plan Update for a cost of \$20,000 with the funds to come from service group grants, donations and in-kind contributions; and 3. Amend the 2019-2023 Financial Plan accordingly.
CS 2019- 315	7-Oct- 2019	<p>That Council:</p> <ol style="list-style-type: none"> 1. Enter into an Interim Management and Co-Licencees Agreement with the Cowichan Valley Regional District for the Stocking Lake Dam describing the interests in the lands, responsibilities, and cost sharing as an interim step until such time as a joint works agreement can be formalized; and 2. Direct staff to submit a grant application to the Community Emergency Preparedness Fund (CEPF) Structural Mitigation Sub-stream for the jointly owned and operated Stocking Lake Dam Rehabilitation or Replacement Project.
CS 2019- 303	16- Sep-19	<p>That, in order to protect public safety and to realize cost efficiencies while installation work is underway, Council:</p> <ol style="list-style-type: none"> 1. Approve the purchase and installation of an additional five bollards on 1st Avenue between Gatacre Street and High Street, at a cost of up to \$15,000, with the funds to come from Appropriated Equity; and 2. Amend the 2019 to 2022 Financial Plan accordingly.
CS 2019- 227	17- Jun-19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Award the Contract A for the Baden Powell Street Watermain Replacement (Phase 1) to David Stalker Excavating Ltd. for \$301,220.80 plus applicable taxes; 2. Increase the water capital budget for the project titled Baden Powell Street Watermain Replacement (Phase 1) to a total project cost of \$356,000, with the additional funds to come from the Warren Street project and 2019 projected water surplus; and 3. Direct staff to amend the 2019-2023 Financial Plan accordingly
CS 2019- 228	17- Jun- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to award the Contract B for the Baden Powell Street Watermain Replacement (Phase 1) to David Stalker Excavating Ltd for \$90,000, with the additional funds to come from the 2019 projected water surplus; and 2. Direct staff to amend the 2019-2023 Financial Plan, accordingly.
CS 2019- 234	17- Jun- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Authorize Staff to spend up to \$150,000 from the Water Capital Reserve for repairs to the Stocking Lake water main; 2. Waive the Purchasing Policy and direct award the repair work to David Stalker Excavating based on time and material pricing ; and 3. Direct Staff to amend the 2019-2023 Financial Plan accordingly.

CS 2019- 203	03- Jun- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to include in the 2019-2023 Financial Plan a new 2019 project titled “Lot 108 Site Plan Concept Plan Update” for \$20,000, with the funds to come from the Parks Appropriated Equity Reserve; and 2. Amend the 2019-2023 Financial Plan accordingly; and 3. Waive the purchasing policy and award the contract as presented for the updated Lot 108 Site Plan to Lees and Associates Landscape Architects for up to \$20,000.
CS 2019- 204	03- Jun- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Award the contract for construction of the 4th Avenue Crossing at Rocky Creek to Milestone Equipment Contracting Inc., for a total cost of \$789,831.00 excluding GST; 2. Confirm that the unbudgeted funds of \$560,000 for this project will come from the Infrastructure Reserve, Gas Tax funds, and reallocation of budgets for other projects; and 3. Direct staff to amend the 2019 to 2023 Financial Plan accordingly.
CS 2019- 206	03- Jun- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct Staff to amend the 2019-2023 Financial Plan by including the Frank Jameson Community Centre Main Pool Basin Tile Repair for \$40,000, with the funding to come from the deferral of the Frank Jameson Community Centre Change Room upgrade project for \$30,000 and the adjustment to the Frank Jameson Community Centre Domestic Water Lines project for \$10,000; and 2. Waive the purchasing policy and direct award the Frank Jameson Community Centre Main Pool Basin tile repair and grouting to Cornerstone Tile for \$38,560.00 + taxes.
CS 2019- 187	13- May- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Direct staff to retain: <ol style="list-style-type: none"> a. Turner Surveying to complete a survey of 1260 Churchill Place as well as develop two lot layout proposals, one based on the existing zoning (R-1) and the other on R-1-B zoning; and b. Aquaparian Environmental Consulting to complete a Riparian Areas Regulation Assessment for 1260 Churchill; and c. The services of a real-estate firm to estimate the value of lots as proposed in the two options that will be generated by Turner Surveying and an engineering consultant to assist with construction cost estimating. 2. Direct staff to amend the 2019-2023 Financial Plan in the amount of \$15,000 to complete the work at 1260 Churchill Place with funds to come from the Real Property Reserve. 3. Direct staff to bring back the results of this work program to Council for further direction.
CS 2019- 186	13- May- 19	<p>That Council:</p> <ol style="list-style-type: none"> 1. Award the contract for the Gill Road Lift Station improvements to David Stalker Excavating Ltd. for \$267,509 plus applicable taxes; and 2. Increase the capital budget for the Gill Road Lift Station improvements by \$80,000, to a total project cost of \$322,230, with the additional funds to come from Sewer Reserves.

CS 2019- 171	6- May- 2019	That Council approve allocating up to \$20,000 from appropriated equity to fund safety improvements to the Waterfront Trail on Lot 5.
CS 2019- 153	15- Apr- 19	That Council direct staff to include in the 2019 – 2023 Financial Plan \$400,000 to purchase three lift station generators with the funds to come from the additional federal Gas Tax allocation for 2019.
CS 2019- 020	21- Jan- 19	That Council: 1. Advise Ladysmith Kinsmen Club of a grant opportunity and the intention of the Town to submit an application for funding for the remainder of the downtown public washroom project, and request that the Club continue to work as a partner in the development of the downtown washrooms; and 2. Direct staff to submit an application to the Canada – British Columbia Investing in Infrastructure Program (Community, Culture and Recreation) for the downtown washroom project, with a budget of \$150,000.00; and 3. Support the project and commit to its share (\$40,500) of the project, with funds to come from reserves; and 4. Direct staff to include in the 2020-2024 Financial Plan \$26,000.00 for servicing and maintenance of the downtown washrooms.

INTRODUCTION/BACKGROUND:

Earlier this year, Council approved the Financial Plan bylaw for 2019 – 2023. This Plan provided the bases of the property taxation for 2019.

The *Community Charter* s.197 (1) states that the Financial Plan must be adopted by May 15th each year, though it specifically states in s.165(2) that “the financial plan may be amended by bylaw at any time”.

Throughout the year, Council authorizes changes to the Financial Plan. Staff monitor the actual amounts spent to ensure that the expenditures continue to be within the allotted amount approved. Below is a summary of the changes needed to the Financial Plan:

Financial Plan item	Amount	Reason
Revenues from Other Sources	+ 17,870,000	<ul style="list-style-type: none"> • No longer expect a gain of (\$10,000) on the disposal of the screener at the Compost Facility. • Stocking Lake Dam Grant \$750,000 • Water Supply Infrastructure \$16,910,000 • Stocking Lake Dam – cost share \$200,000 • Lot 108 Pathway Donation \$20,000
General Operating Expenses	+ 32,606	<ul style="list-style-type: none"> • Parks Operations \$55,630 • Forrest Field Reconditioning \$12,000

		<ul style="list-style-type: none"> • Pool Basin repair \$40,000 • Parks Trees (\$8,400) • Bollards \$11,066 • Lot 108 Pathway \$20,000 • Lot 5 Trees \$20,000 • Forrest Field walking path \$20,000 • Lot 5 Acquisition (\$342,000) • Non TCA \$199,606 • TCA \$4,704
Interest Payments	- 31,000	• Baden Powell (\$31,000)
General Capital	752,824	<ul style="list-style-type: none"> • Rocky Creek Culvert \$560,000 • Bollards \$15,000 • Russell Road \$51,100 • Churchill \$15,000 • Giovando \$17,000 • Rotary Boat Ramp (\$30,000) • Soccer Nets \$18,000 • FJCC Water & Change room (\$40,000) • Lot 5 Acquisition \$342,000 • Non TCA (\$199,606) • From Ops \$4,330
Sanitary Sewer Capital	70,000	<ul style="list-style-type: none"> • Gill Road lift Station \$80,000 • Compost Screener (\$10,000)
Water Capital	24,666,000	<ul style="list-style-type: none"> • Baden Powell \$196,000 • Stocking Lake \$150,000 • Water Supply Infrastructure \$23,110,000 • Stocking Lake Dam \$750,000 • Stocking Lake Bypass \$400,000 • Holland Main PW to Colonia \$60,000
Principal Payments	- 165,000	• Baden Powell (\$165,000)
Transfers from Reserves (Gas Tax)	-280,000	• Rocky Creek Culvert (\$280,000)

Transfer to (from) Own Funds	- 975,430	<ul style="list-style-type: none"> • Parks (\$50,000) • Gill Road lift Station (\$80,000) • Giovando (\$17,000) • Parks Trees (\$17,330) • Lot 5 Trees (\$20,000) • Lot 108 (\$20,000) • Bollards (\$15,000) • Stocking Lake (\$150,000) • Stocking Lake Bypass (\$200,000) • Rocky Creek Culvert (\$280,000) • Churchill (\$15,000) • Russell Road Paving (\$51,100) • Holland Main PW to Colonia (\$60,000)

ALTERNATIVES:

As Council has already directed the amendments to be made, there are limited alternatives without financial implications.

FINANCIAL IMPLICATIONS:

Financial implications were discussed when each proposed change was presented to Council for consideration.

LEGAL IMPLICATIONS:

The bylaw is necessary to formalize the directed changes to the Financial Plan.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

TOWN OF LADYSMITH

BYLAW NO. 2025

A bylaw to amend the 2019 – 2023 Financial Plan Bylaw 2019, No. 2000

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

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

Amendment

- 1. Schedule ‘A’ of “2019 – 2023 Financial Plan Bylaw 2019, No. 2000” is hereby replaced with the attached Schedule ‘A’.

Citation

- 2. This bylaw may be cited as "2019 – 2023 Financial Plan Bylaw 2019, No. 2000, Amendment Bylaw 2019, No. 2025".

READ A FIRST TIME day of

READ A SECOND TIME day of

READ A THIRD TIME day of

ADOPTED day of

Mayor (A. Stone)

Corporate Officer (J. Winter)

SCHEDULE “A”

TOWN OF LADYSMITH

2019 – 2023 Financial Plan Bylaw 2019, No. 2000, Amendment Bylaw 2019, No. 2025

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
REVENUES:					
Revenue From Property Tax Values	8,451,130	8,916,854	9,146,735	9,352,873	9,667,818
Revenue From Grants In Lieu	170,901	170,979	171,064	171,158	171,243
Revenue From Parcel Taxes	2,975,882	2,997,702	3,009,612	3,021,522	3,033,432
Revenue From Fees & Charges	4,755,265	4,886,252	5,051,450	5,194,022	5,224,366
Revenue From Other Sources	41,389,187	1,180,068	1,022,423	828,039	825,339
	57,742,365	18,151,855	18,401,284	18,567,614	18,922,198
EXPENSES:					
General Operating Expense	11,004,451	10,544,869	10,776,168	10,981,665	11,174,013
Sanitary Sewer Operating Expenses	2,062,140	1,551,054	1,582,074	1,613,717	1,645,986
Water Operating Expenses	1,395,319	1,427,452	1,456,002	1,485,121	1,514,822
Interest Payments	498,353	656,705	643,705	609,705	899,705
Amortization	3,436,284	3,505,010	3,575,110	3,407,608	3,475,760
Annual Surplus/Deficit	39,345,818	466,765	368,225	469,798	211,912
Add back:					
Amortization	3,436,284	3,505,010	3,575,110	3,407,608	3,475,760
Capital Expenditures					
General Capital	14,290,377	2,476,100	1,311,300	1,640,433	1,618,050
Sanitary Sewer Capital	1,361,994	925,000	1,810,000	525,000	890,750
Water Capital	52,355,239	1,300,000	680,000	10,150,000	1,260,000
Proceeds from New Debt	(15,111,952)	0	0	(5,500,000)	0
Principal Payments	659,187	945,476	945,476	1,945,476	1,030,476
Transfers from Reserves	(2,684,804)	(1,722,575)	(1,005,500)	(4,461,477)	(712,272)
Transfer to (from) Own Funds	(8,087,939)	47,774	202,059	(422,026)	(399,332)
Financial Plan Balance	-	-	-	-	-

BYLAW NO. 2030

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

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

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

AND WHEREAS the total amount of liability that Council may incur is six million and six hundred thousand dollars (\$6,600,000);

AND WHEREAS there are no liabilities outstanding under Section 177;

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

1. The Council shall be and is hereby empowered and authorized to borrow upon the credit of the Town of Ladysmith an amount or amounts not exceeding the sum of six million and six hundred thousand dollars (\$6,600,000).
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the authorized Signing Officers.
3. All unpaid taxes and the taxes of the current year when levied or so much thereof as may be necessary shall, when collected, be used to repay the money so borrowed.

CITATION

4. This bylaw may be cited as “2020 Revenue Anticipation Borrowing Bylaw 2019, No. 2030.”

READ A FIRST TIME on the 2nd day of December, 2019

READ A SECOND TIME on the 2nd day of December , 2019

READ A THIRD TIME on the 2nd day of December , 2019

ADOPTED on the day of December , 2019

Mayor
(A. Stone)

Corporate Officer
(J. Winter)

TOWN OF LADYSMITH

BYLAW NO. 2032

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

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

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

Amendment

- 1. Schedule ‘A’ of “Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 1996” is hereby replaced with the attached Schedule ‘A’.

Effective Date

- 2. The provisions of this bylaw shall become effective and be in force as of January 1, 2020.

Citation

- 3. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 2032".

READ A FIRST TIME	on the 2 nd	day of December	, 2019
READ A SECOND TIME	on the 2 nd	day of December	, 2019
READ A THIRD TIME	on the 2 nd	day of December	, 2019
ADOPTED	on the	day of	, 2019

Mayor (A. Stone)

Corporate Officer (J. Winter)

SCHEDULE “A”

TOWN OF LADYSMITH

Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2019, No. 2032

1 METERED SINGLE UNIT DWELLING

Per billing period:

Base Rate, including consumption to 25 m ³	\$ 51.13	
Next 26 m ³ to 50 m ³	\$ 0.9302	per m ³
Next 51 m ³ to 75 m ³	\$ 1.0993	per m ³
Next 76 m ³ to 100 m ³	\$ 1.3528	per m ³
Next 101 m ³ to 125 m ³	\$ 1.7757	per m ³
Over 125 m ³	\$ 2.3675	per m ³

2 METERED SERVICE - all other users

Per billing period:

Base Rate, including consumption to 25 m ³	\$ 51.13	
Over 25 m ³	\$ 0.8456	per m ³

3 NON-METER SERVICE

Per billing period:	\$ 74.13	per unit
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4 WATER SERVICE CONNECTION RATES

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

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

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

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

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

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

5 FINES

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

Effective Jan 1, 2020.

TOWN OF LADYSMITH

BYLAW NO. 2033

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

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

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

Amendment

1. Schedule “A” of “Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 1997” is hereby replaced with the attached Schedule “A”.

Effective Date

2. The provisions of this bylaw shall become effective and be in force as of January 1, 2020.

Citation

3. This bylaw may be cited as "Town of Ladysmith Sanitary Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 2033".

READ A FIRST TIME	on the 2 nd	day of	December,	2019
READ A SECOND TIME	on the 2 nd	day of	December,	2019
READ A THIRD TIME	on the 2 nd	day of	December,	2019
ADOPTED	on the	day of	,	

Mayor (A. Stone)

Corporate Officer (J. Winter)

SCHEDULE “A”

TOWN OF LADYSMITH

Sewer Rate Bylaw 1999, No. 1299, Amendment Bylaw 2019, No. 2033

SCHEDULE OF RATES

CLASSIFICATION		Sewer Charge Per Month (\$)
Residences or Apartments:	For each Dwelling Unit	\$ 30.19
Motels & Auto Courts:	Premises of owner or operator	\$ 30.19
	For each rental unit	\$ 4.61
Mobile Home Parks:	Public rest rooms and/or service rooms	\$ 30.19
	For each mobile home with sewer connection	\$ 30.19
Hotels:	Owners or managers quarters	\$ 30.19
	Per apartment for rent	\$ 30.19
	Per room for rent	\$ 4.61
Beer Parlours, Pubs, Licenced Cabarets & Lounges:	For each separately licenced area	\$ 62.85
Cafes, Restaurants & Dining Rooms:		\$ 62.85
Offices, Shops and Stores:	Per office, store & store unit not otherwise specified	\$ 30.19
Store(s) and Suites(s) combined:	Per store unit	\$ 30.19
	Per suite	\$ 30.19
Stores(s) and Office(s) combined:	Per store unit	\$ 30.19
	per office unit	\$ 30.19
Office Building:	per office unit	\$ 30.19
Laundry or Laundromat:		\$ 99.86
Services Stations and Garages:	Without car wash	\$ 30.19
	With car wash	\$ 67.17
Public or Social Club with licenced bar:		\$ 62.85
Church Hall, Public Hall or Lodge Room		\$ 23.37
Hospitals & Nursing Homes	per bed	\$ 14.04
Schools	per classroom, auditorium or office	\$ 30.19

Effective January 1, 2020



Ladysmith & District Historical Society
Box 813
Ladysmith, BC
V9G 1A6

Tel/Fax: 250.245.0100
Email: info@ladysmithhistoricalsociety.ca
Website: ladysmithhistoricalsociety.ca

24 November 2019

Re: Potential return of Plymouth # 107 railway shunting engine

Dear Mayor and Council,

Some years ago, when the Ladysmith Railway Society (LRS) lost the use of the Machine Shop and rail yard, a safe home was needed for the forestry rolling stock collection which featured engines and cars which had operated at Comox Logging's facility at Ladysmith Harbour. At that time the Western Vancouver Island Industrial Heritage Society (WVIIHS) offered to house and preserve a number of LRS artifacts, including the Plymouth Gas Locomotive No. 107 – a gasoline powered shunting locomotive. No. 107 was transferred to Port Alberni.

The LDHS would now like to ask the WVIIHS if we can have the Plymouth back. It is needed at the Comox Logging & Railway Co. rail yard to move rolling stock about for refurbishment, display and storage purposes. At this time LDHS must borrow equipment of sufficient size (tractors or loaders) to move the rolling stock (Locs 11, etc.). The Plymouth would fit the ticket – and double as a heritage exhibit as it actually worked at the Comox rail yard when the site was an active industrial facility.

When visiting the WVIIHS Industrial Heritage Centre in Port Alberni this October we saw the Plymouth Locomotive outside, overgrown by blackberries with a damaged radiator and looking like it could use some work. It appears it has not been used for some time. The LDHS is confident we can fix it and get it serviceable, but would review the state of the engine before making full commitment to retrieve it.

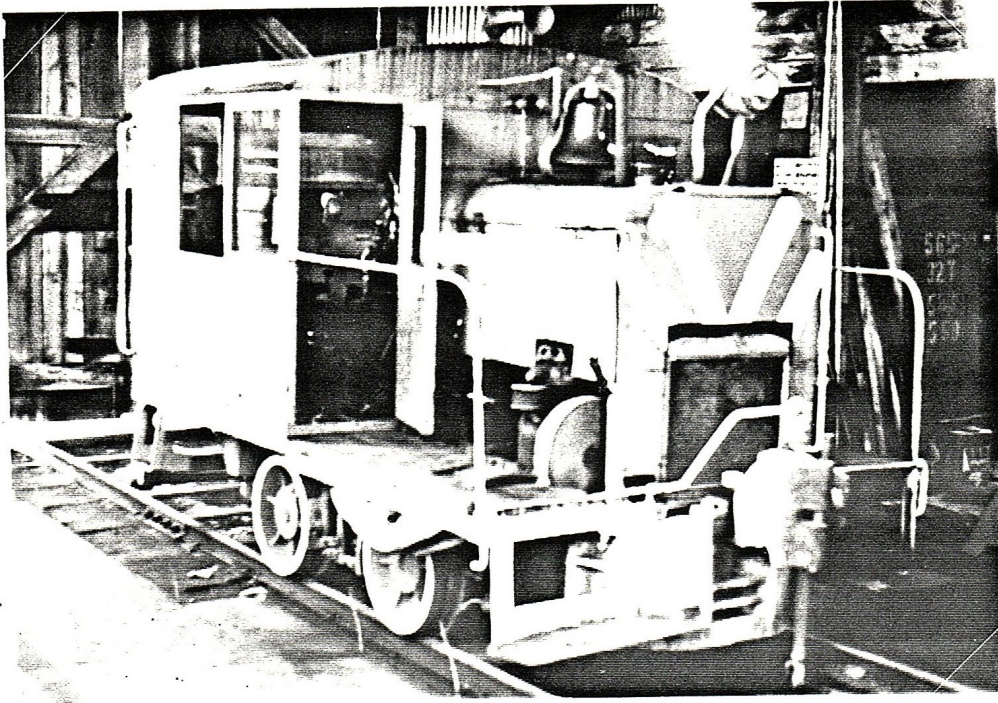
The LDHS has three questions for Mayor and Council:

- i/. Do Mayor and Council support a request to the WVIIHS for return of the Plymouth Gas Locie No. 107?
- ii/ If so, would the Town wish to be a co-signator on the letter of request – or consider that a statement by the LDHS that the Town is supportive of this request be sufficient? (There is no guarantee that the WVIIHS will want to give it back.)
- iii/. If the engine is returned, will the town accept it as a Town asset?

We look forward to your reply. Thank you.

Yours

Quentin Goodbody, President LDHS.



1. Plymouth Gas Locie No. 107. Very historical small industrial locomotive that could be used to advantage in yard service moving equipment about.