

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

**Tuesday, February 4, 2020
Council Chambers, City Hall**

Pages

1. CALL TO ORDER

2. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for February 4, 2020.

3. RISE AND REPORT

Council wishes to rise with report on the following item from the January 7, 2020 Closed Session of Council:

- CE 2020-001
The resignation of Steve Elkiw from the Council Remuneration Committee and the waiving of the Committee Terms of Reference to enable the Committee to continue its work with three members of the public.

4. MINUTES

4.1 Minutes of the Public Hearing and Regular Meeting of Council held January 21, 2020

7

Recommendation

That Council approve the minutes of the Public Hearing and Regular Meeting of Council, held January 21, 2020.

5. PROCLAMATIONS

5.1 Kinsmen and Kinette Day

17

Mayor Stone has proclaimed February 20th, 2020 as “Kinsmen and Kinettes Day”, and February 16th to 22nd as “Kinsmen and Kinettes Week”

in the Town of Ladysmith, in recognition of the 100th anniversary of KinCanada, and in appreciation of Ladysmith's local club's dedication and service to our community over the past 68 years.

Recommendation

That, in accordance with section 3.1 of the Town of Ladysmith Flag Policy, Council direct that the Kinsmen Flag be raised at City Hall February 16-22, 2020.

6. DEVELOPMENT APPLICATIONS

6.1 Development Permit Application – Warehouse and Office at 902 Ludlow Road (Madill the Office Company)

19

Recommendation

That Council:

1. Issue Development Permit 3060-19-19 for a two-storey industrial building at 902 Ludlow Road (PID: 030-553-164).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-19-19.

7. COMMITTEE MINUTES

7.1 Committee of the Whole Recommendations to Council

34

Recommendation

That Council:

1. Adopt the following resolution:

Whereas: Climate change creates risks to our economic, social and physical environments.

Whereas: The overwhelming scientific consensus is that human activities are contributing to climate change.

Whereas: A response to climate change will consist of mitigation and adaptation.

Whereas: Mitigation of climate change will necessarily include a transition to a low carbon society.

Whereas: The transition to a low carbon society could effect the economic and social environments negatively for a period of time, and those negative effects on the lives of citizens must be minimized.

Whereas: Adaptation to climate change will involve the 'hardening' of public assets

Whereas: The Town of Ladysmith exists to provide: good government; services, laws and other matters for the benefit of the community; stewardship of public assets AND to foster the economic, social, and environmental well being of the community.

Therefore Be It Resolved That:

The Town of Ladysmith acknowledges the emergent risks posed by climate change to our economic, social and physical environments.

And further, the Town of Ladysmith has adopted and will continue to adopt plans, bylaws, policies and spending that: facilitate the smoothest possible socio-economic transition to a low carbon community; mitigate the carbon footprint of the Town and its citizens; and adapt/build public assets to withstand and/or overcome the effects of climate change.

2. Authorize an additional \$15,000 to fund a geotechnical survey of the Town-owned property at 1260 Churchill Place with the funds to come from the real property reserve.
3. Allocate \$3,000 from the unspent funds from the 2019 Grant in Aid budget to offer a Grant Writing Workshop to local organizations.
4. Allocate the 2020 Grants in Aid as follows:

Organization	Preliminary Approval 2020
Ladysmith Fire Rescue - Santa Parade	1200
Ladysmith Golf Club Society	3500
Ladysmith Show and Shine	1500
Ladysmith & District Historical Society	7500
Ladysmith Festival Of Lights	10000
Ladysmith Downtown Business Association	1500
Art Council of Ladysmith and District	1000
Stz'uminus First Nation	2500
Ladysmith and District Marine Rescue Society	2500

Ladysmith Ambassador Program	1500
Old English Car Club Central Island Branch	600
Ladysmith Maritime Society	1500
Ladysmith Celebrations Society	8000
Ladysmith Family and Friends Society	2500
Cowichan Family Caregivers Support Society	750
Cowichan Trail Stewardship Society - Ladysmith Chapter	1000
Ladysmith Community Gardens Society	1000
Ladysmith Little Theatre	2000
St Philips Church - Open Table	500
Citizens on Patrol	
LSS - Frank Jameson Bursary	1500
Waiving Fees	2500
Late Applications/ Council Discretion	6579
Total	61,129

5. Consider the draft Park and Facility Naming Policy and application process, with accompanied park and facility naming inventory.

8. REPORTS

8.1 Water Conservation Plan 2020

49

Recommendation

That Council set a new single family residential water consumption target for the Town of Ladysmith of 25 per cent lower than the BC residential average single family consumption rate.

9. BYLAWS

9.1 Town of Ladysmith Not-for-Profit Rental Housing Development Cost

52

Charges Reduction Bylaw, 2019, No. 2024

The purpose of Bylaw 2024 is to provide for a reduction of a development cost charge for a not-for-profit rental housing project located at 314 Buller Street

Recommendation

That Council adopt Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2019, No. 2024.

10. CORRESPONDENCE

10.1 Ladysmith Family and Friends Tree Dedication Request

54

Recommendation

That Council:

1. Approve the request from Ladysmith Family and Friends (LaFF) in their correspondence dated January 22, 2020 to plant a memorial tree in the Aggie Hall parking lot roundabout dedicated in memory of Jenny VanHorn;
2. Thank LaFF and the Ladysmith Secondary School class of 2019 for their donation; and
3. Direct staff to work with LaFF representatives with respect to the dedication of the tree.

11. NEW BUSINESS

11.1 Request for Use of Town Logo

55

Recommendation

That Council determine whether it wishes to authorize the use of the Town of Ladysmith logo on the plaques to be given out for the newly-created annual Ladysmith Heritage Award plaques.

12. UNFINISHED BUSINESS

13. 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.

14. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, January 21, 2020

7:00 P.M.

Council Chambers, City Hall

Council Members Present:

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

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Guillermo Ferrero
Jake Belobaba
Geoff Goodall
Joanna Winter
Julie Thompson

Sue Glenn
Shannon Wilson
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:03 p.m., in order to retire immediately into closed session.

2. CLOSED SESSION

CS 2020-019

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

- negotiations and related discussions respecting the proposed provision of a municipal service - section 90(1)(k)
- litigation or potential litigation - section 90(1)(g)

Motion Carried

3. OPEN MEETING AGENDA APPROVAL

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

CS 2020-020

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for January 21, 2020 as amended to include the following items:

- Item 10.2., "Update on the Historical Society's Planning Session for Heritage Week"
- Item 10.3., "Disposal of Town Trolley"

Motion Carried

4. PUBLIC HEARING

Councillor Stevens declared a conflict of interest with the following agenda item because he owns contiguous property and excused himself from the meeting.

Mayor Stone outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaws 2027, 2028 and 2029 to establish a maximum 200m² neighbourhood pub at 202/204 Dogwood Drive.

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 Bylaws, 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 Official Community Plan Bylaw Amendments and Zoning Bylaw Amendment: Bylaws 2027, 2028 and 2029

Members of the public present: 28

4.1.1 Introduction of Bylaws and Statutory Requirements - Julie Thompson, Planner, Development Services

Julie Thompson, Planner for Development Services, introduced the following bylaws as the subject of the Public Hearing:

1. Official Community Plan Bylaw 2003, No.1488, Amendment Bylaw (No.60) 2019, No.2027 (hereafter referred to as Bylaw 2027)
2. Official Community Plan Bylaw 2003, No.1488, Amendment Bylaw (No.61) 2019, No.2028 (hereafter referred to as Bylaw 2028)
3. Town of Ladysmith Zoning Bylaw 2014, No.1860, Amendment Bylaw (No.30) 2019, No.2029 (hereafter referred to as Bylaw 2029)

Ms. Thompson noted that the subject property consisted of three adjacent lots located at 202/204 Dogwood Drive (Lots 2, 3 and 4 Suburban Lot 9 Oyster District Plan 1009). She advised Council that Bylaw 2027 would designate Lot 4 as Development Permit Area 3 - Commercial, to match the designation of Lots 2 and 3; that Bylaw 2028 would amend the Official Community Plan to allow variances to the landscape buffer requirement; and that Bylaw 2029 would allow a Neighbourhood Pub as a site specific use on the subject property, with a maximum of 200m² in gross floor area.

The Public Hearing Notice was published in the Ladysmith Chronicle on January 9th and 16th 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. Six written submissions were received and included in the agenda package.

4.1.2 Submissions

Mayor Stone invited the applicant and his business partner to make the first submission to Council.

Rod Alsop and his partner, Jon Ludtke, reviewed their plans for the property, noting that their goal was to establish a family-friendly brew pub that would welcome locals and tourists. They advised Council that they would not manufacture for packaging and distribution, nor would they alter the footprint of the building. Dependent on architecture design plans and occupancy limits, they planned to offer 40 seats indoors and 20 seats outdoors, and the proposed hours of operation would be 11:00 a.m. to 9:00 p.m. Sunday to Thursday, and 11:00 a.m. to 11:00 p.m. Friday to Saturday. Their proposed brewing schedule would include six batches per month and they planned for one delivery day per week.

4.1.3 Call for Submissions to Council (Three Times) - Mayor Stone

Mayor Stone called for submissions to Council.

Joy Sheridan, 332 Belaire Street, spoke in support of the project, noting the proximity of the landlord to the brewpub, his community involvement and excellent rapport with people in the neighbourhood. She remarked on the generous setback of the building and the ample parking on the site, describing them as features that would ensure the brewpub would not intrude on the neighbourhood.

Anita Hamilton, 206 Dogwood Drive, spoke against the project, expressing concerns regarding potential irresponsible drinking at the proposed establishment, and referred specifically to consultation with First Nations.

Natasha Sharp, Unit 201, 11 Buller Street, spoke in support of the project, preferring that Ladysmith benefit from the business as opposed to another community.

Jennica Graham, 117 Cloke Road, spoke in support of the project, noting that the proposed brew pub could be added to the BC Ale Trail, thereby increasing tourism.

Gord Defoor, 131 Methuen Street, reminded Council of the proposed brew pub on 336 Belaire Street and expressed concerns that Ladysmith could not support two brew pubs in such close proximity.

Nick Epp-Evans, 232 Roberts Street, spoke in support of the project, noting that both brew pubs would complement each other and attract younger people to Ladysmith.

James Steadman, 208 Dogwood Drive, cautioned that Ladysmith already had enough drinking establishments and could not support more.

Russell Barling, 100 Block of Forward Road, expressed his opinion that the public needed more information regarding the design plan for the brew pub before a decision should be made.

Noel McKenna, 125 Methuen Street, spoke against the project, noting concerns regarding the proposed buffer, as well as with parking and traffic.

Scott Gingerysty, 508 High Street, spoke in support of the project, praising the small footprint and the option for residents to walk to the pub.

Mayor Stone called for submissions to Council a second time.

Geoff Cram, 16 2nd Avenue, expressed his support for the project, noting that increased options benefit everyone and draw more people to the community.

Thomas Allen, 214 Dogwood Drive, spoke in support of the project, mentioning his appreciation for the opportunity to enjoy local products.

David Van Horne, 1147 3rd Avenue, spoke in support of the project, praising the brew master's credentials and awards. He noted that the Alsop family's proximity to the brew pub would ensure that the establishment would not be a concern for others in the neighbourhood.

Yvonne Brosz-Defoor, 131 Methuen Street, spoke against the project, citing mechanical noise as an issue for the neighbourhood.

Mayor Stone called for submissions regarding Bylaws 2027, 2028 and 2029 a third and final time.

4.1.4 Declaration that the Public Hearing for Bylaws 2027, 2028 and 2029 is Closed - Mayor Stone

Hearing no comments and receiving no submissions, Mayor Stone called the Public Hearing for Bylaws 2027, 2028 and 2029 closed at 7:41 p.m., and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

5. BYLAWS (SUBJECT OF THE PUBLIC HEARING)

5.1 Official Community Plan Bylaws 2027 and 2028, and Town of Ladysmith Zoning Bylaw 2029 - 202 to 204 Dogwood Drive CS 2020-021

That Council:

1. Proceed with third reading and adoption of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027;
2. Proceed with third reading and adoption of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028;
3. Proceed with third reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029; and
4. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act.

Motion Carried

Councillor Stevens returned to the meeting.

6. RISE AND REPORT- Items from Closed Session

Council rose at 6:35 p.m. without report.

7. MINUTES

7.1 Minutes of the Regular Meeting of Council held January 7, 2020 CS 2020-022

That Council approve the minutes of the Regular Meeting of Council, held January 7, 2020.

Motion Carried

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit – 1221 Rocky Creek Road CS 2020-023

That Council:

1. Issue Development Variance Permit 3090-19-10 to vary the shade tree requirement from 10 trees to zero trees for a paved parking area at 1221 Rocky Creek Road (Western Forest Products)
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-19-10.

3. Approve an encroachment agreement with Western Forest Products for the installation of two rolling gates and fencing within the Town's right-of-way along the Gladden Road property frontage.
4. Authorize the Mayor and Corporate Officer to sign the agreement.

Motion Carried

CS 2020-024

That Council request that staff discuss with the applicant the possibility of donating ten trees in support of the community and Council's strategic plan.

Motion Carried

CS 2020-025

That Council direct staff to develop policy options for storm water management for parking lots as part of the Official Community Plan review and Building Bylaw update.

Motion Carried

9. REPORTS

9.1 Emergency Support Services Funding Stream Application

CS 2020-026

That Council:

1. Direct staff to submit an application to the Community Emergency Preparedness Fund – Emergency Support Services Funding Stream for up to \$25, 000; and
2. Confirm its willingness to provide overall grant management.

Motion Carried

9.2 Public Art Policy

CS 2020-027

That Council approve the Public Art Policy as presented and recommended by the Parks, Recreation and Culture Advisory Committee.

Motion Carried

9.3 Ultraviolet Pilot Civil Connection Award

CS 2020-028

That Council waive the Town's Purchasing Policy and direct award the works associated with the connection of the Ultra Violet Pilot Project for the Waste Water Treatment Plant to David Stalker Excavating on a time basis.

Motion Carried

OPPOSED: Councillor Johnson

9.4 Encroachment Agreement 427A Davis Road

CS 2020-029

That Council direct staff to enter into an encroachment agreement for the construction of a retaining wall fronting 472A Davis Road.

Motion Carried

9.5 Stocking Dam Flood Risk Assessment

CS 2020-030

That Council direct staff to apply for the UBCM Community Emergency Preparedness Fund – Flood Risk Assessment, Flood Mapping & Flood Mitigation Planning funding stream for up to \$150,000 and confirm its willingness to provide overall grant management.

Motion Carried

10. NEW BUSINESS

10.1 2020 Conference Attendance

10.1.1 Attendance at 2020 Convention, Association of Vancouver Island and Coastal Communities; Potential Resolution and/or Nomination Submission

CS 2020-031

That Council authorize Mayor Stone and Councillors Jacobson, Johnson, McKay and Stevens to attend the Association of Vancouver Island and Coastal Communities annual convention April 17-19, 2020, in Nanaimo.

Motion Carried

**10.1.2 Union of British Columbia Municipalities Annual Convention
CS 2020-032**

That Council authorize Mayor Stone and Councillors Johnson, McKay, Paterson, and Virtanen to attend the Union of British Columbia Municipalities annual convention to be held September 21-25, 2020, in Victoria.

Motion Carried

**10.1.3 Attendance at the Federation of Canadian Municipalities 2020
Convention in Toronto, at an estimated cost of \$4000.00
CS 2020-033**

That Council approve Mayor Stone's and Councillor McKay's attendance at the Federation of Canadian Municipalities 2020 Convention to be held June 4-7, 2020, in Toronto, ON, at a total cost to the Town of up to \$6,000.

Motion Carried

CS 2020-034

That Council direct staff to provide a report for the 2021 budget discussions on the implications of authorizing one member of Council and the Mayor to attend the Federation of Canadian Municipalities Convention annually.

Motion Carried

**10.1.4 Woody Debris Workshop
CS 2020-035**

That Council authorize Councillor Johnson to attend the free Woody Debris Workshop in Duncan on Tuesday, January 28, 2020 and provide reimbursement for related travel expenses.

Motion Carried

10.2 Update on the Historical Society's Planning Session for Heritage Week

Councillors Stevens, McKay and Johnson provided Council with a summary of items discussed at the Historical Society's planning session for Heritage Week, requesting Council's attendance and participation at the February 22nd event.

10.3 Disposal of the Trolley

Councillor Johnson enquired about the potential for a community organization to acquire the trolley from the Town and was advised to recommend that the organization write a letter to Council expressing this request.

11. QUESTION PERIOD

There were no questions from the public.

12. ADJOURNMENT

CS 2020-036

That this regular meeting of Council adjourn at 9:04 p.m.

Mayor (A. Stone)

Corporate Officer (J. Winter)

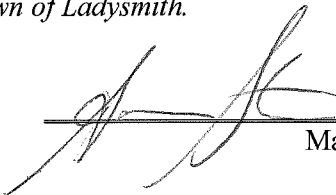


TOWN OF LADYSMITH

PROCLAMATION

- WHEREAS:** *Kin Canada has been a vibrant, responsible, all-Canadian association of service clubs devoted to the concept of serving its communities throughout Canada since its founding in Hamilton, Ontario, on February 20, 1920;*
- AND WHEREAS:** *Kin Canada has been dedicated to meeting the needs of our community and has diligently sought the development and completion of timely, relevant programs to meet the needs and challenges of our ever-evolving society;*
- AND WHEREAS:** *Kin Canada is celebrating its 100th anniversary on February 20th, 2020;*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, feel that each citizen would welcome the opportunity to pause and reflect with pride on the rich heritage of accomplishment throughout the 100 years Kinsmen, Kinette and Kin clubs have been in existence in Canada. And with the express idea of honouring our local club, I do hereby proclaim Saturday, February 20th, 2020 as Kinsmen and Kinettes Day, and the week of February 16th to 22nd, 2020 as "Kinsmen and Kinettes Week" in the Town of Ladysmith.*

February 3, 2020



Mayor A. Stone

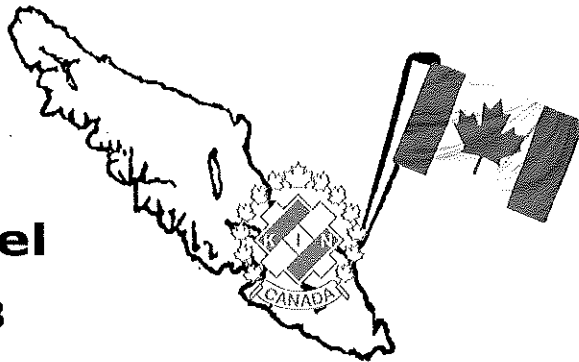


Kin Canada

Kinsmen Club of Ladysmith

On The 49th Parallel

P.O. Box 324, Ladysmith, B.C. V9G 1A3



November 6th, 2019

Mayor and Council
Town of Ladysmith
P.O. Box 220,
Ladysmith B.C., V9G 1A2

Dear Mayor Stone and Council:

Kin Canada has been a vibrant, responsible, all-Canadian association of service clubs devoted to the concept of serving its communities throughout Canada since its founding in Hamilton, Ontario, on February 20, 1920. 2020 marks the 100th anniversary of this very Canadian group of volunteers. The Ladysmith Kinsmen Club will be also celebrating it's 68th anniversary on February 22nd.

The Ladysmith Kinsmen have been dedicated to meeting the needs of our community and have diligently worked on the development and completion of timely projects to meet the needs and challenges of our ever-evolving town,

Over it's 68 years our members have been huge supporters of hundreds of youth sports organizations as well as contributing thousands of \$\$\$ towards bursaries for local students. We have also been very instrumental in the development of the amenities at Transfer Beach, the Amphitheatre, Lot 108 and numerous other parks in the community. The club also continues to pay the annual cost of keeping the porta-pottie on the Holland Creek Trail after constructing the original bathroom and info kiosk, on the trail, at Sixth and Methuen.

In the past our club purchased the first ambulances, for the town, as well as the club built the health unit, now the Boy's and Girl's Club, on High St., in 1963 plus many, many more community amenities.

As part of our associations 100th anniversary, as well as our own club's, our members are requesting the Town of Ladysmith to proclaim Saturday, Feb. 20th 2020 as Kinsmen Day in Ladysmith, as well as week of February 16 to 22 as Kin week in our Town. We are also requesting that the Town fly the Kinsmen flag during "Kin Week" in Ladysmith, from the flag poles at City Hall. We have supplied a copy of a proclamation as well as a Kin flag in hopes our requests are granted.

Our membership is very proud of Ladysmith and the growth and direction it has taken. We know, from hearing from other Kin Clubs, how well Ladysmith is looking and doing ... and we feel that we have been a small part of this image.

We appreciate the support the club has received from the Town and it's staff and look forward to many more years of partnerships in working towards a livable vibrant community.

We appreciate your time and consideration of our request and look forward to your favourable response. If you require more information please contact Kin Duck Paterson at duckwon@shaw.ca.

Thanks and have a great day.

Yours in Kin


James R. Delcourt
President

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: February 4, 2020
File No: 3060-19-19
RE: DEVELOPMENT PERMIT APPLICATION – WAREHOUSE AND OFFICE AT 902 LUDLOW ROAD (Madill the Office Company)

RECOMMENDATION:

That Council:

1. Issue Development Permit 3060-19-19 for a two-storey industrial building at 902 Ludlow Road (PID: 030-553-164).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-19-19.

EXECUTIVE SUMMARY:

A two-storey office and warehouse building is proposed at 902 Ludlow Road. Staff recommends that Council issue Development Permit No. 3060-19-19 because the proposal is generally consistent with the guidelines for Development Permit Area 5 – Industrial.

PREVIOUS COUNCIL DIRECTION:

None.

INTRODUCTION/BACKGROUND:

The subject property, 902 Ludlow Road, is approximately 0.6 ha in area. The property is located between Ludlow Road and Oyster Bay Drive, inland from the Ladysmith Fisherman's Wharf. The applicant is proposing to construct a two-storey office and warehouse building for a company selling office supplies and furniture (Madill the Office Company). The proposed building footprint is slightly under 1000 m², with a warehouse and enclosed parking/loading area on the lower storey and office space on the upper storey.



Figure 1: Northwest Elevation

There is currently a mobile home located on the subject property. The mobile home is proposed to be moved to a neighbouring parcel, as authorized by Temporary Use Permit 3340-18-03.



Figure 2: Context

Site Access:

The main access for the development is proposed to be from Ludlow Road, with secondary site access from Oyster Bay Drive. The main access is shared with the neighbouring Card Lock gas station and “Wash Me Ludlow” car and equipment wash. The shared driveway is located on the neighbouring property, with an easement registered on that property to allow for continuous access for the subject property.

The site plan shows a secondary driveway access from Oyster Bay Drive on a portion of the road that has not been formally dedicated as a highway (road). This section of Oyster Bay Drive is part of a large parcel along the waterfront owned by the Town of Ladysmith. It will be more straightforward to grant an access permit to the 902 Ludlow Road site if the road is formally dedicated. In a separate report, Council will be asked to consider dedicating the portion of Oyster Bay Drive adjacent to 902 Ludlow Road.

Steep Slope:

The subject property slopes steeply from Oyster Bay Drive towards Ludlow Road, with approximately 15 m of grade change between the two roads. There is an existing retaining wall along Oyster Bay Drive that is proposed to be replaced with an engineered slope. As required

by an existing covenant on the property (CA6986068), any work done in the area of the existing retaining wall will need to be done in accordance with geotechnical reporting and under the supervision of an engineer. The existing covenant may need to be replaced or amended at the time of building permit to reflect the changes to the property.

Town Property to the South:

The area immediately south of the property is owned by the Town of Ladysmith. There is an existing trail that runs parallel to the waterfront and ends at the eastern boundary of the subject property. The trail is accessed from Ludlow Road at the Ladysmith Fisherman's Wharf via a staircase. The Parks Department has plans to replace the staircase including adding a connection between the trail and Oyster Bay Drive.

ANALYSIS:

The property is designated as Industrial in the OCP and is within the Light Industrial Zone (I-1) in the Zoning Bylaw. The proposed use is consistent with the OCP designation and the zoning regulations for the I-1 zone.

Development Permit Area:

The subject property is within Development Permit Area 5 – Industrial (DPA 5). The purpose of DPA 5 is to provide guidance for the general character of industrial development and to promote energy conservation, water conservation, and the reduction of greenhouse gas emissions.

The proposed development has been reviewed for consistency with the DPA 5 guidelines and is generally consistent with the DPA 5 guidelines. A summary of observations on the proposals consistency with the DPA 5 guidelines is provided below in Table 1.

Table 1: Summary of Consistency with DPA 5 Guidelines

Guidelines	Observations
Building Design	<ul style="list-style-type: none">• According to the applicant, the industrial building is designed to recall the “rough and gritty, yet dreamy character of the Ladysmith harbor” and the logging history of the area and of the company.
Building Siting & Massing	<ul style="list-style-type: none">• The building façade will not be visible from non-industrial areas.• The building façade is articulated with large windows and contrasting materials at the building entrances.• The roofline is articulated with a large overhang in a contrasting material.

Guidelines	Observations
Windows & Doors	<ul style="list-style-type: none"> • The entrance to the public area of the building is located closest to the main road access. The main entrance will be visible from Ludlow Road and will be signed. Note that a separate sign permit will be required. • The windows and doors are proportional to the size of the building walls and are architecturally compatible. • The entrance to the building does not have direct at-grade access from the abutting sidewalk. This would be difficult given the topography of the site and a pathway is proposed to connect the building to the sidewalk on Ludlow Road.
Signs, Canopies & Lighting:	<ul style="list-style-type: none"> • A professional quality, freestanding sign is proposed. Note that a separate sign permit will be required. • All building entrances are recessed or covered to provide weather protection. • Lighting is provided throughout the site and at building entrances.
Materials & Colours:	<ul style="list-style-type: none"> • The building is proposed to be constructed of vertical board and batten wood cladding contrasted with smooth natural wood on exposed interior elements.
Mechanical, Electrical & Security Equipment:	<ul style="list-style-type: none"> • The mechanical equipment is screened with natural horizontal cedar plank screening.
Accessibility & Connectivity:	<ul style="list-style-type: none"> • There is a proposed path that wraps around the west and south sides of the building. • There are pedestrian crossings connecting the parking areas to the building entrances and a pathway connecting the main entrance to the sidewalk that will be constructed on Ludlow Road.
Vehicle & Bicycle Parking:	<ul style="list-style-type: none"> • The parking is divided into smaller areas to avoid an auto-dominated appearance. • The parking area and site is proposed to be enhanced with landscaping. • Ten bicycle parking spots and a shower are proposed.

Guidelines	Observations
Loading Facilities:	<ul style="list-style-type: none"> • The proposed loading area will not be visible from Ludlow Road, and will be largely screened from Oyster Bay Drive.
Landscape:	<ul style="list-style-type: none"> • No existing trees will be retained. • The landscaping is proposed to work with the grade changes on the site to provide screening from adjacent areas. • A screened picnic area is proposed for employees. • Native and drought resistant plants are proposed, and groundcover has been proposed rather than mulch or gravel. An irrigation system is proposed. • The landscaping plan has been prepared by a registered Landscape Architect and a security for \$129,800 will be provided to ensure the work is completed.
Energy Conservation, Rain Water Management & Water Conservation:	<ul style="list-style-type: none"> • The applicant identified the following Green Building Design Measures: <ul style="list-style-type: none"> ○ Use of the following building materials: Extensive use of wood, fibre-glass window frames, ○ Thermal envelope to meet ASHRAE 90.1 – 2016 for energy efficiency ○ Use of a bio swale for rain water management, ○ Landscaping designed for water conservation (including the irrigation system, standards for soil and mulch, and species selection). • Ten bicycle parking spots and a shower are proposed.
Recycling, Organics & Solid Waste Management:	<ul style="list-style-type: none"> • The recycling and waste storage area is proposed to be screened with horizontal cedar planks. The storage area is located behind the loading area, away from the main entrance and easily accessible for material pick up and drop off.
Crime Prevention:	<ul style="list-style-type: none"> • Crime prevention has been considered in site design, as well as in landscaping, and lighting choices. • Landscaping will delineate the boundary of private property and the adjacent public trail.

ALTERNATIVES:

Council may decide to refuse issuance of DP 3060-19-19 where the refusal is based upon determination that the DP application does not meet the DPA 5 guidelines.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

The subject property is within DPA 5, so a DP is required prior to issuance of a Building Permit.

If the DP is refused, then reasons must be given, based on the DPA 5 guidelines, since the issuance of a DP is not a completely discretionary decision of Council.

The Ministry of Environment & Climate Change Strategy has issued notice that the Town may issue a Development Permit. The province has received and accepted a notice of independent remediation for the site.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

None.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This application has been referred to the Infrastructure Department, the Parks Department, and the Building Inspector. Their comments have been incorporated into the development permit, and/or will be addressed through the Building Permit application.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input checked="" 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):

Draft DP No. 3060-19-19



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-19-19

DATE: February 4, 2020

Name of Owner(s) of Land: Atlas Shrugged Holdings Ltd., Inc. No. 1196043

Applicant: David Poiron (Checkwitch Poiron Architects, Inc.)

Subject Property: 902 Ludlow Road

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

Lot A, District Lot 24, Oyster District Plan EPP71248 (PID: 030-553-164)
(referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a building on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws.
4. The Permittee, as a condition of the issuance of this Permit, agrees to:
 - (a) Develop the Land as shown in:
Schedule A: Site Plan
Schedule B: Elevation Plans & Exterior Materials
 - (b) Provide Landscaping in accordance with:
Schedule C: Landscape Plans
5. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 4(b) of this Permit respecting landscaping. The Letter of Credit shall be for a period of two years, shall be automatically extended, and shall be in the amount of \$ 129,880.
6. Should the Permittee fail to satisfy the conditions referred to in section 6 and 7 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping condition(s) at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.

7. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
8. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
9. The plans and specifications attached to this Permit are an integral part of this Permit.
10. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit 3060-19-19 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
11. This Permit prevails over the provisions of the Bylaw in the event of conflict.
12. Despite issuance of this permit, construction may not start without a Building Permit, Access Permit, or other necessary permits.

**AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH
ON THE ____ DAY OF _____ 202__.**

Mayor (A. Stone)

Corporate Officer (J. Winter)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Atlas Shrugged Holdings Ltd., Inc. No. 1196043** other than those contained in this permit.

Signed

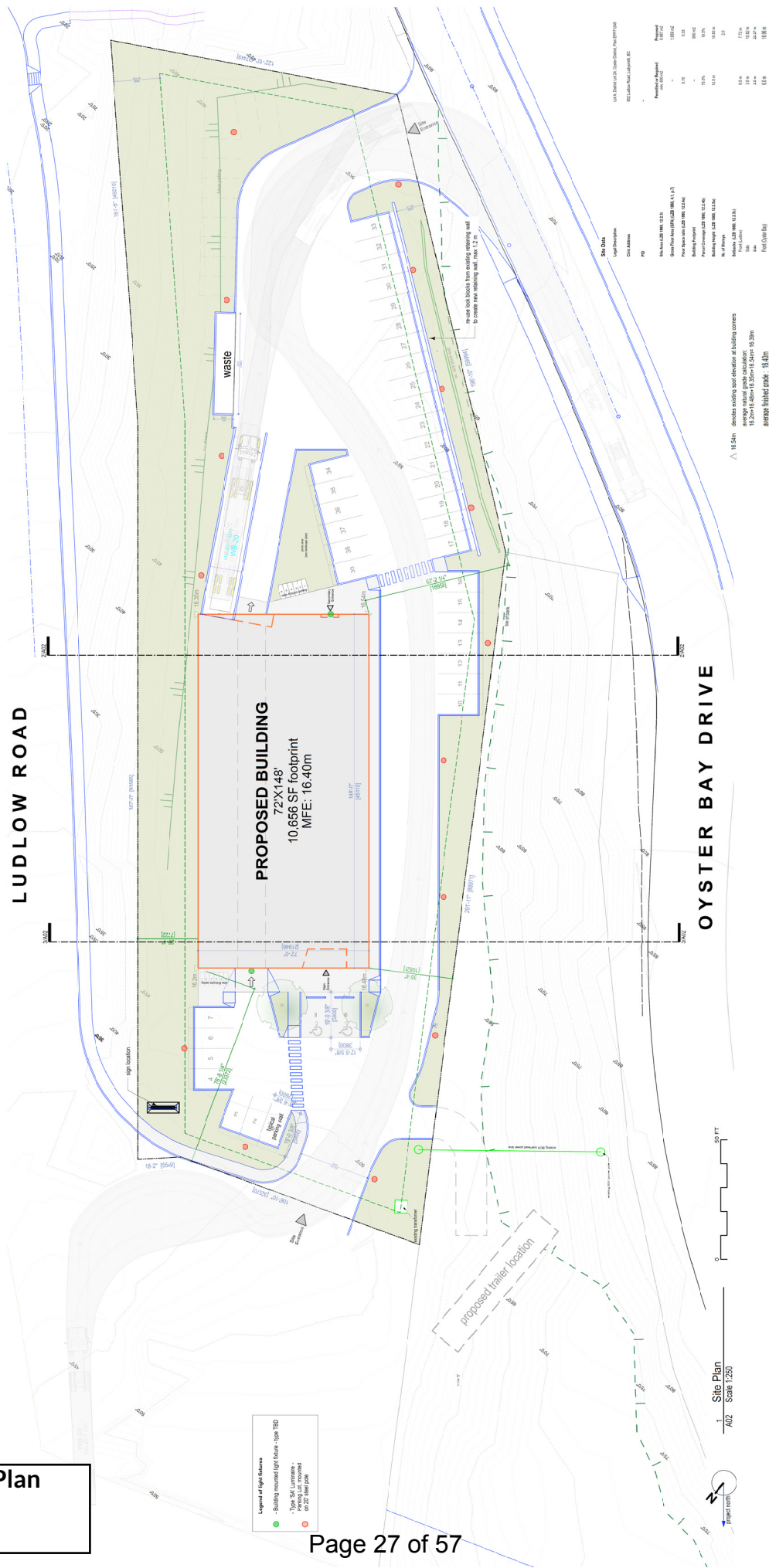
Witness

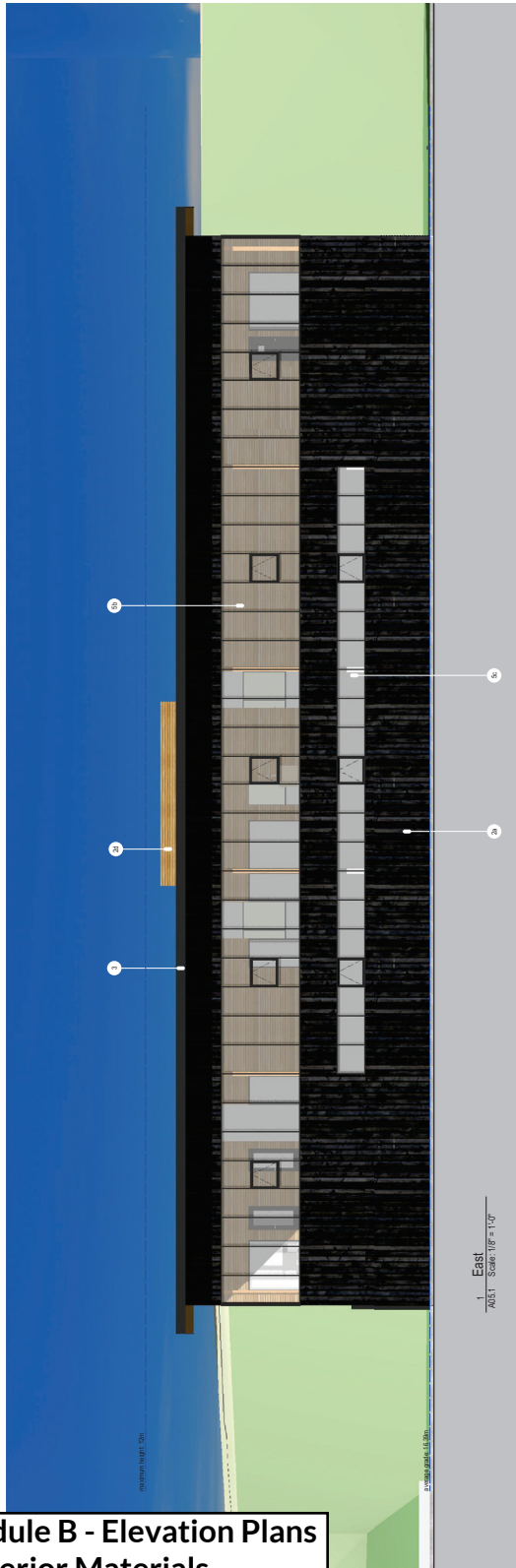
Title

Occupation

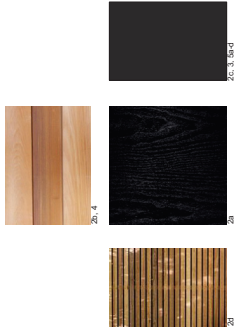
Date

Date





Exterior Materials




Exterior Materials Schedule

Material	Finish	Color	Notes
1. Roofing - SBS		Grey	
2. Cladding - wood vertical board & batten, species loc.	Stained	Black	
3. Cladding - wood horizontal board, species loc.	Stained	Black	
4. Cladding - metal panels	Stained	Black	
5. Cladding - metal panels	Stained	Black	
6. Cladding - metal panels	Stained	Black	
7. Cladding - metal panels	Stained	Black	
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100. Cladding - metal panels	Stained	Black	

Note: see Site Plan and Section for A02 for existing conditions and Civil Plan for finished grades

Madill Office and Warehouse
902 Ludlow Road, Ladysmith, BC



Checkswitch
ARCHITECTS
INC.

www.checkswitch.ca

902 Ludlow Road
Ladysmith, BC V0G 1S0
Tel: 250.744.9888
Fax: 250.744.9889
Email: info@checkswitch.ca

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Client: Madill Shredco Holdings Ltd.
Project: Madill Office and Warehouse
Drawing: A05.1
Scale: as noted
Date: 2019.11.15

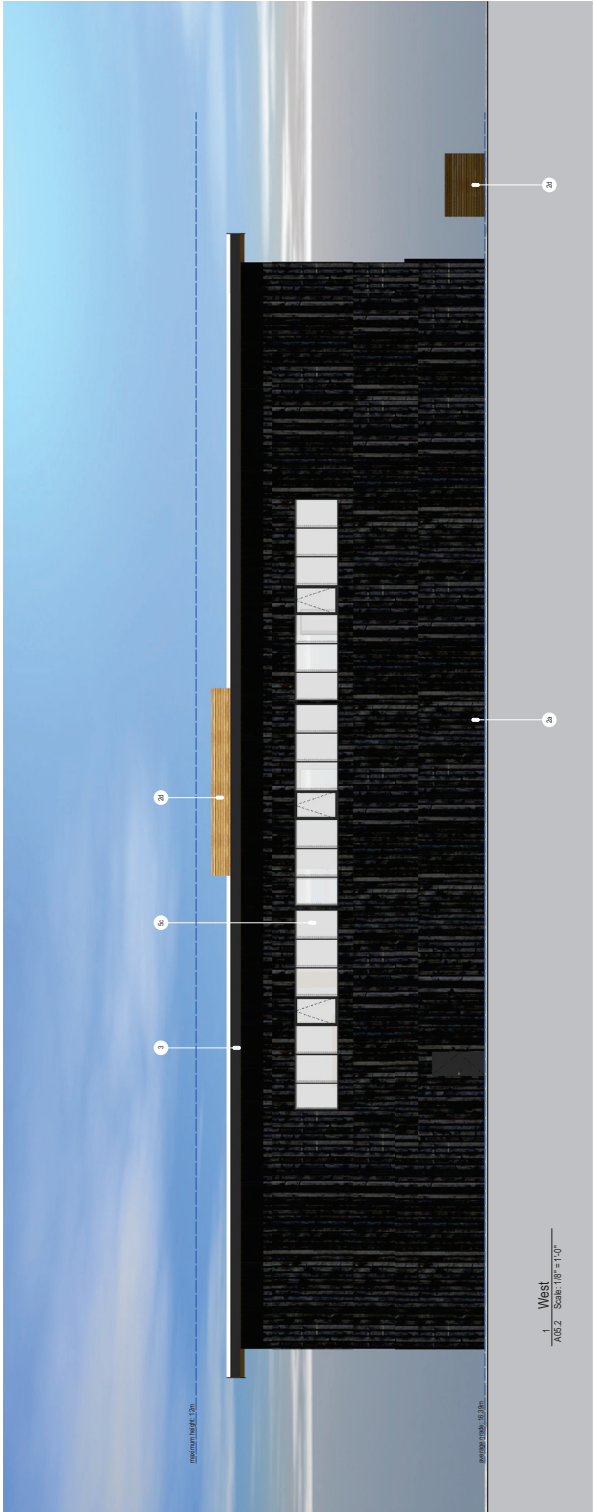
Drawn By: JPM
Checked By: JPM
Reviewed By: JPM
Approved By: JPM

Project Number: A05.1
Drawing Number: 05

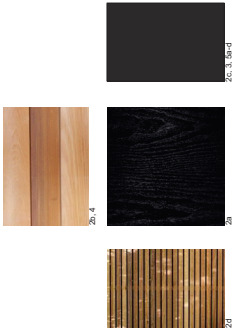
NOT FOR CONSTRUCTION

2019.11.15

Checkswitch Architects Inc.



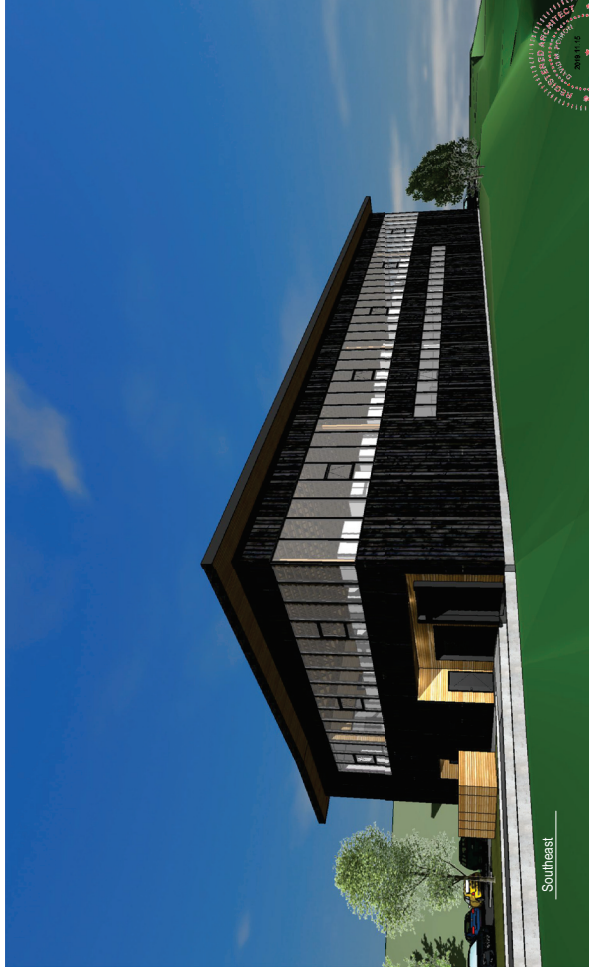
Exterior Materials



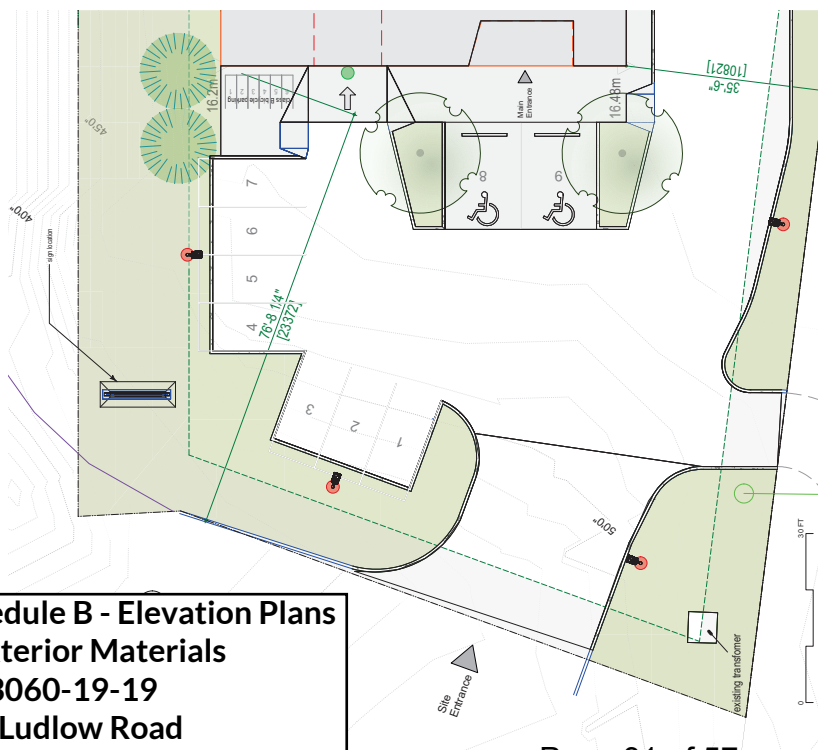
Exterior Materials Schedule

Material	Finish	Colour	Notes
1 a Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 a Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 b Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 c Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 d Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 e Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 f Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 g Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 h Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 i Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 j Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 k Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 l Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 m Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 n Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 o Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 p Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 q Cladding - wood vertical board & batten, species bld.	Clear	Black	
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2 s Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 t Cladding - wood vertical board & batten, species bld.	Stained	Black	
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2 v Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 w Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 x Cladding - wood vertical board & batten, species bld.	Stained	Black	
2 y Cladding - wood vertical board & batten, species bld.	Clear	Black	
2 z Cladding - wood vertical board & batten, species bld.	Stained	Black	

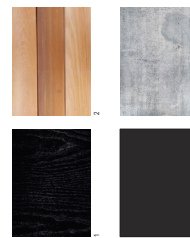
**Schedule B - Elevation Plans
& Exterior Materials**
DP 3060-19-19
902 Ludlow Road
Page 3 of 4



**Schedule B - Elevation Plans
& Exterior Materials
DP 3060-19-19
902 Ludlow Road
Page 4 of 4**



Materials



Exterior Materials Schedule

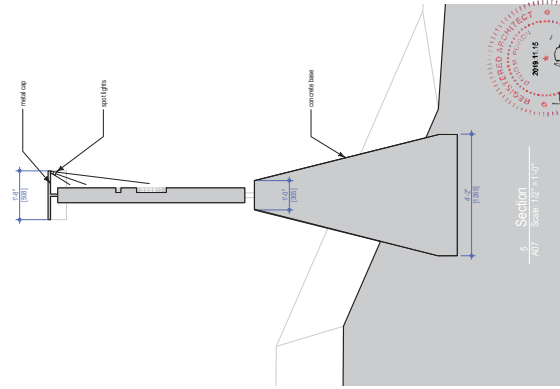
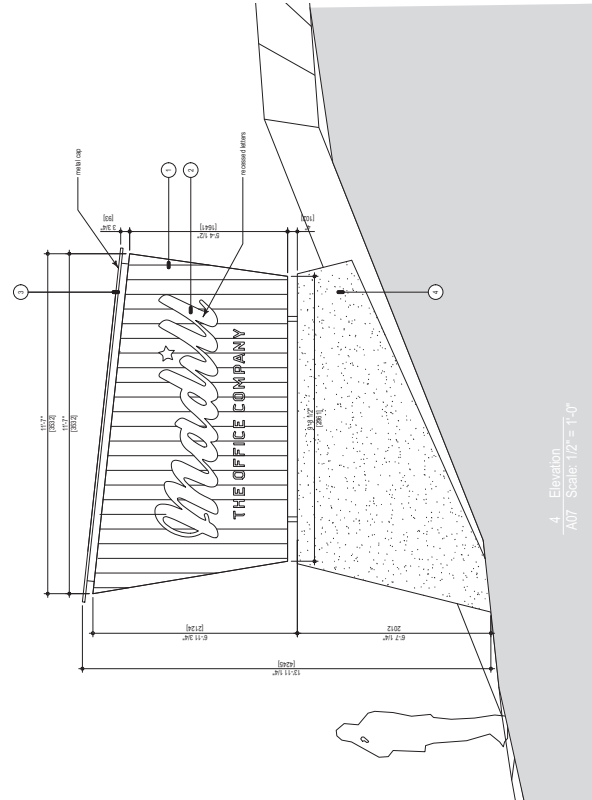
Material	Finish	Colour	Note
1 Solid wood - vertical	Stained	Black	Coordinate with building material 2a
2 Wood horizontal inlay VMC	Stained	Clear	Coordinate with building material 2b
3 Steel plates	Pre-finished	Black	Coordinate with building materials 2c, 3c
4 GIB concrete	Smooth		Coordinate with building material 6

Sign data	General	Permitted or designed	Proposed
Signs specifically applicable to low			
<p>Signs are 1.50S (1.6, 4.3)</p> <p>max. 1.50S (2.0m) sign (orange, 10, 30m)</p>		max. 4.20S (m)	6.0 (m)
<p>Design: low standing sign 1.50S (1.6, 4.3)</p>		max. 6 m	4.3 m
General Commercial Road (1.50S 1.6, 4.3)			
<p>Low standing sign (6.7 300)</p>		yes	yes
<p>Signs (orange or white 8.2.2)</p>		2.1	10.13
<p>Signs (4.3 4.3)</p>		max. 7.4 (m)	6.0 (m)
<p>Number of signs (4.200)</p> <p>priority 100 (m)</p> <p>priority 300 (m)</p>		1 2	1
<p>Amounts ranging on non-bus lane (orange 8.2.9)</p>		yes	no

**CHECKSWITCH
POIRON
ARCHITECTS
INC.**

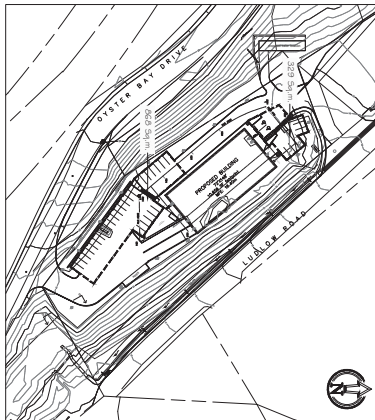
Checkswitch Poiron Architects Inc.
9-60 Commercial Street, Nanaimo, BC V9R 5G3
250.714.1903
604.669.3444
www.qarch.ca

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PLANTING NOTES

1. REFER TO THE ARCHITECTURE PLAN AND PREPARED BY CHECKMATCH HODON ARCHITECTS INC. FOR ALL SITE PLANNING AND LAYOUT.
2. ALL LANDSCAPE INSTALLATION AND MAINTENANCE SHALL MEET OR EXCEED THE MOST RECENT STANDARDS SET OUT BY THE CANADIAN NURSERY LANDSCAPE ASSOCIATION (CNLA) / CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS (CSLA) CANADIAN LANDSCAPE ASSOCIATION.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CANADIAN LANDSCAPE STANDARDS SPECIFICATION (GROWING MEDIA) ON TABLE 4.5.2. RECOMMEND FOR GROWING MEDIA LEVEL 6 (SERVICE & INDUSTRIAL) - 3.
4. GROWING MEDIA (DEPTH): SHRUBS - 450mm, TREES - 600mm, TREES TO 100mm PER TREE.
5. MATCH SHALL BE COMPOST FREE, SECTION 10. MATERIALS OF THE CANADIAN LANDSCAPE STANDARDS MATCH DEPTH SHALL BE 75mm MAXIMUM OVER ALL. TREE, SHRUBS AND GROUNDCOVER PLANTING AREAS.
6. PLANT MATERIAL QUALITY, TRANSPORT AND HANDLING SHALL COMPLY WITH CNLA STANDARDS FOR NURSERY STOCK.
7. ALL TREE, SHRUBS, GROUNDCOVER AND PLANT AREAS SHALL BE WATERED VIA AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM UTILISING SHADERS OF 7/8" DIA. THE SHADERS SHALL BE CONTROLLED BY A CONTROLLER WITHOUT THE NEED FOR WATER METER APPROVAL OF THE LANDSCAPE ARCHITECT.
8. CHECK FOR LOCATION OF WATER LINES AND OTHER UNDERGROUND SERVICES PRIOR TO DIGGING TREE HOLES. EXCAVATED PLANT HOLES SHALL HAVE POSITIVE DRAINAGE. PLANT HOLES SHALL BE FULLY FLOODED WITH WATER PRIOR TO PLANTING AND BACKFILLING.
9. NO PLANTS REQUIRING FIRMING OR MAJOR BRANCHES DUE TO DISEASE, DAMAGE OR POOR FORM WILL BE ACCEPTED.
10. ALL CAREFREE STOCK TREES SHALL BE 8" & 8" IN WIRE BRACES.



Shade Tree Calculation

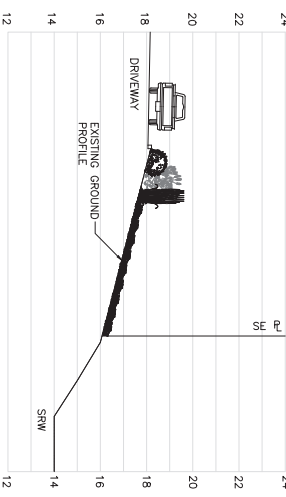
Unshaded parking area = 1,197 Sq.m.
 1,197 Sq.m. divided by 4 = 299.25 Sq.m.
 Total Shade Trees provided = 3
 Total Shade Trees provided = 3

Scale 1:1000 metric

PLANT LEGEND

SYMBOL	BOTANICAL / COMMON NAME	SIZE	SPACING	QTY	NOTES
	Tree				
	Shrub				
	Groundcover				
	Tree				
	Shrub				
	Groundcover				
	Tree				
	Shrub				
	Groundcover				

1	ACER CIRCULUM	45 POT	2.0m O.C.	21	NATIVE SPECIES
2	WINTER WAX	45 POT	1.0m O.C.	61	DRY LIGHT TOLERANT
3	BETULA PUMILA	45 POT	1.0m O.C.	42	DRY LIGHT TOLERANT
4	PAULS MIMO VUE PAVILLO	45 POT	1.0m O.C.	71	NATIVE SPECIES
5	DRYER MIMO PHE	45 POT	1.0m O.C.	82	DRY LIGHT TOLERANT
6	RIES SHAGGONIA	45 POT	1.0m O.C.	176	NATIVE SPECIES
7	SPHAL JAPONICA	45 POT	1.0m O.C.	176	NATIVE SPECIES
8	QUERUS SPINOSA	45 POT	1.0m O.C.	176	NATIVE SPECIES
9	VACCINIUM OVATUM	45 POT	1.0m O.C.	176	NATIVE SPECIES
10	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
11	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
12	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
13	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
14	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
15	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
16	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
17	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
18	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
19	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
20	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
21	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
22	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
23	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES
24	ERIGONIA HICKORY	45 POT	1.0m O.C.	176	NATIVE SPECIES



Section B-B

Scale 1:1000 metric

Schedule C - Landscape Plans

DP 3060-19-19

902 Ludlow Road

Page 2 of 2

TES, DETAIL &

January 22, 2020

CM

NG

AS NOTED

18-0226

L2 of 2

Proposed Madill Relocation

Atlas Shrugged

901 Ludlow Road, Parksville, BC

Page 2 of 2

macdonald gray

814 Shoreland Drive, Parksville, BC V9P 1S1

TEL: 250-246-2461 FAX: 250-246-2462

www.macdonaldgray.ca

Committee of the Whole Recommendations to Council February 4, 2020

At its January 28, 2020 meeting the Committee of the Whole recommended that Council:

1. Adopt the following resolution:

Whereas: Climate change creates risks to our economic, social and physical environments.

Whereas: The overwhelming scientific consensus is that human activities are contributing to climate change.

Whereas: A response to climate change will consist of mitigation and adaptation.

Whereas: Mitigation of climate change will necessarily include a transition to a low carbon society.

Whereas: The transition to a low carbon society could effect the economic and social environments negatively for a period of time, and those negative effects on the lives of citizens must be minimized.

Whereas: Adaptation to climate change will involve the 'hardening' of public assets

Whereas: The Town of Ladysmith exists to provide: good government; services, laws and other matters for the benefit of the community; stewardship of public assets AND to foster the economic, social, and environmental well being of the community.

Therefore Be It Resolved That:

The Town of Ladysmith acknowledges the emergent risks posed by climate change to our economic, social and physical environments.

And further, the Town of Ladysmith had adopted and will continue to adopt plans, bylaws, policies and spending that: facilitate the smoothest possible socio-economic transition to a low carbon community; mitigate the carbon footprint of the Town and its citizens; and adapt/build public assets to withstand and/or overcome the effects of climate change.

2. Authorize an additional \$15,000 to fund a geotechnical survey of the Town-owned property at 1260 Churchill Place with the funds to come from the real property reserve.
3. Allocate \$3000 from the unspent funds from the 2019 Grant in Aid budget to offer a Grant Writing Workshop to local organizations.

4. Allocate the 2020 Grants in Aid as follows:

Organization	
Ladysmith Fire Rescue - Santa Parade	1200
Ladysmith Golf Club Society	3500
Ladysmith Show and Shine	1500
Ladysmith & District Historical Society	7500
Ladysmith Festival Of Lights	10000
Ladysmith Downtown Business Association	1500
Art Council of Ladysmith and District	1000
Stz'uminus First Nation	2500
Ladysmith and District Marine Rescue Society	2500
Ladysmith Ambassador Program	1500
Old English Car Club Central Island Branch	600
Ladysmith Maritime Society	1500
Ladysmith Celebrations Society	8000
Ladysmith Family and Friends Society	2500
Cowichan Family Caregivers Support Society	750
Cowichan Trail Stewardship Society - Ladysmith Chapter	1000
Ladysmith Community Gardens Society	1000
Ladysmith Little Theatre	2000
St Philips Church - Open Table	500
Citizens on Patrol	
LSS - Frank Jameson Bursary	1500
Waiving of Fees	2500
Late Applications/ Council Discretion	6579
Total	61,129

5. Consider the draft Park and Facility Naming Policy and application process, with accompanied park and facility naming inventory.



MINUTES OF A MEETING OF THE COMMITTEE OF THE WHOLE

Tuesday, January 28, 2020

6:30 P.M.

Council Chambers, City Hall

Council Members Present:

Councillor Jeff Virtanen, Chair
Mayor Aaron Stone
Councillor Duck Paterson
Councillor Amanda Jacobson

Councillor Rob Johnson
Councillor Tricia McKay
Councillor Marsh Stevens

Staff Present:

Guillermo Ferrero
Erin Anderson
Jake Belobaba
Geoff Goodall
Joanna Winter

Joanna Winter
Ryan Bouma
Julie Tierney
Mike Gregory
Sue Bouma

2. AGENDA APPROVAL

CW 2020-001

That the agenda for this January 28, 2020 meeting of the Committee of the Whole be approved.

Motion Carried

3. MINUTES

3.1 Minutes of the Municipal Services Committee Meeting held December 9, 2019

CW 2020-002

That the minutes of the Municipal Services Committee meeting held December 9, 2019 be approved.

Motion Carried

4. DELEGATION

4.1 Jane Kiltnei, Marilyn Swallow and Guy Johnson, One Cowichan Community Education Society: Climate Emergency

Jane Kiltnei, Marilyn Swallow and Guy Johnson of One Cowichan Community Education Society made a presentation to Council requesting that the Town increase climate action by developing green infrastructure, planning denser neighbourhoods, increasing public transit and providing community education. They asked Council to make climate action a priority over expanding the Town in the next ten years, and to recognize the critical importance of the forest when considering development proposals going forward.

Council thanked Ms. Kiltnei, Ms. Swallow and Mr. Johnson for their presentation.

CW 2020-003

That Council amend the agenda to move Item 6.1., "Climate Declaration" to follow the delegation on Climate Emergency by the One Cowichan Community Education Society.

Motion Carried

5. Climate Declaration

CW 2020-004

That the Committee recommend that Council adopt the following resolution:

Whereas: Climate change creates risks to our economic, social and physical environments.

Whereas: The overwhelming scientific consensus is that human activities are causing climate change.

Whereas: A response to climate change will consist of mitigation and adaptation.

Whereas: Mitigation of climate change will necessarily include a transition to a low carbon society.

Whereas: The transition to a low carbon society could effect the economic and

social environments negatively for a period of time, and those negative effects on the lives of citizens must be minimized.

Whereas: Adaptation to climate change will involve the 'hardening' of public assets

Whereas: The Town of Ladysmith exists to provide: good government; services, laws and other matters for the benefit of the community; stewardship of public assets AND to foster the economic, social, and environmental well being of the community.

Therefore Be It Resolved That:

* The Town of Ladysmith acknowledges the emergent risks posed by climate change to our economic, social and physical environments.

And further, the Town of Ladysmith will continue to adopt plans, bylaws, policies and spending that: facilitate the smoothest possible socio-economic transition to a low carbon community; mitigate the carbon footprint of the Town and its citizens; and adapt/build public assets to withstand and/or overcome the effects of climate change.

AMENDMENT

CW 2020-005

That the third paragraph of resolution CW 2020-004 be amended to read as follows:

Whereas: The overwhelming scientific consensus is that human activities are contributing to climate change.

Amendment Carried

Main Motion as Amended Carried.

6. REPORTS

6.1 Churchill Property Development – Progress Report

CW 2020-006

That the Committee:

1. Receive the progress report by the Director of Infrastructure Services dated January 14, 2019, on options for potential development of the Town-owned property at 1260 Churchill Place; and

2. Recommend that Council authorize an additional \$15,000 to fund a geotechnical survey of the property with the funds to come from the real property reserve.

Motion Carried

6.2 2020 Grants in Aid Requests – Preliminary Review

CW 2020-007

That the Committee recommend that Council allocate \$3000 from the unspent funds from the 2019 Grant in Aid budget to offer a Grant Writing Workshop to local organizations.

Motion Carried

CS 2020-008

That the Committee recommend a Grant-in-Aid an allocation of \$7500 to the Ladysmith & District Historical Society.

Motion Carried

OPPOSED: Councillor Jacobson

CW 2020-009

That the Committee recommend a Grant-in-Aid allocation of \$3500 to the Ladysmith Golf Club Society.

Motion Carried

OPPOSED: Councillor Jacobson

CW 2020-010

That the Committee recommend a Grant-in-Aid allocation of \$2500 in to the Waiving of Fees.

Motion Carried

CW 2020-011

That the Committee recommend that Council allocate the 2020 Grants in Aid as follows:

Organization	Preliminary Approval 2020
Ladysmith Fire Rescue - Santa Parade	1200
Ladysmith Show and Shine	1500
Ladysmith Festival Of Lights	10000
Ladysmith Downtown Business Association	1500

Art Council of Ladysmith and District	1000
Stz'uminus First Nation	2500
Ladysmith and District Marine Rescue Society	2500
Ladysmith Ambassador Program	1500
Old English Car Club Central Island Branch	600
Ladysmith Maritime Society	1500
Ladysmith Celebrations Society	8000
Ladysmith Family and Friends Society	2500
Cowichan Family Caregivers Support Society	750
Cowichan Trail Stewardship Society - Ladysmith Chapter	1000
Ladysmith Community Gardens Society	1000
Ladysmith Little Theatre	2000
St Philips Church - Open Table	500
Citizens on Patrol	
LSS - Frank Jameson Bursary	1500
Late Applications/ Council Discretion	6579
Total	61,129

Motion Carried

CW 2020-012

That the Committee direct staff to provide a report for the Committee with options for reviewing and allocating Grants-in-Aid to help provide the best returns for the community in terms of economic activity and/or community growth and development.

Motion Carried

OPPOSED: Councillor Paterson

6.3 Park and Facility Naming Policy

CW 2020-013

That the Committee refer the draft Park and Facility Naming Policy and application process, with accompanied park and facility naming inventory, to Council for consideration.

Motion Carried

6.4 Building Inspector's Report to December 31, 2019

CW 2020-014

That the Committee receive the Building Inspector's Report for the month of December, 2019.

Motion Carried

6.5 Ladysmith Fire/Rescue Reports for November and December 2019

CW 2020-015

That the Committee receive the Ladysmith Fire/Rescue Reports for the months November and December, 2019.

Motion Carried

7. COUNCIL SUBMISSIONS

7.1 Budget Transfer Policy

CW 2020-016

That the Committee direct staff to bring back to the Committee amendments to the existing budget transfer policy which would allow staff to reallocate up to 0.3% of the current year municipal tax levy between projects, providing funds are available, and advise the Committee of such transfers in a future financial report.

Motion Carried

8. ADJOURNMENT

CW 2020-017

That this meeting of the Committee of the Whole adjourn at 8:30 p.m.

Motion Carried

Chair (Councillor J.Virtanen)

Corporate Officer (J. Winter)



TOWN OF LADYSMITH POLICIES AND PROCEDURE MANUAL

TOPIC: **PARK AND FACILITY NAMING POLICY**

APPROVED BY: **COUNCIL**

DATE: **xx**

RESOLUTION #:

Purpose:

The Town of Ladysmith is committed to providing a fair, consistent and efficient process with respect to naming, renaming or dedication of Town assets such as parks, trails and facilities.

The purpose of this policy is to establish a systematic and consistent approach for the official naming or renaming of municipal parks, recreational areas, amenities and facilities within the Town of Ladysmith.

Definition of Terms:

- **Component Feature/Facility** - means all substantial structures or recreational aspects of a park, which includes, but is not limited to, such things as: sport fields, ball diamonds, hard surface courts, playgrounds, tennis courts, pickle ball courts, gardens, washrooms/change rooms/fieldhouses and skateboard park facilities, etc.
- **Commemorative Naming** - naming rights granted to honour outstanding achievement, distinctive service, or significant community contribution. Commemorative naming will not include a financial contribution.
- **Individual and Community Organization Commemorative Naming** - naming rights granted to an individual, group of individuals, family foundation, or a non-profit community organization in recognition of significant philanthropy.
- **Open Space** - includes, but is not limited to, trails, pathway systems, and green spaces under the jurisdiction of the Town of Ladysmith.
- **Parkland** - means all parkland designations including, but not limited to, dedicated parkland, parks, community parks, neighbourhood parks, etc. owned by and/or under the jurisdiction of the Town of Ladysmith.
- **Significant Financial Gifts** - means a monetary donation reflective of the total capital cost or appraised value of the amenity being considered for naming.

Criteria

1. **Commemorative Name Designation Associated with Functional Use or Location**

Policy #

- 1.1. This is based on geographical location, historical or cultural significance, distinctive natural or geological features, and the wishes of the community in which it is located.
 - Staff may assign a name based on the adjacent street, functional use, geographic feature, community name or historic significance.
 - Chosen names within this designation shall be assigned by Staff and may remain unchanged until Council has approved a formal request for name change.

2. Commemorative Name Designation Associated in Honour of Individuals or Groups

- 2.1. This section applies to any request for naming renaming a park/open space, or component feature in honour of individuals or groups. All requests for naming, designating or renaming in honour of individuals or groups shall be submitted in writing to the Director of Parks, Recreation and Culture, and will include a supporting application, explanation and/or justification;
- 2.2. Staff to conduct a historical review prior to referring to Parks, Recreation and Culture Advisory Committee or Council
- 2.3. The Director will forward the letter of request and or accompanied application to the PRCAC for recommendation to Council;
- 2.4. The Director will forward the PRCAC recommendation(s) to Council for consideration.
- 2.5. Names for consideration shall be those of distinguished persons, organizations, corporations, foundations or families:
 - where there has been significant contribution to the quality of life or well-being of the citizens of the Town of Ladysmith;
 - where the person/group is perceived as a role model and open to close scrutiny relative to their character, integrity and values;
 - demonstrated excellence, courage or exceptional service to the citizens of the Town of Ladysmith;
 - to memorialize or otherwise recognize substantial gifts and significant donors, individuals designated by donors, or individuals who have made exemplary or meritorious contributions to the Town;
 - where there is a strong historical or cultural connection to the Town and has a major contribution to the historical or cultural preservation of the Town;
 - where there is a strong contribution toward environmental preservation, conservation or enhancement of the Town;
 - where there is a major contribution made to the acquisition, development or conveyance of land or building in question and/or its subsequent development; or
 - where there is a direct relationship or association that exists between the place or former place of residence of the person or group and the facility/park to be named.
- 2.6. Naming in honour of elected or appointed public officials, Town of Ladysmith officials, or staff shall normally occur only after the public service or Town employment has concluded.

- 2.7. Notwithstanding the above, Council, by resolution, may approve a name or name change in honour of individuals or groups when circumstances justify such action. Council may also remove the original name designation when circumstances justify such action.

3. Commemorative Names of Provincial, National or International Significance

- 3.1. Council may approve a name or name change in honour of individuals or groups who have made an outstanding contribution provincially, nationally, or internationally.
- 3.2. In such instances, and prior to approving the use of any name of individuals or group, staff shall investigate any protocol and/or requirements of any provincial, national or international agency or organization.

4. Names Derived from Significant Financial Contributions

- 4.1. In selected instances where a naming request has been proposed as a result of receiving a unique and extraordinary financial, or other significant contribution, towards the acquisition, creation or redevelopment of a property or park consideration will be given to the sponsorship contribution being provided. The merits and value of each such naming will be evaluated on a case-by-case basis. It should not be assumed that a financial contribution guarantees that a park is named after the service club/business/individual/organization.

5. Renaming Existing Parks

- 5.1. Renaming of parks and open spaces carries with it a much greater burden of process compared to initial naming. Tradition and continuity of name and community identification are important community values. Each application must meet the criteria in this policy, but meeting all criteria does not automatically ensure renaming. Critical examination will be conducted to ensure that renaming the park will not diminish the original justification for the name or the prior contributors. Renaming will follow the same procedures as naming a park/open space, or component feature.
- 5.2. Only parks and facilities named for geographic location, outstanding feature or subdivision should be considered for renaming. Parks that have been named by deed restriction shall not be considered for renaming.
- 5.3. Parks and facilities named after individuals shall not be changed unless it is found that because of the individual's character the continued use of their name would not be in the best interest of the community.
- 5.4. Existing names will not be changed without the consideration of:
- the historical significance of the existing name;
 - the impact on the individual or organization associated with the existing name; and
 - the cost and impact of changing existing signage, rebuilding community recognition and updating records (data bases, maps, promotional materials, etc.).

5.5. Only nominations having a direct relevance to the park/open space, or a component feature within the space in question will be considered for renaming.

5.6. Renaming of a park/open space, or component feature may occur if:

- the policy criteria are met;
- a valid justification for renaming the facility is provided;
- changing the name will not cause undue confusion within the community; and
- an appropriate level of community support exists.

6. Approval Process

6.1. Staff to forward proposal to local stakeholders or community group for comments if applicable.

6.2. Staff to forward proposal to donor for comment (if land or facility was gifted to the Town).

6.3. Staff to conduct historical review prior to recommendation of approval.

6.4. Staff to ensure nominee (or legal representative / family if nominee is deceased) is in agreement with naming proposal.

6.5. Naming proposal placed on website for 30 calendar days seeking written comments from the public.

6.6. Staff to circulate to all municipal departments for comment.

6.7. Director of Parks, Recreation and Culture to submit report including application, historical background and comments received to the Parks, Recreation and Culture Advisory Committee for recommendation for Council's consideration.

7. Inventory of Names

7.1. The Parks, Recreation and Culture Department shall be responsible for maintaining an inventory of names for parks/open spaces, and component features/facilities.

7.2. Practices to be avoided include:

- naming a park after a nearby, but not immediately adjacent, school or institution that may lead to confusion regarding their respective locations;
- use of existing (or similar) names of parks within the Town, to avoid duplication and confusion;
- names that are meaningful only to a few members of the community;
- proposed request that a specific builder, developer or real estate company be used in the name; and,
- chosen names reflect streets not adjacent to park to ensure continuity and minimize conflicts for emergency services.

8. Signage

8.1. The Town will be responsible for coordinating the public presentation of signage to acknowledge the naming/renaming designation. Costs associated with naming/renaming of a park/open space or component feature as outlined in this policy will be assumed by the Town of Ladysmith.

8.2. The Town will have final approval for the selection and location of any signage, including text and design.

8.3. The Town will bear the responsibility of ongoing maintenance for the signage.

DRAFT

DRAFT				
PARK NAME	NAMED FOR	FACILITIES/STRUCTURES	CLASSIFICATION	AMENITIES
6TH AVENUE PARK (TRAILHEAD)	LOCATION	SHELTER	ACCESS POINT	BENCH
		KIOSK		
		WASHROOMS		
ARBORETUM	COLLECTION OF TREES	NONE	COMMUNITY PARK	PICNIC TABLES, BENCH
AGGIE SPORTS FIELDS	LOCATION	BALL DIAMOND 1	ATHLETIC PARK	BENCHES, BLEACHERS
		BALL DIAMOND 2		
AGGIE PLAYGROUND	LOCATION	NATURE-BASED PLAY EQUIPMENT	COMMUNITY PARK	BENCHES, BOOK KIOSK
BOB STUART PARK	FORMER MAYOR RW STUART	NONE	COMMUNITY PARK	LANDSCAPED GREENSPACE, BENCHES
COMMUNITY GARDEN	FEATURE	STORAGE FACILITY	COMMUNITY PARK	BENCH
		GARDEN BOXES		
		GAZEBO		
DAVIS ROAD PARK	LOCATION	NONE	ACCESS POINT	BENCH
DAVIS ROAD SCHOOL PARK	LOCATION	FENCED DOG PARK	COMMUNITY PARK	BENCH, DOG FOUNTAIN
		SMALL BALL DIAMOND		
		PLAYGROUND		
GOURLAY-JANES PARK	DONOR	BREAKWATER, STAIRS	COMMUNITY PARK	BEACH, BENCHES, PICNIC AREA
HARBOURVIEW PARK	DEVELOPER NAMED	PLAYGROUND EQUIPMENT	NEIGHBOURHOOD PARK	PICNIC TABLE
HOLLAND CREEK BALL FIELDS	LOCATION	BALL DIAMOND 1	ATHLETIC PARK	PICNIC AREA, BLEACHERS
		BALL DIAMOND 2		
		WASHROOMS/		
		CHANGEROOMS		
KINSMEN PARK AND PLAYGROUND	SERVICE CLUB	CONCESSION BUILDING	COMMUNITY PARK	PICNIC TABLES
		PLAYGROUND EQUIPMENT		
		WASHROOM		
LIONS BALL FIELD	SERVICE CLUB	FIELD	ATHLETIC PARK	FOUNTAIN
		WASHROOMS		
		CONCESSION		
LOT 108	LOCATION/LOT NAME	BALL DIAMOND	ATHLETIC PARK	BENCHES, BLEACHERS, SHELTER, FOUNTAIN
		(FORREST) TURF FIELD		
		TEMP CHANGEROOM/		
		WASHROOMS		
QUEEN'S PARK	THE QUEEN'S JUBILEE	PLAYGROUND	NEIGHBOURHOOD PARK	PICNIC TABLES
		SPORTS COURT		
ROOT STREET PARK	LOCATION	NONE	NEIGHBOURHOOD PARK	GARDEN, BENCHES,

ROTARY MEMORIAL PEACE GARDEN & CENOTAPH	SERVICE CLUB	CENOTAPH	DESTINATION, COMMUNITY	GARDENS, BENCHES
RUSSELL ROAD PARK	LOCATION	NONE	NEIGHBOURHOOD PARK	
SKATEBOARD PARK	ACTIVITY	VARIETY OF BOARDING STRUCTURES	COMMUNITY PARK	BENCHES
SPIRIT SQUARE	GRANT CRITERIA		COMMUNITY PARK	BENCHES
STONEWALL PARK	DEVELOPER NAMED		NEIGHBOURHOOD PARK	BENCH
STUART PARK	LOCATION		NEIGHBOURHOOD PARK	BENCH
TRANSFER BEACH PARK	HISTORICAL	AMPHITHEATRE	COMMUNITY PARK	BENCHES, PICNIC TABLES, FOUNTAIN, DOG WATER FOUNTAIN,
		(KIN) SHELTER		
		(SPORTSMAN) SHELTER		
		RETAIL BUILDING		
		WASHROOM/		
		CHANGEROOM		
		SAND VOLLEYBALL COURT		
		BASKETBALL COURT		
		HORSESHOE PITCH		
		ACCESSIBLE PICNIC AREA		
		SPRAY PARK		
		PLAYGROUND		
		HISTORICAL ARTIFACTS		
		FOOD TRUCK PADS		
		DOG-OFF LEASH AREA		
WICKHAM PARK	DONOR	FIELD	NEIGHBOURHOOD PARK	BENCH

STAFF REPORT TO COUNCIL

Report Prepared By: Geoff Goodall, Director of Infrastructure Services and
Erin Anderson, Director of Financial Services

Meeting Date: February 4, 2020

File No:

RE: **WATER CONSERVATION PLAN 2020**

RECOMMENDATION:

That Council set a new single family residential water consumption target for the Town of Ladysmith of 25 per cent lower than the BC residential average single family consumption rate.

EXECUTIVE SUMMARY:

An updated Water Conservation Plan must be included in the water supply projects grant application that the Town will be submitting by the February 26, 2020 deadline. The last conservation plan, completed in 2015, set a target of 260 litres of water consumption per person per day. Town data show that we have actually achieved this target.

PREVIOUS COUNCIL DIRECTION

CS 2015- 023	01/19/2015	<p>That Council adopt the following recommendations and include them in an updated Conservation Plan for 2015:</p> <ol style="list-style-type: none"> 1. Set a new residential water consumption target of 20 per cent lower than the current published Canadian average residential consumption rate; 2. Direct staff to investigate the potential to expand the current single family residential block water rate structure to other users, such as commercial and industrial users, and report back to Council on possible changes to the rate structure; 3. Direct staff to investigate further reductions of water use at municipal facilities, including parks irrigation, as well as any unaccounted for water use (water leaks); 4. Direct staff to investigate new potential rebates and public education, and other water reduction programs to achieve the target water reductions noted above.
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INTRODUCTION/BACKGROUND:

The Town of Ladysmith has made water supply a priority in the face of a growing population and changing weather patterns brought on by climate change. Included in the Financial Plan and Strategic Plan are many investment commitments to water assets, infrastructure and water

supply over the next few years.

Ensuring that the end users of the water are using it in a sustainable manner is important to maintaining water supply. In addition, responsible consumption factors into the total cost of producing water.

Under the current (2015) water conservation plan, the Town has a per capita water target of 260 litres per person per day. This 260 litres/person/day originated in 2015 as a “meet or beat” target of 20 per cent less than the Canadian average of 350 litres/person/day.

In 2019, when Ladysmith watering restrictions were put in place earlier than in previous years, the amount of water used by our residential water billing categories was 212 litres/person/day. This figure was arrived at by dividing total residential water billing by the population figures for Ladysmith provided by BC Stats. See table 1 – annual residential water consumption.

Table 1 – Annual Residential Water Consumption

Year	Residential Consumption (m ³)	Population (BC Stats)	Ladysmith Litres/day/person
2019	697,496	9,031	212
2018	756,708	8,901	232
2017	711,711	8,922	219

The latest Statistics Canada data for average daily residential use in litres per capita for British Columbia shows the following:

	<u>2011</u>	<u>2013</u>	<u>2015</u>	<u>2017</u>
British Columbia	312	299	301	291
25% Reduction Target	234	224	226	218

Source: <https://www150.statcan.gc.ca/n1/daily-quotidien/190611/cg-b002-eng.htm>

In order to support a target reduction in residential water use per single family household at 25 per cent less than the provincial average, the Town has a number of initiatives already underway:

- All new Town facilities are equipped with low-flush toilets and other Town facilities are retrofitted with low-flush toilets as necessary
- The low flush toilet rebate program has been updated to tie the rebate to the efficiency of the toilet (the greater the efficiency – the greater the rebate).

In addition, the Town is implementing the following new initiatives:

- Continuing with the meter replacement program (asset management) to ensure water meters are accurately reading consumption.

- Expanding the number of drought tolerant species planted by the Town in order to reduce irrigation needs
- Scheduling the pool shutdown (draining and refilling) during winter months when there is an abundance of water supply (this previously took place in late August/early September)
- Working with the School District to reduce water consumption on school playing fields during summer months
- Hiring summer students to perform a “water ambassador” role to educate property owners on water reduction

ALTERNATIVES:

Council can choose to set a different target amount; however, it must set a water use reduction target in order to apply for the grant funding of \$23.3 million for water supply projects.

FINANCIAL IMPLICATIONS:

n/a

LEGAL IMPLICATIONS:

n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Town will implement an education and engagement plan.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

n/a

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

TOWN OF LADYSMITH

BYLAW NO. 2024

A Bylaw to Reduce Development Cost Charges for Not-for-Profit Rental Housing on Lot A, (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A—314 Buller Street

WHEREAS Council is permitted by section 563 of the *Local Government Act* to waive or reduce a development cost charge, by bylaw, for not-for-profit rental housing, including supportive living housing;

WHEREAS Council wishes to provide for a reduction of a development cost charge for a not-for-profit rental housing project located at Lot A, (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A—314 Buller Street (the “**Land**”);

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

DEFINITIONS

1. In this Bylaw:

‘Eligible Development Housing Agreement’ means an Agreement under section 483 of the *Local Government Act* between the Town of Ladysmith and an owner of the Land.

‘Not-for-profit rental housing’ means:

- a) One or more rental dwelling units:
 - i. that are operated as rental housing for tenants who are capable of independent living and meet eligibility criteria related to income, health or other similar criteria; and
 - ii. that are publicly owned or owned and operated by an incorporated not-for-profit organization.

ELIGIBLE DEVELOPMENT

- 2. For the purposes of this Bylaw, not-for-profit rental housing that meets the conditions in section 3 constitutes a class of eligible development.
- 3. To be eligible for the reduction in development cost charges, the not-for-profit rental housing shall meet the following conditions:
 - (a) be contained in a multi-family building on the Land with no more than 36 dwelling units
 - (b) be subject to an Eligible Development Housing Agreement, that:
 - i. is valid of a period of no less than 20 years;
 - ii. requires that 100% of the units to be rental units;
 - iii. requires that at least 24 of the units be rented at a rate that is equal to or less than the Housing Income Limit for Nanaimo, British Columbia, published from time to time by B.C. Housing.
- 4. A reduction of development cost charges granted under this Bylaw is subject to the condition that if at any time during the period of the Eligible Development Housing Agreement referenced in section 3, a dwelling unit no longer meets the definition of not-for-profit rental housing or no longer fulfills the conditions in section 3:
 - (a) it shall no longer be an eligible development under this Bylaw, and
 - (b) the owner of the land shall be liable for repayment of development cost charges in accordance with section 6.

REDUCTION

- 5. The Town of Ladysmith development cost charge will be reduced by 100% in respect of a dwelling unit that meet the definition of not-for-profit rental housing in this Bylaw and is part of an eligible development as defined in section 3.

REPAYMENT

- 6. The full amount of development cost charges that would have been payable on the date the building permit was approved, had the reduction not applied, plus interest at the rate of 3% per year calculated monthly since the date of the waiver compounded annually, shall immediately become due and payable to the Town for any and all dwelling units that no longer qualify as an eligible development under this Bylaw, as referenced in section 3.

PERPETUAL WAIVER

- 7. Once the period of the Eligible Development Housing Agreement has concluded, the development cost charges that would have applied to the original construction of the dwelling units that were part of the eligible development are thereafter waived in perpetuity and unconditionally.

FURTHER DCCS PAYABLE

- 8. Despite section 7, an applicant for further or additional development of the land in respect of which development cost charges have been waived under this Bylaw shall pay development cost charges that may be payable under a bylaw, as a result of such further or additional development during or after the term of the Eligible Development Housing Agreement, calculated in accordance with the bylaws applicable at the time of application for a development approval.

SEVERABILITY

- 9. If any part, paragraph or phrase in this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue in force.

CITATION

- 10. This Bylaw may be cited as “Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2019, No. 2024”.

READ A FIRST TIME	on the	18 th	day of	November,	2019
READ A SECOND TIME	on the	18 th	day of	November,	2019
READ A THIRD TIME	on the	18 th	day of	November,	2019
ADOPTED	on the	nd	day of	<MONTH>,	2019

Mayor (A. Stone)

Manager of Legislative Services (J. Winter)

Jan 22, 2020

Dear Town of Ladysmith,

On Sat, Jan 18 the community of Ladysmith had the opportunity to celebrate the beautiful, yet much too short, life of Jenny VanHorn.

Jenny was an incredible mother, daughter, wife, sister and community member. She sat on numerous community committees over the years and the ripples she left in the community will be felt for many years to follow.

For the past five years, while in remission from her ten year battle with cancer, Jenny brought her passion for building, strengthening and supporting children, families, diversity, multiculturalism, intergenerational connections and the health of the planet by joining Ladysmith Family and Friends LaFF'ing Team as our Grant Writer and Fundraising Coordinator. Through her dedication she greatly assisted LaFF to provide support to hundreds of families and created meaningful volunteer opportunities for adults, youth and seniors.

Today, at Aggie Hall, I saw that the Birch Tree that has been growing in the centre of the round-about has been cut down due to snow damage. I would like to ask that when a new tree is planted in this space, that the tree be planted and dedicated to Jenny.

LaFF was gifted \$200 from Jenny's daughter, Ladysmith Ambassador, Ella VanHorn's LSS graduating class of 2019 to do something in memory of Jenny. LaFF would like to partner with the Town of Ladysmith to honor that request. Jenny loved spending time outside and especially loved bird watching. The timing of this seems very beautiful and I hope we can work together to honor Jenny in this simple, yet meaningful way.

Thank you for your consideration.

I look forward to hearing from you.

Sincerely,
Jacqueline

Jacqueline Neligan

Executive Director
Ladysmith Family and Friends/
Ladysmith Early Years Partnership Chair
250-210-0870
Box 1830, Ladysmith, BC, V9G1B4
laffexecutivedirector@shaw.ca
www.familyandfriends.ca

STAFF REPORT TO COUNCIL

Report Prepared By: Joanna Winter, Manager of Legislative Services
Meeting Date: February 4, 2020
File No:
RE: REQUEST FOR USE OF TOWN LOGO

RECOMMENDATION:

That Council determine whether it wishes to authorize the use of the Town of Ladysmith logo on the plaques to be given out for the newly-created annual Ladysmith Heritage Award plaques.

EXECUTIVE SUMMARY:

The Ladysmith and District Historical Society has requested to use the Town of Ladysmith logo on the plaques to be given to the recipients of the first-ever Ladysmith Heritage Awards.

The Town's logo policy requires that the Town either be a major participant in the initiative, or that Council give permission for the use of the logo.

PREVIOUS COUNCIL DIRECTION

N/A

INTRODUCTION/BACKGROUND:

The Ladysmith and District Historical Society has created three new Heritage Awards. The call for nominations was issued late in 2019, with a submission deadline of January 20.

The three awards will recognize a business, and individual and a society that have played a key role during the year through their actions or initiatives in preserving or promoting local heritage. The nominators were required to answer the question "How did this individual, business or non-profit group help to preserve, and/or promote local heritage in Ladysmith and surrounding areas of Saltair and North Oyster?"

The awards will be presented during Heritage Week at an event at the Ladysmith Museum on Thursday, February 20th.

The Historical Society would like to use the Town's logo on the award plaques as illustrated below.



Ladysmith's Communications policy states the following with respect to the use of the Town logo (highlighted section is the most relevant part):

9. Logo

The official municipal logo must appear on all Town communications including correspondence, publications, forms, facsimiles, advertisements, news releases, displays, signage, fleet vehicles and other plant, electronic communications and any other relevant communication medium. Specific graphic standards, including exact Pantone colours, fonts and proportions, apply to the logo. The Town does not allow the use and/or reproduction of the Town of Ladysmith corporate logo for commercial purposes. **Non-commercial use will be permitted only for events where the Town is a major participant, or where prior written approval has been granted by Council.**

The Town has not been involved in establishing the criteria for the awards, nor in the selection of the recipients. Mayor Stone has accepted an invitation to present the awards on February 20.

Council will recall that Council passed a resolution in 2019 granting \$1,500 annually to the Historical Society for heritage promotion.

ALTERNATIVES:

Council can choose to:

- Provide the Town's logo to the Ladysmith and District Historical Society for annual use on the Heritage Award plaques;
- Provide the logo for use on the 2020 plaques and revisit the request for 2021; and/or
- Request to participate in the selection of award recipients

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The use of the Town's logo implies a certain level of involvement by the Town in the Heritage Awards initiative.

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 checked="" type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer