

**A PUBLIC HEARING AND REGULAR MEETING  
OF THE TOWN OF LADYSMITH COUNCIL  
AGENDA  
5:30 P.M.**

Tuesday, January 11, 2022

This meeting will be held electronically

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**Pages**

**1. CALL TO ORDER**

Call to Order 5:30 p.m. in Open Session, in order to retire immediately into Closed Session.

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

**2. CLOSED SESSION**

Recommendation

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

- labour relations or other employee relations - section 90(1)(c)

**3. OPEN MEETING AND ACKNOWLEDGEMENT (6:00 P.M.)**

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

**3.1. INFORMATION ON HOW TO VIEW / ATTEND THE MEETING**

Register to electronically attend the meeting:

[https://zoom.us/webinar/register/WN\\_gvM5Ou2VQlyF0S56G2Rccw](https://zoom.us/webinar/register/WN_gvM5Ou2VQlyF0S56G2Rccw)

Instructions on how to join the meeting will be sent immediately after you register.

For those unable to participate by electronic means, the meeting will be broadcast in the City Hall Council Chambers at 410 Esplanade. Participation will be managed electronically via Zoom, operated from Council Chambers. Masks are mandatory and seating is limited.

View the livestream on

YouTube: <https://www.youtube.com/channel/UCH3qHAExLiW8YrSuJk5R3uA/featured>.

#### **4. AGENDA APPROVAL**

##### Recommendation

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for January 11, 2022.

#### **5. PUBLIC HEARING**

##### **5.1. "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076"**

**Subject Property:** 631 1st Ave

(Parcel B District Lot 56, Oyster District, Plan 703)

##### **5.1.1. Outline of Public Hearing Process - Mayor Stone**

##### **5.1.2. Introduction of Bylaw and Statutory Requirements - Director of Development Services**

##### **5.1.3. Submissions**

##### **5.1.4. Call for Submissions to Council (Three Times) - Mayor Stone**

##### **5.1.5. Declaration that the Public Hearing for Bylaw No. 2076 is Closed - Mayor Stone**

#### **6. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING (SUBJECT OF PUBLIC HEARING)**

##### **6.1. "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076"**

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##### Recommendation

That, subject to any additional matters raised at the Public Hearing, Council give third reading to "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

**7. RISE AND REPORT- Items from Previous Closed Session**

**Items from the Closed Meeting of Council held November 30, 2021**

**Resolution CE 2021-132**

That Council direct that staff implement a COVID-19 Vaccination Policy which includes vaccination education and rapid testing for employees and Council members with undisclosed vaccination status.

**CE 2021-134**

That Council rise with report on Resolution CE 2021-132 when appropriate.

**8. MINUTES**

**8.1. Minutes of the Public Hearing and Regular Meeting of Council held December 21, 2021** **8**

Recommendation

That Council approve the minutes of the Regular Meeting of Council held December 21, 2021.

**9. COMMITTEE MINUTES**

**9.1. Parks, Recreation and Culture Advisory Committee - December 15, 2021** **17**

Recommendation

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held December 15, 2021.

**10. REPORTS**

**10.1. 2022 Community Banner Themes** **19**

Recommendation

That Council approve the following components of the 2022 Community Banner Program:

1. The theme “Community on the Coast” for the Community Public Art Banners; and
2. The inclusion of a Community Celebration Banner, to celebrate the Centennial of Aggie Hall.

## 10.2. 2022 Utility Bill Due Dates

23

### Recommendation

That Council approve the following utility billing due dates:

- February 25, 2022 for the period October to December, 2021;
- May 30, 2022 for the period January to March, 2022;
- August 30, 2022 for the period April to June, 2022; and
- November 29, 2022 for the period July to September, 2022.

## 11. BYLAWS

### 11.1. Park Dedication

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### Recommendation

That Council:

1. Give first, second and third readings to “Bylaw Revision Bylaw 2022, No. 2090”;
2. Give first, second and third readings to “Removal of Road Dedication Bylaw 2022, No. 2085”;
3. Direct staff to:
  - a. provide notice to the public of Council’s intention to adopt Bylaw No. 2085 pursuant to sections 40(3)(a) and 94 of the *Community Charter*,
  - b. provide notice of Council’s intention to adopt Bylaw No. 2085 to:
    - i. BC Hydro
    - ii. Fortis
    - iii. Shaw
    - iv. TELUS;
  - c. refer Bylaw No. 2085 to the Ministry of Transportation and Infrastructure pursuant to section 41(3) of the *Community Charter*; and
4. Give first and second readings to “Park Dedication Bylaw 2022, No. 2083”.\*\**Note: Bylaw No. 2083 requires 2/3 majority vote by Council.*

### 11.2. Bylaw Status Sheet

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## **12. NEW BUSINESS**

### **12.1. 2022 Conference Attendance**

Council Remuneration Policy 05-1920-A permits the Mayor to attend the following conventions/conferences. Council member attendance is by resolution.

#### **12.1.1. Association of Vancouver Island Coastal Communities**

(four Councillors)

##### Recommendation

That Council appoint up to four members to join Mayor Stone at the Association of Vancouver Island and Coastal Communities annual convention to be held April 1-3, 2022 in Victoria.

#### **12.1.2. Union of British Columbia Municipalities**

(four Councillors)

##### Recommendation

That Council appoint up to four members to join Mayor Stone at the Union of British Columbia Municipalities annual convention to be held September 12-16, 2022 in Whistler.

#### **12.1.3. Federation of Canadian Municipalities**

(one Councillor)

##### Recommendation

That Council appoint one member to join Mayor Stone at the Federation of Canadian Municipalities 2022 Convention to be held June 2-5, 2022 in Regina.

#### **12.1.4. Vancouver Island Economic Alliance**

(four Councillors)

##### Recommendation

That Council appoint up to four members to join Mayor Stone at the Vancouver Island Economic Alliance annual convention to be held October 26-28, 2022 in Nanaimo.

### **13. NOTICE OF MOTION**

Councillor Johnson has advised that he will bring forward the following motion for consideration at the January 25, 2022 Regular Council Meeting:

"That the Town of Ladysmith create a permanent memorial such as a Wall of Honour, listing Citizens of the Year in the Town of Ladysmith, and others that have brought honour to, or improved our community."

### **14. QUESTION PERIOD**

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

### **15. ADJOURNMENT**

## TOWN OF LADYSMITH

### BYLAW NO. 2076

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

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The Council of the Town of Ladysmith in open meeting assembled amends "Town of Ladysmith Zoning Bylaw 2014, No. 1860" as follows:

#### Amendments

1. By adding to section 4.1 'Interpretation', the following definition:

"EMERGENCY SHELTER: means a housing facility located inside a permanent building and operated by a non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals experiencing homelessness."; and

2. By adding to Section 10.10(8) "Site Specific Regulations" the following:

- c) Despite sections 10.10(1) and 10.10(a):

- i. *Emergency Shelter* for up to 10 people, is a permitted use; and
- ii. there is no minimum *Finished Floor Area* requirement for a dwelling unit in a *Multiple-Unit* or a *Townhouse Residential Building*,

on Parcel B (being a consolidation of Lots 9 & 10 see CA5603565) District Lot 56, Oyster District, Plan 703. PID 029-974-640 (631 1<sup>st</sup> Avenue).

#### Citation

3. This Bylaw may be cited for all purposes as "Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076".

**READ A FIRST TIME** on the 21<sup>st</sup> day of December, 2021

**READ A SECOND TIME** on the 21<sup>st</sup> day of December, 2021

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

on the day of

**READ A THIRD TIME** on the day of

**APPROVED** by the Ministry of Transportation & Infrastructure

on the day of

**ADOPTED** on the day of

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Mayor (A. Stone)

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Corporate Officer (D. Smith)



## MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, December 21, 2021

6:00 P.M.

This meeting was held electronically

### **Council Members Present:**

Mayor Aaron Stone  
Councillor Amanda Jacobson  
Councillor Rob Johnson  
Councillor Tricia McKay

Councillor Duck Paterson  
Councillor Marsh Stevens  
Councillor Jeff Virtanen

### **Staff Present:**

Allison McCarrick  
Chris Barfoot  
Jake Belobaba  
Geoff Goodall

Donna Smith  
Ryan Bouma  
Mike Gregory  
Sue Bouma

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### **1. CALL TO ORDER AND ACKNOWLEDGEMENT**

Mayor Stone called the Public Hearing and Regular Meeting of Council to order at 6:00 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

### **2. AGENDA APPROVAL**

#### **CS 2021-407**

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for December 21, 2021.

*Motion Carried*

### **3. PUBLIC HEARING**

#### **3.1 "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093"**

**Members of the public attending: 4**

##### **3.1.1 Outline of Public Hearing Process - Mayor Stone**

Mayor Stone outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaw No. 2093.

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

##### **3.1.2 Introduction of Bylaw and Statutory Requirements - Director of Development Services**

Jake Belobaba, Director of Development Services introduced "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093" as the subject of the Public Hearing.

Mr. Belobaba advised that the purpose of Bylaw No. 2093 is to:

1. Require all rental units to comply with minimum maintenance and building standards;
2. Require owners of property containing three or more rental units to:
  - hold a valid business license; and
  - meet requirements for tenant compensation or accommodation for renovation-related evictions, commonly referred to as "renovictions";

3. Allow the Town to impose fees, fines and other penalties for contraventions of the bylaw; and
4. Allow for exemptions in specified circumstances.

Mr. Belobaba also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on December 9 and 16, 2021 and was posted on the Town's website and community notice boards. A copy of the Notice, the proposed Bylaw, and background information were made available at the front counter of City Hall and Development Services and on the Town's website for the Notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing.

### **3.1.3 Submissions**

The Town received no written submissions relating to Bylaw No. 2093.

### **3.1.4 Call for Submissions to Council (Three Times) - Mayor Stone**

Mayor Stone called for submissions to Council.

Mayor Stone called for submissions to Council a second time.

Mayor Stone called for submissions to Council a third and final time.

No one wished to speak regarding "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093".

Mayor Stone asked the Corporate Officer, D. Smith, if any submissions had been received via email. The Corporate Officer advised that no submissions had been received.

### **3.1.5 Declaration that the Public Hearing for Bylaw No. 2093 is Closed - Mayor Stone**

Hearing no comments and receiving no submissions, Mayor Stone declared the Public Hearing for Bylaw No. 2093 closed at 6:05 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

**4. BYLAWS - ZONING (SUBJECT OF PUBLIC HEARING) & RELATED BYLAWS**

**4.1 "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093"**

**CS 2021-408**

That Council adopt "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093".

*Motion Carried*

OPPOSED: Councillor Johnson

**4.2 "Affordable Housing Reserve Bylaw 2021, No. 2097"**

**CS 2021-409**

That Council adopt "Affordable Housing Reserve Bylaw 2021, No. 2097".

*Motion Carried*

**4.3 "Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2021, No. 2098"**

**CS 2021-410**

That Council adopt "Ladysmith Ticket Information Utilization Bylaw 2002, No. 1457, Amendment Bylaw 2021, No. 2098".

*Motion Carried*

**5. RISE AND REPORT- Items from Previous Closed Session**

The following items from the Closed Meeting of Council held November 30, 2021 were reported:

**CE 2021-131**

That Council:

1. Advise previously interested parties that the Town is not proceeding with the sale of the Town-owned lots at 535 and 537 South Davis Road at this time;
2. Direct staff to prepare a report with options for zoning that would increase density of the Town-owned lots at 535 and 537 South Davis Road; and
3. Rise and report on Recommendation Nos. 1 and 2 once previously interested parties are notified.

## **6. MINUTES**

### **6.1 Minutes of the Special Meeting of Council held November 30, 2021**

#### **CS 2021-411**

That Council approve the minutes of the Special Meeting of Council held November 30, 2021.

*Motion Carried*

### **6.2 Minutes of the Regular Meeting of Council held December 7, 2021**

#### **CS 2021-412**

That Council approve the minutes of the Regular Meeting of Council held December 7, 2021.

*Motion Carried*

## **7. DELEGATIONS**

### **7.1 Official Community Plan Review Update - Engagement Summary**

Jennifer Fix and Lucas Ozols-Mongeau, ahne Studio consultants for the Official Community Plan Review, provided an overview of the Engagement Summary report which outlines engagement activities undertaken since the spring of 2021. They reviewed the methods used to engage the public, the demographics of the respondents and some of their key findings. Ms. Fix and Mr. Ozols-Mongeau then outlined next steps for the review and responded to Council's questions. Council thanked them for their presentation.

### **7.2 Cowichan Valley Regional District - Climate Change Adaptation and Risk Management Strategy**

Keith Lawrence, CVRD Senior Environmental Analyst, provided an overview of the Cowichan Valley Regional District's multi-phased strategy to take action regarding climate adaptation. He responded to Council's questions. Council thanked him for his presentation.



## 8. DEVELOPMENT APPLICATIONS

### 8.1 Application to Rezone the Winter Shelter at 631 1st Avenue

#### **CS 2021-413**

By unanimous consent Council agreed to consider separately each recommendation regarding the application to rezone the Winter Shelter at 631 1<sup>st</sup> Avenue.

#### **CS 2021-414**

That Council give first and second readings to “Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076”.

*Motion Carried*

#### **CS 2021-415**

That Council give first and second readings as amended to “Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076” to include a site-specific exemption to the minimum finished floor area of the R3 Zone.

*Motion Carried*

OPPOSED: Councillors Johnson, McKay, Virtanen

#### **CS 2021-416**

That Council direct staff to schedule and provide notice for a Public Hearing for Bylaw No. 2076 pursuant to section 464(1)(b) of the *Local Government Act*.

*Motion Carried*

#### **CS 2021-417**

That Council direct staff to refer Bylaw No. 2076 to the Ministry of Transportation following third reading of the bylaw pursuant to section 52 of the *Transportation Act*.

*Motion Carried*

## **9. COMMITTEE MINUTES**

### **9.1 Parks, Recreation and Culture Advisory Committee - November 17, 2021**

#### **CS 2021-418**

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held November 17, 2021.

*Motion Carried*

### **9.2 Official Community Plan Steering Committee - November 25, 2021**

#### **CS 2021-419**

That Council receive the minutes of the Official Community Plan Steering Committee meeting held November 25, 2021.

*Motion Carried*

### **9.3 Public Art Task Group - November 30, 2021**

#### **CS 2021-420**

That Council receive the minutes of the Public Art Task Group meeting held November 30, 2021.

*Motion Carried*

### **9.4 Community Planning Advisory Committee - December 1, 2021**

#### **CS 2021-421**

That Council receive the minutes of the Community Planning Advisory Committee meeting held December 1, 2021.

*Motion Carried*

## **10. COMMITTEE APPOINTMENTS**

### **10.1 Arts & Heritage Hub Design Steering Committee**

#### **CS 2021-422**

That Council reappoint the following members of the Arts & Heritage Hub Design Steering Committee for a further one-year term ending January 5, 2023:

- Ora Steyn, representing the Arts Council of Ladysmith & District;
- Quentin Goodbody, representing the Ladysmith & District Historical Society; and

- Marnie Craig, representing the Ladysmith Maritime Society.
- Motion Carried*

## **11. BYLAWS**

### **11.1 Bylaw Status Sheet**

## **12. CORRESPONDENCE**

### **12.1 Ladysmith District & Historical Society**

#### **CS 2021-423**

That the Mayor, on behalf of Council, provide a letter of support for the Ladysmith & District Historical Society's application to the 150 Time Immemorial Grant Program for a cultural awareness project focused on historical and contemporary research, examining the legacy of colonialism in "mainstream" heritage narratives, and bringing to the forefront suppressed, untold, or forgotten stories from underrepresented or marginalized groups as outlined in their letter received December 16, 2021; and further, that the Town permits the use of the Town-owned Ladysmith Archives and Museum for this initiative.

*Motion Carried*

## **13. NEW BUSINESS**

## **14. QUESTION PERIOD**

There were no questions submitted by the public.

**15. ADJOURNMENT**

Council thanked Geoff Goodall, the Director of Infrastructure Services, for his commitment to the Town, and wished him all the best in his retirement.

**CS 2021-424**

That this Regular Meeting of Council be adjourned at 8:29 p.m.

*Motion Carried*

CERTIFIED CORRECT:

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Mayor (A. Stone)

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Corporate Officer (D. Smith)

**Minutes of the Parks, Recreation & Culture Advisory Committee**  
**Wednesday, December 15, 2021 at 7:00pm via ZOOM and**  
**Frank Jameson Community Centre, 810 6<sup>th</sup> Avenue**

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**COMMITTEE MEMBERS PRESENT:**

Tim Richards, Chair  
Councilor Duck Paterson  
Lesley Lorenz

Geoff Dean  
Emily Weeks  
Bruce Mason

**STAFF PRESENT:**

Chris Barfoot, Lead  
Kim Cheang

**REGRETS:**

Lucy Partington  
Kelly Daniels

Jacqueline Huard  
Lynda Baker

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The meeting was called to order at 7:37pm.

**CALL TO ORDER AND  
ACKNOWLEDGEMENT**

Tim Richards acknowledged with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

**AGENDA**

2021-27:

That the Parks, Recreation & Culture Advisory Committee approve the agenda for the meeting as presented.  
*Motion carried.*

**MINUTES**

2021-28:

That the Parks, Recreation & Culture Advisory Committee approve the minutes of the November 17, 2021 meeting as presented.  
*Motion Carried*

**NEW BUSINESS**

Community Banner Program Public Art Task Group Report

2021-29:

That the Parks, Recreation & Culture Advisory Committee approve the recommendations of the Public Art Task Group and recommend that Council:

1. Approve the theme "Community on the Coast" for the 2022 Community - Public Art Banners;
2. Approve the 2022 Community Celebration Banners, celebrating the Centennial of Aggie Hall in a way that is mindful and sensitive of our Stz'uminus First Nation neighbours.

*Motion Carried*

**PRC DEPARTMENT  
UPDATE**

PRC Department Update

Chris Barfoot provided a verbal update regarding the following:

- Aquatic Staffing
- Transfer Beach

**NEXT MEETING**

Next meeting will be held at 7:00pm, January 19, 2022 at Frank Jameson Community Centre.

**ADJOURNMENT**

2021-30:

That the committee adjourn this meeting at 8:05pm.

*Motion carried*

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Shannon Wilson – Recreation & Culture Coordinator  
**Reviewed By:** Chris Barfoot, Director Parks, Recreation and Culture  
**Meeting Date:** January 11, 2022  
**File No:**  
**Re:** 2022 Community Banner Themes

**RECOMMENDATION:**

That Council approve the following components of the 2022 Community Banner Program:

1. The theme “Community on the Coast” for the Community Public Art Banners; and
2. The inclusion of a Community Celebration Banner, to celebrate the Centennial of Aggie Hall.

**EXECUTIVE SUMMARY:**

The Parks, Recreation & Culture Advisory Committee (PRCAC) and the Public Art Task Group (PATG) recommend themes for the annual Community Banner Program. The Community Banner Program showcases the downtown and the Transfer Beach Boulevard.

At its meeting held December 15<sup>th</sup>, 2021, the PRCAC endorsed the following recommendation from PTAG:

2021-19:

That the Parks, Recreation & Culture Advisory Committee approve the recommendations of the Public Art Task Group and recommend that Council:

1. Approve the theme “Community on the Coast” for the 2022 Community - Public Art Banners;
2. Approve the 2022 Community Celebration Banners, celebrating the Centennial of Aggie Hall.

The full PRCAC minutes are included under the “Committee Minutes” section of this evening’s agenda.

**PREVIOUS COUNCIL DIRECTION:**

Resolution	Meeting Date	Resolution Details
CS 2020-011	01/07/2020	That Council approve the Community Banner Program as presented and recommended by the Parks, Recreation and Culture Advisory Committee.

**INTRODUCTION/BACKGROUND:**

### Theme Recommendations

The committees recommend a “**Community on the Coast**” theme for the Community Public Art Banners that highlights the heritage of local sustainable fisheries, our reliance on the ocean as a food source, the wildlife in our waters and our important connection with Stz’uminus First Nation. This theme reflects both the UN Food and Agriculture Organization’s vision of the International Year of Artisanal Fisheries and Aquaculture 2022 (IYAFA 2022), and their “4 Betters” strategic approach: “better production, better nutrition, a better environment, and a better life for all – leaving no one behind”

Further, the PRCAC and the PATG support a special recognition banner to be located in Zone 1 (shown in Attachment A), celebrating the Centennial of Aggie Hall in a way that is mindful and sensitive to our Stz’uminus First Nation neighbours. The proposed banner locations are shown in the following table:

Zone	Banners	2022 Theme
Zone 1	Community Celebration – TOWN	Aggie Centennial
Zone 2-3	Community Public Art	Community on the Coast
Zone 4	Community Public Art	Community on the Coast
Zone 5	Community Seasonal – TOWN	Community on the Coast

*2022 Community Banner Zone Map shown in Attachment A*

The Town has implemented a phased-in approach to the Community Banner Program. This allows the Town to review the program on a regular basis, in addition to providing the Town the flexibility to modify and/or change up the Town and Public Art Categories. It is the goal that the 2022 Banner Program includes three distinct designs in the downtown core, and an additional design for Transfer Beach Boulevard. This is a similar approach to what was successfully done in 2020.

Once the annual Public Art Banner themes are approved by Council, the Call for Artists process for the design(s) will commence. Each year, banners are displayed from May to October. The Community Banner Program has an annual budget allocation.

In the inaugural year, administration responsibilities were managed by the Arts Council of Ladysmith and District. In September 2021, that agreement was ended and the PATG members and staff will now provide support of the selection panel and recommendations to Council through the PRCAC.

### **ALTERNATIVES:**

Council can choose to:

1. Not approve the current theme and refer the proposed theme back to the PATG for further refinement.



**FINANCIAL IMPLICATIONS:**

The existing annual operational funding for the banners will be used for the Community Banner Program. Existing funding would continue to cover artist's fee, design and production costs.

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

The purpose of the Community Banner Program is beautification and the promotion of our community identity. Community banners add vibrancy and community spirit throughout Ladysmith and will represent Ladysmith's small-town charm, coastal community life and diverse cultural heritage.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The installation of the Community Banners is coordinated with Infrastructure Services.

**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 checked="" 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 checked="" type="checkbox"/> Waterfront |   |

***I approve the report and recommendations.***

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENT:**

- A. 2022 Community Banner Zone Map

# COMMUNITY BANNER PROGRAM MAP

## ATTACHMENT A

Zone 1

Directional Banners

Zone 2

Zone 3

Zone 4

Zone 5



**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Erin Anderson, Director of Financial Services  
**Reviewed By:** Allison McCarrick, Chief Administrative Officers  
**Meeting Date:** January 11, 2022  
**File No:**  
**Re:** **2022 Utility Bill Due Dates**

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**RECOMMENDATION:**

That Council approve the following utility billing due dates:

- February 25, 2022 for the period October to December, 2021;
- May 30, 2022 for the period January to March, 2022;
- August 30, 2022 for the period April to June, 2022; and
- November 29, 2022 for the period July to September, 2022.

**EXECUTIVE SUMMARY:**

Water, sewer and solid waste (garbage/recycling/organics collection) services are billed each quarter. Payments are due at least 30 days from the billing date. Staff try to accommodate the pension dates as set by the upper levels of governments as well as work within the operations of the Town.

**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:**

The water, sewer and solid waste (garbage, recycling and organics collection) services are billed each quarter. Water meters are read near the end of each quarter and the water consumption for the period determines the fee charged; sewer and solid waste are charged per month.

Each of the service bylaws set a similar penalty date of no less than 30 days from the billing date and often this date lands in the middle of the month for February, May, August and November. Staff attempt to extend the due date to accommodate the end of the month pension payment dates however, on occasion the due date is the same as the pension date.

**ALTERNATIVES:**

Council can choose to:

1. Select other dates as the quarterly due dates.
2. Change the billing frequency to 3 times a year, though water leaks may remain undiscovered for a longer period of time.

**FINANCIAL IMPLICATIONS:**

There is a 10% penalty applied to unpaid utility bills. Bills that remain unpaid at December 31<sup>st</sup> roll to the property owner's taxes in arrears and begin accruing interest charges.

**LEGAL IMPLICATIONS:**

Current bylaws include similar language to the following:

A 10% penalty shall be added to any unpaid current water charges no less than 30 days from the billing date and the due date selected shall be clearly indicated on the utility billing.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Staff have received feedback from a few property owners requesting more time to make payment.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Public Works staff (Utilities) read the water meters and Finance staff calculate the billings.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

***I approve the report and recommendation.***

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENT:**

- A. Federal pension payment dates (2022)

# ATTACHMENT A

## Federal Pension Payment dates (2022)

From: <https://www.canada.ca/en/services/benefits/calendar.html>

### Benefits payment dates

If you receive federal benefits, including some provincial/territorial benefits, you will receive payment on these dates. If you set up direct deposit, payments will be deposited in your account on these dates.

#### Canada Pension Plan

Includes the Canada Pension Plan (CPP) retirement pension and disability, children's and survivor benefits.

► 2021

▼ 2022

- January 27, 2022
- February 24, 2022
- March 29, 2022
- April 27, 2022
- May 27, 2022
- June 28, 2022
- July 27, 2022
- August 29, 2022
- September 27, 2022
- October 27, 2022
- November 28, 2022
- December 21, 2022

#### Old Age Security

Includes Old Age Security pension, Guaranteed Income Supplement, Allowance and Allowance for the Survivor.

► 2021

▼ 2022

- January 27, 2022
- February 24, 2022
- March 29, 2022
- April 27, 2022
- May 27, 2022
- June 28, 2022
- July 27, 2022
- August 29, 2022
- September 27, 2022
- October 27, 2022
- November 28, 2022
- December 21, 2022

#### Veteran disability pension

► 2021

▼ 2022

- January 28, 2022
- February 25, 2022
- March 30, 2022
- April 28, 2022
- May 30, 2022
- June 29, 2022
- July 28, 2022
- August 30, 2022
- September 28, 2022
- October 28, 2022
- November 29, 2022
- December 22, 2022

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Jake Belobaba, Director of Development Services  
**Reviewed By:** Allison McCarrick CAO  
**Meeting Date:** January 11, 2022  
**File No:** 6130-05  
**Re:** Park Dedication

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**RECOMMENDATION:**

That Council:

1. Give first, second and third readings to "Bylaw Revision Bylaw 2022, No. 2090";
2. Give first, second and third readings to "Removal of Road Dedication Bylaw 2022, No. 2085";
3. Direct staff to:
  - a. provide notice to the public of Council's intention to adopt Bylaw No. 2085 pursuant to sections 40(3)(a) and 94 of the *Community Charter*,
  - b. provide notice of Council's intention to adopt Bylaw No. 2085 to:
    - i. BC Hydro
    - ii. Fortis
    - iii. Shaw
    - iv. TELUS;
  - c. refer Bylaw No. 2085 to the Ministry of Transportation and Infrastructure pursuant to section 41(3) of the *Community Charter*; and
4. Give first and second readings to "Park Dedication Bylaw 2022, No. 2083".\*

\*Note: Bylaw No. 2083 requires 2/3 majority vote by Council.

**EXECUTIVE SUMMARY:**

The report presents three bylaws for Council's consideration:

1. Bylaw No. 2090 (Attachment A) is a bylaw revision bylaw pursuant to section 140 of the *Community Charter* which gives the Town greater "housekeeping" abilities for all Town bylaws. If passed, it will allow the Town to consolidate previous park dedication bylaws into a single bylaw (Bylaw No. 2083).
2. Bylaw No. 2085 (Attachment B) is a bylaw pursuant to section 40 of the *Community Charter* that will remove the road dedication from Queen's Park, allowing it to be formally rededicated as park.
3. Bylaw No. 2083 (Attachment C) will dedicate eight previously undedicated properties as parkland pursuant to section 30 of the *Community Charter* and consolidate existing park dedication bylaws into a single bylaw.

This report also provides record of historical park dedication in Ladysmith. Previous records appear to have been destroyed by a flood in the 1970s. The report can be used at a later date to determine when lands were assigned parkland dedication and to clarify the status and restrictions that apply to specific parks.

**PREVIOUS COUNCIL DIRECTION:**

Resolution	Meeting Date	Resolution Details
CW 2021-25	03/09/2021	That the Committee of the Whole recommend that Council direct staff to: 1. Prepare a Park Dedication Bylaw which includes Town-owned properties identified in the staff report dated March 9, 2021; and 2. Identify portions of road right of way that are currently being used as park space and bring forward the necessary bylaws to: a. close and remove the road dedication pursuant to section 40 of the Community Charter; and b. dedicate the resulting legal parcels as park.

**INTRODUCTION/BACKGROUND:**

At the September 8, 2020 Committee of the Whole meeting, the Committee requested information about properties that could be considered for parkland dedication.

Parks are formally dedicated in two ways: 1) by survey plan; or 2) by designating “real property” owned by a local government by bylaw. On March 9, 2021, staff returned to Council with a report identifying 14 Town-owned properties that currently function as parkland and were believed to lack formal dedication by plan or bylaw. Staff also noted that there are “parks” in Ladysmith which are located on dedicated road. These parks can only be dedicated as park if a bylaw is first passed removing the road dedication and creating a parcel of land that can be dedicated by bylaw as park.

Council endorsed staff’s March 9, 2021 recommendation to bring forward the necessary bylaws to designate the 14 parcels as park and formally rededicate parks located in dedicated road as parks.

The research required to confirm parks eligible for dedication was extensive and led to a number of unexpected findings. Staff have now determined that 7 of the 14 properties listed in the March 9, 2021 report have already been dedicated by bylaw<sup>1</sup> and uncovered information about the history of park dedication of Ladysmith’s public spaces that has led to some confusion about the status of Ladysmith’s parks. Queens Park was the only park within dedicated road that was determined to be suitable for rededication as park. Other dedicated roads currently functioning as park may be needed in the future for road access or infrastructure.

There is a lack of a single definitive record of parks dedicated by bylaw due to separate dedication processes, Ladysmith’s 117 year history, multiple bylaw amendments and damage to historical archives. Staff also found a number of inconsistencies and out of date information in existing park dedication bylaws and even Land Title records. These factors likely explain why it has been so difficult to determine which parks are formally dedicated.

What follows is a breakdown of how staff determined the dedication status and history of Ladysmith’s parks. It is intended not only as background information but also to create a reference for parks-related research that may be needed in the future.

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<sup>1</sup> These include the six parcels that make up Rotary Memorial Peace Gardens/Cenotaph Park (dedicated by Bylaw No. 1532) and Bob Stuart Park (dedicated by Bylaw No. 811)

The Town has adopted six bylaws related to park dedication:

1.	Bylaw No. 797 (Attachment E):	The Town's first known park reservation bylaw.
2.	Bylaw No. 804 (Attachment F):	A bylaw to delete Queens Park from Bylaw No. 797 (see below).
3.	Bylaw No. 811 (Attachment G):	A park dedication bylaw that dedicated parts of Transfer Beach Park, Holland Creek Park, Aggie Field, Hilltop Park, Bob Stuart Park, and Little League Park.
4.	Bylaw No. 815 (Attachment H):	A bylaw to remove Little League Park from Bylaw No. 797 (but not from Bylaw No. 811).
5.	Bylaw No. 1532 (Attachment I):	A bylaw to dedicate the Cenotaph properties as park.
6.	Bylaw No. 1665 (Attachment J):	A bylaw to dedicate Wickham Park.

Parks have been dedicated or reserved by four different bylaws. The earliest of these four, Bylaw No. 797, has been amended twice (by Bylaw Nos. 804 and 815) and, until recently, had not been consolidated to incorporate the amendments.

Bylaw No. 797 "reserves" land for parks, whereas Bylaw Nos. 811, 1532 and 1665 "dedicate" land as park. These terms have different meanings which can create confusion as to the eventual purpose of the lands<sup>2</sup>. However, reserved parkland and dedicated parkland have identical restrictions under the *Community Charter* (i.e., works cannot be undertaken that are inconsistent with the dedication/reservation, elector approval is required to dispose of the land, etc.). Queens Park appears to have been erroneously reserved as park by Bylaw No. 797 and was later removed by Bylaw No. 804<sup>3</sup>. Many legal descriptions in previous park dedication bylaws were found to be incorrect or out of date. In other cases, parcels originally dedicated by bylaw, have since been dedicated by plan<sup>4</sup>.

Parks in the area of "Market Square" have an interesting history of dedication. Market Square was a large public space near the junction of High Street and 2<sup>nd</sup> Avenue that existed at time of incorporation and is still shown today on Plan VIP6460 (Attachment K). It appears the north and south corners of Market Square were sold in 1946 (see Attachment L), leaving only "Block B" and "Block C", which are now home to the Ladysmith Resources Centre Association (LRCA) facilities and Little League Park respectively. Since at least 1916, legislation has existed in BC that conclusively dedicates any "square" shown on a survey plan as park; however, due to the way "Market Square" is shown on Plan VIP6460, it was unclear if this label was showing a dedication or simply a geographic reference.

Block B was subdivided in 1960 to remove Lot 1 (220 High Street), which is still owned by the Town and home to the Boys and Girls Club daycare. The remainder of Block B and Block C were reserved as "Lions Park" and "Little League Park" respectively, by Bylaw No. 797, in March of 1984. Little League Park was dedicated again by Bylaw No. 811 in October of 1984, then later removed from Bylaw No. 797 (but not Bylaw No. 811), in January of 1985. The title for Little League Park was cancelled and Plan VIP65994

<sup>2</sup> Technically a park "reservation" operates to reserve land for park use in the future, while a park "dedication" would make the land park as soon as the bylaw has been passed.

<sup>3</sup> Records from that time could not be found. However staff believe that Queens Park could not be dedicated by bylaw because it was already dedicated road. The road may have even been "vested" in (i.e. owned by) the Province at the time, because Bylaw 797 predates the *Community Charter*, which may have been the first piece of legislation to vest roads in the municipality in which they are located. This means the Town may not have had the same ability to dedicate Queens Park as park in 1984 that it does today.

<sup>4</sup> These include a portion of Transfer Beach Park, Aggie Hall and Little League Park all of which were dedicated by plan in 1997.



(Attachment M) was registered in 1997 dedicating the park by plan, however, some Land Title records did not reflect this which gave the appearance that Plan VIP6460 dedicated “Market Square” by plan <sup>5</sup>.

The Town’s lawyer worked with a Land Title agent to determine if the Market Square designation on Plan VIP6460 functions as a dedication by plan as it has implications related to LRCA/ daycare site. Their conclusion, which is supported by staff, is that Market Square, as shown on Plan VIP6460 does not function as a park dedication. The land was purchased by the Town from the E&N railway in 1946 (for \$1,000) as “fee simple” land (which could not have happened had it been untitled parkland dedicated by plan) allowing it to be subdivided and sold. Little League Park’s formal dedication by plan in 1997 also supports the conclusion that the “Market Square” label on Plan VIP6460 was not a park dedication by plan. However, it is clear that the LRCA site (but not the daycare site) has been reserved as “Lion’s Park”, by bylaw, since 1984. This has implications for how the LRCA site is used or sold, and technical considerations for referencing this park in a consolidated park dedication/reservation bylaw.

Amending one or more of the Town’s four previous park dedication bylaws to add the seven additional parks identified by staff, would add further complexity and confusion to the Town’s park dedication records. Additionally, the above noted bylaws cannot simply be repealed and replaced without approval of the electors. Most municipalities have a bylaw revision bylaw that allows the consolidation of separate bylaws as well as updates to reflect current information (like new legal descriptions). A bylaw revision bylaw essentially allows bylaws to be changed and combined to make them easier to understand, without changing their original meaning or effect. The Town does not have such a bylaw, which prevents consolidating the Town’s separate park dedication bylaws and contributes to the confusion surrounding park dedication.

## **PROPOSAL:**

### **Bylaw No. 2090 (Bylaw Revision)**

Section 30 (3) of the *Community Charter* requires approval of the electors for a bylaw that removes a park dedication/reservation, making repealing and replacing the Town’s previous parks dedication/reservation bylaws logistically challenging. As a bylaw consolidation bylaw under section 140 of the *Community Charter*, Bylaw No. 2090 allows the Town to consolidate all of the Town’s previous park dedication/reservation bylaws into a single bylaw (Bylaw No. 2083), without repealing them. Bylaw No. 2090, also provides another benefit. Once adopted it will allow the Town to streamline “housekeeping” changes to any bylaw in accordance with the provincial *Bylaw Revision Regulation*. These types of amendments include:

- consolidating or dividing bylaws;
- deleting expired, obsolete or inoperative clauses;
- altering the citations, titles, numbering headings and similar text to make the bylaw easier to understand;
- adding or changing maps, diagrams and similar illustrations;
- correcting clerical, grammatical and typographical errors;
- changing the wording of the bylaw, without changing its meaning, to make the bylaw clearer and easier to understand.

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<sup>5</sup> Staff notified the Land Title Survey Authority after finding the error and it has since been corrected..

With the adoption of Bylaw No. 2090, these types of amendments can proceed through a streamlined approval process pursuant to section 3 of the *Bylaw Revision Regulation*.

**Bylaw No. 2085 (Removal of road dedication – Queens Park)**

Bylaw No. 2085 will remove the road dedication from Queens Park pursuant to section 40 of the *Community Charter*, creating a parcel of land that can be designated as park by Bylaw No. 2083. A portion of the road dedication will remain to provide access for adjacent properties (see Attachment B).

**Bylaw No. 2083 (Park dedication/consolidation)**

Bylaw No. 2083 lists 20 properties dedicated/reserved as park pursuant to section 30 of the *Community Charter*. Bylaw No. 2083 will combine Bylaw Nos. 797, 811, 1532 and 1665 into a single bylaw and, once adopted, will dedicate eight<sup>6</sup> additional parcels as park. Bylaw No. 2083 also corrects incorrect and out-of-date legal descriptions for existing dedicated parks and incorporates additional references (address and Land Title Office “PID” numbers) making dedicated parks easier to identify, especially on more modern tools such as GIS.

Of the four parks currently “reserved” by Bylaw No. 797, only Lions Park’s status will remain as “reserved”. Two of Bylaw No. 797’s reserved parks are now dedicated by plan leaving only Kin Park and Lion’s Park as parks reserved by bylaw. Staff are recommending that Kin Park be dedicated and that the status of Lion’s Park remain as reserved. This is due to the current uses of the sites; Kin Park functions more like a traditional park whereas Lion’s Park hosts civic facilities. Maintaining the reservation status of Lion’s Park allows for these uses to continue, and maintains the reservation for park uses in perpetuity.

With the exception of Kin Park, there will be no change whatsoever to the dedication/reservation status or use restrictions of previously reserved/dedicated parks. Currently only Wickham Park has special use restrictions and staff worked with the Wickham family and the Town’s lawyer to ensure that the consolidation of Bylaw No. 1665 into Bylaw No. 2083 complies with legal requirements and the wishes of the Wickham Family.

Bylaw No. 2083 does not list any parks dedicated by plan. These lands are automatically dedicated by subdivision plans, do not have titles, and do not need to be dedicated by bylaw. A map of parks currently dedicated by bylaw, currently dedicated by plan and proposed to be dedicated by Bylaw No. 2083 is provided in Attachment D.

**ANALYSIS**

Bylaw Nos. 2090, 2085 and 2083 will implement Council’s direction to dedicate parcels of land used for parks by bylaw.

Creating a consolidated park dedication bylaw results in a simpler, easier to maintain register of dedicated parks. Bylaw No. 2083 can easily be updated in the future to dedicate additional parkland as the opportunity arises. The proposed bylaw will create a single source of information on parks designated by bylaw and their restrictions, making parks-related research easier for staff and the public alike. Anyone wanting to confirm the status or restrictions for a dedicated park need only consult Bylaw No. 2083, rather than a series of different bylaws and municipal and land titles records.

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<sup>6</sup> This includes seven existing parcels and the parcel created from removing the road dedication where Queen’s Park is located.

Queens Park is situated on unneeded road allowance and approving Bylaw Nos. 2085 and 2083 will secure the land as parkland in perpetuity. Currently, elector approval would not be required to remove the road dedication and sell Queens Park as fee simple land. Because the land is not needed for road, and its importance to the community as park, staff recommend dedicating this land as park.

Adopting the three proposed bylaws is necessary to create a useable and transparent system of identifying dedicated parks and to secure cherished lands as parkland. Staff recommend approving Bylaw Nos. 2090, 2083 and 2085 as proposed.

#### **ALTERNATIVES:**

Council can choose to:

1. Not give readings to Bylaw Nos. 2090, 2085 and 2083.
2. Amend one or more of the proposed bylaws prior to first, second and third reading.
3. Refer the bylaws back to staff for further review as specified by Council.

#### **FINANCIAL IMPLICATIONS:**

Properties dedicated or reserved as parkland cannot be disposed of without approval of the electors. In the event that parkland is sold, all proceeds from the sale must be placed in a parkland acquisition reserve fund.

#### **LEGAL IMPLICATIONS:**

##### **Bylaw No. 2085**

Under section 41(3) of the *Community Charter*, approval from the Ministry of Transportation and Infrastructure is required prior to adoption of Bylaw No. 2085. Additional utility operators with infrastructure that may be affected by the road closure and removal of road dedication bylaw must be notified. Staff will refer the bylaw to the ministry and utility providers following third reading.

##### **Bylaw No. 2083**

For the previously undedicated parks included in Bylaw No. 2083 the use of these sites will henceforth be restricted to parks use and there will be significant restrictions on their use, sale and removal of parks dedication. For the remaining 13 parcels and any parcels dedicated by plan, these restrictions already apply and will continue to apply.

##### **Adoption Procedure**

Under section 30(2) of the *Community Charter*, Bylaw No. 2083 can only be adopted with a 2/3 vote of Council. Prior to third reading, the Corporate Officer must certify that Bylaw No. 2083 has been revised in accordance with Bylaw No. 2090 and prior to adoption, Bylaw No. 2083 must be amended to include the legal description for Queens Park (which won't exist until Bylaw No. 2085 is adopted). Procedurally, Bylaw Nos. 2090 and 2085 must be adopted before Bylaw No. 2083 is given third reading, hence the recommendation to give Bylaw Nos. 2090 and 2085 three readings, Bylaw No. 2083 only two, and the procedure noted below.

The procedures for adopting the proposed bylaws is atypical and prevents the proposed bylaws from being adopted in tandem. Assuming Council follows the recommendations of staff, the adoption process will be as follows:

1. Bylaw Nos. 2090 and 2085 will be given three readings of Council and Bylaw No. 2083 will be given two readings of Council at the January 11<sup>th</sup> Council meeting.
2. Bylaw No. 2085 will be referred to the public, MOTI and utility providers.
3. Bylaw Nos. 2090 and 2085 will be adopted. (Likely at a Council meeting in February).
4. Plans will be registered at the Land Title Office for Queens Park and Bylaw No. 2083 will be amended to include the new legal description for Queens Park.
5. Bylaw No. 2083 will be:
  - a. certified by the Corporate Officer as complying with Bylaw No. 2090;
  - b. and given third reading, by Council, as amended;
  - c. adopted at a subsequent meeting of Council. (likely at a Council meeting in March).

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Park dedication can only be removed with the approval of the electors. Section 40(3) of the *Community Charter* requires notice of Council's intention to adopt Bylaw No. 2085 in the form of newspaper advertising.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Development Services, Infrastructure Services and Parks, Recreation & Culture have worked together to determine which properties are suitable for dedication.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation       |
| <input type="checkbox"/> Green Buildings                        | <input checked="" 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 recommendations.***

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENTS:**

- A. Bylaw No. 2090
- B. Bylaw No. 2085
- C. Bylaw No. 2083
- D. Map of existing/proposed dedicated parks
- E. Bylaw No. 797
- F. Bylaw No. 804
- G. Bylaw No. 811
- H. Bylaw No. 815

- I. Bylaw No. 1532
- J. Bylaw No. 1665
- K. Plan VIP6460
- L. Brief History of Market Square
- M. Plan VIP65994

## TOWN OF LADYSMITH

### BYLAW NO. 2090

#### A Bylaw to Authorize the Revision of Bylaws

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WHEREAS Council may by bylaw authorize the revision of any of its bylaws in accordance with section 140 of the *Community Charter* and the Bylaw Revision Regulation B.C. Reg. 367/2003;

THEREFORE the Council of the Town of Ladysmith, in open meeting assembled, ENACTS AS FOLLOWS:

1. Council authorizes the revision of all or any of the bylaws of the municipality in the following ways:
  - a. consolidating a bylaw by incorporating in it all amendments to the bylaw;
  - b. omitting and providing for the repeal of a bylaw or a provision of a bylaw that is expired, inoperative, obsolete, spent or otherwise ineffective;
  - c. omitting, without providing for its repeal, a bylaw or a provision of a bylaw that is of a transitional nature or that refers only to a particular place, person or thing or that has no general application throughout the municipality;
  - d. combining two or more bylaws into one, dividing a bylaw into two or more bylaws, moving provisions from one bylaw to another and creating a bylaw from provisions of one or more bylaws;
  - e. altering the citation and title of a bylaw and the numbering and arrangement of its provisions;
  - f. adding, changing or omitting a note, head, title, marginal note, diagram, map, plan or example to a bylaw;
  - g. omitting the preamble and long title of a bylaw;
  - h. omitting forms or schedules contained in a bylaw that can more conveniently be contained in a resolution, and adding to the bylaw authority for forms or schedules to be established by resolution;
  - i. correcting clerical, grammatical and typographical errors; and

- j. making changes, without changing the substance of the bylaw, to bring out more clearly what is considered to be the meaning of the bylaw or to improve the expression of the law.
2. Any bylaw as revised under this Bylaw shall be brought before the Council for consideration of first, second, and third readings and adoption in accordance with "Council Procedure Bylaw 2009, No. 1666".

Citation

3. This Bylaw may be cited for all purposes as "Bylaw Revision Bylaw 2022, No. 2090".

<b>READ A FIRST TIME</b> on the	day of	, 2022
<b>READ A SECOND TIME</b> on the	day of	, 2022
<b>READ A THIRD TIME</b> on the	day of	, 2022
<b>ADOPTED</b> on the	day of	, 2022

\_\_\_\_\_  
Mayor (A. Stone)

\_\_\_\_\_  
Corporate Officer (D. Smith)

TOWN OF LADYSMITH

BYLAW NO. 2085

**A Bylaw to Close and Remove the Dedication of a Highway**

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WHEREAS the purpose of this Bylaw is to close to traffic and remove the highway dedication of that part of land shown in heavy outline on Reference Plan EPP115099, for the purpose of creating a parcel of land that can be dedicated by bylaw for park pursuant to section 30 of the *Community Charter*.

AND WHEREAS in accordance with sections 40(3) and (4), and 94 of the *Community Charter*, the Town of Ladysmith has published notice of its intention to adopt this Bylaw, has delivered notice to the operators of utilities whose transmission or distribution facilities or works Council considers will be affected, and has provided an opportunity for persons who consider they are affected to make representations to Council.

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

1. That portion of road shown as 'Closed Road' on Reference Plan EPP115099, prepared by Matthew D. Schnurch, B.C.L.S., a copy of which is attached as Schedule "A" hereto, is closed to all traffic.
2. The dedication as highway of that part of the road referred to in Section 1 is removed.
3. The Mayor and Corporate Officer are hereby authorized to execute all necessary documents as may be required to carry out the purpose of this bylaw.

Citation

4. This Bylaw may be cited as "Road Closure and Dedication Removal Bylaw 2022, No. 2085".

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

Notice of intention to proceed with this bylaw was published on the \_\_\_\_ day of \_\_\_\_\_, 2022 and the the \_\_\_\_ day of \_\_\_\_\_, 2022 in the Ladysmith Chronicle newspaper, circulating in the Town of Ladysmith, pursuant to section 94 of the *Community Charter*.

**APPROVED BY MINISTRY OF TRANSPORTATION**

**& INFRASTRUCTURE** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

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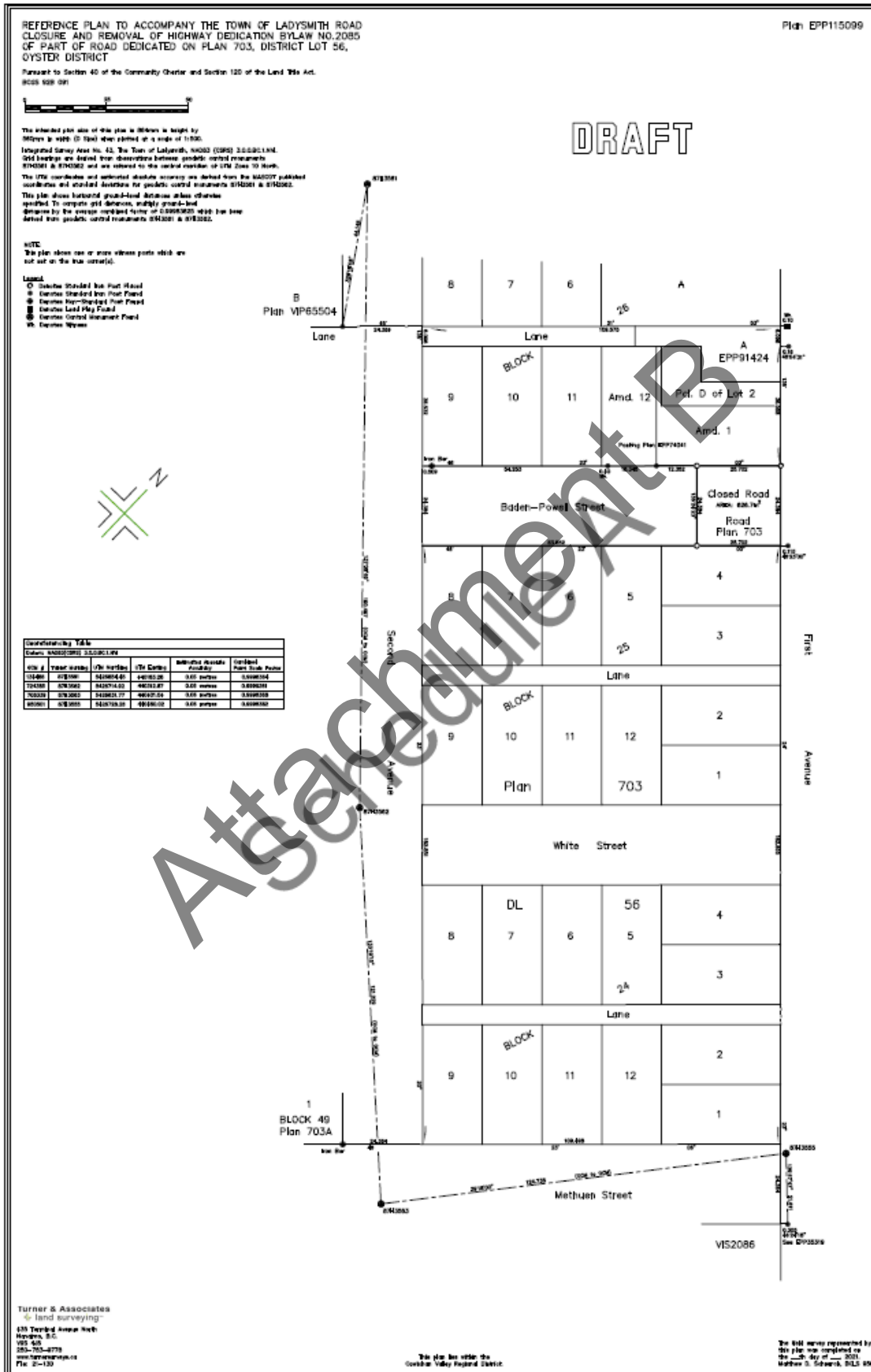
Mayor (A. Stone)

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Corporate Officer (D. Smith)



## SCHEDULE "A" ROAD CLOSURE PLAN



## TOWN OF LADYSMITH

### BYLAW NO. 2083

#### A Bylaw to combine the Town's Parks Reservation and Dedication Bylaws

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WHEREAS Council has enacted "Bylaw Revision Bylaw 2022, No. 2090", which allows Council to revise its bylaws by combining two or more bylaws into one;

AND WHEREAS the Bylaw Revision Bylaw also allows Council to make changes to existing bylaws, without changing their substance, to bring out more clearly what is considered to be the meaning of the bylaws or to improve their expression;

AND WHEREAS section 30 of the *Community Charter* allows Council to, by bylaw, reserve or dedicate for a particular municipal or other public purpose real property owned by the municipality;

AND WHEREAS Council wishes to combine the existing reservation and dedication bylaws, specifically Bylaw No.s 797, 804, 811, 815, 1532, and 1665, and to bring out more clearly what is considered to be their meaning;

AND WHEREAS Council wishes to dedicate as park, additional real property owned by the Town;

AND WHEREAS Council wishes to dedicate as park real property owned by the Town that was previously reserved as park;

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

1. The parcels of real property described hereunder, which are owned by the Town of Ladysmith, and are located within the boundaries of the Town of Ladysmith, are dedicated or reserved as public parks as indicated:

Legal Description(s)	Address(es)	PID(s)	Common Name	Status
LOT 1, DL 56, OYSTER DISTRICT, PLAN 13865, EXCEPT PART IN PLAN VIP85676	340 Belaire Street	004-428-714	Wickham Park	Dedicated
BLOCK B, DISTRICT LOT 56, OYSTER DISTRICT, PLAN 6460, EXCEPT THAT PART IN PLAN 13908 AND VIP 68919	630 2 <sup>nd</sup> Avenue	005-841-526	Lions Park	Reserved
LOT 8, DISTRICT LOT 56, OYSTER DISTRICT, PLAN 11171.	420 Root Street	005-156-513	Kin Park	Dedicated
DISTRICT LOT 6G, OYSTER DISTRICT EXCEPT PART IN PLAN VIP 71943	-	006-099-050	Transfer Beach Park	Dedicated

Legal Description(s)	Address(es)	PID(s)	Common Name	Status
PART OF PARCEL A (DD 24403N), DISTRICT LOT 43, OYSTER DISTRICT, SHOWN IN PLAN 519R, EXCEPT PARTS IN PLANS 32981, 37442, 48247 AND VIP65242	356 Dogwood Drive	009-442-120	Holland Creek Park	Dedicated
DISTRICT LOT 43, OYSTER DISTRICT, EXCEPT THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY, EXCEPT PARCEL C (DD 34443I) AND PARCEL A (DD 24403N) THEREOF, AND EXCEPT PARTS IN PLANS 2478, 4670, 5873, 7527, 8922, 12027, 14051, 15693, 24782, 34197, 835R, 48247, VIP57353, AND VIP65242	373 Dogwood Drive & 380 Davis Road	009-441-450		
LOT 1, DISTRICT LOT 131 (PART OF SAID DISTRICT LOT LYING IN LOT 24), OYSTER DISTRICT, PLAN 25649 EXCEPT PART IN PLAN VIP71942	1119 1 <sup>st</sup> Avenue	001-512-765	Bob Stuart Park	Dedicated
BLOCK C, DISTRICT LOT 56, OYSTER DISTRICT, PLAN 6460	-	-	Little League Park	Dedicated
LOT 3, DISTRICT LOT 42, OYSTER DISTRICT, PLAN 2074 EXCEPT THAT PART SHOWN OUTLINED IN RED ON PLAN 348-R AND EXCEPT THAT PART IN PLAN 7725	-	006-722-857	Gourlay-Janes Park	Dedicated

Legal Description(s)	Address(es)	PID(s)	Common Name	Status
LOT 1, BLOCK 4, DISTRICT, LOT 24, OYSTER DISTRICT, PLAN 703A EXCEPT PART IN PLAN 1176RW	1010 Trans- Canada Highway	008-549-419	Rotary Memorial Peace Gardens/ Cenotaph Park	Dedicated
LOT 2, BLOCK 4, DISTRICT LOT 24, OYSTER DISTRICT, PLAN 703A EXCEPT PART IN PLAN 1176RW.		008-552-452		
LOT 3, BLOCK 4, DISTRICT LOT 24, OYSTER DISTRICT, PLAN 703A EXCEPT PART IN PLAN 1176RW		008-552-461		
LOT 4, BLOCK 4, DISTRICT LOT 24, OYSTER DISTRICT, PLAN 703A EXCEPT PART IN PLAN 1176RW		008-552-487		
LOT 5, BLOCK 4, DISTRICT LOT 24, OYSTER DISTRICT, PLAN 703A EXCEPT PART IN PLAN 1176RW		008-552-517		
LOT 6, BLOCK 4, DISTRICT LOT 24, OYSTER DISTRICT, PLAN 703A EXCEPT PART IN PLAN 1176RW.		008-552-576		
LOT 64 DISTRICT LOT 42 OYSTER DISTRICT PLAN VIP65790	533 Louise Road	023-867-337	Harbour View Park	Dedicated
LOT B DISTRICT LOT 126 OYSTER DISTRICT PLAN VIP73132	-	025-218-301	Brown Drive Park	Dedicated
LOT 4 BLOCK 1399 OYSTER DISTRICT PLAN VIP75559	-	025-708-651	Holland Creek Trail	Dedicated

Legal Description(s)	Address(es)	PID(s)	Common Name	Status
LOT 1 DISTRICT LOT 108 OYSTER DISTRICT PLAN VIP88238	570 Jim Cram Drive	028-311-884	Lot 108	Dedicated
<LEGAL DESCRIPTION>	<ADDRESS>	<PID>	Queens Park	Dedicated

2. Regarding Wickham Park, Council hereby agrees to restrict, limit use and regulate the land as follows:
  - (a) The property shall not be subdivided or sold in perpetuity;
  - (b) The height of any structure shall not exceed 4.5 metres;
  - (c) The property shall be restricted to Park and Open Space, which could include a small playground, benches, trees, landscaping, fountain or other low impact amenity; and
  - (d) The height of any shrubs, trees or plantings shall not exceed 5.5 metres.
3. All lands dedicated and reserved as public parks under the provisions of this Bylaw shall be under the possession and control of the Town of Ladysmith, and the Council may make rules and regulations governing the management, maintenance, improvement, operation, control and use the said lands.
5. Bylaw Nos. 797, 804, 811, 815, 1532, and 1665 are hereby repealed and replaced with this Bylaw.

Citation

6. This Bylaw may be cited as: "Park Dedication Bylaw 2022, No. 2083".

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022  
**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022  
**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022  
**ADOPTED WITH 2/3 MAJORITY** on the \_\_\_\_\_ day of \_\_\_\_\_, 2022

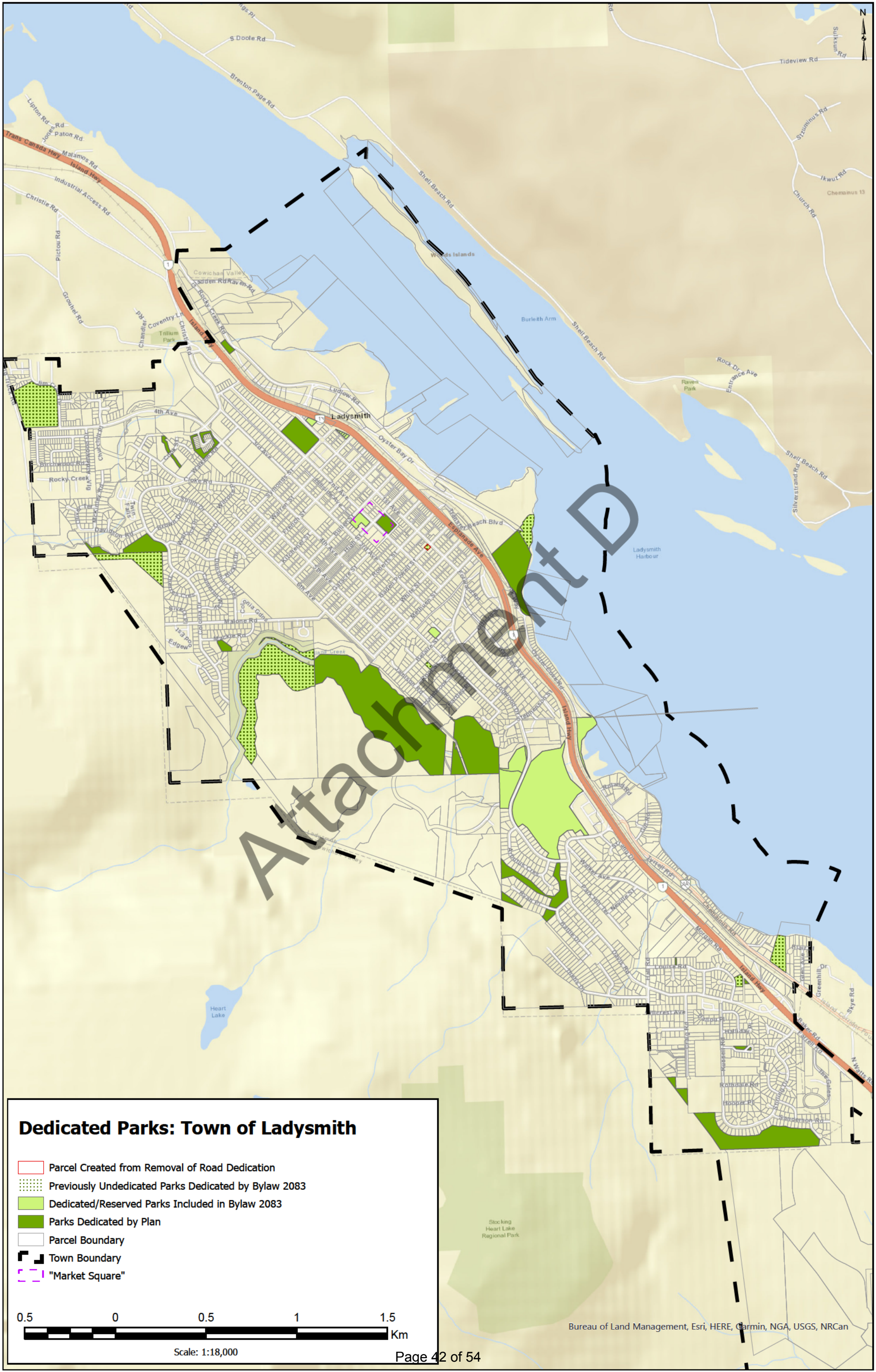
\_\_\_\_\_  
Mayor (A. Stone)

\_\_\_\_\_  
Corporate Officer (D. Smith)

**CERTIFIED** by the Corporate Officer as having been revised in accordance with the Bylaw  
Revision Bylaw

\_\_\_\_\_  
Corporate Officer (D. Smith)





TOWN OF LADYSMITH

BYLAW NO. 797

A Bylaw to reserve for park purposes certain real property owned by the Town of Ladysmith.

WHEREAS the real property more particularly described hereunder is owned by the Town of Ladysmith; and

WHEREAS pursuant to Section 532 of the Municipal Act, the Council of a municipality may, by bylaw, reserve for a particular municipal or other public purpose, land owned by the municipality; and

WHEREAS it is deemed to be in the public interest to reserve the real property described hereunder as park land for the use, recreation and enjoyment of the public;

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

1. The parcels of real property described hereunder, which are owned by the Town of Ladysmith, and are located within the boundaries of the Town of Ladysmith, are hereby reserved as public parks:

Davis Road Park

That part of District Lot 52, Oyster District, shown as Park on Plan 24782, except that part lying to the west of a straight line drawn between the most north-easterly corner of Lot 23 and the most south-easterly corner of Lot 36, of said Plan 24782.

Lions Park

Block B, District Lot 56, Oyster District, Plan 6460, except Plan 13908.

Queens Park

That part of Baden-Powell Street, as such is shown on Oyster District, Plan 703, shown on sketch plan attached to this Bylaw and marked "Exhibit 'A'", which is incorporated into and becomes part of this Bylaw.

Kin Park

Lot 8, District Lot 56, Oyster District, Plan 11171.

Little League Park

Block C, District Lot 56, Oyster District, Plan 6460.

2. All lands reserved as public parks under the provisions of this Bylaw shall be under the possession and control of the Town of Ladysmith, and the Council may make rules and regulations governing the management, maintenance, improvement, operation, control and use of the said lands.
3. This Bylaw may be cited as the "Park Reservation Bylaw, 1984, No. 797."

Read a First time this 12th day of March , 1984.

Read a Second time this 12th day of March , 1984.

Read a Third time this 12th day of March , 1984.

Reconsidered, Finally Passed and Adopted this 26th day of  
March , 1984.

I hereby certify the above to  
be a true and correct copy of  
Bylaw #797 of the Town of  
Ladysmith.

Clerk

Mayor  
  
Clerk

Attachment E



TOWN OF LADYSMITH

BYLAW No. 804

A Bylaw to amend the "Park Reservation Bylaw, 1984, No. 797."

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

1. The Park Reservation Bylaw, 1984, No. 797, of the Town of Ladysmith is hereby amended as set forth hereunder:

Section 1 is hereby amended by deleting therefrom the following words:

Queens Park

That part of Baden-Powell Street, as such is shown on Oyster District, Plan 703, shown on sketch plan attached to this Bylaw and marked "Exhibit 'A'", which is incorporated into and becomes part of this Bylaw.

2. This Bylaw may be cited as "Park Reservation Bylaw Amendment Bylaw, 1984, No. 804."

Read a First time on the 11th day of June , 1984,

Read a Second time on the 11th day of June , 1984.

Read a Third time on the 11th day of June , 1984.

Received the approval of the Minister of Municipal Affairs on the 12th day of June , 1984. (Approval No. 840700)

Reconsidered, Finally Passed and Adopted by an affirmative vote of at least two thirds of all the members of the Council on the 30th day of July , 1984.

I hereby certify the above to be a true and correct copy of Bylaw No. 804 of the Town of Ladysmith.

  
Clerk

  
Mayor

  
Clerk

TOWN OF LADYSMITH

BYLAW NO. 811

A BYLAW to dedicate for park purpose certain real property owned by the Town of Ladysmith.

WHEREAS the real property more particularly described hereunder is owned by the Town of Ladysmith, and

WHEREAS, pursuant to Section 533 of the Municipal Act, the Council of a municipality may, by bylaw, dedicate for a public purpose real property owned by the municipality, and

WHEREAS it is deemed to be in the public interest to dedicate the real property described hereunder as park land for the use, recreation and enjoyment of the public:

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

1. The parcels of real property described hereunder, which are owned by the Town of Ladysmith, and are located within the boundaries of the Town of Ladysmith, are hereby dedicated as public parks.

Transfer Beach Park

Lot 2, District Lot 56, Oyster District, Plan 36262.

Holland Creek Park

District Lot 43, Oyster District, except Plan 2478, 4670, 5873, 7527, 8922, 12027, 14051, 15693, 24782, 34197, 835R, and except E. & N. Railway right-of-way, Parcel A (DD24403N) and Parcel C (DD344431I).

Agricultural Field

District Lot 119, Oyster District.

Hilltop Park

That part of District Lot 96, Oyster District, shown as Park on Plan 36808.

Bob Stuart Park

Lot 1, District Lot 24, Oyster District, Plan 25649, Lots 2 and 3, District Lots 24 and 131, Oyster District, Plan 5254.

Little League Park

Block C, District Lot 56, Oyster District, Plan 6460

2. All lands dedicated as public parks under the provisions of this Bylaw shall be under the possession and control of the Town of Ladysmith, and the Council may make rules and regulations governing the management, maintenance, improvement, operation, control and use of the said lands.

3. The question of the dedication of the said lands as public parks shall be submitted to the electors of the Town of Ladysmith on Saturday the 17th day of November, 1984, between the hours of 8:00 a.m. and 8:00 p.m. in the Native Sons and Daughters Hall, 32 French Street, Ladysmith, B.C. An advanced poll shall be held in the Council Chambers at City Hall in Ladysmith, B.C. on Friday and Saturday the 9th and 10th November, 1984, between the hours of 2:00 p.m. and 6:00 p.m. on each day.
4. The question on the ballot shall read:  
"Are you in favour of the following lands being dedicated as public parks"  
and the ballot shall be in such form as to enable each elector to indicate his assent or dissent by making the prescribed mark opposite the word "Yes" or "No" in respect to each area of land to be dedicated.
5. A ballot shall not be rejected only for the reason that the ballot has not been marked in respect to each park area listed thereon.
6. Patrick O. Durban is hereby appointed Returning Officer for the taking of the vote on this Bylaw, with authority to make such arrangements as shall be necessary for the proper conduct of vote, which shall be conducted as nearly as may be in conformity with the provisions of the Municipal Act relating to elections.
7. This Bylaw may be cited as "Parks Dedication Bylaw, 1984, No. 811".

READ a First Time on the 29th day of October , 1984.  
READ a Second Time on the 29th day of October , 1984.  
READ a Third Time on the 29th day of October , 1984.

Received the assent of the electors of the Town of Ladysmith on the 17th day of November , 1984.

Reconsidered, Finally Passed and Adopted on the 26th day of November , 1984.

I hereby certify the above to be a true and correct copy of Bylaw No. 811 of the Town of Ladysmith.

Patrick O. Durban Page 47 of 54  
Clerk

J. L. Durban  
Mayor

Patrick O. Durban  
Clerk

TOWN OF LADYSMITH

BYLAW NO. 815

A Bylaw to amend the "Park Reservation Bylaw, 1984, No. 797."

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

1. The Park Reservation Bylaw, 1984, No. 797, of the Town of Ladysmith is hereby amended as set forth hereunder:

Section 1 is hereby amended by deleting therefrom the following words:

Little League Park

Block 'C' District Lot 56, Oyster District,  
Plan 6460.


2. This Bylaw may be cited as "Park Reservation Bylaw Amendment Bylaw, 1985, No. 815."

Read a First time on the 7th day of January , 1985.  
Read a Second time on the 7th day of January , 1985.  
Read a Third time on the 4th day of February , 1985.


Received the approval of the Minister of Municipal Affairs  
on the 25th day of FEBRUARY , 1985.

Reconsidered, Finally Passed and Adopted by an affirmative  
vote of at least two thirds of all the members of the Council  
on the 18th day of MARCH , 1985.

  
Mayor

  
Clerk

I hereby certify the above  
to be a true and correct copy  
of Bylaw No. 815 of the Town  
of Ladysmith.

  
Clerk

**TOWN of LADYSMITH**

**BYLAW NO. 1532**

**Parks Dedication Bylaw**

---

**WHEREAS** Council considers it advisable to dedicate the land referred to as the Cenotaph property for community use in perpetuity;

**AND WHEREAS** Council may dedicate land under Section 30 of the Community Charter;

**NOW THEREFORE** the Council of the Town of Ladysmith in open meeting assembled hereby dedicates the following municipal land:

Lots 1, 2, 3, 4, 5, & 6, Block 4, District Lot 24, Oyster District, Plan 703A,  
except part in Plan 1176W

**CITATION:**

This bylaw may be cited for all purposes as the "Parks Dedication Bylaw No. 1532, 2004".

**READ A FIRST TIME** on the 19th day of July, 2004

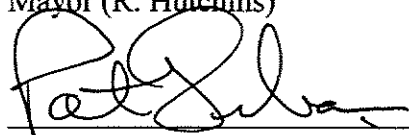
**READ A SECOND TIME** on the 19th day of July, 2004

**READ A THIRD TIME** on the 19th day of July, 2004

Reconsidered finally passed and adopted, by a 2/3 majority vote, on the

16th day of August, 2004

  
Mayor (R. Hutchins)

  
Manager of Corporate Services (P. Durban)

I hereby certify this to be true and correct copy  
of "Parks Dedication Bylaw No. 1532, 2004"  
of the Town of Ladysmith.

  
Manager of Corporate Services

# TOWN of LADYSMITH

## BYLAW NO. 1665

### PARK DEDICATION BYLAW

---

**WHEREAS** Dr. Tom and Wilma Wickham are most generously donating property to the Town of Ladysmith for park purposes;

**AND WHEREAS** Council considers it advisable to dedicate the land to be referred to as "Wickham Park" for community use in perpetuity;

**AND WHEREAS** Council may dedicate land under Section 30 of the Community Charter;

**NOW THEREFORE** the Council of the Town of Ladysmith in open meeting assembled hereby dedicates the following municipal land: Lot 1, DL 56, Oyster District, Plan 13865, except part in Plan VIP85676 ;

**AND IN ADDITION** the Council of the Town of Ladysmith hereby agrees to restrict, limit use and regulate the land as follows:

1. The property shall not be subdivided or sold in perpetuity
2. The height of any structure shall not exceed 4.5 meters
3. The property shall be restricted to Public Open Space (Park), which could include a small playground, benches, trees, landscaping, fountain or other low impact amenity
4. The height of any shrubs, trees or other plantings shall not exceed 5.5 meters

#### CITATION:

This bylaw may be cited for all purposes as "Park Dedication Bylaw No. 1665, 2008".

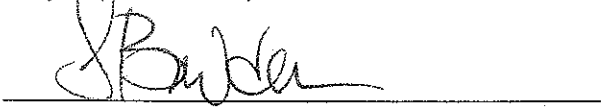
READ A FIRST TIME on the 28th day of October, 2008

READ A SECOND TIME on the 28th day of October, 2008

READ A THIRD TIME on the 28th day of October, 2008

Reconsidered, finally passed and adopted by a 2/3 majority vote on the 17th day of November, 2008.

  
Mayor (R. Hutchins)

  
Corporate Officer (S. Bowden)

PLAN OF SUBDIVISION OF  
"MARKET SQUARE" IN D.L. 56 (C.T.N. 33115N) AND PARCEL "A" IN D.L. 56 (C.T.N. 42155N)  
BOTH AREAS BEING SHOWN ON PLANS 703 AND 703.A.  
OYSTER DISTRICT

Scale: One inch = 100 feet

Meridian from Plan 703

All angles are 90° degrees

O.I.P. Old Iron Pin — I.P. Iron Pin — P. 2" x 2" x 10" Wood Posts.

**N°6460**

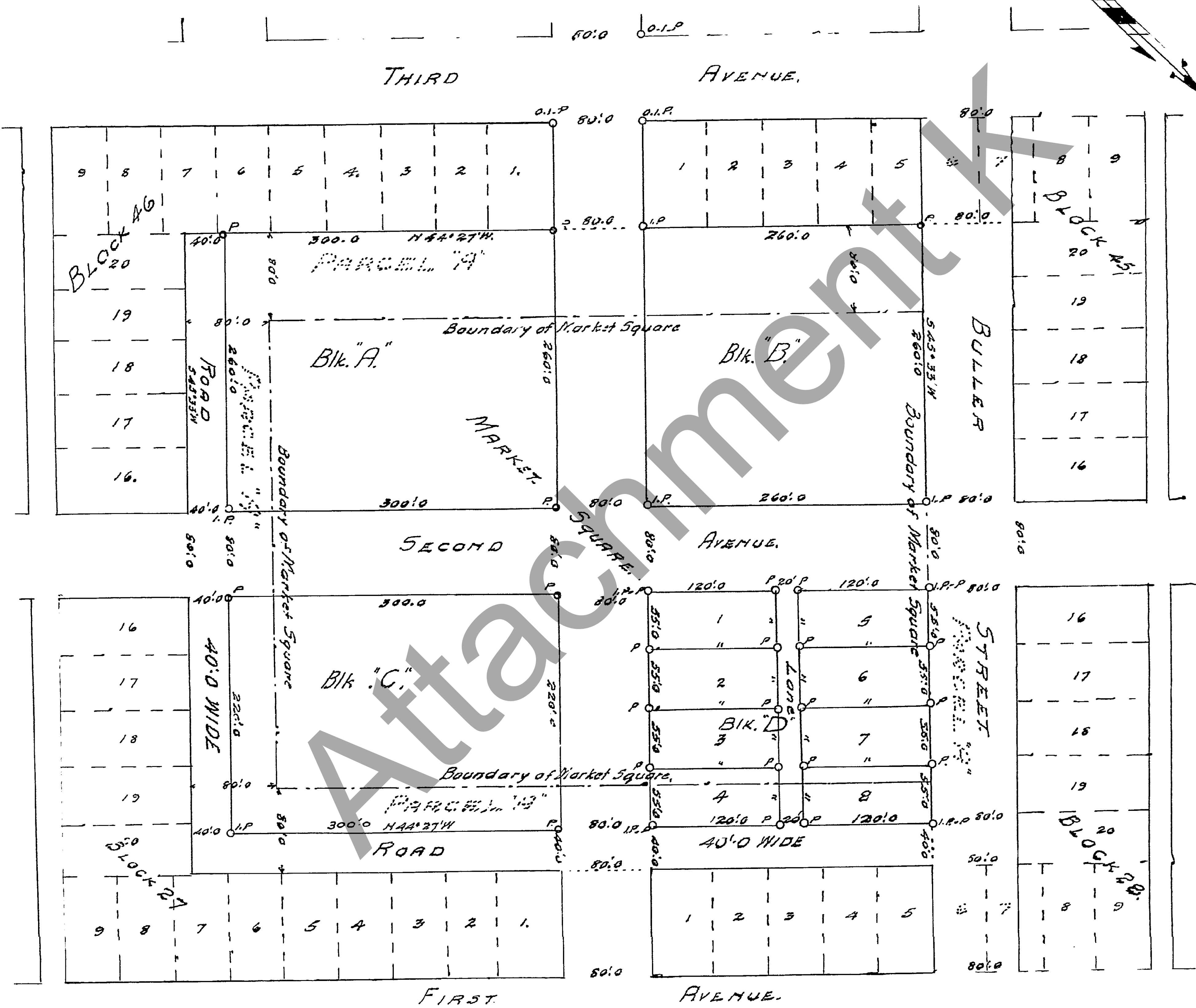
Deposited under Sec-  
tion of The Land  
Registry Act this 2<sup>nd</sup>  
day of June 1947.

*H. Robinson*

Deputy Registrar.

33115N  
42155N

MAE



I, Alfred G. King, of Ladysmith B.C., British Columbia Land Surveyor, make oath and say that I was present at and did personally superintend the Survey represented by this Plan, and that the Survey and Plan are correct. The said Survey was completed on the 17th day of March 1947

*Alfred G. King, B.C.L.S.*

Sworn before me the 20th day of March 1947.

*J. S. Wood*

A Justice of the Peace in and for The Province of British Columbia.

The Corporation of The City of Ladysmith B.C.

*E. J. ... Mayor*

*J. V. ... City Clerk*

Approved under  
The Land Registry Act.

*J. S. Wood*

Approving Officer for  
The City of Ladysmith B.C.  
Ladysmith B.C.

March 19 1947.

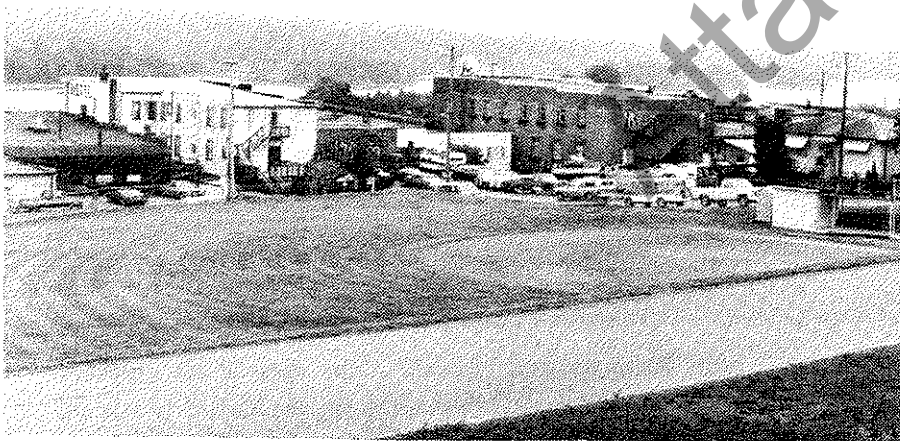
## HERITAGE PLACES: MARKET SQUARE

In the original plan of Ladysmith the Market Square was to be an open area in the centre of town, surrounded on four sides by a street. As it happened the commercial district of Ladysmith developed along First Avenue, and the Market Square became a large piece of land without a purpose. In early photographs it can be seen as a field full of stumps. It appears that control of Market Square devolved to the City council after incorporation, and many schemes were put forward for its use. In 1905 there was a plan to subdivide the property and sell the lots, but nothing came of this. In 1907 John Coburn suggested the property be sold and the proceeds go toward the purchase of park land. That year the council secured 80 feet of Block 28, allowing Buller Street to continue through to the north end of Market Square. Eventually, Buller continued on to Third Avenue, while Second Avenue and High Street crossed through the Market Square, dividing it into quadrants.

The function of Market Square seems never to have been clearly defined by the City. In some respects, it was a park; a bandstand stood there, and concerts were given by the City Band. Later, a playground was built in the Square. In 1913 the new high school was built in the south west quadrant; when that building was torn down in the 1950's, the property was sold into private hands, and an apartment block now stands there. In 1946 the council succeeded in subdividing the north east corner of the Square into eight lots which were sold. Today the northwest corner is taken up by the government health clinic and tennis courts; only the south east corner, which is now a playing field, remains an open area.



*Above: a funeral procession passes in front of the band stand in Market Square, corner of High Street and Second Avenue, 1919. Below: the same view today.*





Explanatory Plan of Block C,  
District Lot 56,  
Oyster District, Plan 6460

*EL114397  
RC*

Pursuant to Section 107 of the Land Title Act.  
Bearings are astronomic and are derived from Plan 6460  
B.C.G.S. 92B.091

Plan No. VIP **65994**

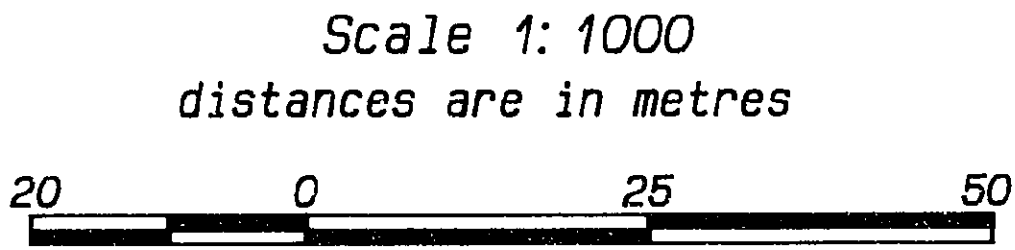
Deposited in the Land Title Office at Victoria, B.C.  
this 3 day of October, 1997.

*Jan McDonald*  
REGISTRAR

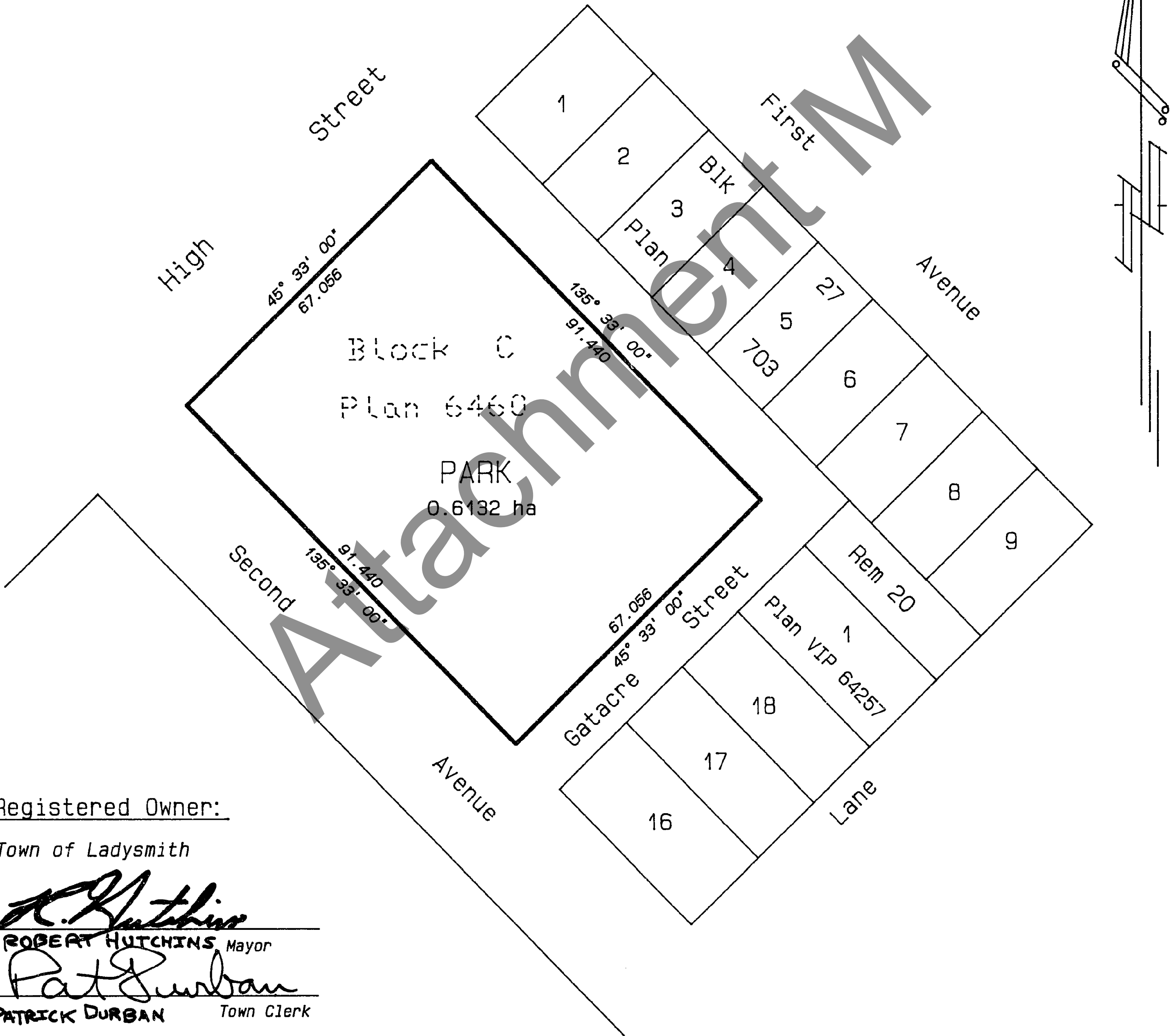
Approved under the Land Title Act this  
30th day of SEPTEMBER, 1997.

*Pat Durban*  
Approving Officer  
Town of Ladysmith

**04-R14-445**



All distances are in metres  
This plan lies within the Cowichan Valley Regional District



Registered Owner:  
Town of Ladysmith

*R. Hutchins*  
ROBERT HUTCHINS Mayor

*Pat Durban*  
PATRICK DURBAN Town Clerk

A.H. Knappett  
B.C. Land Surveyor  
RR #4  
Ladysmith B.C.  
VOR 2E0

File # 2958

Certified Correct  
This 9th day of Sept., 1997.

*A.H. Knappett*  
B. C. L. S.

**BYLAW STATUS SHEET**  
**January 11, 2022**

		<b>Status</b>
2068	Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068 (1130 Rocky Creek Rd)	First and second readings, June 1, 2021. Public Hearing and third reading June 15, 2021. Conditions to be met prior to adoption.
2069	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 37) 2021, No. 2069 (1130 Rocky Creek Rd)	First and second readings, June 1, 2021. Public Hearing and third reading June 15, 2021. MOTI approval received July 27, 2021. Conditions to be met prior to adoption.
2076	"Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 38) 2021, No. 2076" (631 1 <sup>st</sup> Avenue)	First and second readings, December 21, 2021. Public Hearing scheduled for January 11, 2022. MOTI approval required.
2087	Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087 (1260 Churchill)	First and second readings, October 5, 2021. Public Hearing and third reading November 2, 2021.
2088	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088 (1260 Churchill)	First and second readings, October 5, 2021. Public Hearing and third reading November 2, 2021. MOTI approval required.
2089	Housing Agreement Bylaw 2021, No. 2089 (1260 Churchill)	First, second and third readings, October 5, 2021.