

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

Tuesday, March 31, 2020

This meeting will be held electronically

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 Matter - Section 90(1)(c)
- Litigation - Section 90(1)(g)
- Rise and report on closed session resolutions for the period June 2018 to December 2019 – Section 90

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

Please check our website www.ladysmith.ca for information about how to view this meeting.

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Special Meeting of Council for March 31, 2020.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held March 3, 2020 5

Recommendation

That Council approve the minutes of the Regular Meeting of Council held March 3, 2020.

6.2 Minutes of the Special Meeting of Council held March 10, 2020 11

Recommendation

That Council approve the minutes of the Special Meeting of Council held March 10, 2020.

6.3 Minutes of the Special Meeting of Council held March 16, 2020 13

Recommendation

That Council approve the minutes of the Special Meeting of Council held March 16, 2020.

7. DEVELOPMENT APPLICATIONS

7.1 Development Permit Application – Multi-family Residential Development at 314 Buller Street (Ladysmith Resources Centre Association) 15

Recommendation

That Council:

1. Issue Development Permit 3060-20-01 for a multi-unit dwelling at 314 Buller Street (PID: 008-705-968).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-20-01.

8. BYLAWS - OFFICIAL COMMUNITY PLAN AND ZONING

8.1 OCP and Zoning Bylaw Amendment Application: 202/204 Dogwood Drive 35

Recommendation

That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029".

9. COMMITTEE MINUTES

9.1 Committee of the Whole Recommendations to Council

40

Recommendation

That Council:

1. Approve the Budget Transfer Policy 05-1680-B, as presented.
2. Direct staff to prepare an amendment to the “Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644” to include:
 - A. False Alarms per calendar year:
 - i. First False Alarm – warning letter
 - ii. Second False Alarm - \$100.00
 - iii. Third and subsequent False Alarms - \$250.00
 - B. Online banking payments – transfers between accounts, per calendar year:
 - i. First transfer – warning letter
 - ii. Second transfer – warning letter
 - iii. Third and subsequent transfers – a fee of 10% of the requested transferred amount with a minimum of \$5.00 to a maximum of \$25.00
3. Direct staff to review the draft bylaw originally initiated by the Green Streets Committee, as well as other options for tree protection in Ladysmith, and report back to Council.

10. REPORTS

10.1 Public Art Banners Selection

47

Recommendation

That Council:

1. Approve the recommendations of the Public Art Banners Assessment Committee for the 2020 Community Banner Program to produce banners based on the following submissions:
 - a. Tree of Life

- b. Protecting Plants Protects our Lives
 - c. Ladysmith Plantodentron; and
- 2. Direct staff to proceed with the ordering and placement of the banners as outlined in the 2020 Banner Map previously approved by Council.

11. BYLAWS

11.1 Council Remuneration Bylaw Amendment

55

The purpose of Bylaw 2034 is to establish rates of remuneration for Council members.

Recommendation

That Council adopt "Town of Ladysmith Council Remuneration Bylaw 2018, No. 1986, Amendment Bylaw 2020, No. 2034".

11.2 Provincial Request: Bylaw Restrictions on Essential Services

57

Recommendation

That Council receive for information the report from the Manager of Legislative Services and the Director of Development Services regarding the Provincial request to relax bylaw restrictions on essential services.

12. CORRESPONDENCE

12.1 Steve Arnett: Boil Water Advisory Issues

60

Recommendation

That Council receive the correspondence from Steve Arnett, dated March 6-9, 2020, regarding the Boil Water Advisory situation.

13. NEW BUSINESS

13.1 Union of British Columbia Municipalities (UBCM) Resolutions Process

68

Recommendation

That Council receive for information the correspondence from the Union of British Municipalities (UBCM), dated March 4, 2020, regarding a review of the resolutions process.

14. UNFINISHED BUSINESS

15. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, March 3, 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
Donna Smith
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:31 p.m., in order to retire immediately into closed session.

2. CLOSED SESSION

CS 2020-079

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:

- matters related to lease of Town property – section 90(1)(e)
- litigation or potential litigation - section 90(1)(g)
- legal advice - section 90 (1)(i)

Motion Carried

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

Mayor Stone called this Regular Meeting of Council to order at 7:01 p.m., recognizing the traditional unceded territory of the Stz'uminus People.

4. AGENDA APPROVAL

CS 2020-080

That Council approve the agenda for this Regular Meeting of Council for March 3, 2020.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:19 p.m. without report.

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held February 18, 2020

CS 2020-081

That Council approve the minutes of the Regular Meeting of Council held February 18, 2020.

Motion Carried

7. DELEGATIONS

7.1 Laurie Bienert, George Hanson and Daniel Martinez, Nanaimo Foundation: Ladysmith Community Fund and Neighbourhood Small Grants

Laurie Bienert, George Hanson and Daniel Martinez made a presentation to Council regarding the Nanaimo Foundation and its efforts to inspire charitable giving in the five regions of School District 68. They advised Council that the infrastructure is now in place to offer the Ladysmith community its own dedicated fund, pending charitable contributions received.

The team also discussed the Neighbourhood Small Grants program, which disburses grants of up to \$500 for the development of events that foster a sense of community. These grants are available to individuals, as opposed to organizations, for events like block parties, arts and crafts gatherings, community gardens and more. An information session will be held at St. Paul's Anglican Church in Nanaimo on March 7th, from 2:00 to 5:00 p.m.

Council expressed their appreciation for the efforts of the Nanaimo Foundation and thanked Ms. Bienert, Mr. Hanson and Mr. Martinez for their presentation.

7.2 Judy Stafford, Cowichan Green Community: 2019 Year in Review

Judy Stafford presented a video of the Cowichan Green Community's continuing efforts to promote environmental sustainability and improve food security for the region in 2019, highlighting the organization's involvement in food education, food and seed production, food recovery and food distribution.

Ms. Stafford responded to Council's questions. Council praised the Cowichan Green Community for their hard work and dedication and thanked Ms. Stafford for her inspiring presentation.

8. REPORTS

8.1 Waterfront Area Plan Staffing

CS 2020-082

That Council direct staff to include the Waterfront Area Plan Implementation Coordinator position in each year of the 2020-2024 Financial Plan remunerating up to band 5, step 5 of the exempt staff salary grid plus benefits with the monies, where applicable, to be funded in the following order:

- First, to come from revenues generated through operating activities in the Waterfront Area as appropriate;
- Second, to come from the Real Property Reserve;
- Third, general reserves to fund the non-eligible portion of the real property reserve cost; and
- Lastly, to come from taxation.

Motion Carried

8.2 Appointment of Corporate Officer

CS 2020-083

That Council appoint Donna Smith as Corporate Officer, effective Thursday, April 9, 2020.

Motion Carried

8.3 1st Ave Bollard Installation – Phase 2

CS 2020-084

That Council confirm that the Phase 2 bollard installation will comprise of seven spots around the Post Office with three in front of the Post Office on 1st Avenue and four on High Street.

Motion Carried

8.4 Electrical Connection Aggie Hall Memorial Tree

8.5 Resident Alien– Street and Parking Closure Requests for Second Round of Filming

CS 2020-085

That Council approve the following requests from the production company for the second round of filming for the television series *Resident Alien*, subject to negotiation of final schedules between staff and the production company:

1. Intermittent closures of Roberts Street between the Trans Canada Highway and First Avenue on Friday, March 13 and Saturday, March 14 for preparation and on Monday March 16 for shooting, on the condition that the company has a traffic management plan and highway use permit in place, with appropriate signage south of Coronation Square for northbound traffic, and north of 1st Avenue for southbound traffic;
2. Intermittent closures of parking spaces between March 13 and 17 on both sides of:
 - Roberts Street from the Trans Canada Highway to the southwest point of the Credit Union parking lot;
 - First Avenue between Gatacre Street and Baden Powell Street
 - High Street between the Trans Canada Highway and 1st Avenue;with the condition that the production company provide staff to assist customers in accessing businesses in these areas, and offer delivery of prescriptions as required;
3. Closure of 1st Avenue between Roberts Street and High Street for filming a stunt scene on Sunday, March 15;
4. Closure of the Town's parking lot at 17 and 25 Roberts Street from March 13 to March 17;
5. Closure of the Town parking lot and spaces along the alley between Gatacre Street and Malone Road for work trucks and support vehicles from March 13 to March 17;

6. Closure of parking along Oyster Bay Drive north of the Machine Shop from March 13 to 17 for use by production crew;
7. Use of the Town's property at the southern half of the parking lot at Fishermen's Wharf and Rotary Boat Launch for the production 'circus';
8. Use of the Town's property on Buller Street east of 1st Avenue for overflow parking, on the condition that the company completes and necessary fill or other work required

Motion Carried

8.6 Public Art Banners Assessment Committee

CS 2020-086

That Council appoint Duck Paterson to the Community Banner Program – Public Art Banners Assessment Committee

Motion Carried

8.7 Poverty Reduction in Ladysmith

CS 2020-087

That Council:

1. Direct staff to submit an application to the UBCM Poverty Reduction Planning & Action Program Funding Stream 1 for up to \$25, 000;
2. Confirm its willingness to provide overall grant management; and
3. Waive the purchasing policy in order to contract with Social Planning Cowichan to conduct the work, should the grant application be successful.

Motion Carried

9. BYLAWS

9.1 Council Remuneration Bylaw Amendment

CS 2020-088

That, having adopted the 2020 recommendations of the Select Committee on Council Remuneration, Council:

1. Give first, second and third readings to Town of Ladysmith Council Remuneration Bylaw 2018, No. 1986, Amendment Bylaw 2020, No. 2034; and
2. Adopt the amended Council Remuneration Policy.

Motion Carried

10. CORRESPONDENCE

10.1 Scott Carey, Chief Executive Officer, Dad's Dial A Driver Service: Request for Ride Hailing Services Support Letter

CS 2020-089

That Council consider provide a letter of support for the ride hailing industry.

Motion Carried

10.2 Cowichan Leadership Group: Proposal Related to Homelessness and Addiction in Ladysmith

CS 2020-090

That Council write to the Honorable Judy Darcy, BC Minister of Mental Health and Addictions, in support of the funding proposal from the Cowichan Leadership Group, providing details about growing issues related to homelessness and addiction in Ladysmith and area.

Motion Carried

11. QUESTION PERIOD

A member of the public thanked Council for serving the community and for creating such a wonderful place for him and his wife to live. He gave special accolades to the administration, City Hall reception, Julie Thompson and Christina Hovey.

12. ADJOURNMENT

CS 2020-091

That this Regular Meeting of Council adjourn at 8:22 p.m.

Motion Carried

Mayor (A. Stone)

Corporate Officer (J. Winter)



MINUTES OF A SPECIAL MEETING OF COUNCIL

Tuesday, March 10, 2020

5:00 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

Ryan Bouma
Donna Smith
Joanna Winter
Mike Gregory

1. CALL TO ORDER

Mayor Stone called this Special Meeting of Council to order at 5:04 p.m.

CS 2020-092

That, in accordance with section 127(4) of the *Community Charter*, Council waive notice of this special meeting by unanimous vote.

Motion Carried Unanimously

2. CLOSED SESSION

CS 2020-093

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 matter - section 90(1)(c)

Motion Carried

3. RISE AND REPORT

Council rose at 6:15 p.m. without report.

4. ADJOURNMENT

Mayor Stone adjourned this Special Meeting of Council at 6:16 p.m.

Mayor (A. Stone)

Corporate Officer (J. Winter)

Subject to Adoption



MINUTES OF A SPECIAL MEETING OF COUNCIL

Monday, March 16, 2020

4:00 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 (via telephone)
Councillor Jeff Virtanen

Staff Present:

Guillermo Ferrero
Erin Anderson
Joanna Winter

Donna Smith
Mike Gregory
Ian Paydli

1. CALL TO ORDER

CS 2020-094

That, in accordance with section 127(4) of the *Community Charter*, Council waive notice of this special meeting by unanimous vote.

Motion Carried

2. CLOSED SESSION

CS 2020-095

That, in accordance with section 90(1) of the *Community Charter*, Council retire into closed session at 4:01 p.m. in order to consider items related to the following:

- human resources matter - section 90(1)(c)

Motion Carried

3. RISE AND REPORT

Council rose at 4:59 p.m. with report on the following:

- CE 2020-026

1. That Council authorize the curtailment of all non-essential Town of Ladysmith services for the purpose of reducing exposure and transmission of the COVID-19 virus among staff and the public, and that the Chief Administrative Officer be authorized to implement curtailment in an orderly and coordinated manner with our regional partners; and
2. That essential services be described as those associated with or required to deliver:
 - Fire and first responder response
 - Water and sewer utilities
 - Emergency operations
 - Solid Waste Management
 - Communications
 - Facilities systems maintenance/shutdown
 - Administrative functions including Finance, Human Resource Management, Risk Management, Governance

- **CE 2020-027**

That Council, in light of the COVID-19 pandemic, postpone its Regular Meeting, scheduled for Tuesday, March 17 at 7:00 p.m., and change it to a Special Council meeting to be held Tuesday, March 24 at 7:00 p.m., to allow time for staff to arrange options for remote access and participation.

4. ADJOURNMENT

Mayor Stone adjourned this Special Meeting of Council at 5:00 p.m.

Mayor (A. Stone)

Corporate Officer (J. Winter)

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey
Meeting Date: March 17, 2020
File No: 3060-20-01
RE: DEVELOPMENT PERMIT APPLICATION – MULTI-FAMILY
 RESIDENTIAL DEVELOPMENT AT 314 BULLER STREET (LRCA)

RECOMMENDATION:

That Council:

1. Issue Development Permit 3060-20-01 for a multi-unit dwelling at 314 Buller Street (PID: 008-705-968).
2. Authorize the Mayor and Corporate Officer to sign Development Permit 3060-20-01.

EXECUTIVE SUMMARY:

A 36 unit multi-unit dwelling is proposed at 314 Buller Street. Staff recommends that Council issue Development Permit No. 3060-20-01 because the proposal is generally consistent with the guidelines for Development Permit Area 4 – Multi-Unit Residential. The draft Development Permit includes variances to the Zoning Bylaw to allow for a reduction in the number of off-street parking spaces and a reduction to the required front and exterior side setbacks.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2019-090, March 18, 2019	That Council adopt "Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 55) 2018, No. 1982.
CS 2019-091, March 18, 2019	That Council adopt "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 21) 2018, 1983.
CS 2019-092, March 18, 2019	That Council adopt "Housing Agreement Bylaw 2018, No. 1984".
CS 2020-052 February 4, 2020	That Council adopt Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2019, No. 2024.

INTRODUCTION/BACKGROUND:

The local not-for profit, the Ladysmith Resource Centre Association (LRCA), is proposing a 36 unit multi-unit residential building and community kitchen/hall at 314 Buller Street. 314 Buller Street is approximately 0.2ha in size and was formerly the location of St. John's Anglican Church. It is a corner property with frontage on Third Avenue and Buller Street. There is a laneway running along the side of the property parallel to Buller Street. Immediately north of the property on Third Avenue is a daycare and Ladysmith Intermediate School. Most of the

surrounding properties are residential properties containing single family residences. 314 Buller is approximately 200m west of First Avenue.

The proposed development is an “L” shaped three storey building with an additional partial lower storey. The lower storey will contain a community hall and kitchen, as well as bike/scooter parking, storage, and mechanical/electrical rooms. The first storey is proposed at 11 dwelling units and office space, the second and third storeys contain 12 and 13 units respectively. The proposed dwellings are a mix of studio, 1 bedroom, and 2 bedroom units.

The main building entrance is located on Third Avenue and enters onto the lower storey. There are two building entrances located on the northwest side of the building facing the parking lot: one is an entrance for residents and the second is an emergency exit.

An 18 space parking lot is proposed to be accessed off the laneway. There is a grade change between the parking lot and Third Avenue, so a retaining wall is proposed parallel to Third Avenue along the edge of the parking lot. A small greenspace is proposed in the northeast corner of the property adjacent to Third Avenue. Bicycle parking, benches and a picnic table are proposed near the residential entrance off the parking lot. There is another landscaped area along the western property line, where there will be a landscaped buffer and garden plots.



Figure 1: Proposed multi-unit building shown from the corner of Buller Street and Third Avenue

Access & Frontage:

The driveway into the parking lot is accessed off the laneway along the northern property line. Just past the driveway, there will be a garbage and recycling enclosure which is also accessed from the laneway. The applicant has proposed the following changes to the street frontages, in addition to the required utility upgrades:

- Buller Street: The existing angled street parking will be removed and replaced with landscaping. The sidewalk will be moved further away from the property line. Trees will be planted between the relocated sidewalk and the new building.
- Third Avenue: 11 right angle street parking stalls will be added.
- Laneway: The laneway will be paved from Third Avenue to the western edge of the property, since the lane will be the access point for the parking lot and the garbage enclosure.

Housing Agreement:

The property is subject to a Housing Agreement between the property owner and the Town of Ladysmith. The Housing Agreement requires that all 36 units in the building be rental units and that at least 70% of the units be occupied by tenants whose annual income is less than the Housing Income Limit for Nanaimo, British Columbia.

ANALYSIS:

The subject property is designated Multi-Family Residential in the OCP, is within Development Permit Area 4 – Multi-Unit Residential (DPA 4), and is within the Community Housing Zone CD-5 in the Zoning Bylaw. The proposed use is consistent with the OCP designation and the permitted uses for the CD-5 zone. Variances to the parking and setback requirements in the CD-5 zone have been proposed as part of the DP (see below under “Zoning”).

Development Permit Area:

The subject property is located within Development Permit Area 4 – Multi-Unit Residential (DPA 4). The purpose of DPA 4 is to establish objectives and provide guidelines for the general character of development and to promote energy conservation, water conservation, and the reduction of greenhouse gas emissions.

The proposed development has been reviewed for consistency with the DPA 4 and is generally consistent with the DPA 4 guidelines. A summary of observations on the proposals consistency with the DPA 4 guidelines is provided below in Table 1.

Table 1: Summary of Proposal's Consistency with DPA 4 Guidelines

Guidelines	Observations
Building Design	<ul style="list-style-type: none"> • According to the applicant, the built environment of Ladysmith and the surrounding natural environment inspired the form, character, and materials of the building. • The building is an efficient "L" shaped three storey plus lower level building. • The main entrance off Third Avenue was designed to provide easy access for residents and community members and to create an open and inviting presence.
Building Siting, Massing & Height	<ul style="list-style-type: none"> • The height of the new building respects the surrounding buildings as shown in the site elevation drawings (Figure 2: Height relative to adjacent buildings). Where there is a greater difference between the height of the new building and the surrounding buildings, the buildings are separated by roads or the parking area. • While the main building entrance is on Third Avenue, the overhang on the front of the building orients towards Buller Street as well as Third Avenue. A secondary door is provided on Third Avenue.
Building Frontage	<ul style="list-style-type: none"> • The building frontages are visually broken up into smaller distinctive units with vertical sections clad with contrasting materials. • The main and secondary entrances are emphasized with recesses/canopies and overhangs as well as glazed areas. • Landscaping along all building sides provides additional visual interest.
Roof Form	<ul style="list-style-type: none"> • The "butterfly" roof profile along Third Avenue lifts from an offset centre to the edges of the building as an alternative to a flat roof. • The dark inset along the roofline articulates the roofline.
Windows & Doors	<ul style="list-style-type: none"> • The windows are architecturally compatible with the building style and materials. • The building façades are modulated by windows which are framed with panels in a contrasting colour. • The building entrances are clearly defined in the building design and further emphasized by the landscaping. • The main entrance is recessed to provide visual interest to the streetscape of Third Avenue.
Signs, Canopies & Lighting:	<ul style="list-style-type: none"> • All entrances are recessed/canopied to provide weather protection. • Dark sky compliant lights are provided for the parking area and front entrance.

Guidelines	Observations
Livability	<ul style="list-style-type: none"> • Landscaping provided along the edge of the parking area and trees along Buller Street will improve the privacy for residents of the first storey. • The proposal does not provide private outdoor living space for each dwelling unit. The applicant reports that this is due to cost constraints. • Shared outdoor amenity space is provided, including garden plots, a picnic table, and a landscaped space adjacent to Third Avenue. The applicant intends to add more amenities to the landscaped areas in the future. • The building was designed to maximize views to Ladysmith harbour, so most units have a view in a least one direction.
Materials & Colours:	<ul style="list-style-type: none"> • According to the applicant, brick is used to clad the base of the building for durability and because of the many historic brick buildings in Ladysmith. The other materials include concrete, wood, heavy timber. Light grey cladding on the bulk of the building is intended to match the colour of weathered driftwood, with the contrasting colour intended to reference the existing LRCA building. • The building's colour palette is cohesive and consistent with the character defining colours in the neighbourhood.
Mechanical, Electrical & Security Equipment:	<ul style="list-style-type: none"> • Rooftop mechanical equipment is strategically located so as not to be visible from ground level.
Accessibility & Connectivity:	<ul style="list-style-type: none"> • The sidewalks, building entrances and communal areas of the building are designed to be accessible to all users. • The building entrance is directly accessible from the sidewalk on Third Avenue.
Vehicle & Bicycle Parking:	<ul style="list-style-type: none"> • Vehicle parking is located off the laneway, away from the front of the building. • The parking area is enhanced and screened with landscaping. • Two electric vehicle chargers are being provided. • The minimum off-street parking space requirement is proposed to be varied from 44 to 18 stalls (see zoning section below). • Indoor bicycle/scooter parking is provided for residents and outdoor bicycle parking is provided at the secondary building entrance adjacent to the parking lot.

Guidelines	Observations
Landscape:	<ul style="list-style-type: none"> • No existing trees will be retained. • A landscape buffer is provided along the rear parcel line which is adjacent to a residential property. • Landscaping is proposed along all frontages and around the parking area. • The proposed retaining wall is screened by plantings to reduce the visual impact. • Drought resistant species are emphasized and irrigation is being provided. • Three raised community garden plots are proposed. • A landscaping plan has been prepared by a registered Landscape Architect and a security for \$29,500 will be provided to ensure the work is completed.
Energy Conservation, Rain Water Management & Water Conservation:	<ul style="list-style-type: none"> • The building is targeting the BC Energy Step Code Level 4 to provide energy efficiency, a reduced carbon footprint, and reduced operating expenses. This would be the first Step 4 building in Ladysmith. • The building's mechanical design employs a high efficiency heat recovery ventilation. • Two electric vehicle charge stations are proposed.
Recycling, Organics & Solid Waste Management:	<ul style="list-style-type: none"> • The recycling is proposed to be enclosed in a structure designed to match the principle building.
Crime Prevention:	<ul style="list-style-type: none"> • Crime prevention has been considered in the site design, landscaping, and lighting choices.



Figure 2: Height relative to adjacent buildings

Zoning

The applicant is requesting variances to the front and side setbacks and to the required number of parking spaces. Both of these variances can be accommodated through the Development Permit based on DPA-4 guidelines. The proposal otherwise complies with the zoning regulations and staff is recommending that the requested variances be approved.

Setbacks

The applicant is requesting variances to the front and exterior side setbacks as shown in the table below.

Table: Zoning Setback Requirements and Proposed Building, 314 Buller Street

Parcel Line	Minimum Setback	Proposed Setback	Compliance
Front (Third Avenue)	6.0 m	2.1 m	3.9 m variance required
Exterior Side (Buller Street)	4.5 m	1.0 m	3.5 m variance required
Interior Side (laneway)	4.5 m	14.4 m	Complies
Rear	4.5 m	4.5 m	Complies

Guideline 1. Building Design of DPA 4 states:

“g) Requests for building and structure setback alterations or reductions should be augmented by improvements on adjacent Town land, such as enhanced street frontage, improvements to boulevard landscaping designed by a landscape architect.”

The applicant is proposing a 2.1m setback from the front parcel line on Third Avenue. The front of the building, including the canopy over the main entrance, as well as the landscaping adjacent to the Third Avenue sidewalk, creates a smooth transition between the private and public spaces.

The applicant is proposing a 1.0m setback from the exterior parcel line adjacent to Buller Street. To offset this request, the applicant is proposing to replace the existing angled street parking with landscaping. The sidewalk will be moved away from the property line to create distance between the building and pedestrians, and five fast-growing trees are proposed to be planted in the Town land to further buffer the building and provide privacy and shade for residents.

Parking Spaces

The applicant has requested a variance to the required number of off-street parking spaces from 44 to 18.

Guideline 11. Vehicle & Bicycle Parking of DPA 4 states:

“i) Requests for alterations or reductions of parking requirements should be augmented by improvements on adjacent Town land such as enhanced street frontage improvements and boulevard landscaping designed by a landscape architect”

The applicant anticipates that most of the residents will not have vehicles. The target tenants for the development include people with developmental disabilities and seniors, some of whom will not be able to drive. In addition, low income residents are less likely to own a vehicle due to cost.

The proposal includes provision of 11 street parking spaces that will be available to the public; these spaces will help to offset the reduction in the number of off-street parking spaces, and will be available to other community members.

ALTERNATIVES:

Council may choose to refuse issuance of DP 3060-20-01 where the refusal is based upon determination that the application does not meet the DPA 4 guidelines.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

The subject property is within DPA 4, so a DP is required prior to issuance of a Building Permit.

If the DP is refused, then reasons must be given, based on the DPA 4 guidelines, since the issuance of a DP is not a completely discretionary decision of Council.

Site Contamination:

The applicant has reported that there was a buried fuel tank on the property. The tank was removed and surrounding soils have been sampled with no further remediation recommended. A Site Profile and accompanying reports were provided to the Ministry of the Environment & Climate Change Strategy and they responded that a Site Profile is not required. Therefore, the Town may proceed with issuing the Development Permit.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

None.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This application has been referred to the Infrastructure Services Department, the Fire Department, and the Building Inspector. Their comments have been incorporated into the draft Development Permit, and/or will be addressed through the Building Permit application.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input checked="" type="checkbox"/> Low Impact Transportation |
| <input checked="" type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input checked="" 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 DP 3060-20-01



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-20-01

DATE: March 17, 2020

Name of Owner(s) of Land (Permittee): Ladysmith Resources Centre Association, Inc. No. S0029335

Applicant: Ben Checkwitch (Checkwitch Poiron Architects Inc.)

Subject Property (Civic Address): 314 Buller Street.

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

**Lot A (DD B92367) of Block 76, District Lot 56, Oyster District, Plan 703A
(PID: 008-705-968)
(referred to as the "Land")**

3. This Permit has the effect of authorizing:
 - (a) the issuance of a building permit for the construction of a building and structures on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit;

Subject to the conditions, requirements and standards imposed and agreed to in this Permit.

4. With respect to the Land:
 - (a) Town of Ladysmith Zoning Bylaw 2014, No. 1860 is hereby varied as follows:
 - i. Section 8.2(1) "Calculation of Off-Street Parking Spaces" is varied such that 18 off-street parking spaces shall be required on the land, 8 standard parking spaces, 8 small parking spaces and 2 accessible parking spaces, as shown in **Schedule A: Site Plans**.

ii. Section 17.5(5)(c) (Setbacks) is varied for the principal building as follows:

- Front Parcel Line:
From: 6.0 metres
To: 2.1 metres
- Exterior Side Parcel Line:
From: 4.5 metres
To: 1.0 metres

As shown in **Schedule A: Site Plans**.

5. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.
6. The Permittee, as a condition of the issuance of this Permit, agrees to:
 - (a) Develop the Land as shown in:
Schedule A: Site Plans
Schedule B: Elevation Plans & Exterior Materials
 - (b) Provide on & off-site Landscaping in accordance with:
Schedule C: Landscape Plans
 - (c) Provide at least one electric vehicle charge station.
 - (d) Provide 12 parking spaces on Third Avenue as shown on **Schedule A: Site Plans**.
7. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 6 of this Permit respecting landscaping. The Letter of Credit shall be for a period of two years, shall be automatically extended, and shall be in the amount of **\$29,500**.
8. Should the Permittee fail to satisfy the conditions referred to in section 6 and 7 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping condition(s) at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
9. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
10. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
11. The plans and specifications attached to this Permit are an integral part of this Permit.

12. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit **(3060-20-01)** or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
13. This Permit prevails over the provisions of the Bylaw in the event of conflict.
14. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

**AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH
ON THE ____ DAY OF _____ 2020.**

Mayor (A. Stone)

Corporate Officer (J. Winter)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Ladysmith Resources Centre Association Inc. No. S0029335 or Ben Checkwitch (Checkwitch Poiron Architects Inc.)** other than those contained in this permit.

Signed

Witness

Title

Occupation

Date

Date

Signed

Witness

Title

Occupation

Date

Date

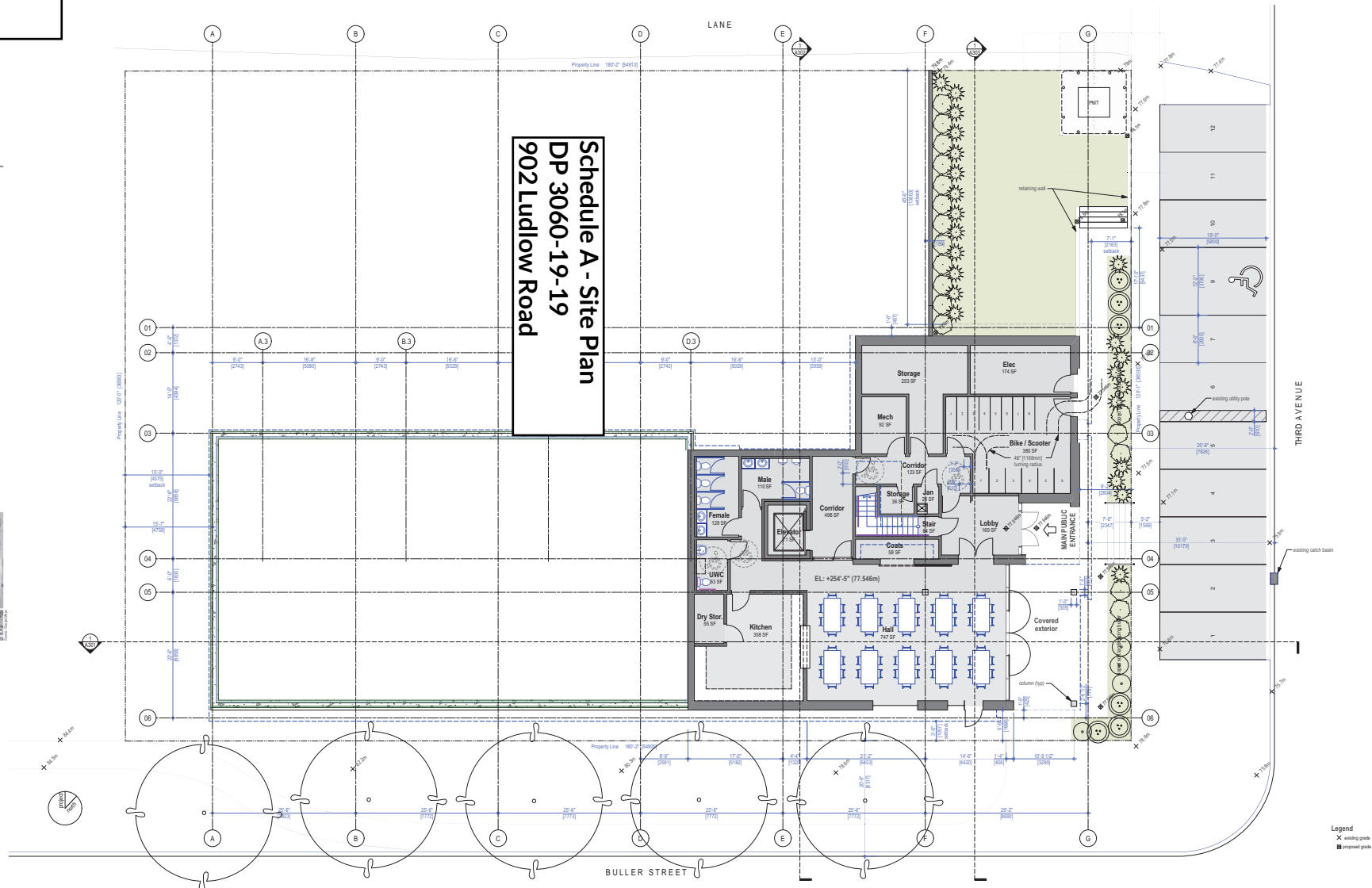
Schedule A - Site Plans
DP 3060-20-01
314 Buller Street
Page 1 of 3

Legal Description	Lot A Block 76 Plan V1P703A District Lot 56 Land District 43 Portion (DD 392367)
Civic Address	314 Buler Street, Ladysmith, BC
PID	008-705-968
Zoning Category	Comprehensive Development 5
Site Area	2,010 sm

	Permitted or Required	Proposed
Parcel Coverage	50%	41%
Setbacks*		
Front (Third Avenue)	6.0 m	2.1 m
Rear (neighbouring res.)	4.5 m	4.5 m
Side (lawnway)	4.5 m	14.4 m
Side (Buller Street)	4.5 m	1.0 m
Floor Area		2,735 sqm
Number of Dwelling Units	36	36
Floor Space Ratio	≤1.5	1.36
Building Height	12.5 m	11.0 m
Number of Storeys		4
Vehicle Parking*		
Off-Street	44	18
Standard		8
Small		8
Accessible		2
On-Street		11
Standard		10
Accessible		1
Off-Street Bicycle Parking		
Class A (secured)	8	8
Class B (short-term)	8	8



Location Plan
Not To Scale



Legend
 existing grade
 proposed grade

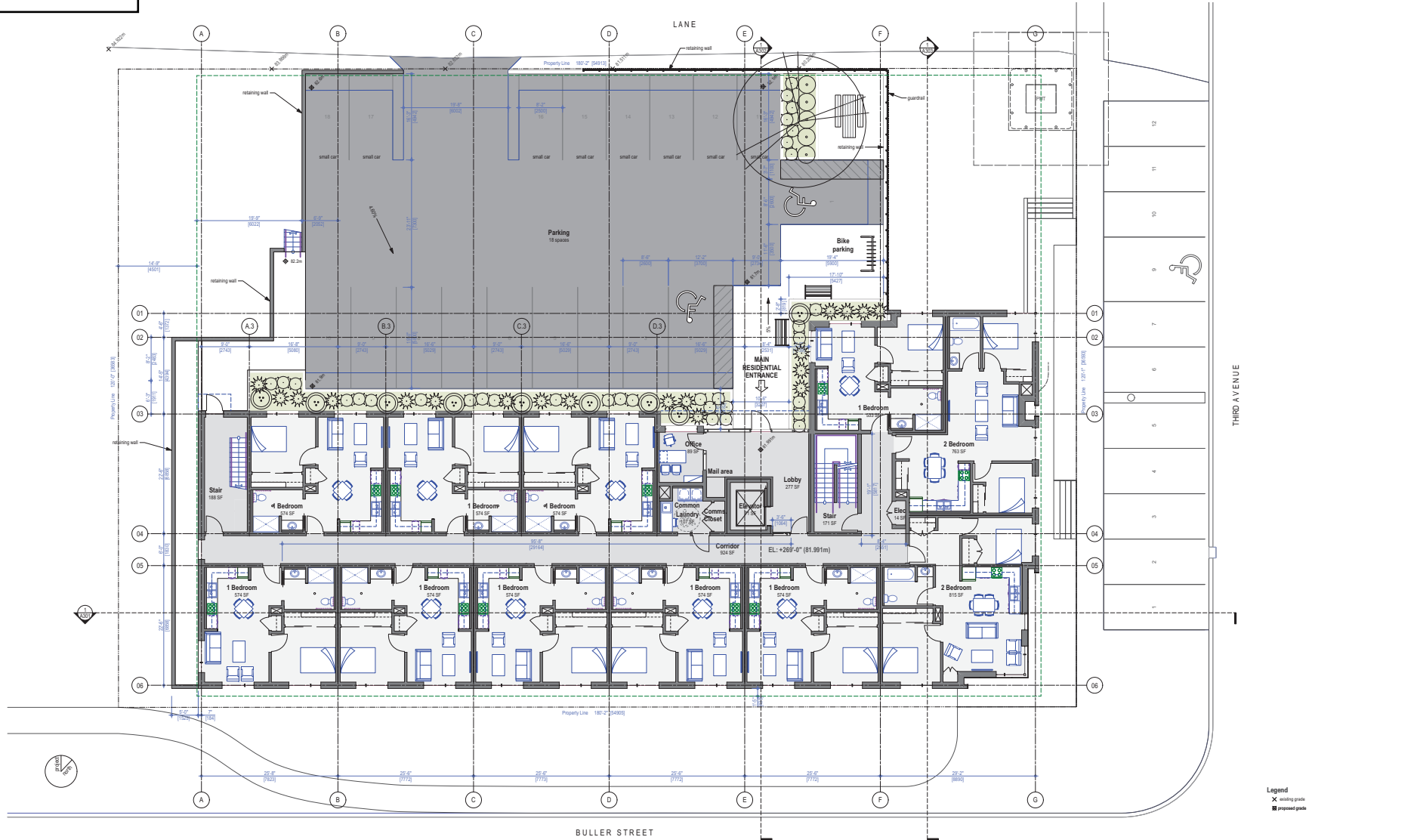
NOT FOR CONSTRUCTION – FOR REVIEW ONLY

CHECKSWITCH POIRON ARCHITECTS INC. Checkswitch Poiron Architects Inc. www.cpanch.ca
 9-93 Commercial Street, Nanaimo, BC V9R 5G3 250-714-1963
 501-402 Pender Street W., Vancouver, BC V6B 1T6 604-689-3444

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LRCA Affordable Housing
314 Buller Street, Ladysmith, BC

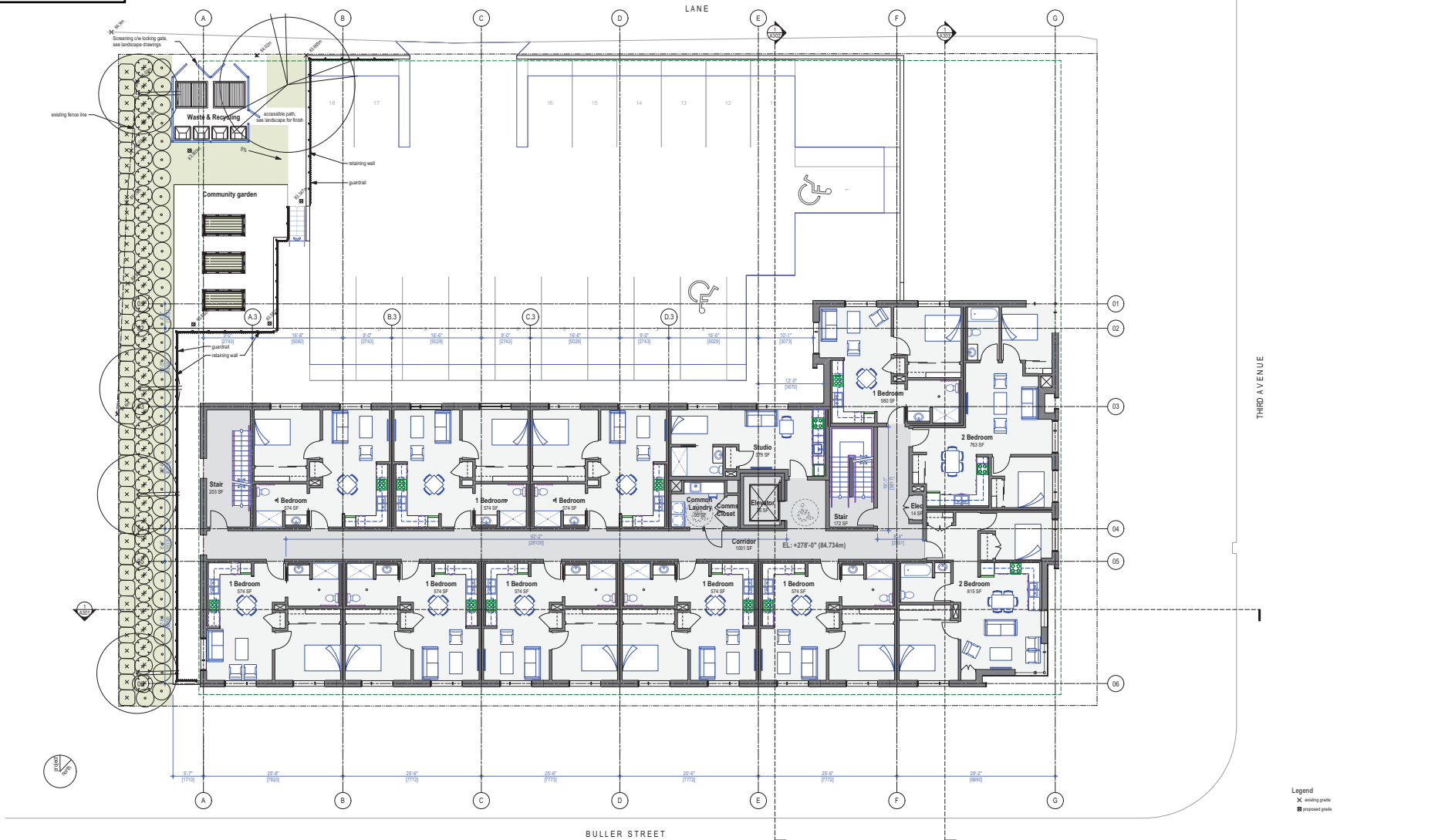
Client Ladysmith Resource Centre Association	Drawn By JC	Reviewed By BC	Sheet Number A211
Project Number 1801	Sheet Name Site plan, Floor Plan Level 1		
Scale 1:100	Date 2020.03.09	Issue No. 58	Issued For DP Amendment #2
Revision			00



Checkwith Poiron Architects Inc.
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 250.714.1963
 501-402 Pender Street W., Vancouver, BC V6B 1T6
 604.583.3444
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LRCA Affordable Housing
 314 Buller Street, Ladysmith, BC

NOT FOR CONSTRUCTION - FOR REVIEW ONLY			
Client	Ladysmith Resource Centre Association	Drawn By	JC
Project Number	1801	Reviewed By	BC
Sheet Name	Site plan, Floor Plan Level 2	Sheet Number	A212
Scale	1:100	Date	2020.01.10
		Revised By	43
		Revised Date	
		Development Permit	



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LRCA Affordable Housing
 314 Buller Street, Ladysmith, BC

NOT FOR CONSTRUCTION - FOR REVIEW ONLY

Client	Ladysmith Resource Centre Association	Drawn By	JC	Reviewed By	BC	Sheet Number	A213
Project Number	1801	Sheet Name	Floor Plan Level 3				
Scale	1:100	Date	2020.01.10	Revision	43	Issued For	Development Permit

Schedule B - Elevation Plans & Exterior Materials
DP 3060-20-01, 314 Buller Street
Page 1 of 2



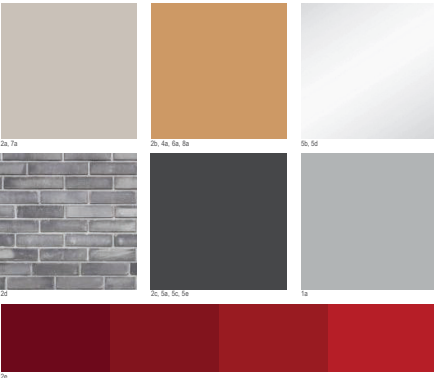
1 South elevation
scale: 1:100



2 East elevation
scale: 1:100

Exterior Materials

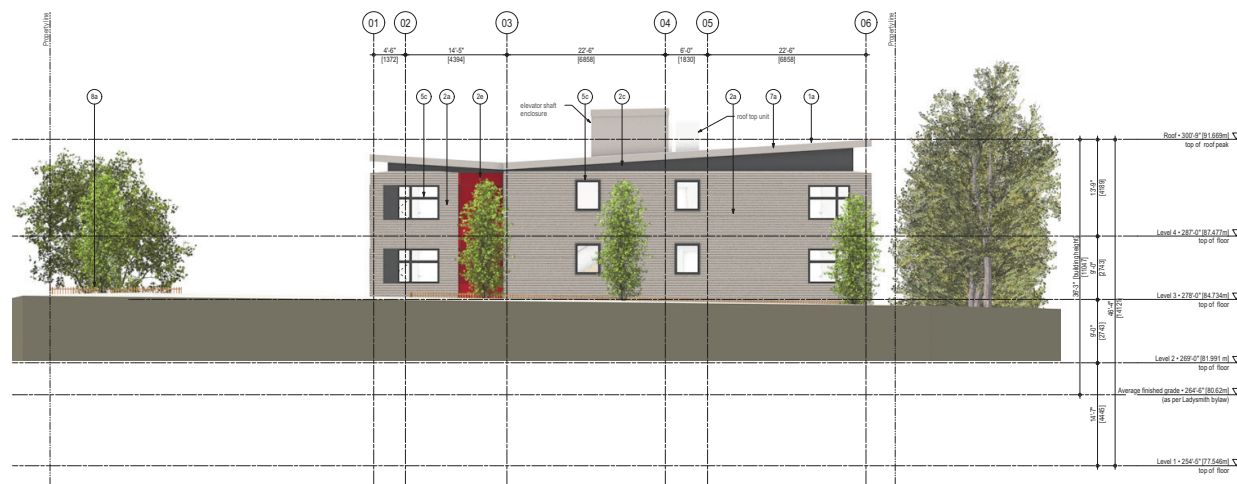
Material	Finish	Colour
1 a Railing - SSS	-	Light grey
2 a Cladding - fibre cement plank	Painted	Grey
3 Cladding - fibre cement board panel	Painted	Golden brown
4 Cladding - fibre cement board panel	Painted	Dark grey
5 Cladding - masonry veneer	-	Grey
6 Cladding - fibre cement board panel	Painted	Red (multi shades of red)
7 a Soft - fibre cement board panel	Painted	Golden brown
8 a Soft - fibre cement board panel	Painted	Light grey
9 a Doors and frames - metal	Prefinished	Dark grey
10 Windows - storefront aluminium	Prefinished	Clear anodized
11 Windows - vinyl	Prefinished	Dark grey
12 Windows - aluminium	Prefinished	Clear anodized
13 Windows - bottom and side panels	Prefinished	Dark grey
14 a Wood columns	Stained	Brown
15 a Fence	Prefinished	Grey
16 a Railing / Fencing	Painted	Brown



Schedule B - Elevation Plans & Exterior Materials
DP 3060-20-01, 314 Buller Street
Page 2 of 2



1 North elevation
scale: 1:100



2 West elevation
scale: 1:100

Exterior Materials

Material	Finish	Colour
1 a Roofing - SBS	-	Light grey
2 a Cladding - fibre cement plank	Painted	Grey
3 a Cladding - fibre cement board panel	Painted	Golden brown
4 a Cladding - fibre cement board panel	Painted	Dark grey
5 a Cladding - masonry veneer	-	Grey
6 a Cladding - fibre cement board panel	Painted	Red (multi shades of red)
7 a Soffit - fibre cement board panel	Painted	Golden brown
8 a Soffit - fibre cement board panel	Painted	Light grey
9 a Doors and frames - metal	Prefinished	Dark grey
10 a Windows - storefront aluminum	Prefinished	Clear anodized
11 a Windows - vinyl	Prefinished	Dark grey
12 a Windows - aluminum	Prefinished	Clear anodized
13 a Windows - bottom and side panels	Prefinished	Dark grey
14 a Wood columns	Stained	Brown
15 a Fences	Prefinished	Grey
16 a Railing / Fencing	Painted	Brown

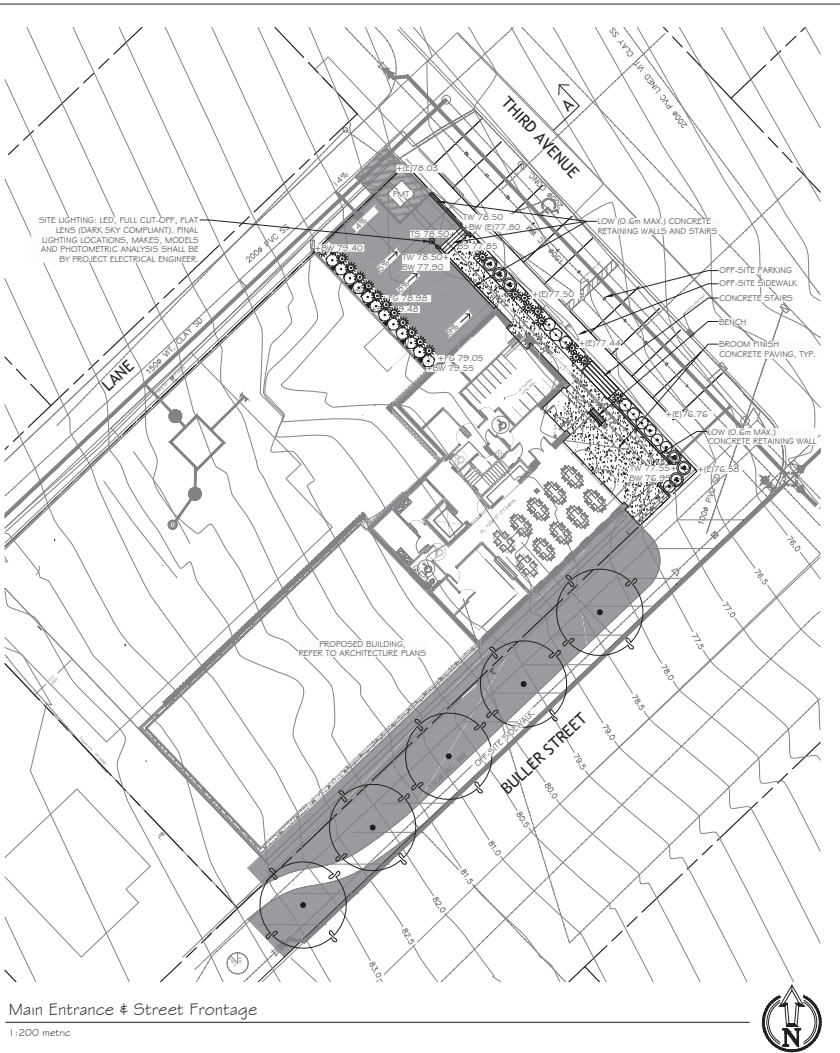




Residential Entrance/ Parking Area (Lane Access)

1:200 metric

Schedule C - Landscape Plans
DP 3060-20-01
314 Buller Street
Page 1 of 3



Main Entrance & Street Frontage

1:200 metric

LAYOUT & GRADING LEGEND

ABBREVIATIONS	DESCRIPTION
(E)	EXISTING
TYP.	TYPICAL
PL	PROPERTY LINE
+FG 10.00	FINISHED GRADE
+E10.00	EXISTING GRADE
+TW 10.00	TOP OF WALL
+BW 10.00	BOTTOM OF WALL
+TS 10.00	TOP OF STAIR
+BS 10.00	BOTTOM OF STAIR
1.2% MAX.	DRAINAGE DIRECTION & SLOPE



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LRCRA Affordable Housing
Ladysmith Resource Centre Association
Ladysmith, BC

LANDSCAPE ARCHITECTURE PLAN	
Date:	December 16, 2019
Drawn:	CW
Checked:	NG
Scale:	1:200 metric
Project Number:	19-0234
Drawing Number:	L1 of 3

REVISION SCHEDULE	
#	NOTES
0	08AUG2019 Schematic for Pricing
1	25NOV2019 Issued for DP Review
2	16DEC2019 Issued for DP

IRRIGATION NOTES

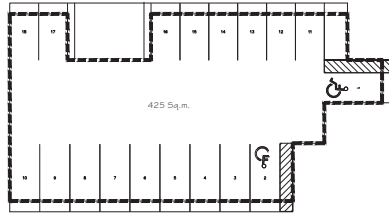
- ALL IRRIGATION INSTALLATION AND MAINTENANCE SHALL MEET OR EXCEED THE MOST RECENT STANDARDS SET OUT BY THE CANADIAN LANDSCAPE NURSERY ASSOCIATION (CLNA) / CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS (CSLA) CANADIAN LANDSCAPE STANDARD PER THE IRRIGATION INDUSTRY ASSOCIATION OF BC (IABC) SPECIFICATIONS.
- THE IRRIGATION SYSTEM SHALL BE CONTROLLED AUTOMATICALLY WITH A "SMART" IRRIGATION CONTROLLER, REFER TO IRRIGATION LEGEND.
- IRRIGATION EMISSION DEVICES SHALL BE LOW VOLUME ROTARY NOZZLES OR DRIP EQUIPMENT. ALL POP-UP SPRINKLERS IN PLANTING AND LAWN AREAS SHALL HAVE A 6" (15cm) POP-UP HEIGHT.
- OFF-SITE BOULEVARD LAWN AREAS SHALL BE NON-IRRIGATED.
- OFF-SITE STREET TREE PLANTING SHALL BE IRRIGATED VIA BUBBLERS.
- THE CONTRACTOR SHALL ADJUST THE PLACEMENT AND RADIUS OF SPRINKLERS AS REQUIRED BY FIELD CONDITIONS TO ACHIEVE FULL COVERAGE OF ALL PLANTED AREAS AND TO MINIMIZE OVER-SPRAY ONTO ADJACENT HARD SURFACES, FENCES AND PROPERTY LINES.
- ALL PIPING AND CONTROL WIRE UNDER PAVING SHALL BE INSTALLED IN SEPARATE SCHEDULE 40 SLEEVES AT A MINIMUM DEPTH OF 600mm WITH 150mm OF SAND BACKFILL ABOVE AND BELOW PIPE. ALL SERVICES SHALL BE INSTALLED PRIOR TO PAVEMENT INSTALLATION AND SHALL EXTEND 150mm BEYOND EDGE OF PAVEMENT OR CURB. BACKFILL FOR SLEEVES SHALL BE COMPACTED TO THE SPECIFIED DENSITY FOR THE SUBGRADE.
- OPERATE IRRIGATION CONTROLLERS WITHIN THE TOWN OF LADYSMITH WATER RESTRICTION SCHEDULE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING OR REPLACING ALL EXISTING SPRINKLER EQUIPMENT OR PROPERTY TO REMAIN DAMAGED BY CONSTRUCTION OPERATIONS.
- INSTALL SPRINKLER HEADS PERPENDICULAR TO SLOPES OR GRADE.
- THE LANDSCAPE ARCHITECT CANNOT PROVIDE ASSURANCES FOR WORK WITHOUT FIELD REVIEW ATTENDANCE.

IRRIGATION EQUIPMENT LEGEND

SYMBOL	MANUFACTURER	MODEL	DESCRIPTION
	PER MECHANICAL	PER MECHANICAL	38mm (1.5") DOUBLE CHECK VALVE ASSEMBLY PER CSA STANDARDS INSTALLED IN MECHANICAL ROOM
	HUNTER	TBD	AUTOMATIC IRRIGATION CONTROLLER IN PLASTIC OR METAL ENCLOSURE MOUNTED IN MECHANICAL ROOM
	HUNTER	W55-SN	WIRELESS SOLAR-SYNC SENSOR ON SOUTH-FACING FAÇE
		SCHEDULE 40	38mm (1.5") PVC MAINLINE
		SCHEDULE 40	PVC SLEEVES UNDER ALL PAVING MIN. TYP. MAINLINE 4 CONTROL WIRE: 150mm (6") LATERALS 4 CONTROL WIRE: 75mm (3") BURIAL DEPTH TO MATCH DEPTH OF CARRIED PIPE.

PLANTING NOTES

- REFER TO THE ARCHITECTURE PLANS PREPARED BY CHECKMITH POIRON ARCHITECTS INC. FOR ALL SITE PLANNING AND LAYOUT.
- ALL LANDSCAPE INSTALLATION AND MAINTENANCE SHALL MEET OR EXCEED THE MOST RECENT STANDARDS SET OUT BY THE CANADIAN NURSERY LANDSCAPE ASSOCIATION (CNLA) / CANADIAN SOCIETY OF LANDSCAPE ARCHITECTS (CSLA) CANADIAN LANDSCAPE STANDARD.
- GROWING MEDIUM SHALL MEET OR EXCEED THE PROPERTIES OUTLINED THE CANADIAN LANDSCAPE STANDARD PER SECTION 6 GROWING MEDIUM, TABLE 1-6.3.3.2. PROPERTIES FOR GROWING MEDIA, LEVEL 2 "GROOVED" - 2L.
GROWING MEDIUM DEPTHS: GROUND COVER - 300mm
SHRUBS - 450mm
TREES - 60" CUBIC METRES PER TREE
- MULCH SHALL BE COMPOST PER SECTION 1.0 MULCHING OF THE CANADIAN LANDSCAPE STANDARD. MULCH DEPTH SHALL BE 75mm MINIMUM OVER ALL TREE, SHRUBS AND GROUND COVER PLANTING AREAS.
- PLANT MATERIAL QUALITY, TRANSPORT AND HANDLING SHALL COMPLY WITH CNLA STANDARDS FOR NURSERY STOCK.
- ALL TREE, SHRUB, GROUND COVER AND LAWN AREAS SHALL BE WATERED VIA AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM UTILIZING "SMART" (ET) WEATHER-BASED IRRIGATION CONTROL. IRRIGATION EMISSION DEVICES SHALL BE HIGH EFFICIENCY LOW VOLUME ROTARY NOZZLES OR DRIP IRRIGATION EQUIPMENT.
- PLANT QUANTITIES ARE FOR INFORMATION ONLY. IN CASE OF ANY DISCREPANCY THE PLAN SHALL GOVERN.
- ALL PLANT MATERIAL SHALL MATCH TYPE AND SPECIES AS INDICATED ON THE PLANTING LEGEND. CONTACT THE LANDSCAPE ARCHITECT FOR APPROVAL OF ANY SUBSTITUTIONS. NO SUBSTITUTIONS WILL BE ACCEPTED WITHOUT PRIOR WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT.
- CHECK FOR LOCATIONS OF WATER LINES AND OTHER UNDERGROUND SERVICES PRIOR TO DIGGING TREE PITS. EXCAVATED PLANT PITS SHALL HAVE POSITIVE DRAINAGE. PLANT PITS WHEN FULLY FLOODED WITH WATER SHALL DRAIN WITHIN ONE HOUR AFTER FILLING.
- NO PLANTS REQUIRING PRUNING OF MAJOR BRANCHES DUE TO DISEASE, DAMAGE OR POOR FORM WILL BE ACCEPTED.
- ALL CALIPRE-STOCK TREES SHALL BE 8" B IN WIRE BASKETS.



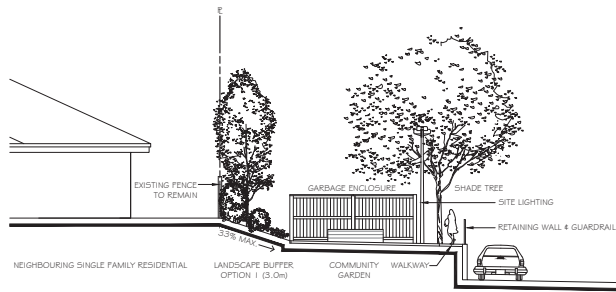
Shade Tree Calculation

1:200 metric

Unenclosed parking area = 425 Sq.m.
425 Sq.m. divided by 4 = 106.25 Sq.m.
106.25 Sq.m. divided by 1.00, for Shade Tree caliper of 6cm at planting = 1.06
Total Shade Trees required = 2
Total Shade Trees provided = 2

PLANT LEGEND

SYMBOL	BOTANICAL / COMMON NAME	SIZE	SPACING	QTY.	NOTES
TREES					
	ACER RUBRUM RED MAPLE	6cm CAL.	SEE PLAN	2	SHADE TREE
	FAGUS SYLVATICA 'DAWYCK GOLD' DAWYCK GOLD EUROPEAN BEECH	6cm CAL.	10m O.C. AVG. SEE PLAN	4	LANDSCAPE BUFFER TREE
	PYRUS CALLERYANA 'REDSPIRE' REDSPIRE FLOWERING PEAR	4cm CAL.	9m O.C.	5	OFF-SITE BULLER STREET TREE
SHRUBS					
	LONICERA PILEATA 'MAY GREEN' PRIVET HONEYSUCKLE	#1 POT	1.0m O.C.	49	DROUGHT TOLERANT
	NANDINA DOMESTICA 'MOON BAY' MOON BAY HEAVENLY BAMBOO	#1 POT	0.75m O.C.	33	DROUGHT/SHADE TOLERANT
	OSMANTHUS DELAVAYI SWEET OLIVE	#1 POT	1.0m O.C.	16	DROUGHT/SHADE TOLERANT
	POLYSTICHUM MINUTUM SWORD FERN	#1 POT	1.0m O.C.	42	NATIVE SPECIES
	RHOODODENDRON SSP. WHITE FLOWER RHOODODENDRON	#3 POT	1.2m O.C.	15	DROUGHT/SHADE TOLERANT
	ROSA NUTKANIA NODDIA ROSE	#1 POT	1.0m O.C.	35	NATIVE SPECIES
HEDGEROW					
	PRUNUS LUSITANICA PORTUGUESE CHERRY LAUREL	1.0m	0.9m O.C.	41	DROUGHT TOLERANT
VINE					
	PARKTHENOCISSUS TRICUSPIDATA BOSTON IVY	#1 POT	2.0m O.C.	6	DROUGHT/SHADE TOLERANT
LAWN					
	500: CANADA #2 STANDARD GRADE	ON-SITE	210 Sq.m.		
		OFF-SITE	305 Sq.m.		



Section A-A

1:100 metric

Schedule C - Landscape Plans
DP 3060-20-01
314 Buller Street
Page 2 of 3

Section/Elevation



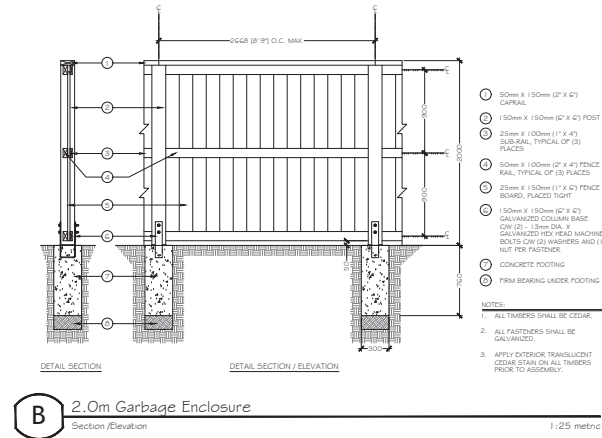
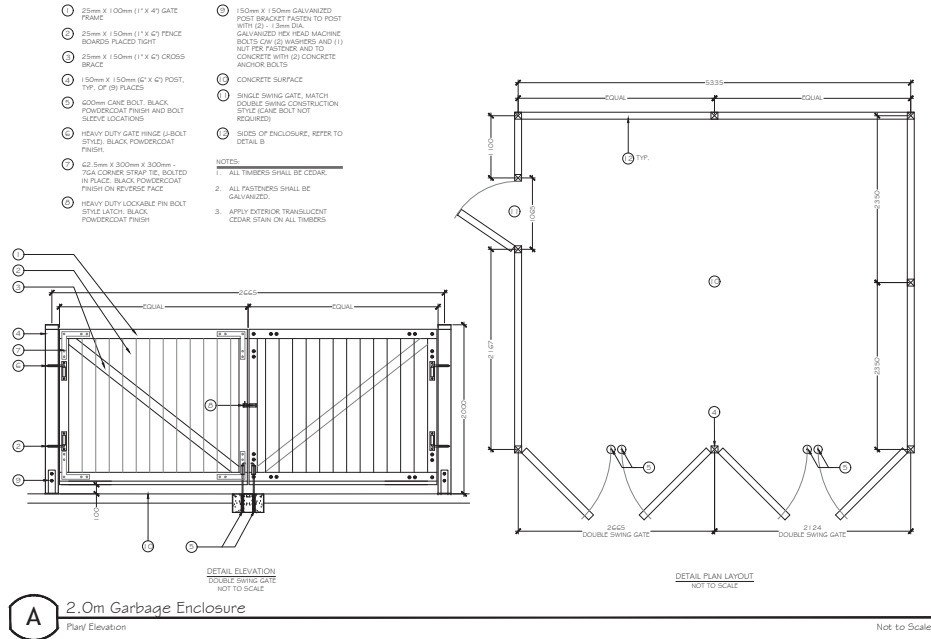
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LRC Affordable Housing
Ladysmith Resource Centre Association
Ladysmith, BC

LEGENDS, NOTES & SECTION

Date:	March 2, 2020
Drawn:	CW
Checked:	NG
Scale:	As Noted
Project Number:	19-0234
Drawing Number:	L2 of 3

REVISION SCHEDULE	NOTES
#	Date
0	08/08/2019 Schematic for Pricing
1	25/09/2019 Issued for DP Review
2	16/06/2019 Issued for DP
3	02/MAR/2020 Reissued for DP



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LRCRA Affordable Housing
Ladysmith Resource Centre Association
Ladysmith, BC

DETAILS	
Date:	March 2, 2020
Drawn:	CW
Checked:	NG
Scale:	As Noted
Project Number:	19-0234
DRAWING NUMBER:	L3 of 3

REVISION SCHEDULE		
#	Date	NOTES
0	08AUG2019	Schematic for Pricing
1	25NOV2019	Issued for DP Review
2	16DEC2019	Issued for DP
3	02MAR2020	Reissued for DP

STAFF REPORT TO COUNCIL

Report Prepared By: Julie Thompson
Meeting Date: March 17, 2020
File No: 3360-19-08
RE: OCP & ZONING BYLAW AMENDMENT APPLICATION – 202/204 DOGWOOD DRIVE

RECOMMENDATION:

That Council adopt Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029

EXECUTIVE SUMMARY:

The purpose of the proposed bylaw is to allow a maximum 200m² Neighbourhood Pub with a micro-brewery at 202/204 Dogwood Drive. Bylaw 2029 has been signed by the Ministry of Transportation and Infrastructure (MOTI) and the applicant has fulfilled the requirement to consolidate the three lots that make up the subject property. Council is now being asked to consider adoption of Bylaw 2029.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2020-021 Jan. 21, 2020	<p>That Council:</p> <ol style="list-style-type: none"> 1. Proceed with third reading and adoption of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 60) 2019, No. 2027; 2. Proceed with third reading and adoption of Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 61) 2019, No. 2028; 3. Proceed with third reading of Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029; and 4. Direct staff to refer Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act. <p><i>Motion Carried</i></p>

INTRODUCTION/BACKGROUND:

On December 16th, 2019 Council gave Bylaws 2027, 2028 and 2029 first and second reading and authorized the bylaws to proceed to public hearing. The applicant was also asked to consolidate the three lots that make up the subject property prior to final adoption of Bylaw 2029. OCP amendment Bylaws 2027 and 2028 were adopted by Council following the public hearing on January 21st, 2020. Bylaw 2029 is now returning to Council for final adoption as it has been signed by MOTI and the lots have been consolidated by the applicant.



Figure 1: Subject property highlighted in blue; showing lot consolidation.

Bylaw 2029 amends the C-1 zone on a site specific basis to allow a Neighbourhood Pub use on the subject property with a maximum gross floor area of 200m². A Neighbourhood Pub use allows a micro-brewery.

ALTERNATIVES:

Council can choose to:

1. Refer Bylaw 2029 a future Council Meeting.
2. Refer Bylaw 2029 back to staff for further review, as specified by Council.
3. Amend Bylaw 2029.
4. Defeat Bylaw 2029.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

Pursuant to section 52 of the *Transportation Act*, the application was referred to MOTI following third reading of Bylaw 2029, as the subject property is located within 800m of a controlled access highway. MOTI has approved Bylaw 2029 with no conditions.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A public hearing regarding the application was held on January 21st, 2020 in Council chambers. Fifteen verbal submissions were received at the hearing, including one from the applicant and his business partner.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

None.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 30) 2019, No. 2029

TOWN OF LADYSMITH

BYLAW NO. 2029

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

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

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

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

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

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

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

CITATION

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

READ A FIRST TIME on the 16th day of December, 2019
READ A SECOND TIME on the 16th day of December, 2019

PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*
on the 21st day of January, 2020

READ A THIRD TIME on the 21st day of January, 2020

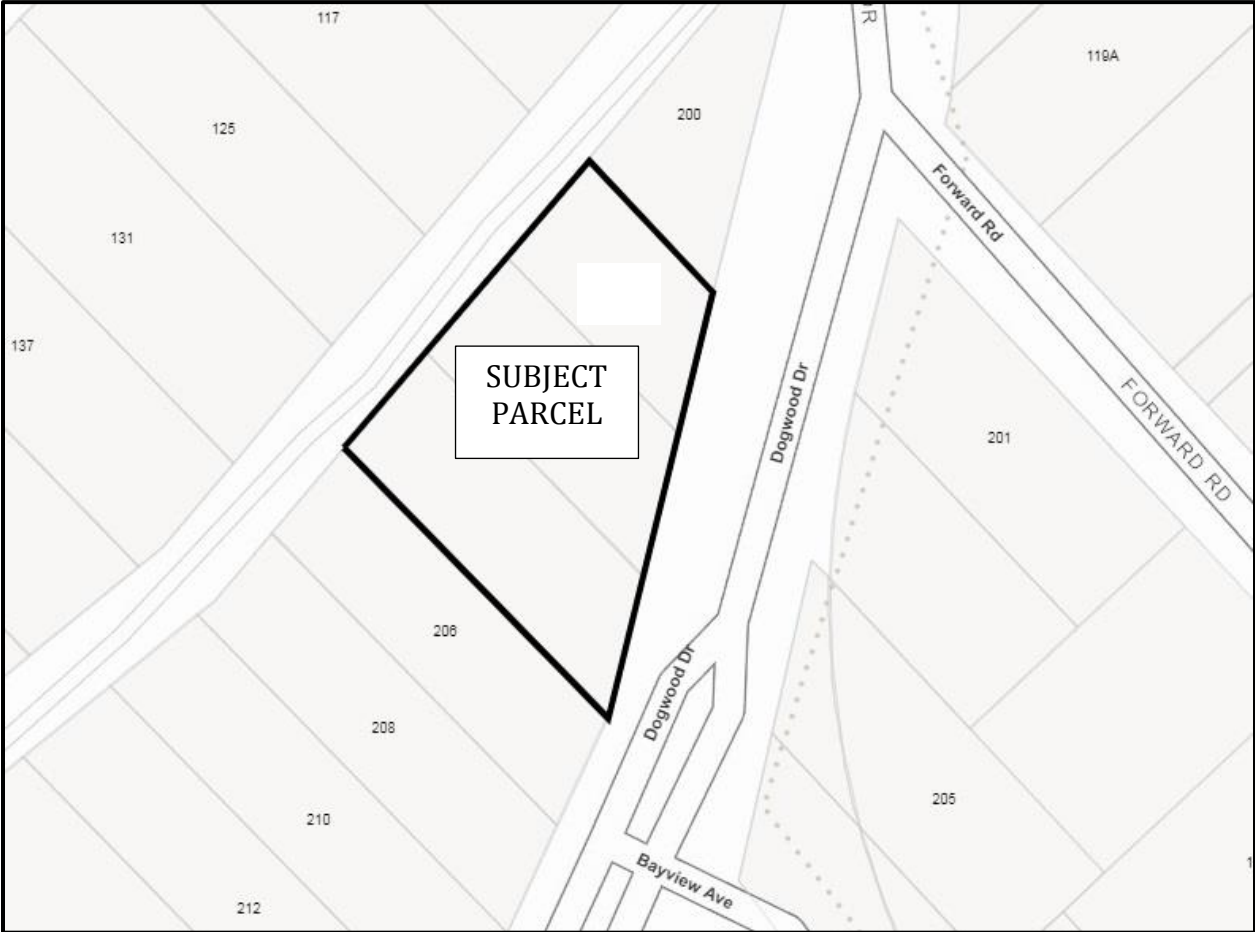
APPROVED pursuant to s. 52(3)(a) of the *Transportation Act*
on the 11th day of February, 2020

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (J. Winter)

Schedule I – Bylaw 2029



Committee of the Whole Recommendations to Council March 17 2020

At its March 10, 2020 meeting, the Committee of the Whole recommended that Council:

1. Approve the Budget Transfer Policy 05-1680-B, as presented.
2. Direct staff to prepare an amendment to the “Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644” to include:
 - I. False Alarms per calendar year:
 - a) First False Alarm – warning letter
 - b) Second False Alarm - \$100.00
 - c) Third and subsequent False Alarms - \$250.00
 - II. Online banking payments – transfers between accounts, per calendar year:
 - a) First transfer – warning letter
 - b) Second transfer – warning letter
 - c) Third and subsequent transfers – a fee of 10% of the requested transferred amount with a minimum of \$5.00 to a maximum of \$25.00
3. Direct staff to review the draft bylaw originally initiated by the Green Streets Committee, as well as other options for tree protection in Ladysmith, and report back to Council.



MINUTES OF A MEETING OF THE COMMITTEE OF THE WHOLE

Tuesday, March 10, 2020

6:30 P.M.

Council Chambers, City Hall

Council Members Present:

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

Councillor Tricia McKay
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Guillermo Ferrero
Jake Belobaba
Erin Anderson
Geoff Goodall

Donna Smith
Joanna Winter
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Councillor Virtanen called this meeting of the Committee of the Whole to order at 6:31 p.m.

2. AGENDA APPROVAL

CW 2020-018

That the agenda for this March 10, 2020 meeting of the Committee of the Whole be approved as amended to include the following item:

- Item 6.1., Boil Water Advisory Discussion

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held January 28, 2020

CW 2020-019

That the minutes of the Committee of the Whole meeting held January 28, 2020 be approved.

Motion Carried

4. REPORTS

4.1 Budget Transfer Policy

CW 2020-020

That the Committee recommend that Council approve the Budget Transfer Policy 05-1680-B as presented.

Motion Carried

4.2 Fees and Charges Amendment

CW 2020-021

That the Committee recommend that Council direct staff to prepare an amendment to the Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644” to include:

1. False Alarms per calendar year:
 - a. First False Alarm – warning letter
 - b. Second False Alarm - \$100.00
 - c. Third and subsequent False Alarms - \$250.00
2. Online banking payments – transfers between accounts, per calendar year:
 - a. First transfer – warning letter
 - b. Second transfer – warning letter
 - c. Third and subsequent transfers – a fee of 10% of the requested transferred amount with a minimum of \$5.00 to a maximum of \$25.00

Motion Carried

5. COUNCIL SUBMISSIONS

5.1 Request to Arrange a Formal Joint Meeting with the Board of Trustees of School District 68

The Committee discussed the request by School District 68 to meet with Council prior to the School Board's proposed open house regarding the long range facility plan development process. Mayor Stone advised the

committee that he would follow up with the school board chair to set up the meeting and to submit the following agenda items:

- the long range facilities plan
- the future site use of Davis Road School
- collaboration and joint use of facilities (such as school sites and the community centre)
- Coronavirus and social anxiety
- the prospect of offering school board meetings in Ladysmith.

5.2 Protection and Preservation of Trees within the Town of Ladysmith

CW 2020-022

That the Committee recommend that Council direct staff to review the draft bylaw originally initiated by the Green Street Committee, as well as other options for tree protection in Ladysmith and report back to Council.

Motion Carried

6. NEW BUSINESS

6.1 Boil Water Advisory Discussion

Staff read out a statement regarding the reasons for issuing a Boil Water Advisory on March 5, 2020, a review of policies and procedures to prevent future similar situations, and a review of communications tools to be used in similar situations, depending on the level of urgency and public risk. A Boil Water Advisory is the second-lowest of the four levels of risk determined by Island Health. Staff confirmed that the statement will be distributed broadly on Wednesday, March 11.

7. ADJOURNMENT

CW 2020-023

That this meeting of the Committee of the Whole adjourn at 7:08 p.m.

Motion Carried

Chair (Councillor J.Virtanen)

Corporate Officer (J. Winter)



TOWN OF LADYSMITH
POLICIES AND PROCEDURES MANUAL

TOPIC:	BUDGET TRANSFER POLICY		
APPROVED BY:	Council	DATE:	XXXXX
RESOLUTION #:			
	2000-594		

Purpose:

1. The purpose of the policy is to establish the responsibilities, controls and authorizations for current year Financial Plan budget transfers in order to efficiently manage unforeseen expenses.

Definitions:

2. The following definitions in this policy apply:
 - a) “Department Head” means one of the following staff positions: Chief Administrative Officer, Director of Infrastructure Services, Director of Financial Services, Director of Parks, Recreation & Culture, Director of Development Services.
 - b) “Project Lead” means one staff member authorized to oversee the capital project in question and make financial decisions regarding the project.
 - c) “New Capital Project” means a capital project that is not included in the current year of the Financial Plan.
 - d) “Cancelled Capital Project” means a capital project that was approved in the current year of the Financial Plan and is no longer proceeding.
 - e) “Existing Capital Project” means a capital project that is included in the current

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year of the Financial Plan and is either complete or requires additional funding.

- f) “Maximum Budget Transfer” means 0.3% of the current year municipal property tax levy.

Policy:

3. Council expects staff to maximize the effective use of taxpayer funds.
4. Council supports Staff’s decisions to efficiently manage cost savings and cost overruns in capital projects.
5. All employees are expected to function within the budget for each capital project established in the Financial Plan.
6. The Director of Financial Services (or delegate) is the only person authorized to amend a capital project up to the maximum budget transfer amount.
7. This policy does not apply to *Community Charter* s.173(3) regarding emergency spending.

Responsibilities:

1. Only Council can:
 - a. Decide on budget transfers exceeding the maximum budget transfer amount.
 - b. Decide on budget transfers to a new project.
2. The Director of Financial Services is responsible for:
 - a. Confirming budget estimates are within the maximum budget transfer amount;
 - b. Confirming adequate funding sources;
 - c. Directing appropriate finance staff to make the Financial Plan and financial software changes.
3. Department Heads are responsible for:
 - a. Confirming eligibility of a budget transfer amount; and
 - b. Preparing a report to Council if budget transfer estimate exceeds maximum budget transfer amount or is required for a new project.
4. Project leads are responsible for:
 - a. Calculating budget transfer estimates; and

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-
- b. Obtaining Department Head approval.

Procedures:

1. All budget change requests must be submitted, in writing, to the Director of Financial Services and include the existing or cancelled project codes and dollar amounts.
2. Budget transfers between capital projects are subject to appropriate prior approval.
3. Approval authority depends on the dollar amount of the transfer.
4. Budget transfers are between existing projects and within the appropriate Fund (general, water or sewer).
5. Budget transfers do not increase the total capital budget.
6. The Director of Financial Services will summarize all budget transfers and report to Council.

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STAFF REPORT TO COUNCIL

Report Prepared By: Sue Glenn, Supervisor, Community Programs and Services
Meeting Date: March 17, 2020
File No:
RE: **PUBLIC ART BANNERS SELECTION**

RECOMMENDATION:

That Council:

1. Approve the recommendations of the Public Art Banners Assessment Committee for the 2020 Community Banner Program to produce banners based on the following submissions:
 - a) Tree of Life
 - b) Protecting Plants Protects our Lives
 - c) Ladysmith Plantodentron; and
2. Direct staff to proceed with the ordering and placement of the banners as outlined in the 2020 Banner Map previously approved by Council.

EXECUTIVE SUMMARY:

On March 9th, members of the Community Banner Program – Public Arts Banners Assessment Committee met to review and select 3 banners to recommend to Council for approval for production to be showcased in Summer 2020 and 2021.

The members of the Assessment Community used a predetermined set of criteria (attached) to assess the entries considering artistic merit, qualifications of the artist and exemplification of the theme as categories for adjudication.

Based on the identified criteria, the Assessment Committee is happy to recommend the following pieces for inclusion in the Community Banner Program – Public Arts Banners for 2020:

- 1) Tree of Life
- 2) Protecting Plants Protects our Lives
- 3) Ladysmith Plantodentron

The recommended banners were chosen because each highlights the 2020 theme “Plant Health; Protecting Plants, Protecting Life” and represents the best of Ladysmith’s small town charm, coastal community life and diverse cultural heritage.

PREVIOUS COUNCIL DIRECTION

CS 2020-011

That Council approve the Community Banner Program as presented and recommended by the Parks, Recreation and Culture Advisory Committee.

INTRODUCTION/BACKGROUND:

On March 9th, members of the Community Banner Program – Public Arts Banners Assessment Committee met to review and select 3 banners to recommend to Council for approval.

Members of the Assessment Committee included:

- Arts Council of Ladysmith & District Rep: Leona Petrak
- Arts Council of Ladysmith & District Rep: Anne Jones
- Town of Ladysmith Council Rep: Councilor Duck Paterson
- Parks, Recreation & Culture Advisory Committee Rep: Lynda Baker
- Parks, Recreation & Culture Staff Rep: Robyn McAdam
- Youth Rep: Trinity Fahr

The members of the Assessment Community used a predetermined set of criteria (attached) to assess the entries considering artistic merit, qualifications of the artist and exemplification of the theme as categories for adjudication.

There are approximately 160 banners throughout Ladysmith. Current locations of the banners are in the downtown core and Transfer Beach Boulevard.

The Community Banner Program follows a phased-in approach. This will allow the Town to review the program on a regular basis, in addition to allowing the Town the flexibility to modify and/or change up the Town and Public Art Categories. The Public Art Banner Category for Phase 1 would include three distinct zones in the downtown core. Each zone would feature a different design, for a total of three Public Art Banner designs.

Each year, banners are displayed from May to October. Typical banner life is two years due to wind and sun damage, and wear and tear. The budget allocated is for replacing banners every other year.

2020	2021	2022	2023
Public Art Banner 1 st year implementation	Town Banner replacement	Public Art Banner replacement	Town Banner replacement

ALTERNATIVES:

Council can choose not to approve the recommended Community Banner Program – Public Art Banners for display at this time.

FINANCIAL IMPLICATIONS:

If approved, up to 3 banner designs will go to production phase included in the Community Banner Program Budget.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input 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):

Criteria for Art Banner Program
2020 Banner Map

Criteria for Art Banner Program

Please keep in mind that we would like the Banners to be thoughtful, high impact, adhere to the theme and have emotional impact (wow factor).

Number:

<i>Criteria</i>	<i>%</i>	<i>Points</i>	<i>Comments</i>
Artistic Merit			
Quality of work	15		
Originality	10		
Artistic excellence	15		
Qualifications of the Artist			
Will they be able to meet the technical requirements and execute the project to scale and timeline?	25		
Exemplification of the Theme			
Did the artist base the art on the theme?	35		
Total			

Number:

<i>Criteria</i>	<i>%</i>	<i>Points</i>	<i>Comments</i>
Artistic Merit			
Quality of work	15		
Originality	10		
Artistic excellence	15		
Qualifications of the Artist			
Will they be able to meet the technical requirements and execute the project to scale and timeline?	25		
Exemplification of the Theme			
Did the artist base the art on the theme?	35		
Total			

COMMUNITY BANNER PROGRAM MAP

Zone 1

Zone 2

Zone 3

Zone 4

Zone 5

Directional Banners









TOWN OF LADYSMITH

BYLAW NO. 2034

A Bylaw to amend Council Remuneration Bylaw 2018, No. 1986.

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

Remuneration

1. Replace section 1 a) with the following:
 - (a) Approve an annual remuneration, effective January 1, 2020:
 - (i) to the Mayor in the amount of \$37,676; and
 - (ii) to the Councillors in the amount of \$15,552.
 - (b) Approve an annual remuneration, effective January 1, 2021:
 - (i) to the Mayor in the amount of \$40,294; and
 - (ii) to the Councillors in the amount of \$15,860.
 - (c) Approve an annual remuneration, effective January 1, 2022:
 - (i) to the Mayor in the amount of \$42,912; and
 - (ii) to the Councillors in the amount of \$16,166.

And renumber all other sections accordingly.

Citation

2. This bylaw may be cited for all purposes as “Council Remuneration Bylaw 2018, No. 1986, Amendment Bylaw 2020, No. 2034.”

READ A FIRST TIME	on the	3 rd	day of	March,	2020
READ A SECOND TIME	on the	3 rd	day of	March,	2020
READ A THIRD TIME	on the	3 rd	day of	March,	2020
ADOPTED	on the		day of	,	

Mayor (A. Stone)

Corporate Officer (J. Winter)

INFORMATION REPORT TO COUNCIL

Report Prepared By: Jake Belobaba & Joanna Winter
Date: March 25, 2020
Meeting Date: March 31, 2020
File No: COVID-19
RE: Provincial Request: Bylaw Restrictions on Essential Services

RECOMMENDATION:

That Council receive the following report as information.

EXECUTIVE SUMMARY:

This report outlines a recent request from the Province received through the Regional Emergency Operations Centre, for local governments to relax bylaws that may hinder essential services during the COVID-19 pandemic, for example noise bylaws, limiting delivery times for grocers. The status of the Town's bylaws and actions taken by staff in regards to the Province's request are provided for Council's information below.

PREVIOUS COUNCIL DIRECTION:

None

BACKGROUND:

To maintain the flow of essential goods and services during the COVID-19 pandemic, the Province has requested that local governments relax bylaws that may limit the delivery of essential goods and services. Specifically, the Province noted noise bylaws that may limit hours that key services like grocery stores and pharmacies can receive deliveries.

Staff have reviewed the Town's bylaws to determine if any bylaw provisions exists that would restrict essential services. Noise Bylaw 1478, does contain clauses restricting delivery times and general prohibitions on other types of noise. However, clause 12(f) of the bylaw, provided below, provides an exemption for "essential" and "emergency" services.

12. EXEMPT NOISE

The provisions of this bylaw shall not apply to:

...

- f) Persons and their agents, servants and employees or independent contractors under contract therewith and their agents, servants, and employees who are engaged in work of an essential or emergency nature and being done for the primary purpose of ensuring the health, safety or welfare

of the residents of the Municipality.

DISCUSSION:

In light of the current pandemic and given the Province's request, clause 12(f) will apply to services that have been specifically deemed by the Province as essential. It will also apply to services not specifically mentioned by the Province that are clearly essential in the current context. Examples include:

- Essential retail, such as grocery stores and pharmacies.
- Businesses manufacturing or distributing essential supplies, such as masks, protective glove, prescription drugs, other medical supplies and groceries.
- Essential government or financial services that may need to stagger delivery times for safety reasons, such as late night postal or cash pick up and delivery.
- Certain support services for person's in self-isolation or in home care.
- Medical treatment or testing facilities.

Clause 12(f) is not a blanket exemption for all types of noise. Adhering to noise and other regulations is essential to maintaining calm and supporting the health and recovery of those who are ill. Bylaw violations that may jeopardize the health and well-being of residents will continue to be subject to enforcement action with a focus on supporting efforts to combat the COVID-19 pandemic.

Anyone wondering if they are subject to an exemption for essential services can email BE@ladysmith.ca to determine what rules apply in their specific circumstances. Notices have also been posted on the Town's webpage and social media feeds.

I approve the report and recommendation(s).

Guillermo Ferrero, Chief Administrative Officer

ATTACHMENT(S):

March 19, 2020 Notice from Emergency Management BC

NOTICE TO LOCAL AUTHORITIES

In response to the COVID-19 Pandemic affecting communities across British Columbia, the Province (through Emergency Management BC) is recommending that local authorities consider the needs of retail businesses regarding noise bylaws or bylaws impeding the delivery of goods within their jurisdiction, through their enforcement policies or bylaw exemptions.

Given supply chain and distribution challenges at this time, local governments may wish to consider a temporary policy regarding enforcement of such bylaws (e.g. given the state of emergency, such bylaws will not be enforced against retail businesses for routine deliveries for these purposes). Or local governments could consider amending their bylaws to provide exemptions to these bylaws, recognizing that requires further process steps (adoption of bylaw amendments at a meeting).

In either case, the overall goal is to ensure retailers can receive deliveries 24 hours a day, seven days a week, and that businesses can support the community by keeping essential goods in stock.

This recommendation emerged as a result of a coordination call that Emergency Management BC hosted with medium to large retailers with operations in BC and the Retail Council of Canada. A common concern raised by the retailers was Noise Bylaws that exist in various jurisdictions that impede their ability to deliver goods outside of designated hours, limiting their ability to replenish their supplies. This group asked for a temporary lift on this bylaw for retailers.

While there is no need for residents to panic-buy and stockpile, we want to ensure our retailers can keep up with demand. We will continue to promote the message that, while being prepared for emergencies is always advised, any bulk purchasing beyond a two-week supply jeopardizes the ability of vulnerable people to access essential food and health supplies.

Thank you for your understanding in this issue, and please reach out to your regional office if there are any questions or concerns.

Sue Bouma

From: Steve Arnett
Sent: March 9, 2020 1:54 PM
To: Council; editor@ladysmithchronicle.com
Subject: Council Correspondence - Boil Water Advisory

Dear Mayor and Council,

I am formally requesting that this entire correspondence be entered into the formal record and included in the correspondence portion of the Agenda package of the next regular scheduled Council Meeting as posted on the Towns website for 7pm on March 17, 2020.

Steve Arnett\

Ladysmith BC

For the Record

Mar. 6, 2020 12:58 p.m.

Aaron, Council, editor@ladysmithchronicle.com

Mayor and Council,

The 'Boil Water Advisory' of March 5, 2020 represents a 'watershed' moment in our town's history per my lived experience in Ladysmith inclusive of my 10 years as a member of the Council table.

"Town of Ladysmith issued a boil water advisory because of an unintended release of water from a source called "Chicken Ladder" into our reservoir."

While comforting to know it was unintended 'the real concerns are';

- what safeguards are normally in place to avoid such an incident both unintended and deliberately?
- when exactly did said safeguards fail?
- why and how?

such that;

"The amount of higher turbidity water that was released into our reservoir was slightly more than 10 per cent of the volume of treated water in the reservoir."

From a chronological incident record perspective;

- when did this unintended water release occur exactly?
- when did it first come to the attention of the town staff?

-how so?

- when were Dr. Waters Medical Health Officer, Mayor and Council and ultimately town residents and particularly food serving businesses advised?

-how and by who/what means were the various parties advised?

-what are the specific and provincial legally required protocols to be followed by Council and staff once a potable water compromise event is identified?

-were Council and staff actions relative to those protocols fully complied with?

-how, when and in which order?

"An investigation is underway to determine the cause of this release." and from my interests as a tax paying town resident hopefully to ensure' that renewed safeguards are put in place that precludes the probability of a boil water advisory occurring again from the Chicken Ladder (or any other location) is eliminated.

When is the 'investigation' planned to be complete (hopefully within 24 hours?)

I look forward to regaining confidence in the safety of our potable water source and system so my family and I can once again drink directly from the tap, rinse off fresh fruits and vegetables without having to boil our water or confidently dine out at our local food establishments .

I'm sure many other Ladysmith residents share that same sentiment with me.

Please address and advise me as to each of the questions and points made above publicly at the next Council meeting and in writing for the record.

A final comment.

While it may be true that;

"The standard unit of measurement for turbidity in water is a Nephelometric Turbidity Unit or NTU...The former Island Health standard for acceptable turbidity levels in drinking water was 5 NTUs. The level is now 1 NTU. The source water in Chicken Ladder was above 1 NTU but less than 2 NTUs at the time of the release. The Town's main water sources are Holland Lake and Stocking Lake, both of which are low in turbidity."

I'm sure most of the public understands that an existing 1 NTU standard by definition represent a minimum level of required potable water safety' for town residents.

"Town staff continue to work closely with Island Health on this matter" and in my view which I know is shared by many who are associated with Island Health, it is Council and staff's 'due diligence duty' to set a goal of 'striving to maximize the safety level of residents potable drinking water ' and get as close to a 0 NTU level as possible through technology and practice.

In order of priority let's get our Water Filtration Plant up and running to ensure Residents enjoy safe potable drinking water before Council deems it is once again necessary to turn its attentions to pressing matters like another raise in pay for itself (which any or all of you could by existing bylaw refuse to accept if I might be so bold as to point out).

Use our limited tax dollars to hire another Water Technician or other necessary staff to keep residents' potable water safe.

Steve Arnett Town Resident

Aaron Stone

Council, editor@ladysmithchronicle.com

Mr. Arnett,

Thank you for your input and concern. Once the BWA is resolved, we will complete a full review of the circumstances leading up to the BWA, the processes during and subsequent resolution. You provide some good questions and we will be sure to review these as part of that process.

Aaron, Council, editor@ladysmithchronicle.com

Mayor Stone (Aaron),

Thank you for your reply.

I do have a few other observations to make and some further questions to ask.

1- In my opinion official Town communication with respect to the Boil Water Advisory may want to ensure it does not appear to be deliberately using language, phrasing and media statements that seem to be aimed at minimizing the very seriousness of the fact our town residents must now boil our potable drinking water before consumption without any indication of how long in duration this situation will be in effect.

Let me be clear.

For ordinary citizens such as myself and my family a BWA is a major concern and inconvenience to say the least. It is extremely, shocking and disturbing given that 'Water Is Life' and that safety of the Towns potable water supply occupied much of my service for the Town.

Types of Advisories

Although such an animal does not appear on the Island Health site I am interpreting the TOL's referencing to a BWA as a middle level of threat between a BWN and a WQA as copied below although the definition of a Boil Water Notice below explicitly references within the definition that it is a response to "a significant public health threat to their water supply and they should boil (roiling boil for one minute) their drinking water..."

Boil Water Notice (BWN):

Used to advise public that there is a significant public health threat to their water supply and that they should boil (rolling boil for 1 minute) their drinking water prior to consumption in order to eliminate any disease causing microorganisms that are suspected or confirmed to be in the water supply. Examples could include: Total Coliforms, E. coli, Turbidity Events, Flooding or Treatment Failure.

A Water Advisory identifies a risk but also states 'a boil water notice' is not needed at this time.'

Water Quality Advisory (WQA):

Used to advise the public that there is some level of risk associated with consuming the drinking water supply, however a boil water notice is not needed at this time. The risk could be elevated for some individuals of the general population with weakened immune systems or existing medical conditions. Examples could include: Turbidity, Sodium Content.

2 - Per 8(3a) The NTU levels set for an operating agreement represent a minimum standard for the operator to comply with in order to supply safe potable water to their residents. It is not nor should not be subject to any elected official or staff individual bias about whether the 'NTU defined as the BWN threat level' is either too stringent or unnecessary no matter how unintended that communicated image was or is on their part.

3 - It is my wish that the Town's and Medical Health Officer's review of Ladysmith's written emergency plan protocol proves to have been both in accordance with the existing regulations and executed in a manner that is not found wanting and consequently had required an update.

4 - Please provide the TOL's planned time frame for all of the pipes to be fully flushed out and the Boil Water Advisory to be lifted on the Town website so we can all (individuals and businesses) plan our lives per everyone's unique needs, wants and obligations.

4- Finally it is my hope that the transparent and accountability check and balance that true objective 5th estate journalism strives to provide in most communities across the land will evince its public monitoring role for the duration of this crisis which should be turned into an opportunity to do the 'Right Thing' and spend what is necessary to ensure such an event never happens again subject to of course acts of Creation that are beyond our human control.

Aaron, thank you for yours and the staff's efforts to expedite a timely resolution to our Boil Water situation.

cheers, Steve Arnett

Part 2 — Drinking Water Supply

Water supply systems must provide potable water

- 6 Subject to the regulations, a water supplier must provide, to the users served by its water supply system, drinking water from the water supply system that
- (a) is potable water, and
 - (b) meets any additional requirements established by the regulations or by its operating permit.

Operating permits and requirements for water supply systems

- 8 (1) In the case of a prescribed water supply system, the water supplier
- (a) must not operate the water supply system unless the water supplier holds a valid operating permit issued in accordance with the regulations,
 - (b) must comply with all terms and conditions of its operating permit, and

- (c) must operate the water supply system in accordance with any applicable regulations.
- (2) An issuing official may include in an operating permit terms and conditions the official considers advisable respecting the water supply system.
- (3) As examples, but without limiting the authority under this section, terms and conditions respecting the following may be included in an operating permit:
- (a) treatment requirements;
 - (b) equipment, works, facilities and operating requirements;
 - (c) qualifications and training of the persons operating, maintaining or repairing the water supply system;
 - (d) monitoring of the drinking water source and the water in the water supply system;
 - (e) standards applicable to the water in the water supply system;
 - (f) reporting and publication of monitoring results or other information respecting the water supply system.

Emergency response and contingency plans

- 10** (1) In the case of a prescribed water supply system, the water supplier must have a written emergency response and contingency plan in accordance with the regulations, to be implemented in the event of an emergency or abnormal operational circumstances affecting its water supply system or drinking water source.
- (2) The drinking water officer may order a water supplier to review and update its emergency response and contingency plan.

Shannon.Waters, richard.stanwick, editor, Council

Dear Dr. Waters,

I write to you today to express some concerns versus making a formal complaint at this time as is a residents right under the (BC Water Protection Act and Drinking Water Protection Regulation), about the Boil Water Advisory (Notice?) declared in the Town of Ladysmith on March 5, 2020.

For the record you are being forwarded correspondence to the Town of Ladysmith with respect to my expressed concern as a longtime resident and former elected Ladysmith Councilor about the wordsmithing contained in the Towns Boil Water Advisory (Notices?).

In my opinion the repeated phrasing below in the TOL's website notices and media communications appears to place an emphasis upon the current standards required as somehow being a result of the Health Authority's 'unreasonable' standards for Water Quality compliance by Town authorities.

Said reference to the Operating Permit in effect may be creating an impression or perception by the general public (Ladysmith residents as potable water consumers who rely upon and place trust in its Council to them with provide

safe drinking water), that the declaration of our present Boil Water Advisory (Notice?) may be deemed unreasonably necessary by some in our local leadership.

Quote " The former Island Health standard for acceptable turbidity levels in drinking water was 5 NTU's. the level is now 1 NTU."

In my former role as a Town Councilor 2008 -2018, I publicly declared that I would work closely with Dr. Hassleback (farsighted previous holder of your office) to move forward on Water Filtration and make it a reality for this community with my vote in the affirmative at every debate on its merits and expenditure commitment.

Thankfully a majority around our Council table at the time were eventually willing to exhibit the foresight and political courage to do so as well.

Those who were reluctant had a variety of reasons for their opposition from (in my opinion) being penny wise and pound foolish thorough to not having done their homework despite the fact that the Chief Medical Officers 'Drinking Water Report 2014; was readily available to them then and still is for the present Council now if they have not read it and the subsequent reports flowing from it to date.

May I please request that a copy of the current Operating Permit be made easily available to Ladysmith tax paying residents to increase public understanding and support for present and future compliance with whatever regulation is necessary to assure that the this and future generations have access to safe potable drinking water based on science and evidence of 'best practice' versus potential individual idiosyncratic viewpoints.

In closing I again emphasize that the consistent referencing of "The former Island Health standard for acceptable turbidity levels in drinking water was 5 NTU's. The level is now 1 NTU." in our present Boil Water Advisory (Notice?) may be creating a dangerous public perception that it is deemed unreasonably necessary by some in our local leadership.

Thank you in advance for your assistance with this matter.

Steve Arnett
Town of Ladysmith Resident

ajacobson, rjohnson, tmckay, dpaterson, mstevens, jvirtanen, editor

Good morning Councilors,

I am forwarding this to each of you individually to ensure everyone is in the loop and has an opportunity to see the reference to in my correspondence with the Chief Medical Officer to the sequential Water Quality reports that give context to your 'Position of Trust' as a purveyor of water operator to my family and the rest of your constituents.

Let me be very clear, it does not matter if the release of water from the Chicken Ladder was or is a result of Human error or technology.

Lowest common denominator blaming is not productive unless malicious intent was involved. A staff member's honest mistake should never result in inappropriate consequences.

What is critical is that appropriate safeguards are put into place such that a 'Boil Water event' it does not ever happen again unless it is an act of Creation beyond human control.

Request for a reply

Please provide our residents with a written public 'current timeline schedule for a lifting of the Boil Water Advisory' for residents once the lab testing results confirm our water quality will literally allow my granddaughter to safely brush her teeth without first boiling the water or we as a family can once again rinse off our fresh vegetables under the cold water tap for our dinner salad.

Will it be immediate or take several days (or weeks) to complete due to the need to flush out the system?

Steve Arnett

Town resident

Boil Water Advisory updates: #3&4

Council, Shannon.Waters, editor

Good morning Dr. Waters, Mayor and Council,

First of all, I, my family wants to acknowledge the Town for removing any references to the 'former 5 NTU's and present 1 NTU level requirements in our Water Operating Agreement' in notices 3 & 4 on the Town website.

The first two quotes including online media clearly appeared to be aimed at shifting blame for the situation to our Health Authority because of an 'unreasonable demand for caution and action by the Town', as party entrusted to be Ladysmith's residents 'Purveyor of Water'.

Any minimizing of the level of threat to our safe potable drinking water at any time for what could be interpreted as a possible political agenda in order to suggest compliance is oppressive are absolutely inappropriate.

It is my hope as a resident that we reframe the information to our taxpayers as a positive i.e. that 1 NTU is the highest level of risk our community will tolerate.

Your aim and obligation as Council in my opinion and experience is to consistently strive for a measure of 0 NTU's in our testing.

Never mind that a 0 reading may be almost impossible to achieve on a regular basis.

The 'reach of Town Authorities should always exceed its grasp', in 'Working Toward Excellence' in this particular matter. (no pun intended).

THANK YOU to our staff for their diligent efforts to rectify our Boil Water predicament in terms of getting the Water Mains flushed out ahead of the second set of testing results and any other associated tasks.

Lived experience as a local elected official over 10 years, gives me direct knowledge of how hard you all work every day and then rise to the occasion in emergent instances on behalf of our residents each and every time as necessary.

Finally, it was and still is a major concern and inconvenience to say the least to not be able to safely drink from the tap or rinse raw fruits and vegetables off without first boiling our water.

I and many others look forward to the latest testing results allowing Ladysmith and area residents to return to a state of trust in our potable water quality.

Mayor experience also tells me that your 'Chain of Office' will have felt like it tripled in weight over this period and you have carried with grace.

Lead on.

Council get the Water Filtration Plant operating without further delay. The current Boil Water situation is your wake - up call. 'Water is Life'.

Then immediately move on to securing ownership and protection of our Watershed as your legacy to community and do not allow a small group of self- interested persons to undermine the success of the effort this time.

Steve Arnett

Ladysmith Resident

March 4, 2020



To: Chair and Board
Chief and Council
Mayor and Council

Re: UBCM Resolutions Process

In response to member feedback, the UBCM Executive is undertaking a review of the resolutions process. This will include consultation with members at Area Association spring conferences, and a subsequent report to the membership at the 2020 Annual Convention. While the review progresses, the Executive has committed to exercise their existing authority more fully, and apply greater rigour to the screening and vetting of resolutions submitted to UBCM for 2020.

With the understanding that a resolutions process review is already underway, the Resolutions Committee of the UBCM Executive has identified measures that UBCM can implement in the immediate term to streamline the process and address the number and repetitiveness of resolutions. In 2020, the Committee will seek to:

- Identify more directly the resolutions that address issues of priority to the membership, and ensure that debate of these priority issues takes place early on.
- Be more firm in sending resolutions back to the sponsor if resolutions do not meet UBCM criteria for format, clear writing, factual information, or relevance to local government administration or operations.
- Standardize language to be gender neutral and, where applicable, refer to local governments or First Nations rather than municipalities or regional districts. The goal is to avoid using debate time to make such amendments.
- Combine similar resolutions, without losing or changing their intent.
- Offer further education and support to members on writing clear, effective resolutions.
- Work more closely with Area Associations to improve the quality of resolutions debated at their spring conventions.

These streamlining measures could affect resolutions that your community submits to Area Associations or to UBCM this year.

Please feel free to contact Reiko Tagami, Policy Analyst (rtagami@ubcm.ca or 604 270 8226 ext. 115), with questions about resolutions streamlining, or the resolutions process review.

Sincerely,


Maja Tait
UBCM President


Claire Moglove
Chair, Resolutions Committee