

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

**Tuesday, February 18, 2020
Council Chambers, City Hall**

Pages

1. CALL TO ORDER

Call to Order 5:00 p.m. in Open Session, in order to retire immediately into Closed Session.

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

2. CLOSED SESSION

Recommendation

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

- human resources matters - section 90(1)(c)
- two matters related to lease of Town property – section 90(1)(e)

3. REGULAR MEETING (7:00 p.m.)

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda of this Regular Meeting of Council for February 18, 2020.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held February 4, 2020

7

Recommendation

That Council approve the minutes of the Regular Meeting of Council held February 4, 2020.

7. DELEGATIONS

7.1 Committee Recommendations: 2020-2023 Council Remuneration

15

Recommendation

That Council:

1. Investigate benefits coverage during the next remuneration review;
2. Approve an annual FJCC gym membership effective January 1, 2020, for all members of Council to utilize; and
3. Approve an annual remuneration, effective January 1, 2020:
 - (a) to the Mayor in the amount of \$37,676; and
 - (b) to the Councillors in the amount of \$15,552.
4. Approve an annual remuneration, effective January 1, 2021:
 - (a) to the Mayor in the amount of \$40,294; and
 - (b) to the Councillors in the amount of \$15,860.
5. Approve an annual remuneration, effective January 1, 2022:
 - (a) to the Mayor in the amount of \$42,912; and
 - (b) to the Councillors in the amount of \$16,166.
6. Confirm the annual remuneration adjustment, effective January 1, 2021, per Council Remuneration Policy 05-1920A where effective January 1st of each year the Finance Officer shall revise the base compensation for the Mayor and Councillors by applying the Victoria Consumer Price Index average for the preceding three years to the current compensation amount, to a maximum of 2 per cent. If the application of the Consumer Price Index results in a decrease, there will be no change to the remuneration amount.

7.2 Ladysmith Chamber of Commerce: Economic Development and Tourism Support Services

26

Recommendation

That Council refer the proposal from the Ladysmith Chamber of Commerce for provision of Economic Development and Tourism Support Services to staff to investigate funding options and report back to Council.

8. PROCLAMATIONS

8.1 World Lymphedema Day

34

Mayor Stone has proclaimed March 6, 2020 as World Lymphedema Day in the Town of Ladysmith, in recognition and support of the courageous individuals living with this chronic, progressive and debilitating disease.

9. DEVELOPMENT APPLICATIONS

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

35

Recommendation

That Council, pursuant to the *Cannabis Control and Licensing Act* and the *Cannabis Licensing Regulation*, determine whether it wishes to:

1. Having considered the general impact on the community and the views of residents, recommend that the Province issue a licence for a non-medical cannabis retail store at 510C Esplanade Avenue (“Jerry’s Cannabis”).
2. Provide reasons for their recommendation, based on:
 - The context of the proposed location;
 - The views of Council on the impact of the proposed store and/or of non medical cannabis retail stores in general;
 - Submissions from the public;
 - Local land use regulations; and/or,
 - Other considerations.

9.2 Non-medical Cannabis Retail Store Licence Referral at Unit B 720 1st Avenue (1904 Cannabis)

50

Recommendation

That Council, pursuant to the *Cannabis Control and Licensing Act* and the *Cannabis Licensing Regulation*, determine whether it wishes to:

1. Having considered the general impact on the community and the views of residents, recommend that the Province issue a licence for a non-medical cannabis retail store at Unit B - 720 First Avenue (“1904 Cannabis”).
2. Provide reasons for their recommendation, based on:
 - The context of the proposed location;
 - The views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general;

- Submissions from the public;
- Local land use regulations; and/or,
- Other considerations.

9.3 Road Dedication (Oyster Bay Drive)

74

Recommendation

That Council:

1. Authorize that the part of Oyster Bay Drive adjacent to 902 Ludlow Road (PID: 030-553-164) be dedicated as road; and
2. Direct the Corporate Officer to deposit a plan for the road dedication with the land title office.

9.4 Development Variance Permit 3090-19-11, 312 Roland Road

78

Recommendation

That Council:

1. Issue Development Variance Permit 3090-19-11 at 312 Roland Road to allow for alterations to the roofline of an existing dwelling that is located within the required setback from the sea.
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-19-11.

9.5 OCP & ZONING BYLAW AMENDMENT APPLICATION – Lot 20 Trans-Canada Highway & 670 Farrell Road

85

Recommendation

That Council:

1. Consider the application (3360-19-02) to amend the Official Community Plan (OCP) and Zoning Bylaw to allow for a mix of single-family and multi-family residential at Lot 20 Trans-Canada Highway and 670 Farrell Road.
2. Direct staff to:
 - a. Refer application 3360-19-02 to the Community Planning Advisory Committee.
 - b. Refer application 3360-19-02 to the Stz'uminus First Nation, pursuant to the Memorandum of Understanding between the Stz'uminus First Nation and the Town of Ladysmith.
 - c. Work with the applicant regarding the proposed community amenity contribution and report back to Council.
 - d. Prepare OCP and Zoning Amendment Bylaws for application 3360-19-02.

3. Direct the applicant to:
 - a. Provide a report from a geotechnical engineer assessing application 3360-19-02 in accordance with the Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC.
 - b. Provide a transportation impact study, prepared by a professional engineer, assessing the anticipated traffic patterns, traffic volumes and impacts of application 3360-19-02.
 - c. Provide a road layout and feasibility plan for the extension of Farrell Road through the subject property.

10. REPORTS

10.1 Adjustments to Water Billing Accounts

114

Recommendation

That Council approve adjusting the water billing due to leaks for the property account #0246000 for \$6,155.06.

11. CORRESPONDENCE

11.1 Quentin Goodbody, President of the Ladysmith and District Historical Society: Request for a Service Provider Agreement

117

Recommendation

That Council:

1. Authorize the execution of a Service Provider Agreement between the Town of Ladysmith and the Ladysmith and District Historical Society for the provision of promotional services and managing the Ladysmith Museum and Archives; and
2. Confirm that the Ladysmith and District Historical Society is required to pay the \$250 annual fee for the additional liability coverage provided by the Municipal Insurance Association of BC.

12. NEW BUSINESS

12.1 Alternative Approval Process Results (report will be circulated at the meeting)

13. UNFINISHED BUSINESS

13.1 Grant in Aid - Festival of Lights

Council will recall that a motion was made at the February 4th Council

meeting to reconsider the Committee of the Whole's recommendation to allocate a grant in aid of \$10,000 to the Festival of Lights Society. A subsequent motion to allocate \$8,000 to the Festival of Lights Society was defeated. Council may now consider the original recommendation.

Recommendation

That Council allocate a \$10,000 grant in aid to the Festival of Lights.

14. 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.

15. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, February 4, 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
Erin Anderson
Jake Belobaba
Geoff Goodall

Joanna Winter
Christina Hovey
Mike Gregory
Sue Bouma

1. CALL TO ORDER

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

2. AGENDA APPROVAL

CS 2020-037

That Council approve the agenda for this Regular Meeting of Council for February 4, 2020 as amended to include the following:

- Item 11.1, "Request for Use of Town Logo"

Motion Carried

3. RISE AND REPORT

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

- Resolution CE 2020-001, regarding 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

CS 2020-038

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

Motion Carried

5. PROCLAMATIONS

5.1 Kinsmen and Kinette Day

Mayor Stone 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 the local organization’s dedication and service to the community over the past 68 years.

Councillor Paterson declared a conflict of interest with the following item due to his membership with the Ladysmith Kinsmen Club and excused himself from the meeting.

CS 2020-039

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.

Motion Carried

Councillor Paterson returned to the meeting.

6. DEVELOPMENT APPLICATIONS

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

CS 2020-040

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.

Motion Carried

7. COMMITTEE MINUTES

7.1 Committee of the Whole Recommendations to Council

CS 2020-041

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.

Main Motion carried

AMENDMENT

CS 2020-042

That the second statement in resolution CS 2020-041 be amended to read as follows:

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

Amending Motion Defeated

OPPOSED: Councillors Jacobson, Johnson, Paterson and McKay

CS 2020-043

That Council 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.

Motion Carried

CS 2020-044

That Council allocate \$3,000 from the unspent funds from the 2019 Grant in Aid budget to offer a Grant Writing Workshop to local organizations.

Motion Carried

CS 2020-045

That Council allocate the 2020 Grants in Aid as follows:

Organization	Preliminary Approval 2020
Ladysmith Fire Rescue - Santa Parade	1200
Ladysmith Golf Club Society	3500
Ladysmith & District Historical Society	7500
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
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

Motion Carried

Councillor Paterson declared a conflict of interest with the next agenda item due to his role with the Ladysmith Show and Shine organization and recused himself from the meeting.

CS 2020-046

That Council allocate \$1500 in a grant in aid to the Ladysmith Show and Shine.

Motion Carried

Councillor Paterson returned to the meeting.

CS 2020-047

That due to new information received, Council allocate \$8,000 in a grant in aid to the Ladysmith Festival of Lights as opposed to the \$10,000 recommended by the Committee of the Whole.

Motion Defeated

OPPOSED: Councillors Jacobson, Stevens, Virtanen, McKay and Paterson

CS 2020-048

That Council allocate \$1000 in a grant in aid to the Cowichan Trail Stewardship Society - Ladysmith Chapter.

Motion Carried

CS 2020-049

That Council adopt the draft Park and Facility Naming Policy and application process, with accompanied park and facility naming inventory.

Motion Carried

8. REPORTS

8.1 Water Conservation Plan 2020

CS 2020-050

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

Motion Carried

CS 2020-051

That Council refer discussion of water conservation incentives for residential and commercial users to a future meeting of the Committee of the Whole.

Motion Carried

9. BYLAWS

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

Councillor Stevens declared a conflict of interest with the next agenda item due to his involvement with the not-for profit rental housing project and recused himself from the meeting.

CS 2020-052

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

Motion Carried

Councillor Stevens returned to the meeting.

10. CORRESPONDENCE

10.1 Ladysmith Family and Friends Tree Dedication Request

CS 2020-053

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 Van Horne;

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.

Motion Carried

CS 2020-054

That Council direct staff to investigate options for providing power to the memorial tree in the Aggie Hall parking lot roundabout.

Motion Carried

11. NEW BUSINESS

11.1 Request for Use of Town Logo

CS 2020-055

That Council 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.

Motion Carried

12. QUESTION PERIOD

There were no questions from members of the public.

13. ADJOURNMENT

The Mayor adjourned the meeting at 7:43 p.m.

Mayor (A. Stone)

Corporate Officer (J. Winter)

STAFF REPORT TO COUNCIL

Report Prepared By: Select Committee on Council Remuneration
Meeting Date: February 18, 2020
File No: 0540-20
RE: COMMITTEE **RECOMMENDATIONS:** 2020-2023 **COUNCIL**
REMUNERATION

RECOMMENDATION:

That Council:

1. Investigate benefits coverage during the next remuneration review;
2. Approve an annual FJCC gym membership effective January 1, 2020, for all members of Council to utilize; and
3. Approve an annual remuneration, effective January 1, 2020:
 - (a) to the Mayor in the amount of \$37,676; and
 - (b) to the Councillors in the amount of \$15,552.
4. Approve an annual remuneration, effective January 1, 2021:
 - (a) to the Mayor in the amount of \$40,294; and
 - (b) to the Councillors in the amount of \$15,860.
5. Approve an annual remuneration, effective January 1, 2022:
 - (a) to the Mayor in the amount of \$42,912; and
 - (b) to the Councillors in the amount of \$16,166.
6. Confirm the annual remuneration adjustment, effective January 1, 2021, per Council Remuneration Policy 05-1920A where effective January 1st of each year the Finance Officer shall revise the base compensation for the Mayor and Councillors by applying the Victoria Consumer Price Index average for the preceding three years to the current compensation amount, to a maximum of 2 per cent. If the application of the Consumer Price Index results in a decrease, there will be no change to the remuneration amount.

EXECUTIVE SUMMARY:

To provide Council with the recommendations of the Select Committee on Council Remuneration.

PREVIOUS COUNCIL DIRECTION

Resolution	Meeting Date	Resolution Details
CS 2018-402	October 15, 2018	That Council reconvene a Select Committee on Council Remuneration in October 2019 to review Council remuneration in the municipalities used as a comparison basis, after the change in Canada Revenue Agency rules regarding the tax exemption on one third of the remuneration has been applied.

INTRODUCTION/BACKGROUND:

Council remuneration reviews are usually conducted once per term, and the Town performed a review in 2018, however, in anticipation of the 2019 Canada Revenue Agency (CRA) rules regarding tax exemption of one third of remuneration, Council requested that a select committee be reconvened in 2019. The committee were tasked with reviewing updated Council remuneration in the municipalities used as a comparison basis in 2018.

The Committee reviewed Council remuneration of the following municipalities used in 2018, based on the Town's Economic Development Strategy as well as CVRD municipalities:

- Castlegar
- Creston
- Lake Country
- Nelson
- Osoyoos
- Peachland
- Qualicum Beach
- Sidney
- Trail
- CVRD Board
- Duncan
- Lake Cowichan
- North Cowichan
- Parksville
- Powell River
- Sechelt
- Summerland

Wellness

As part of its wellness initiative, the Town provides all interested employees with annual FJCC gym memberships and the Committee recommends that this offer be extended to interested Council members. There would not be any additional cost to taxpayers if this was implemented.

Remuneration

The Committee discussed remuneration amounts and reviewed comparable municipalities including municipalities within the Cowichan Valley Regional District. The Committee recommended that Mayor and Council remuneration should be increased to reflect similar sized communities: the Mayor's remuneration should reflect the average rate of mayors within

the CVRD; and Councillors' remuneration should match City of Duncan councillors. Instead of one-time increase, the Committee recommended that the increase be stepped over a 3 year period, as shown in the table below.

Mayor:

Year	Base	Additional	Annual CPI increase (max.2%)*	Total
2020	\$ 34,320	\$2,618	\$ 739	\$ 37,676
2021	\$ 37,676	\$2,618	\$806*	\$41,100*
2022	\$41,100*	\$2,618	\$874*	\$44,592*

Councillor:

Year	Base	Additional	Annual CPI increase (max.2%)*	Total
2020	\$ 14,940	\$307	\$ 305	\$ 15,552
2021	\$ 15,552	\$307	\$317*	\$16,177*
2022	\$16,177*	\$307	\$330*	\$16,814*

** As per Council's Remuneration Policy and Bylaw, an annual CPI increase up to a maximum of 2% is included in the annual budget. Council has approved a 2% CPI increase for 2020, however the CPI rates are unknown for 2021 and 2022, therefore the amounts provided in the above tables for those years are based on a 2% CPI increase, and could change if the CPI rate is lower than that.*

The 2020 Financial Plan included a 2% increase. This amounted to \$2,582 including benefits. The Committee's proposal would mean an additional \$8,684 for a total increase of \$11,266 over 2019 levels.

	Current 2019	Included in 2020 Financial Plan	Committee proposal for 2020
Mayor & 6 Councillors	\$ 123,960	\$ 126,439	\$ 130,988
Employee Costs	7,562	7,664	8,145
FJCC pass	0	0	3,655
Total	131,522	134,104	142,788

Electronics

The Committee agreed that the current electronics provision of a cell phone and tablet to each Council member was sufficient and did not need to be changed.

Benefits

The Committee recommended that Council investigate providing benefits coverage for Council members during its next remuneration review. Group insurance benefits coverage for Council is provided through the Union of BC Municipalities (UBCM) benefits program. Elected officials who meet the eligibility requirements may participate in the following benefits: extended

health care, dental, employee and family assistance plan, optional life insurance, and optional accidental death and dismemberment. Like Ladysmith, every municipal council makes a decision as to whether or not it wishes to provide benefits to elected officials. For the program to work, there must be a minimum of three elected officials interested in enrolling in the program and there are options for the types of coverage that Council as a whole would receive and that can be determined when the next remuneration review takes place. Benefits through UBCM are only offered at the beginning of each Council term (every four years) so making a decision closer to 2022 made sense to the Committee.

ALTERNATIVES:

Council can choose to:

1. Amend one or all of the recommendations of the Select Committee on Council Remuneration; or
2. Reject one or all of the recommendations of the Select Committee on Council Remuneration.

FINANCIAL IMPLICATIONS:

The proposed increases to Mayor and Council wages would be an additional \$8,684 over the 2020 Budget amounts as deliberated by Council through November and December of 2019.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

- 2019 Annual Council Remuneration Rates Comparison
- Town of Ladysmith Travel Expense Policy

2019 Annual Council Remuneration Rates - Based on Ladysmith Economic Strategy - Populations

Local Government	Population	Mayor (2019)	Councillor (2019)	Electronics	Benefits	Other	Total Municipal Taxes (2019)	Taxation per capita (2019)
Castlegar	8,558	\$ 32,000	\$ 16,000	Laptops for Council. Mayor cell.	Incremental car insurance, lost wage compensation, childcare	Travel, per diem Mayor car allowance (\$400/month). Councillors \$1,500 grant/term.	\$ 8,364,937	977
Creston	5,660	\$ 31,433 (2020)	\$ 15,716 (2020)	iPads for Council.	None	Travel, per diem.	\$ 4,481,368	792
Duncan	5,241	\$ 31,031	\$ 15,862	iPads for Council.	Extended Health, Dental, AD&D, EFAP	Travel, per diem	\$ 4,285,141	818
Lake Country	14,027	\$ 50,566	\$ 20,225	Laptops for Council.	AD&D, UBCM optional coverage 50/50.	Travel, per diem.	\$14,223,715	1,014
Nelson	11,313	\$ 59,500	\$ 25,000	\$2,000/term	Medical, dental, extended health, AD&D.	Travel, per diem \$150/mo. dependent (if needed for Cncl mtgs.)	\$ 9,658,791	854
Osoyoos	5,073	\$ 31,023	\$ 18,908	Laptops for Council. Mayor cell.	Extended health, dental.	Travel, per diem for out of town meetings	\$ 3,845,636	758
Parksville	13,323	\$ 52,500	\$ 30,000	Up to \$1,000/term for laptop/iPad.	None	Travel, per diem. Acting Mayor pay.	\$14,359,927	1,078
Peachland	5,671	\$ 40,000	\$ 16,000	Mayor cell, iPads for Council.	None	Travel, per diem.	\$ 5,229,496	922
Powell River	13,874	\$ 56,000	\$ 23,300	None	None	Travel, per diem.	\$16,704,461	1204
Qualicum Beach	9,502	\$ 46,000	\$ 34,500	Laptop & printer for Council, Mayor cell \$30/mo.	Pacific Blue Cross benefits. Pay for own MSP.	Travel, per diem.	\$ 9,410,255	990
Sechelt	10,912	\$ 41,191 <i>(2018 info – no response in 2019)</i>	\$ 20,041 <i>(2018 info – no response in 2019)</i>	iPads for Council, Mayor cell <i>(2018 info – no response in 2019)</i>	Medical, dental, vision. <i>(2018 info – no response in 2019)</i>	Travel, per diem. Acting Mayor pay. Medical & dental or cash-in-lieu. <i>(2018 info – no response in 2019)</i>	\$ 9,374,356	859

Local Government	Population	Mayor (2019)	Councillor (2019)	Electronics	Benefits	Other	Total Municipal Taxes (2019)	Taxation per capita (2019)
Sidney	12,491	\$ 38,332	\$ 15,311	Tablet (iPad, surface pro) for Council	Extended health/dental, MSP, life, AD&D.	Travel, per diem.	\$12,749,637	1,021
Summerland	12,213	\$ 36,000	\$ 16,200	Mayor cell. Shared Council computer, tablets.	AD&D.	Travel, per diem.	\$ 9,463,247	775
Trail	8,186	\$ 33,940 <i>(2018 info – no response in 2019)</i>	\$ 15,470 <i>(2018 info – no response in 2019)</i>	Council monthly phone reimbursed. <i>(2018 info – no response in 2019)</i>		Travel, per diem. <i>(2018 info – no response in 2019)</i>	\$14,608,623	1,785
Average	9,717	\$ 41,393	\$ 20,181	--	--	--	\$9,768,542	989
Ladysmith	9,417	\$ 34,320	\$ 14,940	Mayor & Council cell phone, tablets	None*	Travel, per diem	\$ 8,866,544	942

Notes:

* Est. cost of benefits if provided to TOL Council: \$4,100/each Council member (\$28,700/year).

Information sources for all tables:

- CivicStats by CivicInfo BC, 2019 Statement of Financial Information Reports, confirmation by staff at each municipality
- 2018 Ladysmith Economic Development Strategy (same municipalities used for statistics)

CVRD Municipalities – Based on 2019 Statistics

CVRD Municipality	Population	Mayor	Councillor	Electronics	Benefits	Other	Total Municipal Taxes	Taxation per capita
CVRD	Areas A-H 36,118 Municipal 47,621	Chair \$ 47,887 (\$18,954 + \$28,933)	Elec.Area Dir. \$ 33,136 Muni Dir. \$ 18,954	Phone, tablet for Directors	Basic (UBCM pkg fr. Pac. Blue Cross)	Per diem, mileage for scheduled mtgs only).	--	--
Duncan	5,241	\$ 31,031	\$ 15,862	iPads for Council.	Extended Health, Dental, AD&D, EFAP	Travel, per diem	\$ 4,285,141	818
Town of Lake Cowichan	3,510	\$ 23,386	\$ 14,032	Mayor cell, iPad. \$30/month for Council for personal phone	None	Travel, per diem	\$ 2,278,447	649
District of North Cowichan	31,920	\$ 79,956	\$ 28,784	iPad.	Extended Health, Dental..	Dep.Mayor \$368/month when in role. Travel, per diem.	\$30,020,684	940
Average (municipalities only - does not include CVRD)	12,572	\$ 42,173	\$ 15,042	--	--	--	\$11,362,704	837
Ladysmith	9,417	\$ 34,320	\$ 14,940	Mayor & Council cell phone, tablets	None*	Travel, per diem	\$ 8,866,544	942

Notes:

* Est. cost of benefits if provided to TOL Council: \$4,100/each Council member (\$28,700/year).

Information sources for all tables:

- CivicStats by CivicInfo BC, 2019 Statement of Financial Information Reports, confirmation by staff at each municipality
- 2018 Ladysmith Economic Development Strategy (same municipalities used for statistics)

POLICIES AND PROCEDURES MANUAL

TOPIC: TRAVEL EXPENSES		
APPROVED BY: Council	ORIGINAL DATE:	June 6, 1988
	CURRENT AMENDMENT DATE:	September 18, 2017
RESOLUTION #: CS 2017-279		
Amended: October 15, 1990 October 04, 1993 (Res. #716) August 08, 1995 (Res. #495) November 20, 1995 (Res. #742) (Bylaw 1186/Council Remuneration) December 16, 1996 (Res. #767) August 16, 1999 (Res. #539) February 5, 2001 (Res. #01-045) January 21, 2002 (Res. #02-030) February 16, 2004 (Res.#04-072) August 5, 2008 (Res. #08-441) March 21, 2011 (Res. #2011-136) September 18, 2017 (Res. #2017-279)		

This policy applies to the reimbursement of allowable expenses for employees and Council members who attend conferences, meetings or workshops related to their role with the Town, or who travel on Town business.

Eligible expenses must not be extravagant or unnecessary. All travel, entertainment and like expenses incurred by authorized Town employees or elected representatives must have prior approval and budget provisions.

Reimbursement will be provided for reasonable out-of-pocket expenses incurred including reasonable expenses for the entertainment of municipal guests as approved by the Financial Officer, on Town business upon submission of itemized expense accounts, duly approved and supported by receipts.

Authorization for approval of expenses is the responsibility of the Department Heads or their authorized delegate, who must sign all expense claims as approved and in order prior to any payment or reimbursement being issued.

The Department of Financial Services will review all expense accounts after Department Head (or delegate) approval and prior to payment to ensure conformity with regulations. Any items open to question will be referred back to the Department Head for clarification.

1. NON-ALLOWABLE EXPENSES

The Town will not provide reimbursement for non-allowable expenses included but not limited to:

- Alcohol
- Reading material
- Personal care items
- Personal entertainment that is not directly related to Town business (including but not limited to, movie rentals, meals that are otherwise included in meeting registration)
- Personal phone calls
- Air Travel Insurance

- Expenses for travelling companions, included but not limited to any expenses of spouses accompanying employees and Council members. Council may waive this exception before travelling commences under special circumstances.

2. ALLOWABLE EXPENSES

The Town will provide reimbursement for allowable expenses included but not limited to:

Travel

- 2.1 Fares for transportation by rental car, railroad, plane, bus, taxi or other public conveyance. Type of carrier and accommodation shall be chosen to effect early completion of the trip and at the most reasonable cost. Taxi fares where great distances are involved or where other transportation is provided such as airline limousines will not be reimbursed except under exceptional circumstances, and with the approval of the Director of Financial Services.
- 2.2 Where possible, hotel accommodations shall be booked based on the Business Travel Accommodation Listing. Reasonable accommodation will be reimbursed, with standard, single accommodation as the preference.
- 2.3. Public transportation should be used where clearly this is less expensive and circumstances permit. When travelling by vehicle, the first priority is to use a Town vehicle.
- 2.4 Use of a personal vehicle is authorized when necessary. The automobile allowance rate, as set by the Canada Revenue Agency, shall apply. Reimbursement shall be calculated based on distance from City Hall or from another location (i.e. home), whichever is less.

Conventions & Conferences

- 3.1 Employees will be reimbursed for expenses for attending conventions or similar conferences upon approval of the Department Head or their delegate.
- 3.2 Members of Council will be reimbursed for expenses for attending conventions or similar conferences, when attendance has been authorized by Council:
 - A. Attendance at Union of BC Municipalities annual convention – the Mayor and up to four Councillors are authorized to attend.
 - B. Attendance at Association of Vancouver Island and Coastal Communities annual convention - the Mayor and up to four Councillors are authorized to attend.
 - C. Those members of Council who are official Council representatives to Executive Boards or official sub-committees of bodies such as the UBCM and AVICC are authorized to attend in addition to the number of delegates authorized above.
 - D. The Mayor, or his/her delegate, is given blanket authority to attend unforeseen or emergency meetings on behalf of the Town, with reimbursement subject to subsequent Council approval.

Cash Advance

- 4.1 A cash advance may be made if necessary, for authorized travel to a maximum of \$50.00 per day. Receipts must be submitted for all expenses. Any portion of the advance not supported by proper receipts must be returned to the Town of Ladysmith within five (5) working days following completion of travel.

Meal Allowances

- 5.1 Meals will be reimbursed, based on reasonable departure time or return time, for the authorized traveller when the meal is not included in the organized event or program, up to the maximum amounts:

Breakfast	\$ 15.00
Lunch	20.00
Dinner	30.00

FULL DAY: \$ 65.00

- 5.2 Meals should not be charged to Town visas.



Expression of Interest

Provision of Economic Development and Tourism Support Services

Prepared and Submitted by:

Ladysmith Chamber of Commerce

P.O. Box 598

33 Roberts Street

Ladysmith, BC

For Consideration of:

Mayor and Council, Town of Ladysmith

JANUARY 23, 2020

EXECUTIVE SUMMARY

The Ladysmith Chamber of Commerce (LCOC) is pleased to respond to the Town of Ladysmith's enquiry regarding the provision of Economic Development and Tourism Support Services for the Town of Ladysmith. There are numerous examples of Chambers of Commerce providing Economic/Tourism development services for cities/ towns, and our Chamber is prepared and excited to participate in this type of model. In broad strokes, we have outlined an approach to this task that endeavours to stay within the Town's financial guidelines over a two-year pilot program. LCOC proposes that the current contract of \$43,400 for Visitor Services be increased by \$17,000 to a total of \$60,400. LCOC will report to Council at the mid-point of the second year to review progress towards meeting program targets and objectives, and to determine if/how the program could continue beyond the two-year pilot program.

The Town will see a significant increase in support services for a relatively modest investment including:

1. Ongoing administration and support to the Partnership for a Vibrant Local Economy group.
2. Hosting, maintenance and updates to the newly developed Tourism and Investment websites.
3. Maintenance and updates to the newly developed Heritage Walking Tour and Investment Opportunities App.
4. Serving as the Call to Action for these marketing tools.
5. Managing the Destination Marketing funds for the Town of Ladysmith in addition to the provision of Visitor Services.

Through the provision of these support services this project will directly impact two significant elements of the Town's *2020-2023 Strategic Plan*: (1) Economy – the project finalizes the agreement with the Chamber for tourism services and provides a cost effective vehicle for the continuation of the Ladysmith Economic Development Strategy. (2) Community – the project strengthens the ongoing relationship with the Chamber of Commerce and the members of the Partnership for a Vibrant Local Economy including the Stz'uminus First Nation, the Ladysmith Downtown Business Association, the Nanaimo Airport and Economic Development Cowichan (CVRD).

It is important to note that just under \$10,000 of the expenses associated with this project are hard costs that will be incurred regardless of who manages this project. That is, costs associated with web and app hosting and maintenance, advertising, and graphic design/images will all be necessary expenses to support the ongoing operation of the newly developed website and app and to maintain minimum levels of Destination Marketing commitments.

The Chamber is in a position to devote the necessary staff and Board resources as well as assistance from members as required. We believe this will deliver a professional, thrifty, and authentic program. The Chamber also identifies that the Town and the Chamber have been working much closer in recent years, and this is an opportunity to further strengthen the important relationship between our municipal government and the business community.

BACKGROUND

Beginning in 2017 a strong alliance of local organizations came together to work on an Economic Development Strategy for Ladysmith and area. This alliance, now called the Partnership for a Vibrant Local Economy (PVLE), included representatives from the Town of Ladysmith, Stz'uminus First Nation, Ladysmith Chamber of Commerce, Ladysmith Downtown Business Association, Economic Development Cowichan (CVRD), Nanaimo Airport and Community Futures. In 2018, the Ladysmith Economic Development Strategy (LEDS) was adopted by Council. The LEDS is an action-oriented blueprint for the PVLE to continue to work together for community benefit. It identified 17 priorities organized in short, medium and long-range plans.

Shortly after the adoption of the LEDS the PVLE immediately embarked on one of its first projects – the creation of Business and Resident Attraction tools for Ladysmith and area. The project has resulted in two new digital products for the community that will support business and residential attraction as well as tourism marketing and promotion. The first tool is a website designed to market Ladysmith's substantial tourism assets and to identify and market business development opportunities in the area. The website is designed around two themes: (1) Tourism Ladysmith: A View to Sea and (2) Invest Ladysmith: Business Friendly. The website provides ample information for anyone considering moving to Ladysmith: either their home and/or their business. It also keys on four investment zones in the region: (1) downtown Ladysmith, (2) the waterfront, (3) Oyster Bay, and (4) Nanaimo Airport. The second tool is a mobile app that features Walking Tours of downtown Ladysmith and the waterfront together with an investment opportunities component, with a focus on the four key investment zones noted above, for those seeking to start or relocate a business to the community.

Now that these tools have been created, someone needs to manage them on an ongoing basis.

PURPOSE OF THIS EXPRESSION OF INTEREST

The Ladysmith Chamber of Commerce (LCOC) proposes a 2-year pilot project to provide support services for tourism and economic development activities for Ladysmith and surrounding area. LCOC will report to Council at the mid-point of the second year to review progress towards meeting program targets and objectives, and to determine if/how the program could continue beyond the two-year duration of the program.

The project will build on and support the work of the Partnership for a Viable Local Economy and enable "Made in Ladysmith" solutions to local economic development and tourism issues and provide a sustainable and cost-effective administrative and strategic base for those activities. It will also assist the Town of Ladysmith accomplish their 2020-2023 Strategic Plan by providing a cost-effective model to achieve economic and tourism development goals and activities.

It will capitalize on the continuity, strength and commitment of LCOC and its established relationships with the PVLE and other community partners.

CONCEPT OVERVIEW

The LCOC will provide the following administrative and operational supports to the Town of Ladysmith, Stz'uminus First Nation and the Partnership for a Vibrant Local Economy:

1. Administer the Partnership for a Vibrant Local Economy.

The exact terms of reference and composition of this group will be determined by the Town of Ladysmith and/or community interest and feedback, but would include at minimum representatives from the Town, the Stz'uminus First Nation, LCOC, Economic Development Cowichan, Nanaimo Airport and the Ladysmith Downtown Business Association.

We recommend that the PVLE be mandated to oversee and coordinate economic development activities within the town and surrounding area as set out in the Ladysmith Economic Development Strategy. The PVLE should be accountable to all funders but operate at arms-length, providing regular reports and other updates as requested.

The PVLE will meet regularly, with support services (i.e. preparation of agendas, minutes, notices, scheduling and booking, coordination and record keeping) provided by LCOC. Goals, objectives and priority action plans, both short-, medium- and long-term, would be determined by the members of the PVLE. LCOC staff, as required and funded, could be the operational support and carry out activities as directed.

This structure would provide a stable and reliable delivery model for economic development policies and procedures in the community, allowing for a more consistent application of business recruitment, retention and enhancement programs.

It would also ensure continuity. Representatives on the PVLE, and their priorities, could change over time but the foundation of services -- administrative and strategic support, and a central office -- would remain constant. This would be advantageous in attracting potential investors to our community, since one of their prime requirements is stability among the organizations they deal with.

2. Host, Maintain and Update the Ladysmith Tourism/Invest Website

LCOC has taken a leadership role in the development of the Website from the beginning of the project. LCOC has coordinated all aspects of the website development including managing the budget and contract personnel, developing content and images, and coordinating the work of the designers. LCOC staff are already familiar with the content and the backend of the website making ongoing maintenance and updates efficient and effective.

3. Host, Maintain and Update the Heritage Walking Tour/Investment Opportunities App.

Although to a lesser extent than the website, LCOC staff have also been very involved in the development of the App. LCOC staff have already been trained in managing the backend of the app and have been closely involved in the development of the content and therefor can easily manage the ongoing maintenance and updates for the App.

4. Call to Action

In addition to ongoing management of the website and app LCOC would act as the Call to Action for both tools. Tourists, residents, stakeholders and potential investors would then have one point of contact for any related inquiry, ensuring timely responses. Further, this concept would see LCOC act as the clearing house and repository for economic development information in Ladysmith. LCOC staff will not have all the answers but they will know who does and will coordinate connecting the stakeholders to the proper authority in a timely and trouble-free manner.

5. Tourism Support Services - Destination Marketing and Visitor Services

The LCOC is recommending the inclusion of a comprehensive Tourism Support service as part of this proposal. These services would include the continued operation of the Ladysmith Visitor Information Centre – LCOC has provided this service to the community for well over a decade in a professional, friendly, and cost-effective manner. The Visitor Centre is open year-round 5 days per week during the shoulder seasons and 6-7 days per week during peak months. Eight to ten thousand visitors (4-5 thousand parties) walk through the doors each year and in addition staff help countless people via email and telephone. Incidentally 3 – 4% of the people that are helped are asking about information related to moving themselves or their business to the area and that number has grown significantly over the past few years. In fact, we just received a call from Harry and Meghan last week!

In addition to Visitor Services, LCOC will design and implement a comprehensive and coordinated Destination Marketing program that will include print and digital marketing campaigns. LCOC will work closely with Tourism Cowichan, other Tourism entities, and local tourism stakeholders to coordinate activities, augment resources and maximize return on investment.

RECOMMENDED ACTION PLANS

LCOC recommends that the project begin shortly after the launch of the website and app which will probably be sometime in March or April 2020. LCOC has capacity to launch almost immediately if necessary and desired. The priorities, goals, objectives and action items that will take place will be determined by the members of the Partnership for a Vibrant Local Economy. Based on preliminary research and our involvement in the process, the Ladysmith Chamber of Commerce believes several tasks essential to the early success of this initiative:

1. Formalize the terms of reference and make-up of the PVLE, recruit members and set meeting schedule. This would be accomplished within a month or two of the start of the contract.
2. Create an “A-Team” comprised of LCOC staff, Town and Stz’uminus representatives and other appropriate authorities to quickly and effectively respond to requests from businesses/investors for information, support or advice and to minimize red tape.
3. Determine the next actions to be taken to move forward with the existing Ladysmith Economic Development Strategy.
4. Consider the development of sub-committees of the PVLE to concentrate on sector specific elements of the plan (e.g. Tourism Advisory Committee).

5. Building on the work started with the development of the website and app, create comprehensive and integrated collateral for attracting business, residents and tourists to the Ladysmith area, including print materials, and marketing campaigns.
6. Provide regular updates to the website and app showcasing the available investment opportunities to help attract investors to the community.

ADVANTAGES OF THIS MODEL OF SERVICE DELIVERY

The community would enjoy multiple benefits from this model of service delivery including:

- **Cost-effectiveness:** The PVLE and administrative/operations support from LCOC would require only a small amount of seed and operational funding. We see this as being a very effective use of community resources with a minimal burden on municipal staff.
- **Synergy:** There has been a great deal of synergy that has happened as a result of combining Chamber activities with the Visitor Centre program and we are confident that the same synergistic benefit will be multiplied by adding the Destination Marketing and Economic Development Coordination functions to the equation. Simply said LCOC should be able to provide a far more comprehensive and coordinated set of outcomes for much less than other available administrative options.
- **Expertise:** As operators of the Visitor Centre the Chamber has already been acting as a pseudo Destination Marketing organization. We have been acting as the community liaison to Tourism Cowichan and as the primary contact when media are looking for information/stories on Ladysmith. As the former Executive Director to Tourism Nanaimo our Executive Director brings a wealth of knowledge and experience regarding Destination Marketing. He has also completed the Economic Development Course offered by the BC Economic Development Association and is well-versed in the basic concepts, methods and strategies of local economic development.
- **Credibility:** Investors and potential business owners are likely to turn to a Chamber of Commerce for information and assistance when researching a market. Additionally, LCOC has for decades been a voice for business that has been trusted to put the community's interests first. Our members thrive only when our town does.
- **Quick launch of the project:** LCOC has existing capacity and expertise available, meaning operations could begin almost immediately.
- **Accountability for tax dollars:** The PVLE and LCOC would be responsible to the funder and stakeholder groups. Regular reports and updates would be provided.
- **Established relationships:** LCOC already has alliances with economic development and tourism stakeholders throughout the region.
- **Stability:** LCOC has proudly been a high-profile organization in Ladysmith for almost a century and will maintain and expand that role in the years to come. We have a solid membership base to ensure our continued operations.

PROPOSED BUDGET – the figures below represent annual revenues and expenditures. These figures will double to cover the full two years of the project.

Revenue	Visitor Services	Tourism & Investment	Total Contract
Grant & Contracts			
Town of Ladysmith (Current)	43,400		43,400
Town of Ladysmith (Additional)		17,000	17,000
Destination BC	10,000		10,000
Canada Summer Jobs	4,300		4,300
Program Revenue			
Enhance Listings		1,250	1,250
Coop Marketing		2,000	2,000
Total Revenue	57,700	20,250	77,950
Expenses			
Wages & Benefits			
Wages	33,403	7,991	41,394
Benefits	2,153	554	2,707
Operational Costs			
Staff training	300		300
Destination Marketing Exp	1,200	6,000	7,200
Website hosting & maintenance		1,800	1,800
App maintenance		1,000	1,000
Graphic design & images		1,000	1,000
Office supplies	828		828
Office equipment	1,176		1,176
Postage	120		120
IT Maintenance	240		240
Facility & Utility Costs			
Rent	7,848		7,848
Janitorial	600		600
Telephone & Internet	1,680		1,680
Utilities	1,320		1,320
Admin Costs			
Administration (10%)	5,212	1,905	7,117
Insurance	1,620		1,620
Total Expenses	57,700	20,250	77,950
Net Income	0	0	0

THE NEXT STEP

Ladysmith Chamber of Commerce respectfully submits this Expression of Interest to Mayor and Council for deliberation, feedback and negotiation. The LCOC staff and Board are ready to meet with staff and/or council to discuss a more fully developed proposal.

The concept is at the formation stage and staff and/or council's input is encouraged.

For information, please contact:

Mark Drysdale,

Executive Director

Ladysmith Chamber of Commerce

250-245-2112

mark@ladysmithcofc.com



TOWN OF LADYSMITH

PROCLAMATION

- WHEREAS:** *lymphedema is a disease afflicting more than 300 million people worldwide (World Health Organization) with disfigurement, disabilities, discomfort, pain and distress; and*
- AND WHEREAS:** *approximately 1,000,000 Canadians are living and suffering with lymphedema, whether: primary- inherited, present at birth or manifesting itself later in life, from genetic factors; or secondary – developed from bodily trauma, such as cancer treatments, radiation therapy, major surgery, severe burns, or other injuries; and*
- WHEREAS:** *lymphedema is an accumulation of high-protein lymphatic fluid that causes swelling in the body that impairs mobility, function, can cause pain, significantly impact the quality of life and lead to severe infections or loss of use of limbs, for the affected person, regardless of age or gender; and*
- WHEREAS:** *there is currently no cure for lymphedema; and*
- WHEREAS:** *in recognition of the severe physical, emotional, psychosocial, and financial impacts and consequences lymphedema has on patients and families, it is time to support the courageous individuals living with this debilitating disease as well as their caregivers, both professionals and lay persons; and*
- WHEREAS:** *2020 marks the fifth annual year, where World Lymphedema Day is observed and recognized throughout Canada and the world to increase public attention, awareness, and action related to this serious, chronic and progressive disease.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith do hereby proclaim Friday, March 6th, 2020 as “World Lymphedema Day” in the Town of Ladysmith.*

A handwritten signature in blue ink, appearing to read "A. Stone".

Mayor A. Stone

February 3, 2020

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: February 18, 2019
File No: 4320-90-20-01 (LCRB Job Number: 002530)
RE: NON-MEDICAL CANNABIS RETAIL STORE LICENCE REFERRAL AT
 510C ESPLANADE AVENUE ("JERRY'S CANNABIS")

RECOMMENDATION:

That Council, pursuant to the *Cannabis Control and Licensing Act* and the *Cannabis Licensing Regulation*, determine whether it wishes to:

- 1) Having considered the general impact on the community and the views of residents, recommend that the Province issue a licence for a non-medical cannabis retail store at 510C Esplanade Avenue ("Jerry's Cannabis").
- 2) Provide reasons for their recommendation, based on:
 - The context of the proposed location;
 - The views of Council on the impact of the proposed store and/or of non medical cannabis retail stores in general;
 - Submissions from the public;
 - Local land use regulations; and/or,
 - Other considerations.

EXECUTIVE SUMMARY:

A non-medical cannabis retail store is proposed at 510C Esplanade Avenue ("Jerry's Cannabis"). Under the *Cannabis Control and Licensing Act (CCLA)*, a non-medical cannabis retail store licence cannot be issued without a positive recommendation from the local government. Accordingly, the Province referred this licence application to the Town of Ladysmith, and Council is asked to provide a response.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2020-004, Jan. 7, 2020	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw 2021; 2. Adopt Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 7, 2019, No. 2022; and 3. Approve Cannabis Retail Stores Public Notification Procedures Policy 13-6410-B.

INTRODUCTION/BACKGROUND:

The applicant has requested a licence for a non-medical cannabis retail store at 510C Esplanade Avenue. The store is proposed to be approximately 83 m² and will be called “Jerry’s Cannabis”. The proposed store is located at the corner of Esplanade Avenue and Gatacre Street, in a multi-unit commercial building. Other businesses within the building include a “vape” store and a restaurant. The information that the applicant provided about the proposed store is attached.



Proposed Use is Permitted Under the Zoning Bylaw:

As of January 7, 2020, licensed, non-medical cannabis retail sales is a permitted use on some parcels within the Downtown Commercial (C-2) zone (Zoning Bylaw 2018, 1860 (as amended)). 510C Esplanade Avenue is zoned C-2 and is within the area of the downtown where licensed non-medical cannabis retail sales is a permitted use.

Role of the Local Government is to Provide Comments and Recommendations:

Under the *CCLA*, the Province refers non-medical cannabis retail store licences to the local government for comments and recommendations. If the local government decides to provide a response to the Province’s referral, the *CCLA* requires the local government to gather the views of residents in respect of the application. The *CCLA* also requires the local government to provide their comments and recommendations in accordance with the *Cannabis Licensing Regulation*. Section 13 (5) of the regulation stipulates the following requirements for providing comments and recommendations:

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

In order to meet these requirements, following Council consideration, staff will prepare a report for the Liquor and Cannabis Regulation Branch (LCRB) of BC. The report to the Province will include Council's resolution(s), this report, and all the public submissions that have been received. The report must include the "views of the local government" and "reasons" for the recommendation. Council must outline, in a reasonable amount of detail, the views and reasons of the local government so these can be added to the report.

Accordingly, staff is recommending that Council table and approve a resolution either endorsing, or not endorsing, the application and identifying reasons for Council's decision. The reasons may be informed by the context of the proposed location, the views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general, submissions from the public, local land use regulations, and/or any number of other considerations. In some cases, local governments' reasons are based on policies they have adopted to guide consideration of non-medical cannabis retail store licence referrals. However, at this time the Town has not adopted such policies.

The LCRB's brochure "Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores" is attached.

ALTERNATIVES:

Per the *CCLA*, the licence application will not be processed unless a response is received from Town of Ladysmith.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

Under Section 33 of the *CCLA*, certain licences cannot be issued unless the relevant local government gives a positive recommendation. The Province refers these licences to the local governments for comments and recommendations. If the local government decides to provide a response to the Province's referral, the local government must follow the requirements of the *CCLA* and the *Cannabis Licensing Regulation* (see above "the Role of Local Government" for details). If the comments and recommendations do not meet the regulatory requirements, the LCRB may ask the Town to provide new or amended comments to address the outstanding issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

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

- Published in the Ladysmith Chemainus Chronicle newspaper on February 6 and 13, 2020;
- Delivered to the owners and residents of properties within 60 m of the subject property;

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

No written submissions have been received at the time of writing on Monday, February 10, 2020. If any additional submissions are received prior to Council's consideration of the referral, the submissions will be added to this report as attachments or provided to Council separately as late items. Staff will include the submissions and a description of the Town's public notification procedures in the written submission to the province as required by section 13 of the *Cannabis Licensing Regulation*.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

None.

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Application Information, Jerry's Cannabis Co., January 12, 2020

Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores, Liquor and Cannabis Regulation Branch, December 20, 2018



Job #002530

November 22, 2019

Jacob Belobaba
Director of Development Services
Town of Ladysmith

Dear Jacob Belobaba:

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: 1st Avenue Vapes Ltd.
Proposed Establishment Name: Jerry's Cannabis Co.
Proposed Establishment Location: 510 – C Esplanade Ave

The Applicant, 1st Avenue Vapes Ltd, has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant contact is

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

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

[Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores](#)

OR

[Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores](#)

The LCRB will initiate an applicant eligibility and suitability assessment regarding this CRS application, for the applicant and persons associated with the applicant. Once the assessment is

**Liquor and Cannabis
Regulation Branch**

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

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

Website:
[www.gov.bc.ca/cannabisregulation
andlicensing](http://www.gov.bc.ca/cannabisregulationandlicensing)

complete, you will be notified of the LCRB's determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

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

If you have any questions regarding this application please contact me at

Sincerely,

Attachment

copy:

JERRY'S CANNABIS CO. (1ST AVENUE VAPES LTD.)

PROJECT SCOPE

Jan 12, 2020

OVERVIEW

1. Project Background and Description

i Proposed retail cannabis store to be located at 510 C Esplanade Ave, Ladysmith BC. We are a locally active company that is excited to bring this new, legal industry into Ladysmith in the most responsible and forward thinking manner possible.

2. Project Scope

i The proposed location is a 955sq ft space located in the bottom floor of a less used commercial building on the highway in Ladysmith. Sales will include, cannabis dry herb, edibles, concentrates, and accessories all legally sourced through the BCLDB as per Provincial regulations. Outside colour scheme is dictated by the rest of the building, Jerry's Cannabis Co. will not alter the building in any way unless approved by building owner and municipality. Advertising will be restricted to the store logo which is unobtrusive and coloured in line with west coast fashion. Provincial regulations restrict advertising specific products. The location is near enough to the downtown core that it is easily accessible, but is set to the side in such a way that those who do not require our services will likely not know of our existence.

Store hours proposed thus far (very receptive to input) are:

Sunday through Thursday: 10am – 8pm

Friday and Saturday: 10am – 11pm

In the last two years since we started doing business at this location (current retail store in the building) we have greatly cleaned up and this area. This is something of which we are proud. We pledge to bring more brightness and beauty as we move forward, staying in line with the image The Town of Ladysmith puts forth in everything that we do.

3. Requirements

i Parking at the location is well in hand in that the existing building was well set up for 4 businesses (currently two active). There are 3 spaces within feet of the entrance to the store, another 10-12 on the level above (also serves restaurant), and 6 directly in front a Gatacre st., not to mention more across the street and up towards 1st Avenue that are most often empty. Although we expect significant increase to the buildings' traffic, the current spaces will handle it easily.

We have hired 6 employees in anticipation of opening, with a possibility of more moving forward (dependent on amount of traffic as well as store hours).

4. Affected Parties

i As stated above, we are committed to bringing life to a prime commercial space near downtown Ladysmith that had fallen by the wayside. New lights and regular groundskeeping will bring more liveliness and beauty to the town.

Again, creating 6-10 new jobs in town, and partaking in a new industry locally that would otherwise be sought in other cities are massively positive outcomes, not to mention improving on our current involvement in the community by way of sponsoring youth sports in Ladysmith through Minor Softball and Minor Hockey (team sponsors 2018-2020).

As far as negative impacts of the Cannabis Industry, one should expect very little. Grey market dispensaries have existed in the area for over ten years with minimal fanfare. The proposed location is in a high visibility area, with a 24 hour business next door. Furthermore, the space will be monitored 24 hours a day, and be secured against break-ins. Cannabis is a part of British Columbian culture, and the addition of a retail store to our town would help combat the sale of black market cannabis, which is not regulated or checked for safety and quality.

The businesses in proximity to the proposed location should see a hefty increase in “off the street” customers as well. There is next to no residential near the location, thus keeping homeowners out of the equation.

Significant increase in traffic to the area is expected, however, this should not be an issue as there are multiple entrances/exits, whether to 1st Avenue, Highway 1, or the alleyway. We expect the vast majority of customers to come off of the highway and to leave as such.

5. Implementation Plan

i Minor renovations and styling to the space have commenced in anticipation of the rezoning, and we will comply with all requirements that The Town may have moving forward. Included in this package are copies of our most recent site plans, both indoor and out.

JERRY'S CANNABIS CO. (1ST AVENUE VAPES LTD.)

PROJECT SCOPE

Jan 12, 2020

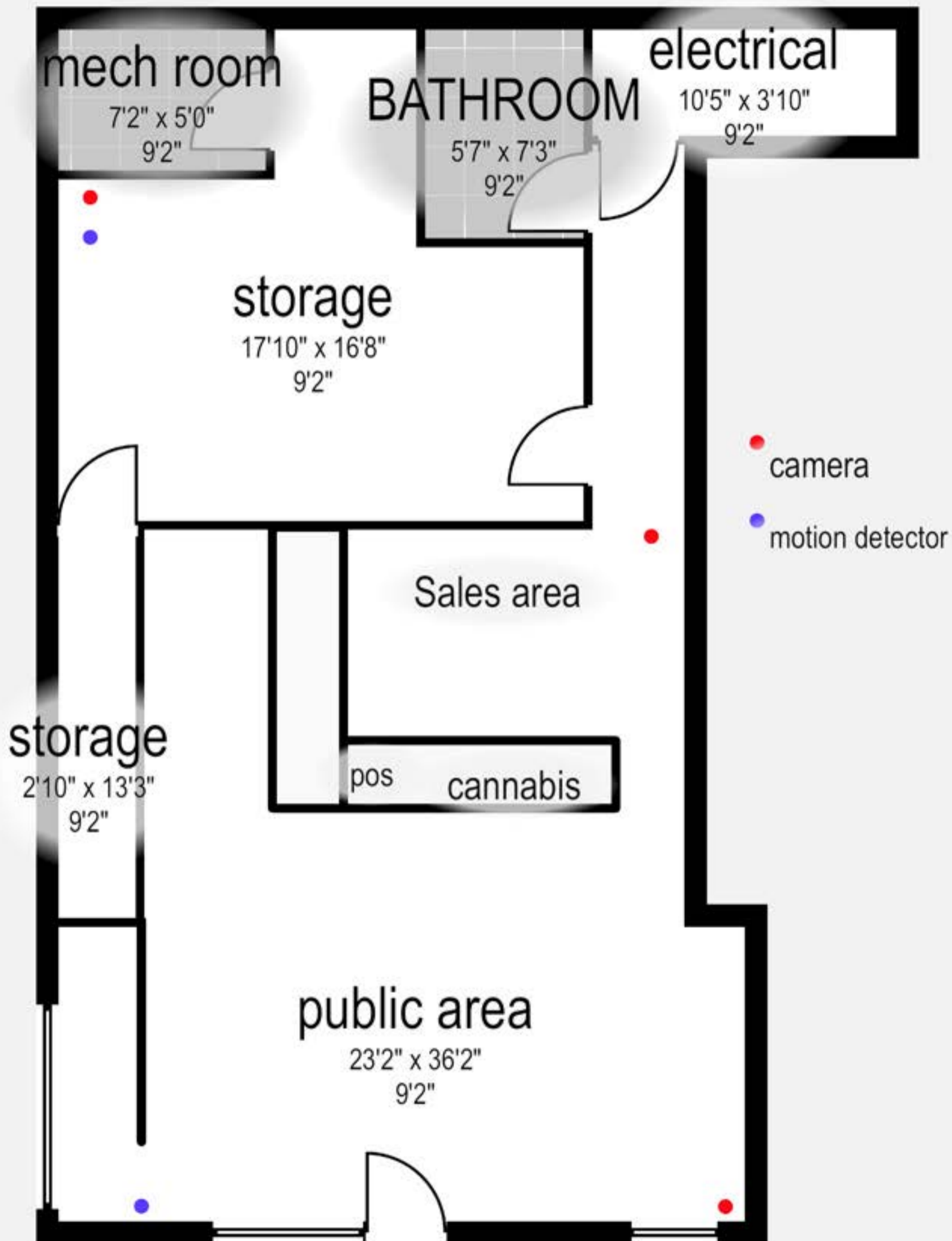
SUPPLEMENTARY INFORMATION

1. Preventing youth uptake



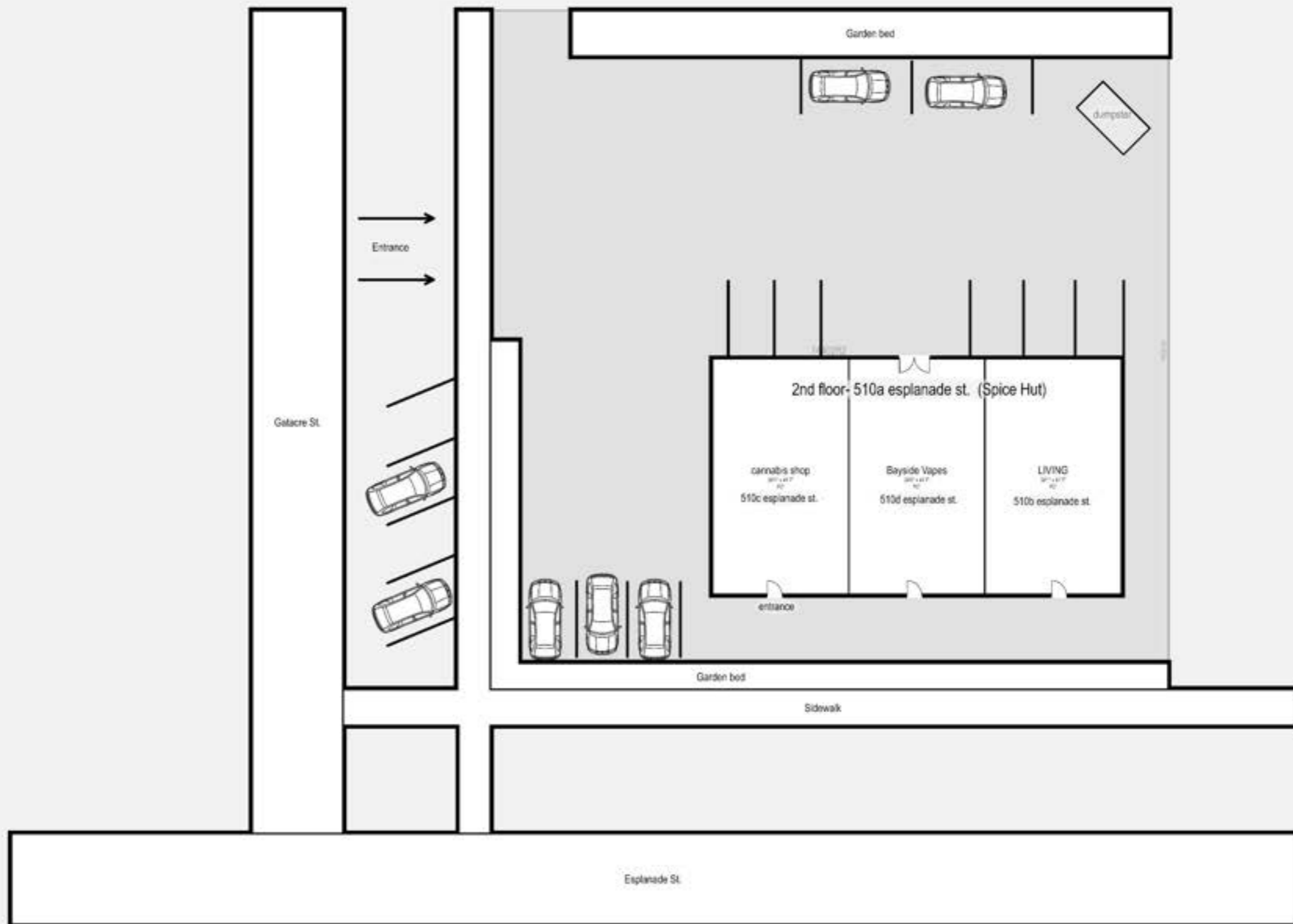
Jerry's Cannabis Co. is committed to working within Provincial regulations (and beyond) to prevent these 19+ products from ending up in the hands of youth.

- *ID required at the door*
- *ID required at purchase (ID scanning device prevents use of fake ID and cashier error)*
- *Windows frosted as per Provincial Regulation*
- *No product advertising outside of store*
- *24 hour surveillance outside and most importantly at the cashier area in order to enforce most effectively*
- *Health and Safety information sessions available to customers (19+)*
- *Mature branding with no advertising aimed towards young people in any way, shape, or form*
- *Comply with all future regulations aimed at combatting this issue*



NEW SHOP

Internal - 893ft2
External - 1001ft2
Overall - 9.81yd x 13.74yd



CANNABIS OUTDOOR

Internal - 12505ft²
 External - 13891ft²
 Overall - 75.90yd x 54.18yd



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

If you have any questions about this document, please contact the Liquor and Cannabis Regulation Branch toll-free at 1-866 209-2111, or email cannabisregs@gov.bc.ca. NOTE: This document will be updated from time to time as additional information surrounding the regulatory framework for cannabis retail sales becomes available. (Last updated 20 December, 2018)

Non-medical cannabis retail licence

The province will be issuing licences for non-medical cannabis retail stores. A cannabis retail store must be a standalone business. This licence requires input and a positive recommendation from a local government in whose area the proposed store is located.

The province recognizes the importance of ensuring carefully regulated access to non-medical cannabis in all areas of the province, including rural areas.

As a first step, the province will open opportunities to apply for regular retail licences. Once the regional distribution of retail non-medical cannabis stores is known, the province will consider issuing licences to service rural or remote areas that are not sufficiently served by existing retail cannabis stores.

The role of local governments in the cannabis retail store licensing process

Applicants for a non-medical cannabis retail store licence must submit a licence application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the LCRB cannot issue a licence unless the local government gives the LCRB a positive recommendation that the licence be issue)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence. Note that:
 - if the local government chooses to make a comments and recommendation on the licensee's application to the LCRB, it must gather the views of residents
 - if it makes a recommendation to deny the application then the LCRB may not issue the licence
 - if it makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government's recommendation.

Local Governments (municipalities, regional districts or Islands Trust local trust committees) have some or all of the following regulatory powers in respect of cannabis retail store licences:

- Impose restrictions in its zoning bylaws regarding the location of cannabis retail stores. Temporary zoning for cannabis retail stores will be accepted provided local governments monitor and enforce the temporary zoning requirements. LCRB must be notified if temporary or permanent zoning for a cannabis retail store is cancelled.
- Regulation of business (municipalities only): by terms and conditions in its business licensing bylaw, a municipality may limit the hours that cannabis retail stores can operate or impose other conditions such specifications regarding signage
- Charge the applicant fees if choosing to assess an application.

The above process applies to all relocations of existing cannabis retail stores.

Gathering residents' views

If the local government decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. It may gather resident's views by using one or more of the following methods:

- Receiving written comment in response to a public notice of the application
- Conducting a public hearing in respect of the application
- Holding a referendum, or
- Using another method the local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where resident's views must be gathered.

Please note: Gathering the views of residents of the area/providing a recommendation to the LCRB must be unique to each provincial licence application. In other words, past recommendations cannot be used in a new licensing process. Each individual application must be considered separately by the local government.

What must the local government's recommendation include?

The recommendations and comments the local government provides to the LCRB must:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments.

What if the local government does not want to provide a recommendation?

If a local government does not want to accept the notice of application and provide a recommendation for the proposed retail location, they should notify the LCRB. A licence for a cannabis retail store will not

be issued without a positive recommendation from a local government. If a response is not received, LCRB will not consider the application any further.

What if the recommendation does not meet the regulatory requirements?

If the recommendation does not meet the regulatory requirements, the LCRB will ask the local government to provide new or amended comments that address outstanding issues.

How long does the local government have to provide comments?

Unlike in the process for liquor licensing, local governments are not required to provide a recommendation on a cannabis retail store application within a specific time period. Please note that delays in the application process can have a significant impact on the applicant. If the applicant is the reason for the delay, please notify the LCRB. If the applicant is not trying to move an application forward, the application can be cancelled.

Can the local government recommend approval subject to certain conditions?

In some circumstances, the local government can recommend that the LCRB approve the application as long as certain restrictions (e.g. hours of operation) are placed on the licence. In these situations, the recommendation should clearly explain the rationale for placing restrictions.

If the local government intends to request that the LCRB impose terms and conditions on a licence, prior to sending such a recommendation the local government should consult with the LCRB so that the LCRB can determine whether it has the authority to impose the requested terms and conditions before finalizing their conditional recommendation.

The local government may also have the ability to impose other operating rules on the proposed store through the terms and conditions of the applicant's business licence, zoning or bylaw. The local government is responsible for enforcing these rules.

Floor Plans

Applicants must submit a floor plan with their licence application for approval so the LCRB can identify store features such as sales, storage and delivery areas. Unlike for some kinds of liquor licence applications, local governments are not required to provide occupant load stamps or approve the applicant's floor plans as part of the provincial licensing process for cannabis retail stores.

A municipal council or regional district board can delegate authority to their staff to provide comments and a recommendation to the LCRB

A municipal council or regional district board may delegate its powers and duties to provide comments and a recommendation to the LCRB regarding a cannabis retail store licence application. If a council or board has delegated this authority, a cannabis retail store applicant may ask for comments and recommendations made by delegated staff to be reconsidered by the local government.

Council as defined in the Vancouver Charter:

A Council, as defined in the *Vancouver Charter*, choosing to delegate to its staff must establish procedures for a reconsideration of comments and recommendations made by delegated staff, including how a cannabis retail store applicant may apply for reconsideration. In undertaking a reconsideration, the Council will have the same authority as it delegated to staff.

Right of reconsideration:

Delegated local government staff must advise the cannabis retail store licence applicant that the applicant has the right of reconsideration of the staff's recommendation by the council or board.

How local governments inform the LCRB of delegation:

A local government that has delegated authority to staff should send a copy of the delegation to the LCRB at Cannabis.Licensing@gov.bc.ca.

Revised
September
2018

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: February 18, 2020
File No: 4320-90-20-02 (LCRB Job Number: 002777)
RE: NON-MEDICAL CANNABIS RETAIL STORE LICENCE REFERRAL AT
 UNIT B 720 1st AVENUE (1904 CANNABIS)

RECOMMENDATION:

That Council, pursuant to the *Cannabis Control and Licensing Act* and the *Cannabis Licensing Regulation*, determine whether it wishes to:

- 1) Having considered the general impact on the community and the views of residents, recommend that the Province issue a licence for a non-medical cannabis retail store at Unit B – 720 1st Avenue (“1904 Cannabis”).
- 2) Provide reasons for their recommendation, based on:
 - The context of the proposed location;
 - The views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general;
 - Submissions from the public;
 - Local land use regulations; and/or,
 - Other considerations.

EXECUTIVE SUMMARY:

A non-medical cannabis retail store is proposed at Unit B 720 1st Avenue (“1904 Cannabis”). Under the *Cannabis Control and Licensing Act (CCLA)*, a non-medical cannabis retail store licence cannot be issued without a positive recommendation from the local government. Accordingly, the Province referred this licence application to the Town of Ladysmith, and Council is asked to provide a response.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2020-004, Jan. 7, 2020	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt Town of Ladysmith Zoning Bylaw 2014, 1860, Amendment Bylaw 2021; 2. Adopt Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw No. 7, 2019, No. 2022; and 3. Approve Cannabis Retail Stores Public Notification Procedures Policy 13-6410-B.

INTRODUCTION/BACKGROUND:

The applicant has requested a licence for a non-medical cannabis retail store at Unit B 720 1st Avenue. The store is proposed to be approximately 26 m² and will be called “1904 Cannabis Co.”. The proposed store is located on the west side of 1st Avenue between Buller Street and Kitchener Street. The information that the applicant provided about the proposed store is attached.

Proposed Use is Permitted Under the Zoning Bylaw:

As of January 7, 2020, licensed, non-medical cannabis retail sales is a permitted use on some parcels within the Downtown Commercial (C-2) zone (Zoning Bylaw 2018, 1860 (as amended). 720 1st Avenue is zoned C-2 and is within the area of the downtown where licensed non-medical cannabis retail sales is a permitted use.



Role of the Local Government is to Provide Comments and Recommendations:

Under the *CCLA*, the Province refers non-medical cannabis retail store licences to the local government for comments and recommendations. If the local government decides to provide a response to the Province’s referral, the *CCLA* requires the local government to gather the views of residents in respect of the application. The *CCLA* also requires the local government to provide their comments and recommendations in accordance with the *Cannabis Licensing Regulation*. Section 13 (5) of the regulation stipulates the following requirements for providing comments and recommendations:

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

In order to meet these requirements, following Council consideration, staff will prepare a report for the Liquor and Cannabis Regulation Branch (LCRB) of BC. The report to the Province

will include Council's resolution(s), this report, and all the public submissions that have been received. The report must include the "views of the local government" and "reasons" for the recommendation. Council must outline, in a reasonable amount of detail, the views and reasons of the local government so these can be added to the report.

Accordingly, staff is recommending that Council table and approve a resolution either endorsing, or not endorsing, the application and identifying reasons for Council's decision. The reasons may be informed by the context of the proposed location, the views of Council on the impact of the proposed store and/or of non-medical cannabis retail stores in general, submissions from the public, local land use regulations, and/or any number of other considerations. In some cases, local governments' reasons are based on policies they have adopted to guide consideration of non-medical cannabis retail store licence referrals. However, at this time the Town has not adopted such policies.

The LCRB's brochure "Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores" is attached.

ALTERNATIVES:

Per the *CCLA*, the licence application will not be processed unless a response is received from Town of Ladysmith.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

Under Section 33 of the *CCLA*, certain licences cannot be issued unless the relevant local government gives a positive recommendation. The Province refers these licences to the local governments for comments and recommendations. If the local government decides to provide a response to the Province's referral, the local government must follow the requirements of the *CCLA* and the *Cannabis Licensing Regulation* (see above "the Role of Local Government" for details). If the comments and recommendations do not meet the regulatory requirements, the LCRB may ask the Town to provide new or amended comments to address the outstanding issues.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

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

- Published in the Ladysmith Chemainus Chronicle newspaper on February 6 and 13, 2020;
- Delivered to the owners and residents of properties within 60 m of the subject property;
- Posted on the subject property;
- Posted on the Town of Ladysmith website; and,

- Posted on bulletin boards at City Hall, the Development Services and Public Works offices, the Frank Jameson Community Centre, the Library, and the Ladysmith & District Credit Union.

Three written submissions have been received at the time of writing on Monday, February 10, 2020. If any additional submissions are received prior to Council's consideration of the referral, the submissions will be added to this report as attachments or provided to Council separately as late items. Staff will include the submissions and a description of the Town's public notification procedures in the written submission to the province as required by section 13 of the *Cannabis Licensing Regulation*.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

None.

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Application Information, 1904 Cannabis, January 17 & February 3, 2020

Public Submissions

Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores, Liquor and Cannabis Regulation Branch, December 20, 2018



Job #002777

December 12, 2019

via email: jbelobaba@ladysmith.ca

Jacob Belobaba
Director of Development Services
Town of Ladysmith

Dear: Jacob Belobaba

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: 1904 Cannabis Company Inc.
Proposed Establishment Name: 1904 Cannabis Company
Proposed Establishment Location: Unit B – 720 First Ave, Ladysmith, BC, V9G 1B6

The Applicant, 1904 Cannabis Company Inc., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant contact is

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

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

[Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores](#)

OR

[Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores](#)

The LCRB will initiate an applicant eligibility and suitability assessment regarding this CRS application, for the applicant and persons associated with the applicant. Once the assessment is

Liquor and Cannabis
Regulation Branch

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

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

Website:
www.gov.bc.ca/cannabisregulationandlicensing

complete, you will be notified of the LCRB's determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

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

If you have any questions regarding this application please contact me at

Sincerely,

Attachment

copy: 1904 Cannabis Company Inc.

Proposed Retail Cannabis Store Business Description

**1904 Cannabis Company Inc.
720 First Avenue - Unit B, Ladysmith, BC**

Operations

1904 Cannabis Co. will be a small shop dedicated to quality products with an emphasis on local producers. As a provincially licensed retailer, we will only carry cannabis products supplied by the provincial Liquor Distribution Branch and comply with all requirements of the Cannabis Retail Store Terms and Conditions.

We have a signed lease for Unit B at 720 First Ave, a space of approximately 280 sq ft, in which we will operate the business. There will be limited parking in the lot at the back of the building - likely 2 spaces will be allocated to the store. We expect the majority of our customers who drive will prefer to utilize First Avenue street parking.

1904 Cannabis Co. will employ approximately 4 staff members, as well as bringing further business to local contractors in the fields of security monitoring, bookkeeping, and other business services. We intend to operate from 10am - 9pm Monday - Saturday, and 10am - 4pm Sunday, though these hours may change as we assess customer demand.

Community Impact

1904 Cannabis Co. is expected to have a positive impact on the community and neighbourhood.

The property owner has recently improved the building's exterior, in order to accommodate our incoming business and has agreed to maintain this high standard for the duration of our lease. Neighbours and downtown patrons have expressed relief over the improvements and are thrilled to have such vibrancy and fresh energy at this end of downtown.

The community has also expressed excitement about the rumored retail cannabis store when talking to the building owner and contractors working on-site, every one of them hopeful for a local source of controlled products. We expect that the presence of a conveniently located cannabis store will keep more Ladysmith residents shopping locally. Cannabis and various extracts have exploded in use across all demographics, and having a trusted, knowledgeable source in our community will most certainly be seen as an asset.

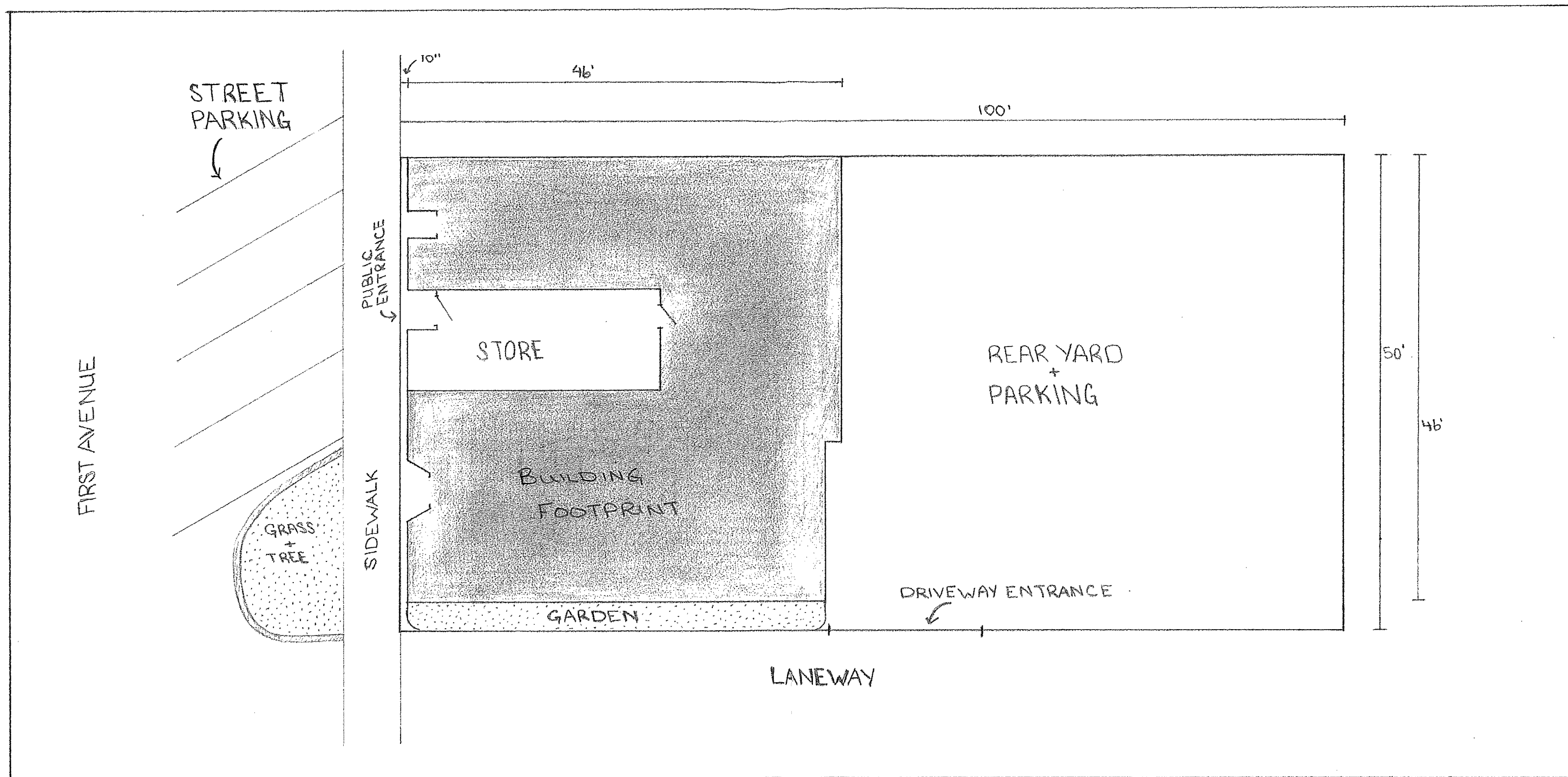
With the addition of exterior lighting and 24-hour security monitoring, we are confident that our operations will support a feeling of safety in the surrounding area. We will also operate in compliance with licensing requirements for signage, reminding clients that:

- Cannabis products cannot be consumed in public areas
- Security cameras are in use
- You must be 19+ to enter the store

As legalization is new, many individuals are unaware of the specific regulations and are confused about what is legal, where, how much, etc. Staff will be trained to educate clients about legal requirements, safe consumption and will encourage respect for their neighbours and our community when consuming cannabis.

Social Responsibility posters will be displayed, as required by the Cannabis Retail Store Terms and Conditions.

We expect our business will be a great addition to a vibrant downtown. We expect to attract more local shoppers, and bring increased business to the "North End" of the downtown strip.

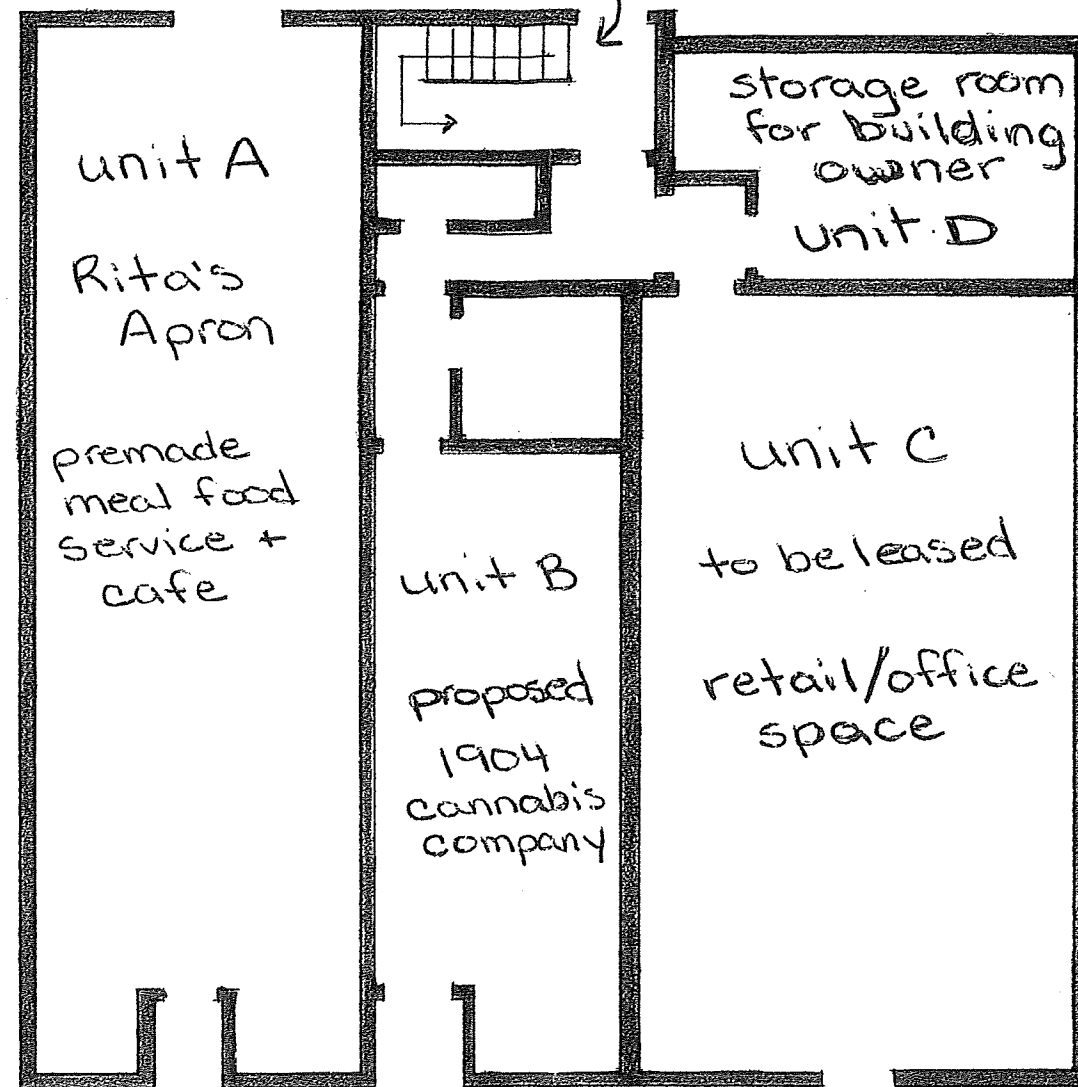


SITE PLAN

SCALE $\frac{3}{32}" = 1'$

1904 CANNABIS COMPANY
720 FIRST AVENUE, LADYSMITH, BC
SEPTEMBER 19, 2019

stairwell to second floor
residential unit



Note

please refer to "Physical Security Plan + Safety Protocol" document for description of the type of separation for spaces adjoining proposed store

BUILDING PLAN LAYOUT

SCALE $\frac{3}{8}" = 1'$

1904 CANNABIS COMPANY INC.

720 FIRST AVENUE, LADYSMITH BC

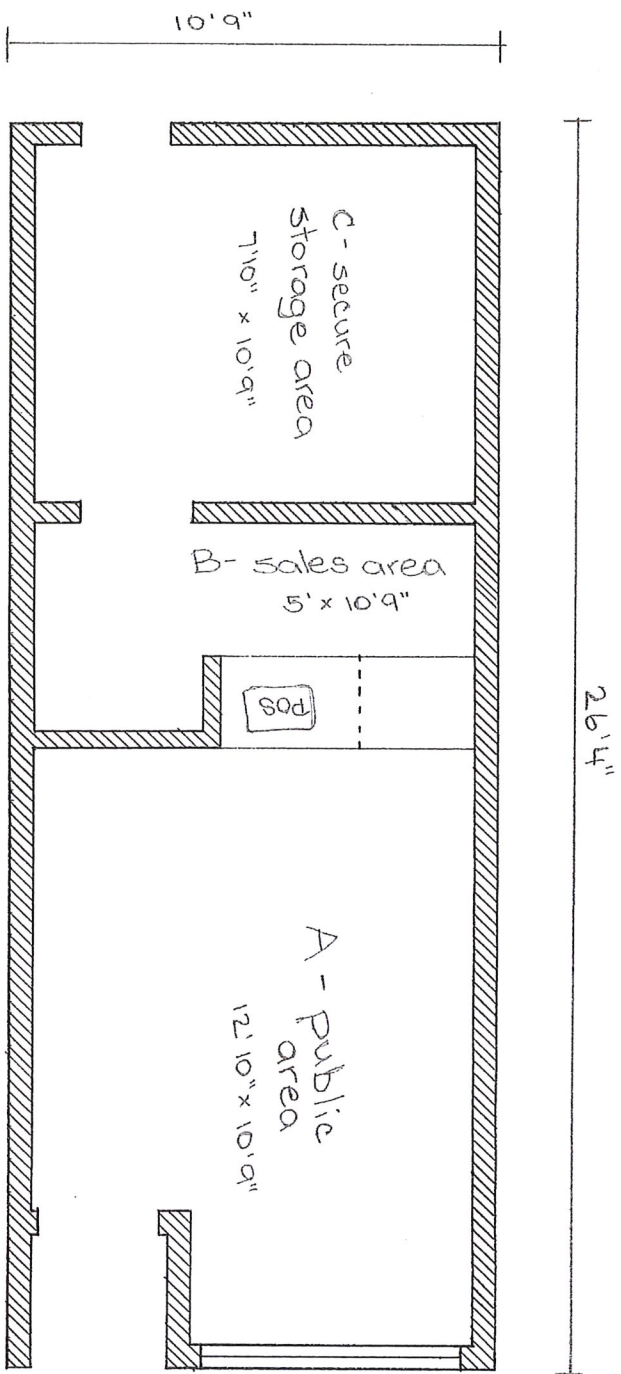
DECEMBER 2019

A photograph of a storefront with a callout box. The callout box is a white rectangle with a black border and a black pointer directed at a brown-framed window. The text inside the box is "1904 Cannabis Co." in a black, serif font. The storefront itself has a maroon section on the left with a sign that reads "Rita's Apron Pot Pies & More" and a red "OPEN" sign in the window. To the right is a brown-framed section with large windows and a yellow door. A tree trunk is visible in the foreground on the right, and a parking sign is on the left.

1904 Cannabis Co.



Glass in the storefront window and door is covered with a film that does not allow sight from the street into the store.



SECURITY PLAN 1:1
BUILDING AREAS
STORE PLAN

SCALE 3/8" = 1'

1904 CANNABIS COMPANY INC.
720 FIRST AVENUE, LADYSMITH BC
DECEMBER, 2019

Received January 28, 2020

Within Circulation Area

Sent: January 28, 2020 3:34 PM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Dispensary Approved

To whom it may concern,

I live at 33 french st (about 1 block away) from the proposed cannabis dispensary on 1st avenue and I wanted to simply say I SUPPORT THE DISPENSARY 100% at 720 1st avenue Unit B.

If there is any other information you would like from me please let me know.

I hope it is approved because i am a medical cannabis patient and I know many others here in town that can benefit from having a local ladysmith business to support vs driving to Duncan or Nanaimo (especially in bad weather).

If there is bars and liquor stores in the same vicinity like there is on 1st avenue then it is complete hypocrisy to deny a safer, medically proven cannabis Dispensary from opening. I hope it is the 1st of many!

Sincerely

Shawn Drew

Received January 31, 2020

Within Circulation Area

From: Sonny Bryski
Sent: January 31, 2020 9:25 AM
To: Town of Ladysmith <info@ladysmith.ca>; Christina Hovey <chovey@ladysmith.ca>
Cc: Jennifer Dinsmore
Subject: Unit B - 720 First Avenue

Thank you to Mayor and Council for considering these comments.

RE: "1904 Cannabis Company" Unit B – 720 First Avenue

Good day Ms. Hovey

My name is Sonny Bryski, I own 841 2nd Avenue with my spouse Jennifer Dinsmore, our home is within a stone's throw of this proposed establishment.

It is with great excitement that we convey our recommendation for approval of this development.

To provide context; Jennifer suffers from chronic migraines and is unable to work. As Doctors trial to free her of her symptoms, cannabis provides short term relief which subsequently allows her to sleep and function day to day.

Considering previous Councils daft decision to prohibit a federally legal product within Town boundaries, we have been forced to take our business to either Nanaimo, Qualicum, North Cowichan or Duncan.

It goes without saying that as we make these trips out of Town to shop that we remain to frequent their restaurants and markets, returning to Ladysmith only to stock our shelves with products purchased in other areas.

It's reasonable to assume that many folks living in Electoral Areas G & H of the CVRD will come into Town to take advantage of this business.

I'm sure you will hear many voices raised with respect to the neighboring Library; that children will be flooding the streets exposed to noxious air and drugs!

The reality of the matter is that truthfully; with the internet and technology where it is at, children or really any person for that matter rarely frequent the Library any more if at all.

Children know what cannabis is (just like alcohol); the more it's restricted, the more they will want it. Remember prohibition? People get what they're after – they just get the tainted, illegal stuff that came from god knows where...

It's safe to say that prohibiting this business from operating will only result in another empty storefront on the main drag. The Town is very lucky that another suitor came along to revive the Travellers Hotel after a once in a lifetime opportunity was previously denied.

Jokes aside, what better location for such an establishment but next to "Rita's apron". One stop shopping is something Ladysmith has strived for as early as I can remember!
You have to imagine that this proposal would give her business a shot in the arm.

For many years people have built their opinions based on propaganda and illogical ideas without facts or science to back it up.

It is invigorating to see our current Council make good on subjects where previous Councils fell flat. Once you see a child that seizes up to 80 times a day, take one minor dose of cannabis, that doesn't include any hallucinogenic properties, experience a complete about face only to spend the rest of their day playing in a sandbox – that's all the opinion you need.

Sincerely,
Sonny Bryski
841 2nd Avenue

Received February 8, 2020

Outside Circulation Area

From: Leanne Jiwan
Sent: February 8, 2020 9:48 AM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: Retail Cannabis store, UnitB-720 First Avenue

To Whom It May Concern

Hi there, I'm really looking forward to having a cannabis store in our town.

I suffer from chronic pain, I currently have to travel to either Duncan or Nanaimo to get my CBD oils and other products. It would be convenient to be able to access these products locally.

Also to support local business, I really hope that the town approves this new retail venture.

Thank You Very Much.

Local Citizen
Leanne Jiwan
1136 Gilson Place, Ladysmith

Received February 11, 2020

From: Marshall Wilkins

Sent: February 11, 2020 11:48 AM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: 1904 cannabis company

Hello, I'm writing to show my support for a legitimate cannabis company here in Ladysmith. I know petty crime has been an issue here in Ladysmith over the past few years with transients at transfer beach and really, everywhere outside of Nanaimo's "red zone"

Allot of people are afraid of a dispensary causing more "shady" people in the neighbourhood but I believe it's unwarranted. Dispensary cannabis is expensive and people who live in tents for the summer can't afford it. Lumping cannabis users in with the homeless/mentally ill/drug using/crime committing population is just wrong, especially cannabis users that are looking for a safe, sanctioned place to buy their medicine.

I encourage you to approve the application for the 1904 Cannabis Company at unit B 720 First ave. Ladysmith is a growing town and I believe that open minded forward thinking is the way to move us forward.

Received February 12, 2020

From: Dory Haney

Sent: February 12, 2020 1:11 AM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: In Support of Retail Cannabis in Ladysmith

To Whom It May Concern,

I am a resident of Ladysmith and am very excited to see that there is an application for a retail cannabis store at 720 First Ave. This is a great location for a cannabis shop; this will be an excellent addition to that end of town. It's nice to see that building fixed-up and occupied by great businesses!

I also hope that this application is approved so people who are interested in using cannabis legally and safely, have a reliable source here in town to do so.

Thank you,

Dory Haney

RECEIVED

FEB 12 2020

Attention: Town of Ladysmith

I have recently been made aware of a "notice of cannabis retail application" for 1904 Cannabis Company Inc. at Unit B – 720 First Avenue which resides directly beside my dental office at 710 First Avenue.

Firstly, I'd like to commend my neighbours for renovating and fixing up their commercial space and I can understand the importance to fill their lease spaces with businesses that will add to the downtown business core. The challenge for this application is the location they are proposing falls between two established businesses that serve a very high percentage of children.

For this reason, **I do not support the application for a non-medical cannabis retail store at 720 First Avenue.** My dental practice at Ladysmith Dental, just steps from this location, serves and supports a large percentage of Ladysmith families and their kids. We renovated our building in 2018 to support a pediatric operatory and our office serves on average 10 children per day, not including their siblings and friends who frequently come along to dental visits. The public library located on the other side of this proposed site also serves a very high number of young families and children.

It is my feeling that cannabis dispensaries are necessary and, much like liquor stores, there is a responsibility of the municipalities to ensure that these businesses are approved to operate in suitable locations. Surrounding communities in the Cowichan Valley and the RDN have proposed limiting dispensary locations to areas that are anywhere from a 200 to 300 meter setback from the proposed retail store and other sensitive uses such as schools, playgrounds, community centers, libraries, etc. The purpose of such buffer zones is to mitigate inappropriate exposure of minors to cannabis and minimize public impact.

I believe such proposed non-medical cannabis retail store applications are warranted but unfortunately this location would not be suitable. The town of Ladysmith, through a myriad of volunteer organizations have done a wonderful job of creating multiple family friendly events throughout the year that take place along First Avenue which includes this proposed area. From my stance, an area along Rocky Creek Road where new commercial development is happening and there is already a U-Brew business or alternatively just off First Avenue where children are less likely to frequent would seem to make a lot more sense.

Thank you for your consideration,

Matthew McMillan

Matthew McMillan DDS (Owner of the property at 710 First Avenue, Ladysmith)

Seasterbrook
Donna Day
Shirley McMillan
B

The team at Ladysmith Dental

Carla Munier
Patricia



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

If you have any questions about this document, please contact the Liquor and Cannabis Regulation Branch toll-free at 1-866 209-2111, or email cannabisregs@gov.bc.ca. NOTE: This document will be updated from time to time as additional information surrounding the regulatory framework for cannabis retail sales becomes available. (Last updated 20 December, 2018)

Non-medical cannabis retail licence

The province will be issuing licences for non-medical cannabis retail stores. A cannabis retail store must be a standalone business. This licence requires input and a positive recommendation from a local government in whose area the proposed store is located.

The province recognizes the importance of ensuring carefully regulated access to non-medical cannabis in all areas of the province, including rural areas.

As a first step, the province will open opportunities to apply for regular retail licences. Once the regional distribution of retail non-medical cannabis stores is known, the province will consider issuing licences to service rural or remote areas that are not sufficiently served by existing retail cannabis stores.

The role of local governments in the cannabis retail store licensing process

Applicants for a non-medical cannabis retail store licence must submit a licence application to the LCRB. When an application is received, the LCRB will notify the local government of the area where the proposed store will be located.

Upon receipt of notice, local governments can:

- choose not to make any recommendation in respect of the application for a cannabis retail store licence (Note: this would end a licence application in progress because the LCRB cannot issue a licence unless the local government gives the LCRB a positive recommendation that the licence be issued)
- choose to make comments and recommendations in respect of an application for a cannabis retail store licence. Note that:
 - if the local government chooses to make a comments and recommendation on the licensee's application to the LCRB, it must gather the views of residents
 - if it makes a recommendation to deny the application then the LCRB may not issue the licence
 - if it makes a recommendation in favour of the application, then the LCRB has discretion whether or not to issue the licence, but must consider the local government's recommendation.

Local Governments (municipalities, regional districts or Islands Trust local trust committees) have some or all of the following regulatory powers in respect of cannabis retail store licences:

- Impose restrictions in its zoning bylaws regarding the location of cannabis retail stores. Temporary zoning for cannabis retail stores will be accepted provided local governments monitor and enforce the temporary zoning requirements. LCRB must be notified if temporary or permanent zoning for a cannabis retail store is cancelled.
- Regulation of business (municipalities only): by terms and conditions in its business licensing bylaw, a municipality may limit the hours that cannabis retail stores can operate or impose other conditions such specifications regarding signage
- Charge the applicant fees if choosing to assess an application.

The above process applies to all relocations of existing cannabis retail stores.

Gathering residents' views

If the local government decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store, it must gather the views of residents of the area if the location of the proposed store may affect nearby residents. It may gather resident's views by using one or more of the following methods:

- Receiving written comment in response to a public notice of the application
- Conducting a public hearing in respect of the application
- Holding a referendum, or
- Using another method the local government considers appropriate.

It is up to the local government to determine the area, relative to the licensee's application, where resident's views must be gathered.

Please note: Gathering the views of residents of the area/providing a recommendation to the LCRB must be unique to each provincial licence application. In other words, past recommendations cannot be used in a new licensing process. Each individual application must be considered separately by the local government.

What must the local government's recommendation include?

The recommendations and comments the local government provides to the LCRB must:

- be in writing (this may or may not be in the form of a resolution)
- show that the local government has considered the location of the proposed store
- include the views of the local government on the general impact on the community if the application is approved
- include the views of residents if the local government has gathered residents' views, and a description of how they were gathered
- include the local government's recommendation as to whether the application should be approved or rejected and provide the reasons upon which the recommendation is based.

The local government should also provide any supporting documents referenced in their comments.

What if the local government does not want to provide a recommendation?

If a local government does not want to accept the notice of application and provide a recommendation for the proposed retail location, they should notify the LCRB. A licence for a cannabis retail store will not

be issued without a positive recommendation from a local government. If a response is not received, LCRB will not consider the application any further.

What if the recommendation does not meet the regulatory requirements?

If the recommendation does not meet the regulatory requirements, the LCRB will ask the local government to provide new or amended comments that address outstanding issues.

How long does the local government have to provide comments?

Unlike in the process for liquor licensing, local governments are not required to provide a recommendation on a cannabis retail store application within a specific time period. Please note that delays in the application process can have a significant impact on the applicant. If the applicant is the reason for the delay, please notify the LCRB. If the applicant is not trying to move an application forward, the application can be cancelled.

Can the local government recommend approval subject to certain conditions?

In some circumstances, the local government can recommend that the LCRB approve the application as long as certain restrictions (e.g. hours of operation) are placed on the licence. In these situations, the recommendation should clearly explain the rationale for placing restrictions.

If the local government intends to request that the LCRB impose terms and conditions on a licence, prior to sending such a recommendation the local government should consult with the LCRB so that the LCRB can determine whether it has the authority to impose the requested terms and conditions before finalizing their conditional recommendation.

The local government may also have the ability to impose other operating rules on the proposed store through the terms and conditions of the applicant's business licence, zoning or bylaw. The local government is responsible for enforcing these rules.

Floor Plans

Applicants must submit a floor plan with their licence application for approval so the LCRB can identify store features such as sales, storage and delivery areas. Unlike for some kinds of liquor licence applications, local governments are not required to provide occupant load stamps or approve the applicant's floor plans as part of the provincial licensing process for cannabis retail stores.

A municipal council or regional district board can delegate authority to their staff to provide comments and a recommendation to the LCRB

A municipal council or regional district board may delegate its powers and duties to provide comments and a recommendation to the LCRB regarding a cannabis retail store licence application. If a council or board has delegated this authority, a cannabis retail store applicant may ask for comments and recommendations made by delegated staff to be reconsidered by the local government.

Council as defined in the Vancouver Charter:

A Council, as defined in the *Vancouver Charter*, choosing to delegate to its staff must establish procedures for a reconsideration of comments and recommendations made by delegated staff, including how a cannabis retail store applicant may apply for reconsideration. In undertaking a reconsideration, the Council will have the same authority as it delegated to staff.

Right of reconsideration:

Delegated local government staff must advise the cannabis retail store licence applicant that the applicant has the right of reconsideration of the staff's recommendation by the council or board.

How local governments inform the LCRB of delegation:

A local government that has delegated authority to staff should send a copy of the delegation to the LCRB at Cannabis.Licensing@gov.bc.ca.

Revised
September
2018

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: February 18, 2020
File No: 3060-19-19
RE: ROAD DEDICATION (OYSTER BAY DRIVE)

RECOMMENDATION:

That Council:

1. Authorize that the part of Oyster Bay Drive adjacent to 902 Ludlow Road (PID: 030-553-164) be dedicated as road; and
2. Direct the Corporate Officer to deposit a plan for the road dedication with the land title office.

EXECUTIVE SUMMARY:

Council is being asked to consider a road dedication for a portion of Oyster Bay Drive to facilitate the development of the proposed office and warehouse at 902 Ludlow Drive (Madill). This portion of Oyster Bay Drive has not been dedicated as road, and road dedication will make it easier to grant an Access Permit to 902 Ludlow Drive for a secondary driveway.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2020-040, Feb 4, 2020	That Council: <ol style="list-style-type: none"> 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.

INTRODUCTION/BACKGROUND:

In a separate report presented on February 4, 2020, staff recommended that Council issue Development Permit No. 3060-19-19 for two-storey warehouse and office building proposed at 902 Ludlow Road (Madill the Office Company).

The primary road access for the proposed development is off Ludlow Road, and a secondary driveway is proposed off Oyster Bay Drive. As part of the Building Permit application process, the applicant at 902 Ludlow Road will need to apply for an Access Permit to connect the driveway to Oyster Bay Drive. The driveway is proposed to connect to a portion of the road that has not been formally dedicated as a highway (road). This section of Oyster Bay Drive road is paved and open to the public, but it is part of "Lot 4" a large parcel along the waterfront owned

by the Town of Ladysmith. Issuing the Access Permit will be more straightforward if the road is formally dedicated.

The *Highways Act* (Part 1, Section 4.(1)) specifies that where public money has been spent on a travelled road, it is considered a public highway, even where the road has not been dedicated. Based on this provision, the Town can likely issue an Access Permit to Oyster Bay Drive without dedicating the road. Staff will explore this option if Council chooses not to authorize the road dedication. Staff recommends completing the formal road dedication before issuing the Access Permit for 902 Ludlow Road to provide clarity and long-term assurance to both the Town and the applicant.

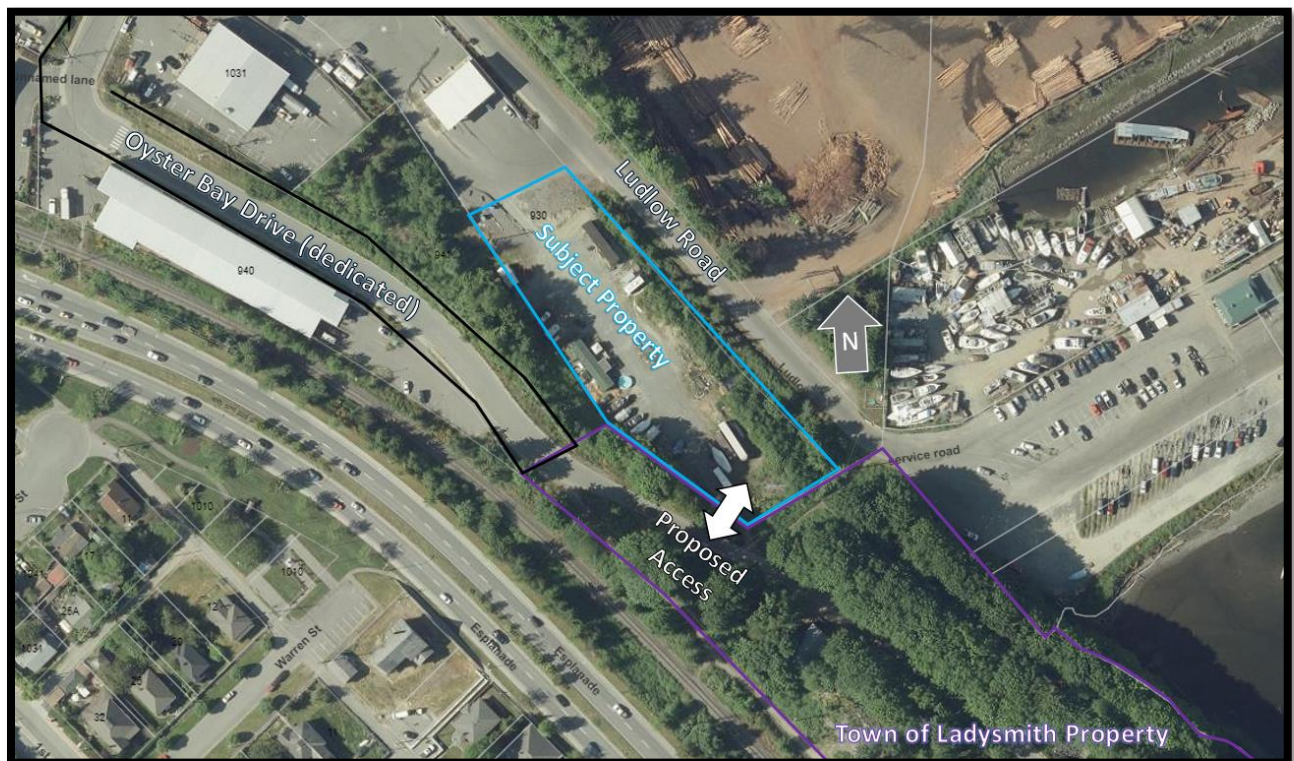


Figure 1: Context & Location of Proposed Access

The current proposal is to dedicate the portion of the road shown in the Draft Plan of Road Dedication (Attached). The proposed plan only dedicates the area of the road that is immediately required; the area of Oyster Bay Drive adjacent to 902 Ludlow Road (approximately 100 linear metres). The road dedication does not extend farther south to retain flexibility for road realignment to implement the Waterfront Area Plan. The dedication is wider than a typical road dedication on the east side of the road to account for steep slopes in the area.

ALTERNATIVES:

Council can choose not to dedicate the part of Oyster Bay Drive adjacent to 902 Ludlow Road.

FINANCIAL IMPLICATIONS:

The Town of Ladysmith will be responsible for maintaining this section of Oyster Bay Drive. However, the Town is already maintaining the road.

The applicant has paid the cost for the surveyor to prepare the Reference Plan. There is a cost to register the road dedication, which the Town will pay.

LEGAL IMPLICATIONS:

Under section 99(1)(f) of the *Land Titles Act* the registrar may accept a reference plan if a parcel is being transferred to the Crown or other transferee for highway purposes. Subdivision is not required to dedicate road.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Engineering Department has been involved with determining the extent of the proposed road dedication.

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

I approve the report and recommendation(s).

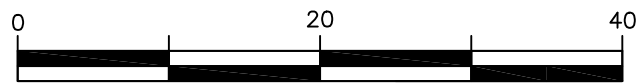
Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Draft Road Dedication Plan

REFERENCE PLAN OF PART OF:
LOT 4, DISTRICT LOTS 8G, 11G, 24 AND 56, OYSTER DISTICT, PLAN 45800
EXCEPT PART IN PLANS VIP64405, VIP71943 AND VIP72131.

Pursuant to Section 107 of the Land Title Act.
BCGS 92B 091



The intended plot size of this plan is 432mm in height by
560mm in width (C Size) when plotted at a scale of 1:500.

Integrated Survey Area No. 43, Town of Ladysmith, NAD83 (CSRS) 3.0.0.BC.1.NVI.
Grid bearings are derived from observations between geodetic control
monuments 98SG067 & 98SG068.

The UTM coordinates and estimated absolute accuracy are derived
from the MASCOT published coordinates and standard deviations for geodetic
control monuments 98SG067 & 98SG068.

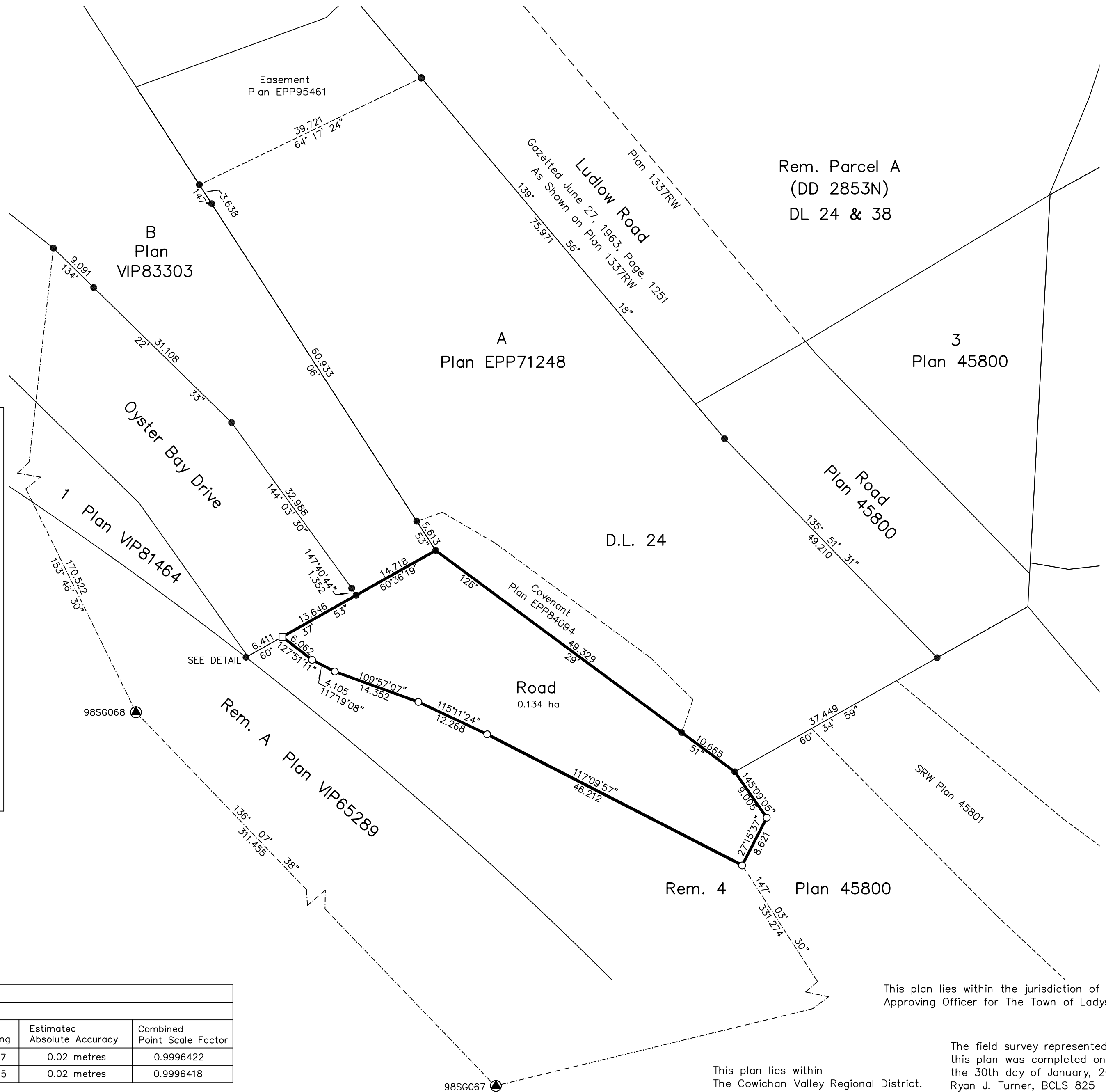
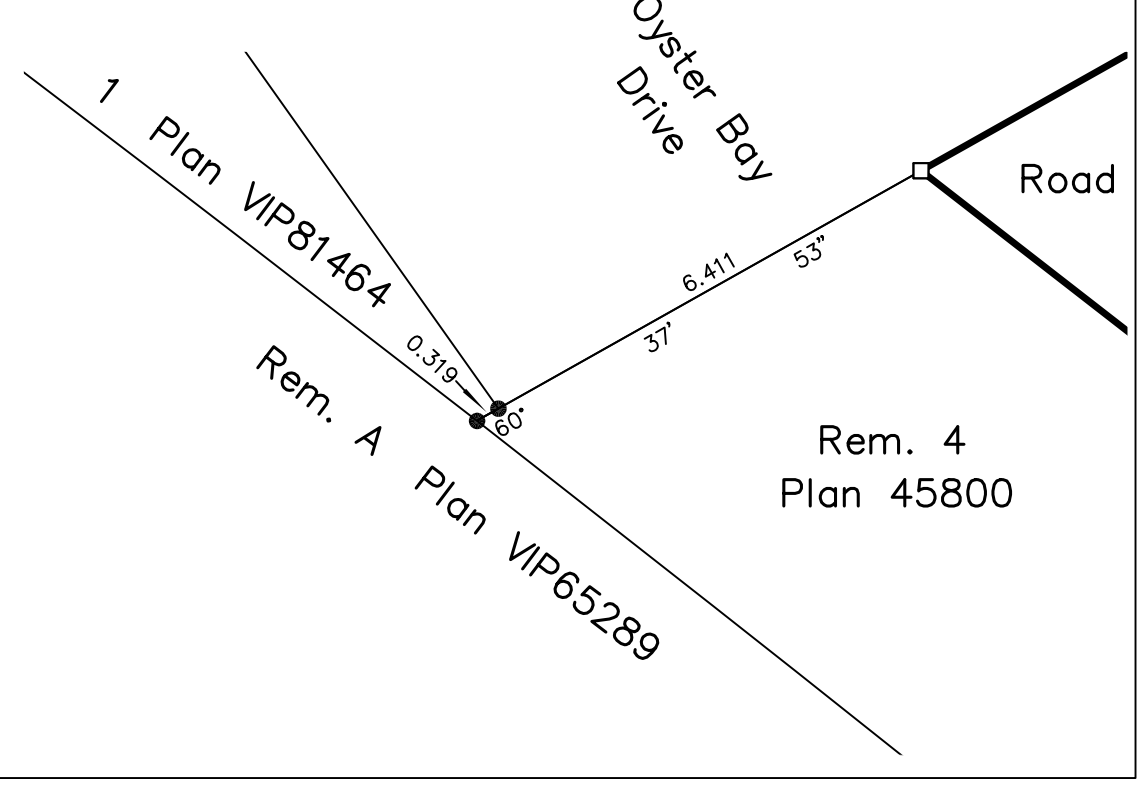
This plan shows horizontal ground-level distances unless otherwise
specified. To compute grid distances, multiply ground-level
distances by the average combined factor of 0.9996420 which has been
derived from geodetic control monuments 98SG067 & 98SG068.

Legend

- Denotes Standard Iron Post Found
- Denotes Standard Iron Post Placed
- Denotes Lead Plug Placed
- ▲ Denotes Control Monument Found

Detail

Scale of enlargement is 1:100
at intended plot size of plan



Turner & Associates
land surveying inc.

435 Terminal Avenue N.
Nanaimo, B.C.
V9S 4J8
250-753-9778
File: 12-128

Georeferencing Table

Datum: NAD83(CSRS) 3.0.0.BC.1.NVI

GCM #	Tablet Marking	UTM Northing	UTM Easting	Estimated Absolute Accuracy	Combined Point Scale Factor
846402	98SG068	5427436.18	440037.77	0.02 metres	0.9996422
808162	98SG067	5427211.74	440253.55	0.02 metres	0.9996418

This plan lies within the jurisdiction of the
Approving Officer for The Town of Ladysmith.

The field survey represented by
this plan was completed on
the 30th day of January, 2020.
Ryan J. Turner, BCLS 825

This plan lies within
The Cowichan Valley Regional District.

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: February 18, 2020
File No: 3090-19-11
RE: DEVELOPMENT VARIANCE PERMIT, 312 Roland Road

RECOMMENDATION:

That Council:

1. Issue Development Variance Permit 3090-19-11 at 312 Roland Road to allow for alterations to the roofline of an existing dwelling that is located within the required setback from the sea.
2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-19-11.

EXECUTIVE SUMMARY:

The applicant is proposing to expand two dormers on an existing dwelling. The existing dwelling is within the required setback from the sea/top of slope.

PREVIOUS COUNCIL DIRECTION:

None.

INTRODUCTION/BACKGROUND:

The subject property is located at 312 Roland Road, approximately 100 m east of the Trans-Canada Highway. The property backs onto the Holland Creek Estuary. The applicant is requesting a variance to allow for alterations of the roof of an existing dwelling. The proposed renovations include expanding two existing dormers to provide additional space within the existing dwelling.



In 1996, the property was renovated including single storey additions on the east and west sides of the dwelling. The Town of Ladysmith's Board of Variance authorized the addition to the dwelling on January 18, 1996. At the time the building was deemed to fall under section 970 of the Municipal Act (now Section 529 of the Local Government Act), which recognizes buildings that pre-date zoning bylaws.

A letter from a geotechnical engineer was provided as part of the application to renovate and expand the dwelling in the 1990s. The letter notes shallow surficial instability on the steeper portions of the slope, as well as ongoing minor wave erosion at the base of the eastward facing slope, however no evidence of large scale instability was noted. The existing dwelling conforms to the recommendations of the 1995 geotechnical report. The applicant has been informed that the Building Inspector may require an updated report.

ANALYSIS:

The existing dwelling does not comply with the setback provisions of the Zoning Bylaw. The Zoning Bylaw (Section 5.2.e)iii)) requires that no building be located within 8.0 m horizontally from the top of slope leading down to the sea. There is an existing deck less than 1.0m from the top of slope and the existing dwelling is 3.2 m from the top of slope at the nearest point.

The current application does not propose to alter the footprint of the existing dwelling, but does proposed to increase the mass of the building by altering the roofline. The proposed changes to the building will result in additional building mass located within the setback area, therefore a Development Variance Permit is required. The applicant is proposing to increase the size of two existing dormers. The dormers that are proposed to be expanded are facing the ocean and, except for the tip of one dormer, will not be visible to neighbouring properties.

A portion of the parcel is within Development Permit Area 6 – Riparian because the subject property is located at the mouth of the Holland Creek Estuary. Currently, the applicant is proposing to complete the construction without disturbing the slope or the lower portion of the property, therefore a Development Permit is not required. If the proposal changes, a Development Permit may be required. Note that Bylaw No. 1905, as amended, delegates the authority to issued Riparian Development Permits to the Director of Development Services.

Staff are recommending that the requested variance for alterations to the existing building be issued based on an assessment of the potential impacts of the proposal and because the footprint of the existing dwelling will not be altered.

ALTERNATIVES:

Council can choose to refuse Development Variance Permit 3090-19-11.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

The *Local Government Act* allows Council to vary zoning regulations excluding regulations of use, density, and rental tenure through issuance of a Development Variance Permit (DVP). Council may permit exceptions to the setback provisions as is proposed in this application.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice of the proposed variance was issued in accordance with the requirements of the *Local Government Act* and Development Procedures Bylaw No. 1667. On January 29, 2020, a letter was sent to the property owners/residents within 60 m of the subject property. At the time of writing, no submissions have been received from members of the public.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to Infrastructure Services and to the Building Inspector. No concerns were raised.

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Draft DVP 3090-19-11



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-19-11

DATE: February 18, 2020

Name of Owner(s) of Land (Permittee): Christopher John Zappavigna and Robyn Jill Kalke

Applicant: Dustin Marsh (Alair Homes)

Subject Property: 312 Roland Road

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

**Lot 9, District Lot 43, Oyster District, Plan 5873 – PID: 005-939-526
(312 Roland Road)**
3. Section 5.2.e)iii) (setback in the case of a parcel adjacent to the sea) of “Town of Ladysmith Zoning Bylaw 2014, No. 1860”, as amended, is varied for the subject property to allow for alteration of the roof of the existing dwelling within the setback area as shown in **Schedule A – Elevation Drawings**.
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:

a) Schedule A – Elevation Drawings
6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit 3090-19-11 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

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

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

Mayor (A. Stone)

Corporate Officer (J. Winter)

I **HEREBY CERTIFY** that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Christopher John Zappavigna, Robyn Jill Kalke or Dustin Marsh (Alair Homes)** other than those contained in this permit.

Signed

Witness

Title

Occupation

Date

Date

Signed

Witness

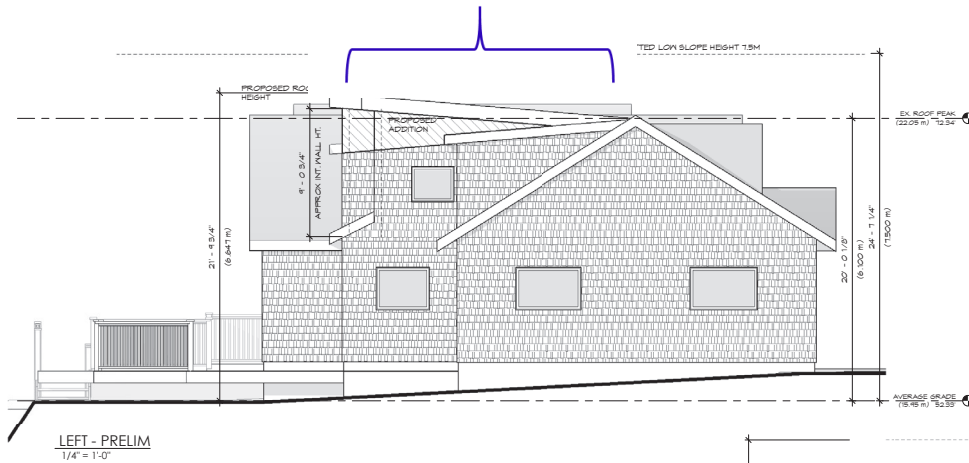
Title

Occupation

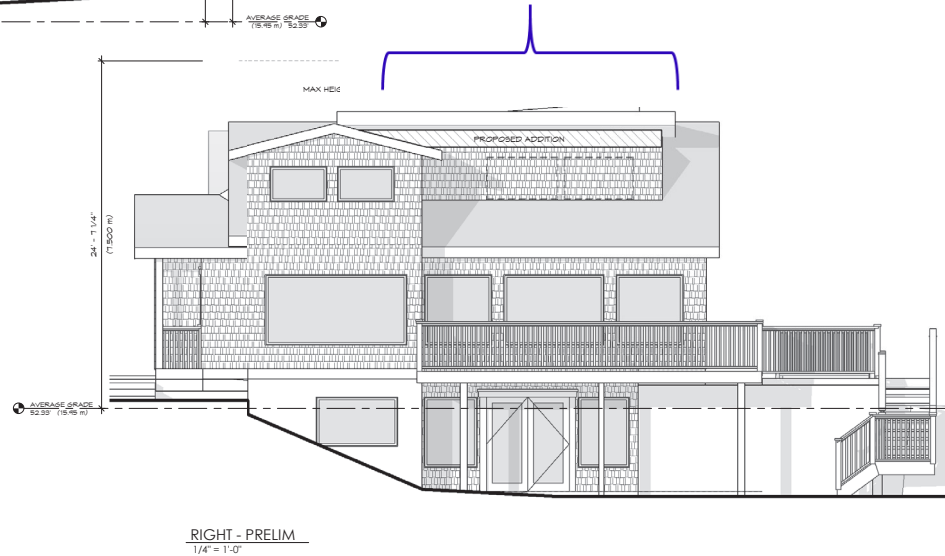
Date

Date

Proposed Roof Alteration



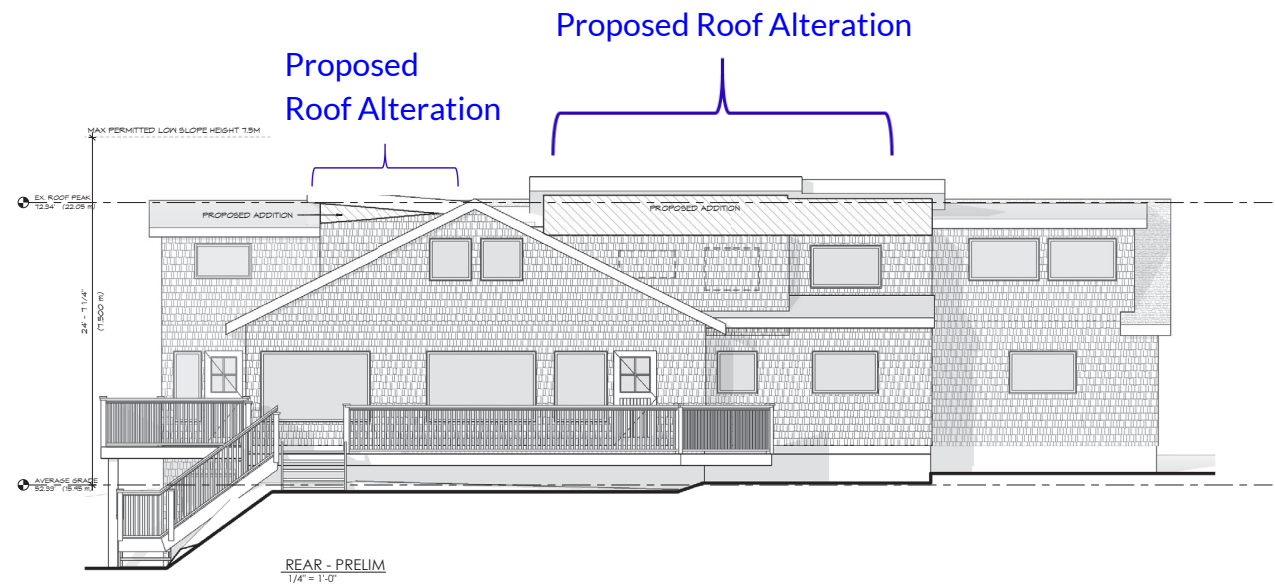
Proposed Roof Alteration



SU CASA PROJECT NAME
DESIGN PROJECT ADDRESS

PRELIM SIDE ELEVATIONS
PROJECT NUMBER

Schedule A - Elevation Plans
Page 1 of 2
DVP 3090-19-11
312 Roland Road



SU CASA DESIGN PROJECT NAME
PROJECT ADDRESS

PRELIM ELEVATIONS
PROJECT NUMBER

Schedule A - Elevation Plans
Page 2 of 2
DVP 3090-19-11
312 Roland Road

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: February 18, 2020
File No: 3360-19-02
RE: OCP & ZONING BYLAW AMENDMENT APPLICATION – Lot 20 Trans-Canada Highway & 670 Farrell Road

RECOMMENDATION:

That Council:

- 1) Consider the application (3360-19-02) to amend the Official Community Plan (OCP) and Zoning Bylaw to allow for a mix of single-family and multi-family residential at Lot 20 Trans-Canada Highway and 670 Farrell Road.
- 2) Direct staff to:
 - a. Refer application 3360-19-02 to the Community Planning Advisory Committee.
 - b. Refer application 3360-19-02 to the Stz'uminus First Nation, pursuant to the Memorandum of Understanding between the Stz'uminus First Nation and the Town of Ladysmith.
 - c. Work with the applicant regarding the proposed community amenity contribution and report back to Council.
 - d. Prepare OCP and Zoning Amendment Bylaws for application 3360-19-02.
- 3) Direct the applicant to:
 - a. Provide a report from a geotechnical engineer assessing application 3360-19-02 in accordance with the Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC.
 - b. Provide a transportation impact study, prepared by a professional engineer, assessing the anticipated traffic patterns, traffic volumes and impacts of application 3360-19-02.
 - c. Provide a road layout and feasibility plan for the extension of Farrell Road through the subject property.

EXECUTIVE SUMMARY:

Council is being asked to consider an application to amend the OCP and Zoning Bylaw for an approximately 4.8 ha parcel at 670 Farrell Road. The proposal is for a mix of standard and small-lot single family residential with a small area for multi-family residential closest to the Trans-Canada Highway.

PREVIOUS COUNCIL DIRECTION:

None.

INTRODUCTION/BACKGROUND:

The subject property for this application covers three parcels shown in Figure 1: Subject Property (the subject properties have the following PIDs: 006-356-362; 023-896-710; 003-568-971). The applicant has permission from all three property owners to pursue this development application. The subject property is located off Farrell Road on the west side of the Trans-Canada Highway approximately 1.75 km south of the Coronation Mall.

Figure 1: Subject Property



The subject property is approximately 4.8 ha in size, it is approximately 390 m in length, by 120 m in width. It has approximately 165 m of road frontage along Farrell Road and slopes from an elevation of 67 m at Farrell Road to the highest point at 103 m where the northern property boundary meets Sanderson Road. The property is currently forested with mature trees.

The smallest parcel (003-568-971), is owned by the Town of Ladysmith. A portion of the property was formerly a road dedication, the Town closed that portion of the road via Bylaw No. 2004, 2019, which was approved in April, 2019. The Town has agreed to sell the property to the applicant. Staff note that the sale of the Town's property has no bearing on Council's decision of whether or not to amend the OCP and Zoning on the property (i.e. Council's decision must not be influenced by the potential sale).

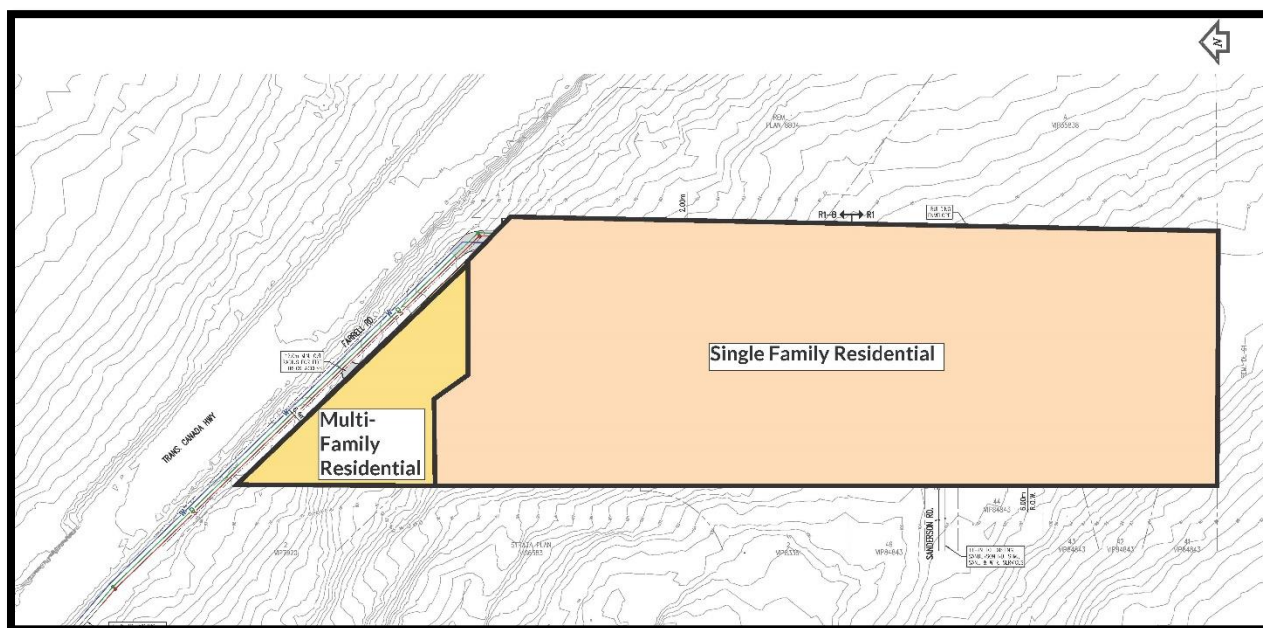
One of the parcels (Lot 20 Trans-Canada Highway) was added to the Town of Ladysmith boundaries in late 2018. This parcel still holds policies and regulations from the Official Community Plan (OCP) and Zoning Bylaw applicable to Electoral Area G of the Cowichan Valley Regional District (CVRD). There is a covenant on Lot 20 Trans-Canada Highway that was registered at the time of subdivision in 1997. The covenant identifies an area of the parcel to be used for a septic field. The applicant will need to work with the Ministry of Transportation and Infrastructure to have this covenant removed prior to subdivision.

The application was received in January 2019 and the applicant hosted a neighbourhood information meeting, based on a planned revision to the application. The revised application was submitted to the Town in November of 2019 with a further minor revisions occurring over November 2019–January 2020. As this is an OCP/Rezoning application the subdivision layout is largely conceptual and may change at time of subdivision.

OCP

Lot 20 Trans-Canada Highway is designated Suburban Residential under the Electoral Area G bylaw (CVRD Zoning Bylaw No. 2500). The other two parcels are designated Single Family Residential in the Town of Ladysmith's OCP. The applicant is proposing to amend the OCP as shown in Figure 2: Proposed OCP Designations. The proposal would add most of Lot 20 to the Single Family Residential designation with a portion along Farrell Road to be designated Multi-Family Residential. The Multi-Family Residential area will also be added to Development Permit Area 4 – Multi-Unit Residential.

Figure 2: Proposed OCP Designations



Zoning

Lot 20 Trans-Canada Highway is zoned R-2 Suburban Residential 2 Zone under the Electoral Area G bylaw (CVRD Zoning Bylaw No. 2524). The other two parcels are zoned Rural Residential (RU-1) under the Town of Ladysmith Zoning Bylaw No. 1860. The RU-1 zone allows for a minimum parcel area of 0.4 ha.

Existing Zoning	Area (Approx.)	Density	Approx. possible # of Parcels
Rural Residential (RU-1)/Suburban Residential (R-2)	4.8 ha	0.4 ha (minimum parcel size)	10 parcels

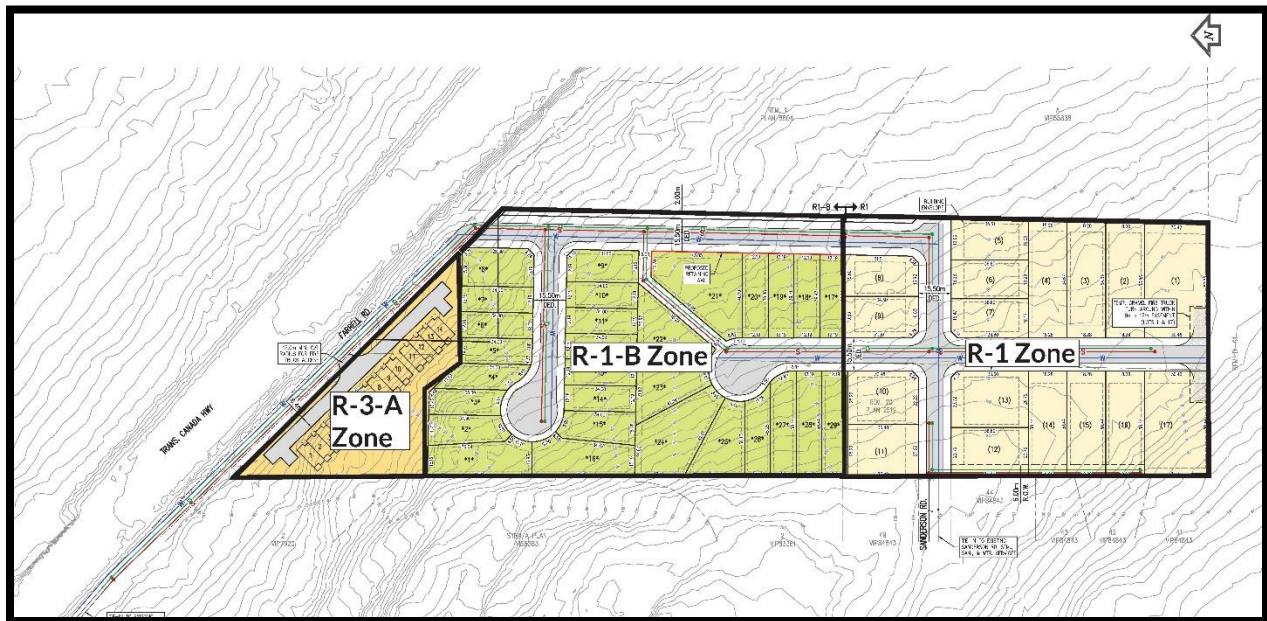
The applicant is proposing to amend the Zoning Bylaw to allow for a subdivision with a mix of smaller parcels and with townhomes located along the highway.

The preliminary drawings provided by the applicant show a total of 46 new parcels and 14 townhomes as follows:

Zone	Area (Approx.)	Density	Approx. possible # of Parcels/Units
Low Density Residential (R-3-A)	0.5 ha	37 units/ ha	14 townhomes
Single Dwelling Residential – Small Lot B Zone (R-1-B)	2.4 ha	372 m ² (minimum parcel size)	29 parcels
Single Dwelling Residential (R-1)	2 ha	668 m ²	17 parcels

Figure 3: Proposed Zoning shows the proposed locations of the different zones on the subject property, the proposal is for R-3-A, R-1-B, and R-1 zones. The R-3-A Zone permits multiple-unit dwellings, townhouse dwellings, and two unit dwellings. Secondary Suites are permitted in the R-1-B and the R-1 zones. The preliminary drawings provided by the applicant show a road linking Farrell Road and Sanderson Road and provide potential future access to lands beyond to the south.

Figure 3: Proposed Zoning



As noted above, the parcel layout shown in Figure 3 is preliminary and may be revised when the property owner applies for subdivision. The applicant may choose to revise the parcel layout, or revisions may be necessary based on Town requirements. For example, the Town may require 5% of the land as parkland, or may ask for cash-in-lieu of parkland, which would influence the parcel layout. The Town and applicant have had discussions about whether cash-in-lieu of parkland would be acceptable, but this decision is only made as part of the approval at the subdivision stage. The Approving Officer will make the final decision on parkland and must follow the requirements of the *Land Title Act*. Revisions may also be required in order to comply with the rules under Development

Permit Area 4 – Multi-Unit Residential. For example, the guidelines call for the building and site design that mitigates the noise impacts of the highway.

ANALYSIS:

OCP Growth Management Policies:

Because of the age of the OCP (adopted in 2003), it is difficult to determine if existing growth management policies support additional density on the subject property. The OCP states that: “Increased residential development is inevitable. The Town needs to plan for this growth to ensure the community does not grow up along the highway but grows in designated locations”. The subject property is located far to the south of the Town’s core and along the highway.

When the OCP was adopted in 2003 it forecasted a range of population growth estimates over a 2003-2020 time horizon. These estimates are now out of date. However, in 2018 the OCP was amended to recognize that five key growth areas—Holland Creek, North Ladysmith, South Ladysmith, the Waterfront and Downtown infill—had the capacity to accommodate an additional 6,165 residents. A recent CVRD population projection indicates that Ladysmith can anticipate between 689 and 3,892 additional residents between 2017 and 2050 ¹, generating a need for approximately 1,205 additional ground oriented units and 250 apartment units over the time horizon.² Subsequently, a comparison of the capacity in existing growth areas and projected population growth in the CVRD study would be as follows:

Projected population growth capacity of designated OCP growth areas (growth capacity): **6,165**

Highest projected 2017-2050 population growth in CVRD Study (maximum projected growth): **3,892**

Growth capacity minus maximum projected growth: 6,165 - 3,892 = **2,273**

Based solely on *available* growth forecasts, Ladysmith can accommodate its “maximum” 2017-2050 population growth—plus an additional 2,273 residents if necessary—within existing designated growth areas. As a point of reference, Ladysmith’s population growth from 2001 to 2016 was 1,950 people. Such an analysis suggests, designating additional lands for higher residential density on the outskirts of the Town may not be required or beneficial at this time or could wait until more up-to-date growth analyses occur. In this regard, it should be noted that a review of the Town’s OCP is scheduled to begin this year. Under the *Local Government Act* the new OCP must plan the location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years. In the shorter term, the Town is working with the CVRD and other regional municipalities to complete a Housing Needs Report (which must also be factored into the development of the new OCP) which will also provide projected housing needs for the Town. It is possible that additional information related to growth management considerations will be available to Council if and when the application proceeds to first reading. In any event, a “formal” update to the Town’s growth projections and related policies will not occur until a new or revised OCP is

¹ The forecast has three scenarios with a “baseline scenario” of 3,228 new residents.

² Long-range projections of population, housing, and employment in the Cowichan Valley Regional District, Rennie Intelligence, June 2019. Available at: <https://www.cvrld.bc.ca/DocumentCenter/View/94223/Long-Range-Projections-of-Population-Housing-and-Employment>

adopted, but Council is not precluded from considering information that may be available (or requested by Council) in the interim.

There are lands beyond the subject property to the south that are designated and zoned for residential growth (i.e. they are within the South Ladysmith growth area). If the proposed development proceeds, these lands would likely be made accessible through rules in the *Land Title Act* which would apply when the land is subdivided. The same rules apply if the lands are subdivided under current zoning³.

The OCP calls for integrated neighbourhoods that incorporate a variety of housing types and densities and local service commercial development will be encouraged in new neighbourhoods. The proposed development includes a mix of lot sizes and some multi-family residential units. The proposal does not provide for any local commercial use, the nearest commercial use is Coronation Mall, approximately 2 km north of the subject property. The OCP does encourage compact urban form and the proposed development would represent a more compact urban form than what is permitted under the existing zoning (0.4 ha minimum parcel size).

Community Amenity Contributions:

The applicant has offered to provide the following amenity contribution: \$1,000 per lot and \$500 per townhouse, for an approximate total of \$53,000. Alternatively, staff may suggest an affordable housing agreement, or a contribution for park equipment or trails in the immediate area. An affordable housing agreement could require, for example, that a portion of the townhomes be rental units.

Through discussions with the Parks Division, the Development Services Division has identified that the nearest play equipment is at Harbourview Park on Louise Street (approx. 1.3km or a 20-minute walk). The Town's Parks, Recreation, and Culture Master Plan targets having a neighbourhood park within 20-minute walking distance of any residential front door. Another option is to look for an opportunity to connect the neighbourhood to the Town's trail network via the park located on Swettenham Place, to the west of the subject property. If the recommendation to direct staff to negotiate an amenity contribution is supported by Council, these options can be explored with the developer.

Additional Requirements & Possible Conditions:

If Council endorses staff's recommendation, the following additional information that will need to be provided prior to consideration of 1st reading of any bylaws associated with this application:

- **Geotechnical Report:**

The subject property slopes from the highest elevation of 103m near Sanderson Road to an elevation of 67m at Farrell Road which is an elevation change of 36 m vertically over approximately 250 m horizontally (approximately 14% slope). The slope varies across the

³ Under Section 75(1)(a)(ii) of the Land Title Act a subdivision must, to the extent of the owner's control, provide access to land lying beyond the subdivided land.

property with some steeper areas closer to Farrell Road. The geotechnical report should provide information about whether the site is safe and suitable for the intended use, and may recommend measures to mitigate risk or for further investigations. The assessment should be completed in accordance with the Guidelines for Legislated Landslide Assessments for Proposed Residential Developments in BC, developed by the Association of Professional Engineers and Geoscientists of BC. The applicant has stated that a geotechnical engineer has been retained to complete this study.

- **Traffic Impact Study:**

The transportation impact study, should provide information on the anticipated traffic patterns, traffic volumes and impacts on Farrell Rd., Sanderson Rd., Stirling Dr., Spurling Cres., and the intersection at the Highway/Davis Road. The study should consider the circulation and safety of both pedestrians and vehicles. The study may recommend road upgrades to offset any impacts of the proposed development. MOTI, must also approve the rezoning, and would also likely review the study in making their decision.

- **Road Layout and Feasibility:**

A road layout and feasibility plan for extending Farrell Road has been requested by Infrastructure Services to demonstrate right of way requirements to make the extension possible.

If the application proceeds, staff will be recommending that the three parcels be consolidated into one as a condition of approval of the application. There is currently a Ministry of Highways covenant on one of the parcels reserving a portion of the parcel for a septic area. Staff will be recommending that this covenant be removed as a condition of approval, since the proposed development would be connected to the municipal sewer system.

ALTERNATIVES:

- 1) Council can choose to refuse to consider OCP and Zoning Bylaw amendment application 3360-19-02 further.
- 2) Council can defer consideration of the application and request or wait for additional information (e.g. adoption of the new OCP, receipt of the housing needs report or an independently prepared growth projection)
- 3) Council can direct the applicant to prepare a proposal with a lower density than what is currently proposed in application 3360-19-02.
- 4) Council can provide direction on the type of amenity contribution that would be most acceptable to the Town of Ladysmith.
- 5) Council can direct the applicant to host a second public information meeting.
- 6) Any combination of alternatives 2-5.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

None.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The applicant hosted a neighbourhood information meeting on June 26, 2019. The meeting summary report was provided by the applicant and is attached. In June, the applicant presented a proposal that was different from the current proposal. At the time, the applicant was proposing a larger area of the R-3-A Zone, which allows for multi-family residential. The current application includes a smaller area for townhomes and an area of R-1-B Zone, which allows for small lot single-family residential. Because the proposal has changed since the neighbourhood information meeting, Council may wish to direct the applicant to host a second meeting. This meeting would be an opportunity to gather the views of residents in advance of the formal Public Hearing.

Unless this application is refused by Council, it will be referred to the next Community Planning Advisory Committee meeting. Public notice and a public hearing will be required per the *Local Government Act* and Development Procedure Bylaw No. 1667.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Infrastructure Services Department for review and their comments have been shared with the applicant. The Engineering Division requested a limit to driveway size on the proposed R-1-B parcels because of the long/narrow dimensions of the proposed parcels. The Building Inspector provided comments related to the requirements from the BC Building Code that are designed to ensure that emergency services are able to access all dwellings/parcels.

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Neighbourhood Information Meeting Report, Sean Carroll and Darwin Svenison, Received June 27, 2019

Neighbourhood Information Meeting Report

Meeting Date: June 26, 2019

Application File No.

Host Attendees: Sean Carroll, Applicant and engineer

Darwin Sveinson, Architectural Company

Public Attendees: 16 (Sign in Sheet attached)

Comments Summary;

- Improvements along Farrell Road would be a benefit
- A tree buffer and tree protection would be encouraged
- Would like to see additional information past concept stage when ready
- New development is positive for the town
- If multi-family, would like density to be no greater than proposed on Gales
- Would like the town to purchase both properties as a park
- Not in favor of 3 story townhome developments, like to see single family
- Dark sky street lighting suggested
- Views from Gales should be protected
- Question of whether zoning reflects OCP
- Home character should reflect neighbourhood

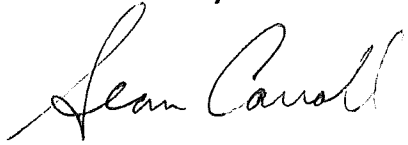
Host Summary:

The proposed zoning and associated densities/lot sizes was explained to the attendees. Tree buffer appeared to be a comment expressed along with concern on density if it was taken to the maximum allowable. It was explained that the topography alone would limit the density but at this time defined counts were not available.

It was explained that this meeting was in advance of a formal application and council review and that the intent at this time was to provide as much information available at the time.

There were questions regarding the extension of the road to the south and its purpose.

Submitted By: Sean Carroll, P.Eng.

A handwritten signature in black ink that reads "Sean Carroll". The signature is written in a cursive style with a large, looping "S" and a distinct "C".

JUNE 27, 2019.

Newspaper Meeting Notice

NOTICE OF NEIGHBOURHOOD INFORMATION MEETING

Members of the public are invited to attend an information meeting regarding the proposed rezoning of the properties located at Lot 20 Trans Canada Highway and 670 Farrell Road.

The proposal is to rezone from RU -1 Zoning into R-3A Zoning and R-1 Zoning to allow the development of townhomes on the northern portion and single family homes on the southern portion of the 2 sites.

The zoning line separation will match the existing zoning on the west side of the properties

DATE: June 26, 2019

TIME: 5:30 PM to 7:30 PM

LOCATION: Frank Jamieson Community Center Room 430
810 6 Ave, Ladysmith, BC V9G 1N8

Further information or questions of clarification may be directed to Sean Carroll, P.Eng. at 604-329-5630 and /or email: scarroll@coregroupconsultants.com

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CHRONICLE
1-866-865-4460

DR. SUZANNE UTTERSON
Family Dentistry
121 Forward Road, Ladysmith
(250) 245-0356



July 13, 2013: Ladysmith's 7th Annual and Robert Kennedy Trust Hockey Midgets, Puskas will be held at the Ladysmith Community Centre. (Photo by [Name])

NOTICE OF NEIGHBOURHOOD INFORMATION MEETING

Members of the public are invited to attend an information meeting regarding the proposed rezoning of the properties located at 1st 20 Trans Canada Highway and 670 Trans Road.

The proposal is to rezone from R1A1 (residential) to R2A1 (residential) and R2A2 (residential) to allow the development of townhomes on the northern portion and single family homes on the southern portion of the 670's.

The zoning and separation will match the existing zoning on the west side of the properties.

DATE: June 20, 2013

TIME: 5:30 PM to 7:30 PM

LOCATION: Frank Johnson Community Center Room 437
810 E Ave., Ladysmith, BC V9G 1M8

For further information or questions of clarification may be directed to Scott Gaudet, Planning at 624.322.5630 and for email: scott@ldscgpc.com

Memorial Midget C Hockey tourney supports Puskas

By [Name]

1st 20

Since the day he was born, Puskas has been a hockey player. He has been playing since he was 10 years old and he has been playing for the Ladysmith Midget C Hockey team.

The Ladysmith Midget C Hockey team is a team of 12 players and 12 coaches.

current committed, do not

\$1,000.00 per team expense

Puskas will be playing with the Ladysmith Midget C Hockey team. He will be playing for the Ladysmith Midget C Hockey team.

The Ladysmith Midget C Hockey team is a team of 12 players and 12 coaches.

Puskas is keeping a record of

all those who make a contribu

tion of \$50.00 or more and will be making a new list for the year 2013.

The Ladysmith Midget C Hockey team is a team of 12 players and 12 coaches.

BENNY ANDERSSON & BJÖRN ULVÆUS
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AUGUST 1-4
JASON ALDEAN
MAREN MORRIS
KEP MOORE • RANDY HOUSER
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DON'T MISS THE PARTY OF THE SUMMER!
LAST MARCH

Copy of Invitation

NOTICE OF NEIGHBOURHOOD INFORMATION MEETING

Members of the public are invited to attend an information meeting regarding the proposed rezoning of the properties located at Lot 20 Trans Canada Highway and 670 Farrell Road.

The proposal is to rezone from RU -1 Zoning into R-3A Zoning and R-1 Zoning to allow the development of townhomes on the northern portion and single family homes on the southern portion of the 2 sites. The zoning line separation will match the existing zoning on the west side of the properties

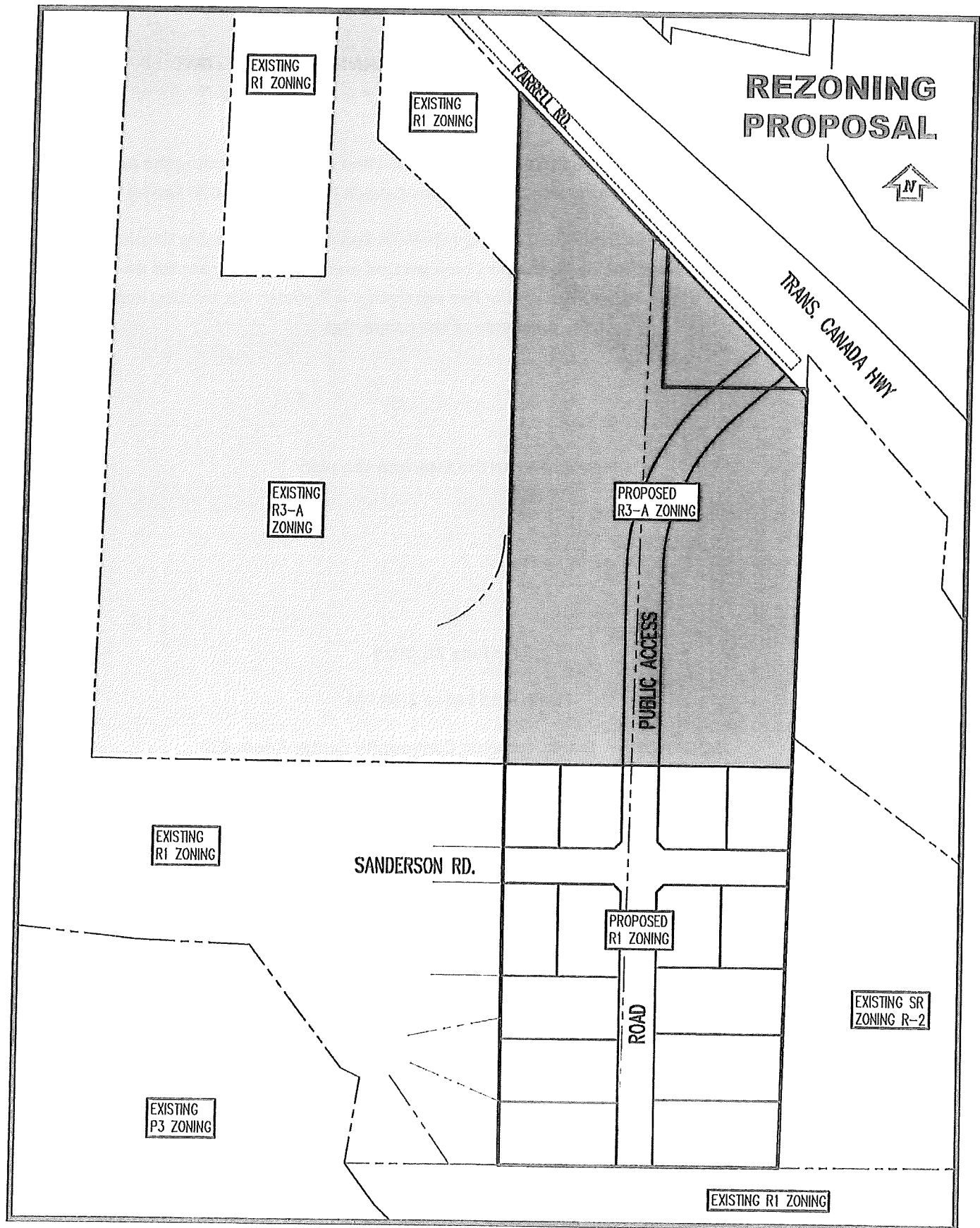
Please refer to the attached site plan

DATE: June 26, 2019

TIME: 5:30 PM to 7:30 PM

LOCATION: Frank Jamieson Community Center Room 430
810 6 Ave, Ladysmith, BC V9G 1N8

Further information or questions of clarification may be directed to Sean Carroll, P.Eng. at 604-329-5630 and /or email: scarroll@coregroupconsultants.com



Copy of Sign In Sheets

Neighbourhood Information Meeting Sign In Sheet

Date: June 26, 2019
Time: 5:30 PM to 7:30 PM

Jameson Community Center

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

[illegible]

Neighbourhood Information Meeting Sign In Sheet

Date: June 26, 2019
Time: 5:30 PM to 7:30 PM

Jameson Community Center

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

[illegible]

Copy of Comment Forms

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

There are some ~~the~~ Arbutus and other significant trees along the east edge of the Gales roadway. As part of the rezoning proposal or development permit, will there be a covenant to protect some of the trees? It would be nice to protect some groups of trees as we have done on the north edge of the Gales road.

Name:

Jeff Reichert

Address:

11- 626 Farrell Rd the Gales

Phone:

As part of this development, will there be improvements to the extension of Farrell Road? At present, ~~the~~ Farrell Road lacks sidewalks, curbs and street lighting.

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

- | |
|---|
| <ul style="list-style-type: none">- SEEMS LIKE A LOT OF "CONCEPTS" AND FEW DETAILS EVEN WITH QUESTIONING PRESENTERS.- ZONING ALLOWABLE NUMBERS WOULD HAVE BEEN HELPFUL FOR OUR INPUT. STHDS- SHOULD HAVE SHOWN CONTOUR LINES ON "REZONING PROPOSAL" COLOURED DRAWING- TIME FRAMES FOR TABLING AT COUNCIL- POSSIBLE TIME FRAME FOR DEVELOPMENT PERMIT APPLICATION- DEVELOPER NAME TAGS WOULD HAVE BEEN APPROPRIATE- HOWEVER NEW DEVELOPMENT IS POSITIVE FOR THE TOWN |
|---|

Name: BRIAN McLAURIN

Address: 705 STIRLING DR LADYSMITH

Phone:

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

It's hard to make too many comments with the developers are not clearly showing what they will do, if they get the zoning they are after.

I'm concerned about the density of the lot right beside the park. The display showed row housing.

I'm also concerned about any trees that belong to the park. There must be preserved.

Name: DARREL MARTIN

Address: 12, 626 FARRELL RD

Phone:

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

~~One~~ One of the large attractions of the Sanderson neighbourhood is the proximity to forest and the wildlife that lives in it. If these two lots cannot be preserved as parkland, at least they can be developed with park-like settings in mind - saving as many trees as possible. There was very little meaningful information tonight - no plan with contours to show any idea of lot size or home placement, and no hard numbers of density. So all I can say is that we bought our home because of the nature around it. Please don't ruin that dream.

Name: JOHN LAING

Address: 650 SANDERSON ROAD.

Phone:

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments
- Asked what is the population in the current vert - side. Unknown.
- Asked what is the anticipated population for this Lot 20 + 670 Farrell. Unknown, depends how many sites can actually be developed.
→ Suggest this Neighbourhood Info Mtg. is pre-mature.
- Asked where water service would come from. Municipality.
A very nice couple tried to help. However despite the Public Notice refers between the 2 developments, could not get any comparative information.
Name: Catherine Gibbons
Address: one Address is @ 432 Kitchen Street. L/Smith
Phone:

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

NOT IN FAVOR OF EXCESSIVE MULTI FAMILY UNITS
PREFER TO SEE SINGLE FAMILY IN NORTHERN SECTION OF LOT
DUPLICATE MAX - NO 4 OR 6 PLEXS
COMPARABLE TO THE LAKES DEVELOPMENT
2 STORY MAX - NO 3 STORY WITH GARAGE.

Name: TIM HYSKA
Address: 16 6260 FARRELL RD
Phone:

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

A buffer zone comprised of large diameter trees should be maintained along adjacent property lines

High density town homes as planned should not be contemplated. This will be assessed.

The development should be consistent to existing homes in the area, i.e. density - height - size

Lighting should be low impact (Dark sky!)

Height of planned homes should not block views of adjacent homes.

Name: Gary Serfuss

Address: 9-10210 FARRELL RD

Phone:

Neighbourhood Information Meeting Comment Sheet

Date: June 26, 2019

Jameson Community Center

Time: 5:30 PM to 7:30 PM

Regarding rezoning of Lot 20 TCH and 670 Farrell Road

Comments

- I came to this "meeting" to receive a meaningful PRESENTATION; none was given, other than to supply written comments.
- From available diagrams, there is no view of housing density!
- Is this plan consistent with the Town Codebook, the OCP?
ie. should minimize clear cutting and be in full compliance with OCP.
- will the design complement the overall character of Lot 20 & surrounding neighborhoods?? will there be inclusion of green space?
- What is the TREE PRESERVATION strategy and plan?
- any site plan should ensure our views and maintain the character of L'Isle, even though views may be partially blocked.
- Some of the trees on the Gates boundary are very near the respective property lines & should be preserved/protected via a Covenant, similar to that at 618 Farrell; where 11 trees were protected, adding to beauty & character.
- what is the proposed density? the diagram used looks very much like high density, & should not be permitted under any circumstances.
- all in all, really hear it nothing from my attendance here today. Any application for re-zoning needs to supply a reasonable thought out report at over-arching high level design as has been done for adjacent properties at 618, 630 Farrell Rd.

Name:

Address:

Phone:

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services

Meeting Date: February 18, 2020

File No: 1820-01

RE: **ADJUSTMENTS TO WATER BILLING ACCOUNTS**

RECOMMENDATION:

That Council approve adjusting the water billing due to leaks for the property account #0246000 for \$6,155.06.

EXECUTIVE SUMMARY:

The purpose of this staff report is to present to Council specific properties with high water consumption due to water leaks and request authorization to adjust the water billing accounts.

PREVIOUS COUNCIL DIRECTION

Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2017, No. 1930:

Where any account is rendered pursuant to this section, the Director of Finance, in estimating the account, shall consider previous billing periods when such meter was registering correctly, seasonal variations, changes in occupancy, and any other factors which, in the opinion of the Director, may affect the consumption of water. The maximum adjustment amount is \$3,000 per account.

INTRODUCTION/BACKGROUND:

Adjustment to water billings due to water breaks or leaks is permitted under the Waterworks Regulation Bylaw. The dollar amount of the adjustments are greater than the \$3,000 authorized by the Director of Finance and require the approval of Council to adjust the billing amounts.

The adjustments are calculated using the consumption during the same period in the previous year as the baseline consumption.

Property owners are to repair the leak on their property within 45 days of notification of high consumption. The notification could be in the form of a notice placed at the property during the meter reading, a letter sent from the Town or the utility bill.

Property owners can apply for one leak adjustment within a ten-year period.

Account #0246000 was notified December 13, 2019 by Town staff as the result of a higher than

usual meter reading for the third quarter in 2019. The property owner hired a plumbing company to repair the water service main between the meter and the building. The repair was complete December 13th, within the required 45 day window. The adjustment amount is for the last quarter of 2019 and 1 day into the first quarter of 2020. This water leak is not covered by the homeowner's insurance policy.

ALTERNATIVES:

Council can choose to:

- Not provide an adjustment to the water billing accounts.
- Amend the Waterworks bylaw to provide greater restrictions on when an adjustment may be made. For example:
 - Adjustments will only apply to repairs made on the main line connecting from the meter to the house; or
 - No adjustments due to leaking appliances, such as toilets; or
 - No adjustments will be given due to leaks within the irrigation system.

FINANCIAL IMPLICATIONS:

Adjustments to the water billing accounts affect the water revenues.

To date, there are three additional 4th quarter adjustments within the Director's threshold for the last quarter of 2019 totaling just under \$3,500.

LEGAL IMPLICATIONS:

There are no legal implications to providing an adjustment to the water billing account.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Citizens are encouraged to quickly repair any water leak when it is discovered. The incentive of a potential adjustment supports repairs made in a timely manner.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Utilities department in the Public Works Department is involved from reading the meters, notifying property owners of high consumption and monitoring consumption until it returns to a normal range. Finance calculates the billing and any subsequent adjustments.

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:

☐ Infrastructure

☐ Community

☐ Waterfront

☐ Economy

☒ Not Applicable

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

From: Quentin Goodbody

Sent: February 11, 2020 10:51 AM

To: Joanna Winter <jwinter@ladysmith.ca>

Cc: Ladysmith & District Historical Society <info@ladysmithhistoricalsociety.ca>

Subject: Request to have the Ladysmith & District Historical Society included in an Insurance Service Provider Agreement with the Town of Ladysmith

Hi Joanna,

In follow up to our phone discussion this morning I would like to request that the Ladysmith & District Historical Society have an Insurance Service Provider Agreement in place with the Town of Ladysmith.

Please advise as to how we can assist with this measure.

Yours with thanks,

Quentin Goodbody

President

Ladysmith & District Historical Society.



SERVICE PROVIDER AGREEMENT

This Service Provider Agreement (the “Agreement”) is made and entered into this ____ day of _____, _____ by and in between Town of Ladysmith (the “Local Government”) and Ladysmith and District Historical Society (the “Service Provider”). The Service Provider agrees to provide the following services for or on behalf of the Local Government:

_Management and operation of the Ladysmith Archives and Museum

_Heritage promotion recognizing the 5,000 year history of Ladysmith and surrounding area.

- ☐ The Service Provider has not caused or contributed to any insured or uninsured losses in the past 5 years.
- ☐ The term of the Agreement is from the ____ day of _____, _____ and _____ the ____ day of _____.
- ☐ The term of the Agreement is perpetual commencing the ____ day of _____, _____.
- ☐ As the Service Provider may attract errors and omissions claims, the Local Government agrees to maintain commercial general liability coverage from the MIABC beyond the termination of the Agreement, specifically until the ____ day of _____, _____.

While providing the agreed service, the Service Provider agrees to comply with: all applicable laws, rules and regulations; the practices, procedures and policies of the Local Government; and any special instructions given to the Service Provider by representative(s) of the Local Government. By entering into this agreement, the Service Provider confirms they have the necessary training, experience and knowledge to provide the services as set out above.

The Local Government agrees to obtain commercial general liability and errors and omissions insurance coverage from the Municipal Insurance Association of British Columbia (MIABC) naming the Service Provider as an Additional Named Insured entitled to full coverage in the amount of \$5,000,000 with

respect to third party liability claims arising from the provision of the agreed service. The Service Provider agrees to carry its own statutory worker's compensation insurance and automobile liability insurance, if appropriate.

The Service Provider agrees to indemnify, defend and hold harmless the Local Government, its agents, servants, employees, trustees, officers and representatives from any liability, loss or damage which the Local Government may suffer as a result of any claims, demands, costs, actions, causes of actions, or judgments, including legal fees, asserted against or incurred by the Local Government arising out of, during, or as a result of the provision of services outlined in the Agreement except such liability, loss, or damage which is the result of, or arising out of, the sole negligence of the Local Government or that is covered by the MIABC liability insurance policy.

- ☐ The Local Government agrees to be responsible for any and all deductible amounts including any claim expenses incurred and policy premium payments.
- ☐ The Service Provider agrees to be responsible for any and all deductible amounts including any claim expenses incurred and policy premium payments.

The Local Government reserves the right to terminate this Agreement and the associated commercial general liability insurance coverage provided to the Service Provider by the MIABC at any time upon written notification to the Service Provider of the termination.

ON BEHALF OF TOWN OF LADYSMITH

Name: Joanna Winter

Title: Corporate Officer

Signature:

Date:

**ON BEHALF OF LADYSMITH AND
DISTRICT HISTORICAL SOCIETY**

Name:

Title:

Signature:

Date:

STAFF REPORT TO COUNCIL

Report Prepared By: Joanna Winter, Manager of Legislative Services
Meeting Date: February 18, 2020
File No: 2470-20
RE: SERVICE PROVIDER AGREEMENT REQUEST – LADYSMITH AND DISTRICT HISTORICAL SOCIETY

RECOMMENDATION:

That Council:

1. Authorize the execution of a Service Provider Agreement between the Town of Ladysmith and the Ladysmith and District Historical Society for the provision of promotional services and managing the Ladysmith Museum and Archives; and
2. Confirm that the Ladysmith and District Historical Society is required to pay the \$250 annual fee for the additional liability coverage provided by the Municipal Insurance Association of BC.

EXECUTIVE SUMMARY:

The Ladysmith and District Historical Society has request assistance from the Town in acquiring liability insurance for public events such as the Heritage Week public event to be held on Saturday, February 22, 2020. This coverage is available through the Municipal Insurance Association under its Associate Member Program. Council has previously endorsed several community organizations as Associate Members for liability insurance purposes.

PREVIOUS COUNCIL DIRECTION

Council has previously authorized Service Provider Agreements with the following organization:

Ladysmith Festival of Lights
 Ladysmith Ambassadors Program
 Ladysmith Celebrations Society
 Kinsmen Club of Ladysmith
 Ladysmith Downtown Business Association
 Ladysmith Golf Course Society

Council passed the following resolution with respect to the Ladysmith and District Historical Society and its role in heritage promotion:

Resolution	Meeting Date	Resolution Details
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Resolution	Meeting Date	Resolution Details
CS 2019-126	04/01/2019	That Council provide additional funding to the Ladysmith and District Historical Society by: 1. Reallocating Heritage Revitalization Advisory Committee funding for professional development in the amount of \$1,600 to the Ladysmith and District Historical Society; and 2. Reallocating \$1,500 from the Heritage budget to Ladysmith and District Historical Society to promote heritage in Ladysmith and amend the service agreement.

INTRODUCTION/BACKGROUND:

The Ladysmith and District Historical Society (LDHS) has requested assistance from the Town in acquiring liability insurance for public events such as the Heritage Week public event to be held on Saturday, February 22.

Assistance is available through the Municipal Insurance Association under its Associate Member Program on the condition that the associate member is providing a service for the local government. In this case, the service provided by the LDHS is to operate the Ladysmith Archives and Ladysmith Museum, and to promote heritage in Ladysmith. The LDHS receives funds from the Town to carry out these services on its behalf.

The LDHS must enter into a Service Provider Agreement with the Town (see attached). The annual fee for this additional insurance coverage is \$250 for which the LDHS is responsible. In order to proceed with this request, the Town is required to:

- Adopt a resolution authorizing the Town to enter into a Service Provider Agreement with the LDHS
- Execute a Service Provider Agreement signed by both parties
- Process payment of the \$250 annual premium

ALTERNATIVES:

Council can choose not to enter into a Service Provider Agreement with the Ladysmith and District Historical Society.

FINANCIAL IMPLICATIONS:

It is recommended that the \$250 subscriber fee be paid by the LDHS, resulting in no additional cost to the Town. The draft agreement (attached) requires that the LDHS is responsible for any deductibles and associated costs arising from any claims under the Service Provider Agreement.

LEGAL IMPLICATIONS:

All appropriate agreements between the Town, the LDHS and the Municipal Insurance Association of BC will be duly executed.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Service Provider Agreement program recognizes the valuable role that local community organizations play to complement the activities and responsibilities of local governments, and to assist in promoting the community. Entering into a Service Provider Agreement with the LDHS will be received positively in the community.

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 checked="" type="checkbox"/> Healthy Community | <input type="checkbox"/> Local, Diverse Economy |
| <input 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

ATTACHMENT(S):

Draft Service Provider Agreement with the LDHS