

**A REGULAR MEETING
OF THE TOWN OF LADYSMITH COUNCIL
AGENDA
6:00 P.M.**

Tuesday, March 15, 2022

This meeting will be held electronically

Pages

1. CALL TO ORDER

Call to Order 6:00 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:

- (g) litigation or potential litigation affecting the municipality.

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 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_WopCmMIEQLGOjU5tebZTuA

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.

View the livestream on YouTube:

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

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for March 15, 2022.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1. Minutes of the Regular Meeting of Council held March 1, 2022

7

Recommendation

That Council approve the minutes of the Regular Meeting of Council held March 1, 2022.

7. DELEGATIONS

7.1. Nanaimo Ladysmith Public Schools - School Site Acquisition Charge

15

8. PROCLAMATIONS

8.1. World Down Syndrome Day

17

Mayor Stone has proclaimed Monday, March 21, 2022 as World Down Syndrome Day in the Town of Ladysmith.

9. DEVELOPMENT APPLICATIONS

9.1. Development Variance Permit and Bylaw for Park Dedication - 1260 Churchill Place.

18

Recommendation

That Council:

1. Approve Development Variance Permit 3090-22-05 to waive the requirement in section 2.04(a) of "Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834" to provide works and services for a proposed two lot subdivision of The West 1/2 of the South 1/2 of District Lot 97, Oyster District, Except Parts In Plans 24414, 26836, 27412 and VIP60630 (1260 Churchill Place); and
2. Give first, second and third readings to "Park Dedication Bylaw (1250 Churchill Place) 2022, No. 2105".

10. COMMITTEE MINUTES

10.1. Committee of the Whole Recommendations - March 8, 2022

36

Recommendation

That Council approve the following list of 2022 Grants-in-Aid:

- | | |
|---|--------|
| • Cowichan Family Caregivers Support Society | 1,000 |
| • Ladysmith and District Historical Society | 7,500 |
| • Ladysmith and District Marine Rescue Society | 2,500 |
| • Ladysmith Celebrations Society | 10,000 |
| • Ladysmith Downtown Business Association | 5,000 |
| • Ladysmith Family and Friends Society | 2,500 |
| • Ladysmith Festival of Lights | 15,000 |
| • Ladysmith Little Theatre | 2,500 |
| • Ladysmith Maritime Society | 1,500 |
| • Ladysmith Show and Shine | 2,000 |
| • Nanaimo-Ladysmith Schools Foundation (Bursary) | 1,500 |
| • Old English Car Club Central Island Branch | 600 |
| • Art Council of Ladysmith and District | 5,000 |
| • Ladysmith Fire Rescue – Santa Parade | 1,500 |

- Waiving Fees 1,500
- Late Applications/Council discretion 4,070

Recommendation

That Council:

1. Include \$50,000 in the 2022-2026 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and
2. Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 2 grant.

10.2. Parks, Recreation & Culture Advisory Committee - February 16, 2022 41

Recommendation

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held February 16, 2022.

10.3. Parks, Recreation & Culture Advisory Committee - March 7, 2022 43

Recommendation

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held March 7, 2022.

11. REPORTS

11.1. Spring Cleanup and Yard Waste Collection 2022 44

Recommendation

That Council:

1. Select Option 1 for the 2022 Spring Cleanup Program as outlined in the staff report dated March 15, 2022; and
2. Direct staff to schedule two yard waste collections in 2022: one in the spring and one in the fall.

11.2. Lot 108 Phase 1 Implementation 48

Recommendation

That Council:

1. Increase the Lot 108 Park Plan Phase 1 budget by \$130,000 to include an outdoor fitness area and overall project management with \$30,000 to come from the Canada Community Building Fund (Gas Tax) and \$100,000 from COVID Safe Restart funds; and
2. Waive the Town of Ladysmith Purchasing Policy and direct award the design, tender and construction services to Cascara Engineering for a cost of \$29,650.

11.3. Civic Recognition Program 60

Recommendation

That Council refer the “Civic Recognition” program to the Parks, Recreation & Culture Advisory Committee to develop a draft policy for Council’s consideration.

11.4. 2022 Public Art Banners Selection 63

Recommendation

That Council:

1. Approve the recommendations of the Parks, Recreation & Culture Advisory Committee and the Public Art Banners Selection Committee for the 2022 Community Banner Program to produce banners based on the following submissions:
 - Hummingbird Season – (Artist Jason Harris); and
 - Sea Searching (Otter) – (Artist Jason Harris); and
2. Direct staff to proceed with ordering and installing the 2022 Community - Public Art banners.

11.5. 2022 Financial Plan Update 69

Recommendation

That Council:

1. Include in the 2022-2026 Financial Plan funding to hire an Engineering Technologist starting May, 2022; and
2. Direct Staff to prepare the 2022-2026 Financial Plan with revenues of \$9,450,931 to come from property taxation.

12. BYLAWS

12.1. Bylaw Status Sheet

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13. NEW BUSINESS

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 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



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, March 1, 2022

6:00 P.M.

This meeting was held electronically

Council Members Present:

Mayor Aaron Stone

Councillor Rob Johnson

Councillor Tricia McKay

Councillor Duck Paterson

Councillor Marsh Stevens

Councillor Jeff Virtanen

Council Members Absent:

Councillor Amanda Jacobson

Staff Present:

Allison McCarrick

Erin Anderson

Chris Barfoot

Jake Belobaba

Ryan Bouma

Donna Smith

Julie Thompson

Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called this Regular Meeting of Council to order at 6:02 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 2022-049

That Council approve the agenda for this Regular Meeting of Council for March 1, 2022 as amended to include the following item received after publication of the agenda:

- Item 10.1., "Themed Lighting and Flag Raising in Support of Citizens of Ukraine"

Motion Carried

3. MINUTES

3.1 Minutes of the Regular Meeting of Council held February 15, 2022

CS 2022-050

That Council approve the minutes of the Regular Meeting of Council held February 15, 2022.

Motion Carried

4. DELEGATIONS

4.1 Official Community Plan Review Update

Jennifer Fix, Lucas Onzols-Mongeau and Russell Whitehead, ahne Studio, consultants for the OCP Review, provided a project update to Council. They presented the emerging themes and goals resulting from their public engagement initiatives and discussed the developing OCP vision. The team also introduced growth scenarios and responded to Council's questions.

Council thanked the consultants for their presentation.

5. PROCLAMATIONS

5.1 Epilepsy Awareness Purple Day - March 26, 2022

Mayor Stone proclaimed Saturday, March 26, 2022 as Epilepsy Awareness Day in the Town of Ladysmith. The Town will also illuminate its available themed lighting locations with purple lights in support of the initiative.

6. DEVELOPMENT APPLICATIONS

6.1 Development Variance Permit Application – 6-245 Oyster Cove Road

CS 2022-051

That Council:

1. Issue Development Variance Permit 3090-21-15 to reduce the minimum front parcel line setback from 6.0m to 1.9m and to reduce the minimum side parcel line setback from 1.5m to 0.6m for an attached garage at 6-245 Oyster Cove Road; and
2. Authorize the Mayor and Corporate Office to sign Development Variance Permit 3090-21-15.

Motion Carried

6.2 Multi-Unit Residential Development Permit Application – 544 Cook Street

CS 2022-052

That Council issue Development Permit 3060-21-19 for the proposed multi-unit residential development at 544 Cook Street subject to the applicant providing a landscape bond in the amount of \$54,327.36.

Motion Carried

7. COMMITTEE MINUTES

7.1 Community Planning Advisory Committee - February 2, 2022

CS 2022-053

That Council receive the minutes of the Community Planning Advisory Committee meeting held February 2, 2022.

Motion Carried

8. REPORTS

8.1 Alternative Approval Process – Fire Aerial Device Truck

CS 2022-054

That Council:

1. Confirm its direction to staff to carry out an Alternative Approval Process to obtain elector approval for the purchase of a Fire/Rescue firefighting aerial platform apparatus (Ladder Truck) for up to \$2.1 million with funds to be borrowed from the Municipal Finance Authority Equipment Financing Program;
2. Establish the deadline for receiving elector responses as 4:00pm on Wednesday, April 20, 2022 (34 days);
3. Establish that the elector response form will be the single elector response form;
4. Determine that the total number of electors of the Town of Ladysmith to which the approval process applies is 7,170; and
5. Direct staff to report the results of the Alternative Approval Process to Council.

Motion Carried

8.2 Dogwood Drive Bike Lanes

CS 2022-055

That Council direct staff to:

1. Include in the 2022-2026 Financial Plan the Dogwood Drive Bike Lanes Design Project at a cost of \$35,000;
2. Engage the services of a consultant to conduct a study and provide design for bicycle improvements on Dogwood Drive from Bayview Avenue to Methuen Street; and
3. Submit an application for full funding of the consulting fees through the Active Transportation Grant program.

Motion Carried

8.3 Tire Stewardship BC Community Grant Program – Transfer Beach Spray Park

CS 2022-056

That Council direct staff to:

1. Include \$50,000 in the 2022-2026 Financial Plan for the Transfer Beach Spray Park resurfacing project, with the funding to come from grants and the Parks, Recreation & Culture Parks Reserve; and
2. Submit an application to the Tire Stewardship BC Community Grant Program for fifty-percent project funding.

Motion Carried

9. BYLAWS

9.1 Bylaw No. 2104

CS 2022-057

That Council adopt “Town of Ladysmith Election and Assent Voting Bylaw 2018, No. 1964, Amendment Bylaw 2022, No. 2104”.

Motion Carried

9.2 Bylaw Status Sheet

10. NEW BUSINESS

10.1 Themed Lighting and Flag Raising in Support of Citizens of Ukraine

CS 2022-058

That Council, in a show of support for the citizens of Ukraine, waive “Themed Lighting Policy #01-0320-B” in order to light all available Town-owned buildings and structures in blue and yellow lights for a period ending May 31, 2022, with exception made for previously granted lighting requests.

Motion Carried

CS 2022-059

That Council direct staff to obtain a Ukrainian flag to be flown on the guest flag pole at City Hall for a period ending May 31, 2022.

Motion Carried

11. QUESTION PERIOD

There were no questions submitted by the public.

12. CLOSED SESSION

CS 2022-060

That, in accordance with section 90 of the *Community Charter*, Council retire into closed session at 7:49 p.m. in order to consider items related to the following:

- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality - 90(1)(a);
- personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity - 90(1)(b);
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality - 90(1)(e);
- litigation or potential litigation affecting the municipality - 90(1)(g);
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose - 90(1)(i);
- negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public - 90(1)(k); and

- the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party - 90(2)(b).

Motion Carried

13. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 8:37 p.m. with report on routine closed session resolutions for the period January 2021 to December 2021, as well as the following selected 2021 resolutions related to the business of Council:

- **CE 2021-035 (February 2, 2021)**

That Council refer the issue of water rates and the water meter at Strata VIS2822 (Edgewood Estates) to staff for further investigation and discussion with Strata VIS2822.

- **CE 2021-050 (February 16, 2021)**

MOTION DEFEATED

That Council accept a change of scope for the Arts & Heritage Hub as outlined in Appendix A to the February 16, 2021 report from the Director of Development Services and amended to: relocate the Artists' Studio to the east as far as possible without crossing Oyster Bay Drive; approve the associated increase in costs; and rise and report once the contract is signed.

[Note for context only related to CE 2021-051 & CE 2021-054:

Council reconsidered and defeated CE 2021-051 on February 23, 2021 (as noted in CE 2021-054). Council then adopted, rose and reported on CE 2021-055:

"That Council:

- 1. Accept the entire change of scope for the Arts & Heritage Hub outlined in Appendix A to the February 16, 2021 report from the Director of Development Services;*
- 2. Direct staff to include funding options for consideration during upcoming Financial Plan discussions; and*
- 3. Rise and report once the contract for the change in scope is signed by the Town and the architect.*

Opposed: Councillor Jacobson"]

- **CE 2021-051 (February 16, 2021)**

That Council reject the change in scope for the Arts & Heritage Hub outlined in Appendix A to the February 16, 2021 report from the Director of Development Services.

OPPOSED: Mayor Stone and Councillors Johnson and Stevens

- **CE 2021-054 (February 23, 2021)**

MOTION DEFEATED

That Council reject the change in scope for the Arts & Heritage Hub outlined in Appendix A to the February 16, 2021 report from the Director of Development Services.

OPPOSED: Mayor Stone and Councillors Johnson, McKay, Paterson, Stevens and Virtanen

- **CE 2021-061 (March 2, 2021)**

That Council direct staff to investigate options for honouring Kay Grouhel and provide recommendations at a future closed meeting of Council.

- **CE 2021-069 (April 13, 2021)**

That Council:

1. Rescind Council Resolution CE 2021-039 "That Council approve an R-1-A and Multi-family lot layout for 1260 Churchill Place, as outlined in Option G of the staff report dated February 2, 2021";
2. Approve an R-1-C zone with a Multi-Townhouse lot layout for the disposition of 1260 Churchill Place, as outlined in Option G (R-1-C) and Multi-Family lot layout, Townhouse Homes, in the staff report dated April 13, 2021;
3. Authorize staff to hire consultants at a cost of up to \$25,000 to be taken from the Real Property Reserve to advance the proposal to the rezoning application stage;
4. Direct staff to include a draft Phased Development Agreement (PDA) in the rezoning application;
5. Direct staff to proceed with researching and drafting an Affordable Housing Agreement; and
6. Rise and report on Recommendation Nos. 1 - 5 when appropriate.

14. ADJOURNMENT

CS 2022-061

That this Regular Meeting of Council be adjourned at 8:38 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)



FROM THE OFFICE OF THE SECRETARY-TREASURER

VISIT US ONLINE FOR MORE INFORMATION

sd68.bc.ca |      

February 9, 2022

Town of Ladysmith
PO Box 220
Ladysmith, BC, V9G 1A2

Attention: Jake Belobaba, Director of Development Services

Dear Mr. Belobaba,

Re: School Site Acquisition Charge

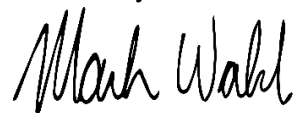
I write on behalf of Nanaimo-Ladysmith public schools. The Board of Education is in the process of implementing a School Site Acquisition Charge ("SSAC") pursuant to the *Local Government Act*. The District has now completed its enrollment projections and anticipated future school site needs.

On January 26, 2022, the Board passed a resolution to institute the charge. Following the requirements of legislation, we look forward to any comments or questions from you or your respective Council. In the event that you would like District staff to attend a Council meeting, we would be happy to arrange attendance at your convenience. In addition, we would also be available to meet with stakeholder groups to explain the SSAC and the reasoning behind it.

Following the 60 days consultation period, or if you respond that you accept the charge prior to the completion of that period, we anticipate the Board would pass a by-law to formalize the SSAC. We would also note that the intention of the Board is to request that the Town of Ladysmith apply the SSAC to developments that create at least 2 additional doors in the community. We note that the Board can institute the charges (subject to the dispute mechanism in legislation) on developments of 4 doors or more but the local jurisdiction has the discretion to apply to charge to the lower number. Given that infill creating at least two doors but less than four is likely to have single family dwellings, a housing type that creates a high number of school age children, the Board feels that the charge is appropriate in the circumstances.

We look forward to discussing this further and appreciate the work you do in growing our communities to welcome so many new families in the next decade.

Yours truly,



Mark Walsh
Secretary-Treasurer

Direct: 250-741-5211

Mark.Walsh@sd68.bc.ca

**School Site Acquisition Charge Resolution for the Town of Ladysmith
and the Cowichan Valley Regional District**

Whereas Section 142 of the *School Act* requires that a School Board submit a capital plan to the Minister of Education; and

Whereas *Local Government Act* Section 574.2 requires that before a school board submits the capital plan required under School Act Section 142 it consult with each local government in the school district and, that the school board and local government make all reasonable efforts to reach agreement on the following:

A projection of the number of eligible development units to be authorized over the 10 year period that has been specified by the Minister of Education;

The projection of the number of school age children (as defined in the *School Act*) that will be added to the school district as the result of the eligible development units;

The approximate size and number of school sites required to accommodate the number of school age children projected as a result of the addition of eligible development units;

The approximate location and value of the school sites.

It is resolved that:

Based on information from local government, the School Board of School District 68 estimates that there will be 1,504 new development units in the Town of Ladysmith and Cowichan Valley Regional District over the next 10 years;

These 1,504 development units will be home to an estimated 242 school age children;

The areas of growth that have been identified are located in the Holland Creek area;

The School Board expects that some of these school age children may be accommodated in existing facilities. As most of those existing sites are over building capacity and at or nearing site capacity, there maybe facilities that will require expansion will require acquisition of land adjacent to the existing school site to enable an expansion to occur; and,

The School Board expects that at least one new school site will be required as the result of growth in the school district.

According to Ministry of Education standards the new sites will require 2.7 hectares of land. These sites are expected to be purchased in the next 10 years and, at current land costs, the land will cost approximately \$4.2 million.



TOWN OF LADYSMITH

PROCLAMATION

WORLD DOWN SYNDROME DAY

- WHEREAS:** *World Down Syndrome Day is an international observance resolved by the General Assembly of the United Nations to raise public awareness of Down syndrome and promote equitable treatment of individuals with Down syndrome in accordance with the Convention on the Rights of Persons with Disability; and*
- WHEREAS:** *At this time we take an opportunity to highlight the unique abilities, strengths and needs of our community members with Down syndrome; and*
- WHEREAS:** *Individuals with Down syndrome have tremendous potential to live full and fulfilling lives as contributing members of our community; and*
- WHEREAS:** *As Canadians, we celebrate our similarities, as well as our differences, knowing we are richer as a result; and*
- WHEREAS:** *The Town of Ladysmith values our citizens with Down syndrome and their families, and supports the well-being of all individuals with Down syndrome so that they may achieve their fullest potential.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim March 21, 2022 as World Down Syndrome Day in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

February 24, 2022

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services.
 Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, Chief Administrative Officer
Meeting Date: March 15, 2022
File No: 3090-22-05
Re: DVP for Park Dedication, 1260 Churchill Place.

RECOMMENDATION:

That Council:

1. Approve Development Variance Permit 3090-22-05 to waive the requirement in section 2.04(a) of "Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834" to provide works and services for a proposed two lot subdivision of The West 1/2 of the South 1/2 of District Lot 97, Oyster District, Except Parts In Plans 24414, 26836, 27412 and VIP60630 (1260 Churchill Place); and
2. Give first, second and third readings to "Park Dedication Bylaw (1250 Churchill Place) 2022, No. 2105".

EXECUTIVE SUMMARY:

This report recommends an alternative means of securing the dedicated park required by Council under resolution CS 2021-311 as part of the development of 1260 Churchill Place. Due to the presence of an unused easement, registration by plan as originally intended would require a costly and time consuming discharge process. Instead, staff are recommending subdivision and dedication by bylaw, which requires a park dedication bylaw and development variance permit.

PREVIOUS COUNCIL DIRECTION:

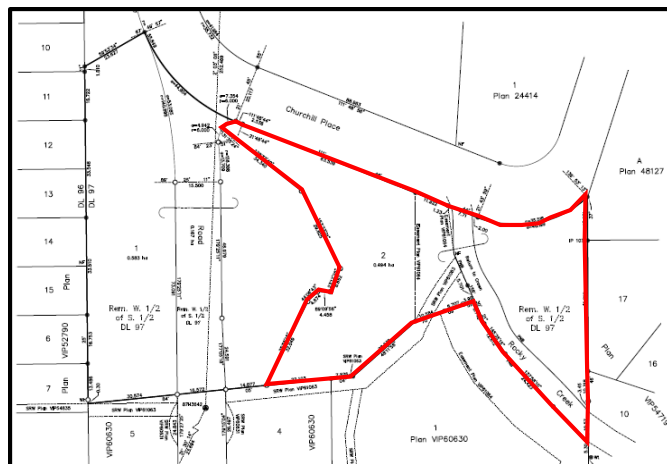
Resolution	Meeting Date	Resolution
CS 2021-344	11/02/2021	That Council give third reading to "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087".
CS 2021-345	11/02/2021	That Council: <ol style="list-style-type: none"> 1. Give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 44) 2021, No. 2088"; and 2. Direct staff to refer Bylaw No. 2088 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the Transportation Act.
CS 2021-311	10/05/2021	That Council: <ol style="list-style-type: none"> 1. Having considered section 475 of the Local Government Act, and in particular the matters set out in subsections (2)(a) and (b), resolve that: <ol style="list-style-type: none"> a. the Stz'uminus First Nation is the only entity that is appropriate to consult in connection with "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087"; b. consultation should be early but need not be ongoing; c. the consultation process described in the staff report to Council dated October 5, 2021 is sufficient in respect to the proposed Official

Resolution	Meeting Date	Resolution
		<p>Community Plan amendment; and</p> <p>d. staff be directed to refer Bylaw No. 2087 to the Stz'uminus First Nation as set out in resolution 1(a) for consultation in the manner described in the October 5, 2021 staff report to Council;</p> <p>2. Give first and second reading to Bylaw No. 2087;</p> <p>3. Consider Bylaw No. 2087 in conjunction with the Town's Financial Plan, the Town's Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to section 477(3) of the Local Government Act;</p> <p>4. Direct staff to refer Bylaw No. 2087 to School District 68 pursuant to section 476 of the Local Government Act;</p> <p>5. Give first and second reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.44) 2021, No. 2088";</p> <p>6. Give first, second and third readings to "Housing Agreement Bylaw 2021, No. 2089";</p> <p>7. Direct that staff, following third reading and prior to adoption of Bylaw Nos. 2087, 2088 and 2089:</p> <p>a. Refer Bylaw No. 2088 to the Ministry of Transportation for approval pursuant to section 52 of the Transportation Act; and</p> <p>b. File the necessary dedication plans with the Land Title and Survey Authority to dedicate the areas shown as park and road on the subdivision plan provided as Attachment E to the staff report dated October 5, 2021; and</p> <p>8. Direct that staff, following adoption of Bylaw Nos. 2087, 2088 and 2089:</p> <p>a. Register the right of first refusal, in Attachment D to the October 5, 2021 staff report to Council on the title of property;</p> <p>b. Apply for a Preliminary Layout Approval of the subdivision plan provided as Attachment E to the staff report dated October 5, 2021; and</p> <p>c. List the property for sale, once a Preliminary Layout Approval has been issued by the Subdivision Approving Officer.</p>
CE 2021-092	06/15/2021	<p>That Council:</p> <p>1. Direct staff to prepare and bring forward for Council consideration in an open meeting, a rezoning proposal, road reserve covenant, housing agreement and park dedication plan for 1260 Churchill Place to:\</p> <p>a. Dedicate as park the eastern, low-lying portion of the property;</p> <p>b. Establish a future road allowance connecting Churchill Place and McKinley Road;</p> <p>c. Secure a future affordable housing unit to be sold in perpetuity at less than market rates to qualifying purchasers;</p> <p>d. Rezone the western portion of the property to R-1-C;</p> <p>e. Rezone the eastern plateau of the property to R-3;</p> <p>f. Add the property to the Multi-Unit Residential Development Permit Area; and</p> <p>2. Rise and report on Recommendation No. 1 immediately.</p>

INTRODUCTION/BACKGROUND:

Council has given first, second and third readings to Bylaw Nos. 2087, 2088 and 2089. Bylaw Nos. 2087 and 2088 change the OCP designation and Zoning, respectively, for 1260 Churchill Place (the “Subject Property”) to allow a combination of single-family, multi-family and parks uses. Bylaw No. 2089 applies a housing agreement to the Subject Property that secures a future affordable housing unit. Part 7(b) of Council Resolution CS 2021-311, required portions of the Subject Property to be dedicated as park and road prior to adoption of the proposed bylaws.

Figure 1: Proposed Lot 2, to be dedicated as park



Municipal parkland is dedicated in two ways: by bylaw under Section 30 of the *Community Charter*, or by plan under section 29 of the *Community Charter* and section 107(1)(a) of the *Land Title Act*. For the Subject Property, the latter is the more efficient method, as it does not trigger the subdivision process. Staff commissioned the necessary surveys for dedication by plan in December, 2021. After some initial weather-related delays the survey plans were submitted to the Town’s lawyer for registration. The lawyer determined that an unused easement (Easement EJ6043 in Attachment C) benefitting 37 properties is registered over the area proposed to be dedicated as park. The easement has been rendered unnecessary and functionally unusable by section 4.05(h) of the Town’s Subdivision and Development Servicing Bylaw which requires connection to the Town’s storm water system. The Town’s storm system does not rely on the area defined in the easement to convey storm water (nor will it need to in the future) and the lots that benefit from Easement EJ6043, are already connected to the Town’s storm water system.

However, Easement EJ6043 is still legally enforceable and to dedicate the proposed park area by plan, as originally intended, the easement must be removed, which requires either consent from the 37 benefiting properties or a court application to remove the easement. Both of these options are costly and time consuming, making dedication by bylaw, rather than by plan, the more efficient option for securing the parkland.

PROPOSAL:

Staff are recommending that the subject property be subdivided into two lots, complete with road dedication, to create a separate parcel for the park which will then be dedicated by Bylaw No. 2105. By dedicating the park this way, the easement will remain on title, and there is no need for the Town to have it discharged. The subdivision plan forms part of the DVP in Attachment A, and the area to be dedicated as park and road

are identical to the OCP and rezoning application currently under consideration by Council. The protections under the *Community Charter* for park dedicated by plan and by bylaw are identical. Subsequently, there is no material change to the OCP/Rezoning proposal, and no need to hold another Public Hearing.

However, a subdivision triggers the Town's subdivision control bylaw, which requires extensive works and services to create even a single parcel for park purposes. For this reason, staff are recommending that a variance be granted to allow the required subdivision without the need to install works and services. The subdivision shown in Attachment A will subdivide the Subject Property into two lots. Once approved and registered, Lot 2 (1250 Churchill Place) will be dedicated as park with the adoption of Bylaw No. 2105. The Town will then make a separate application to subdivide Lot 1 into ten single-family lots and one multifamily lot¹ as originally planned. The Preliminary Layout Approval (PLA) will require the construction of all works and services required under the subdivision control bylaw and will likely be undertaken by a future owner. The proposed variance is simply an interim measure to secure the parkland and adopt the OCP, rezoning and housing agreement bylaws. Works and services will still be required when Lot 1 is developed for residential use. Similarly, an additional 5% park dedication or cash in lieu, pursuant to section 510 of the *Local Government Act*, will be required when Lot 1 is subdivided².

Bylaw No. 2105 will dedicate Lot 2 as park pursuant to section 30 of the *Community Charter*. It can be adopted in conjunction with Bylaw Nos. 2087, 2088 and 2089; which remains consistent with Council's direction under resolution CS 2021-311 and does not trigger a second Public Hearing.

Like the proposed DVP, Bylaw No. 2105 is an interim measure. "Park Dedication Bylaw 2022, No. 2083", a bylaw to consolidate all of the Town's park dedication and reservation bylaws, is currently under consideration by Council³. Staff are proposing that Bylaw No. 2105 be adopted separately to not delay the sale and development of the Subject Property. However, "Bylaw Revision Bylaw 2022, No. 2090", adopted by Council on February 15, 2022, allows the Corporate Officer to consolidate bylaws, meaning once both Bylaw Nos. 2083 and 2105 are adopted, Bylaw No. 2105 can be consolidated into Bylaw No. 2083⁴.

ANALYSIS:

The proposed bylaw and development variance permit are necessary to execute Council's direction under Council resolution CS 2021-311. There is no material change to the proposal to develop the Subject Property, only to the way in which Council's conditions will be executed.

¹ See part 8(b) of Council resolution CS 2021-311.

² See the October 5, 2021 Council report for more information on this requirement.

³ Adoption is pending registration of the newly created parcel for Queen's Park.

⁴ The purpose of Bylaw Nos. 2083 and 2090 is described in greater detail in the January 11, 2022 report to Council.

ALTERNATIVES:

Council can choose to:

1. Reject DVP 3090-22-05 and Bylaw No. 2105 and direct staff to seek a discharge of Easement EJ36043 by seeking consent from the 37 benefitting properties.
2. Reject DVP 3090-22-05 and Bylaw No. 2105 and direct staff to seek a discharge of Easement EJ36043 through a court decision.
3. Specify a different course of action for the Subject Property.

FINANCIAL IMPLICATIONS:

The proposed course of action outlined in this report is much faster and less expensive than discharging the easement by obtaining consent from the 37 benefitting properties or seeking a court decision.

LEGAL IMPLICATIONS:

There will be no material change in the proposed parkland's dedication and protections. The easement will remain on the title of the parkland and be unaffected. The easement is not expected to be used to install storm water infrastructure in the park as the benefitting properties are already connected to Town-owned storm water infrastructure which is located elsewhere.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A Public Hearing and mail notification has already occurred for Bylaws Nos. 2087 and 2088. For DVP 3090-22-05, mail notification to owners within 60 metres of the subject property was carried out in accordance with section 11(a) of "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667" and section 499 of the *Local Government Act*. As noted above, there is no requirement for a second Public Hearing, as there is no material change to the OCP amendment and rezoning proposal.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was not referred to other departments, because the original proposal for 1260 Churchill was circulated to affected Town departments and remains unchanged.

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 recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. DVP 3090-22-05
- B. Bylaw No. 2105
- C. Easement EJ36043



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-22-05

DATE: March 15, 2022

Name of Owner(s) of Land (Permittee): Town of Ladysmith

Applicant: Town of Ladysmith

Subject Property (Civic Address): 1260 Churchill Place

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

**THE WEST 1/2 OF THE SOUTH 1/2 OF DISTRICT LOT 97, OYSTER DISTRICT,
EXCEPT PARTS IN PLANS 24414, 26836, 27412 AND VIP60630
PID: 009-473-505 (1260 Churchill Place)**

3. Section 2.04(a) of "Town of Ladysmith Subdivision and Development Servicing Bylaw 2013, No. 1834", as amended, is varied for the subject property to allow for a two lot subdivision, for the purpose of creating a parcel of land to be dedicated as park by "Park Dedication Bylaw (1250 Churchill Place) 2022, No. 2105", without providing works and services.
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:
a) Schedule A – Subdivision Plan
6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

Attachment A

2

7. This permit is not a Building Permit or Subdivision Approval. No further approvals shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE
TOWN OF LADYSMITH ON THE ____ DAY OF _____ 2022.

Mayor (A. Stone)

Corporate Officer (D. Smith)

Plan EPP117980

The intended plot size of this plan is 864mm in height by 560mm in width (D Size) when plotted at a scale of 1:500.

Integrated Survey Area No. 43, Town of Ladysmith, NAD83 (CSRS) 3.0.0.BC.1.NVI.
Grid bearings are derived from observations between geodetic control monuments
87H3576 & 87H3642 and are referred to the central meridian of UTM Zone 10 North.

The UTM coordinates and estimated absolute accuracy are derived from the MASCOT published coordinates and standard deviations for geodetic control monuments 87H3576 & 87H3642.

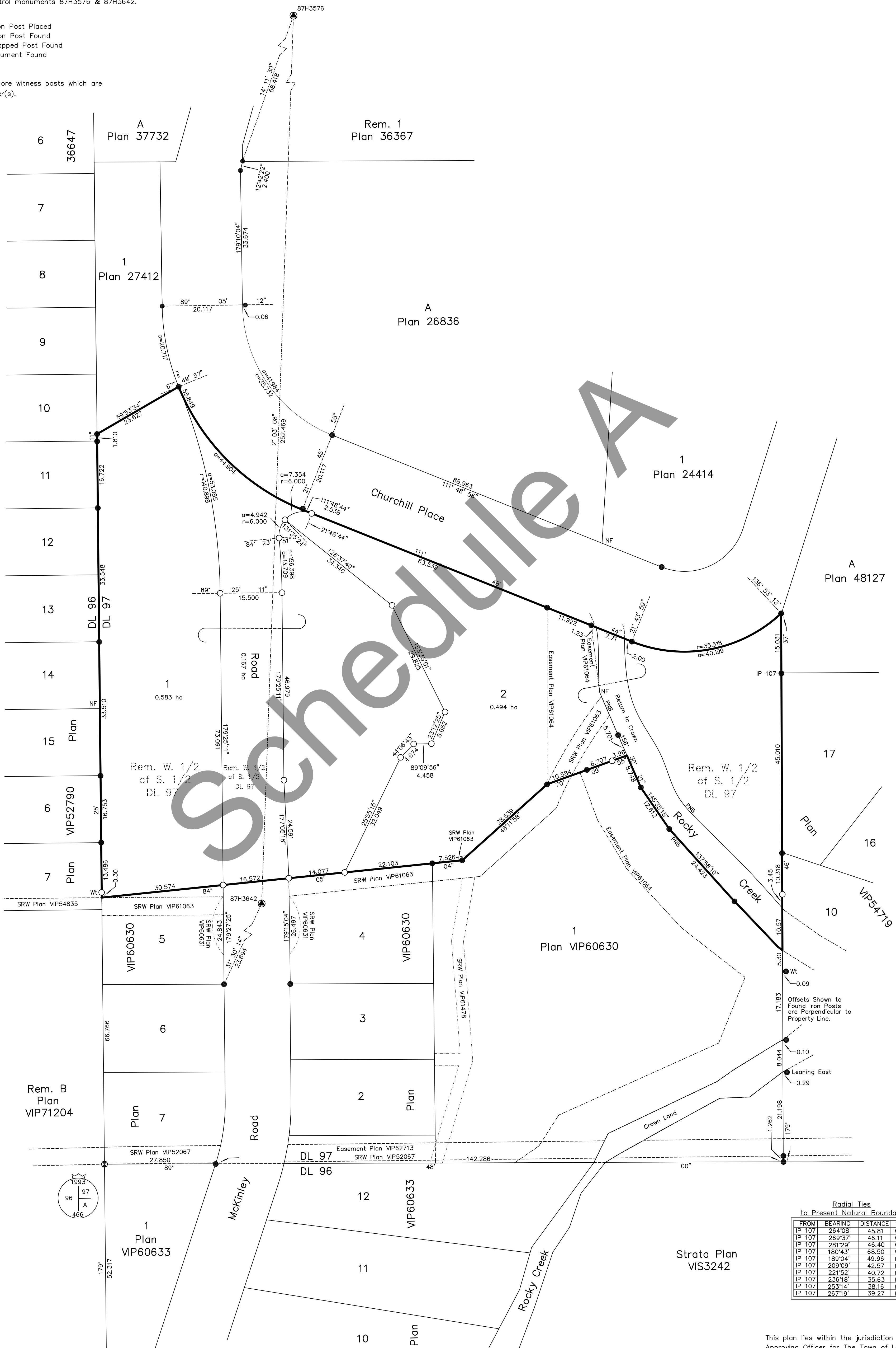
This plan shows horizontal ground-level distances unless otherwise specified. To compute grid distances, multiply ground-level distances by the average combined factor of 0.9996385 which has been derived from geodetic control monuments 87H3576 & 87H3642.

Legend

- Denotes Standard Iron Post Placed
● Denotes Standard Iron Post Found
⊗ Denotes Standard Capped Post Found
⊙ Denotes Control Monument Found

NOTE:

This plan shows one or more witness posts which are not set on the true corner(s).



FROM	BEARING	DISTANCE	SIDE
IP 107	264°08'	45.81	WEST
IP 107	269°37'	46.11	WEST
IP 107	281°29'	46.40	WEST
IP 107	180°43'	68.50	WEST
IP 107	189°04'	49.96	EAST
IP 107	209°09'	42.57	EAST
IP 107	221°52'	40.72	EAST
IP 107	236°18'	35.63	EAST
IP 107	253°14'	38.16	EAST
IP 107	267°19'	39.27	EAST

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

Turner & Associates
 **land surveying** INC.
 435 Terminal Avenue North
 Nanaimo, B.C.
 V9S 4J8
 250-753-9778
www.turnersurveys.ca
 File: 19-090

Georeferencing Table				
Datum: NAD83(CRS) 3.0.0.BC.1.NVI				
GCM #	Tablet Marking	UTM Northing	UTM Easting	Estimated Absolute Accuracy
818120	87H3576	5427608.73	438574.66	0.07 metres
418673	87H3642	5427356.52	438565.63	0.06 metres

This plan lies within the
Cowichan Valley Regional District.

The field survey represented by this plan was completed on the 24th day of January, 2022.
Ryan J. Turner, BCLS 825

Attachment B

TOWN OF LADYSMITH

BYLAW NO. 2105

A Bylaw to dedicate 1250 Churchill Place as park

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

1. Lot 2, District Lot 97, Oyster District, Plan EPP117980, is hereby dedicated as park pursuant to section 30 of the *Community Charter*.

Citation

2. This Bylaw may be cited for all purposes as "Park Dedication Bylaw (1250 Churchill Place) 2022, No. 2105".

READ A FIRST TIME on the day of ,

READ A SECOND TIME on the day of ,

READ A THIRD TIME on the day of ,

ADOPTED on the day of ,

Mayor (A. Stone)

Corporate Officer (D. Smith)

Attachment C

Status: Registered

Doc #: EJ36043

RCVD: 1995-04-07 RQST: 2022-02-04 15.41.02

644
LAND TITLE ACT
FORM C
(SECTION 219.9)
PROVINCE OF
BRITISH COLUMBIA
GENERAL DOCUMENT

95 AP -7 08 33 9

EJ036043

RECEIVED
LAND TITLE OFFICE
VICTORIA

PAGE 1 OF 8 PAGES

1. APPLICATION:

CCNS CORPORATE SERVICES LTD.

Formerly Foster Budeller Title Search Ltd.

Terri Donaldson (AGENT FOR APPLICANT)

c/o MACISAAC & COMPANY, Barristers and Solicitors, P.O. Box 455, Station A, 503 Comox Road, Nanaimo,
B. C. (V9R 5L5) Phone: 754-1295 (File No. 26781)

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

009-473-505

Remainder of W. 1/2 of the S. 1/2 of District Lot 97, Oyster District, Plan-
VIP60630 except parts in plans 24414, 26836, 27412 and vip60630

3. NATURE OF INTEREST:

DESCRIPTION

DOCUMENT REFERENCE

PERSON ENTITLED

(page & paragraph)

TO INTEREST

Easement as shown

Entire Document

Remainder of Lot 1, Plan VIP57507, except Part in Strata
(Dominant Tenement)on Plan No. VIP 61064Plan 3242 (phases
1 and 2)

04/07/95 D4882a CHARGE 50.00

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Terms

☐ D.F. No.

(b) Express Charge Terms

☒ Annexed as Part 2

(c) Release

☐ There is no Part 2 of this instrument

A Selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. TRANSFEROR(S):*

GRAHAM EDWIN TANNER and GEORGE EDWIN TANNER

6. TRANSFEREE(S): Including occupation(s), postal address(es) and postal code(s)*

LADYSMITH HILLTOP HOLDINGS LTD., (Inc. No. 116407), 503 Comox Road, Nanaimo B.C., V9R 3J2

7. ADDITIONAL OR MODIFIED TERMS:

NIL

8. EXECUTION(S): ** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

CERTIFICATION

OFFICER SIGNATURE(S)

Y / M / D

PARTY(IES) SIGNATURE(S)

95/02/17

GRAHAM EDWIN TANNER

G. S. BERGEN
BARRISTER & SOLICITOR
503 Comox Road
Nanaimo, B.C. V9R 3J2
Tel: 754-1295

GEORGE EDWIN TANNER

(AS TO ALL SIGNATURES)

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the EVIDENCE ACT, R.S.B.C. 1979, c.116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the LAND TITLE ACT as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

PAGE 2

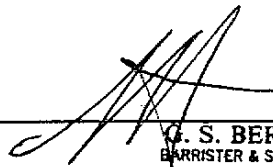
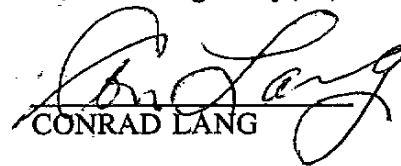
EXECUTIONS

2

OFFICER
SIGNATURE(S)

Y / M / D

95/02/17.

PARTY(IES)
SIGNATURES
LADYSMITH HILLTOP
HOLDINGS LTD. by its
authorized signatory(ies)
Q. S. BERGEN
BARRISTER & SOLICITOR
503 Comox Road
Nanaimo, B.C. V9R 3J2
Tel: 754-1295
CONRAD LANG

(AS TO ALL SIGNATURES)

OFFICER CERTIFICATION: Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the **EVIDENCE ACT, R.S.B.C. 1979, c.116**, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the **LAND TITLE ACT** as they pertain to the execution of this instrument.

3

THIS EASEMENT made this 17 day of February, 1995

Part 2 Terms of Instrument

BETWEEN: GRAHAM EDWIN TANNER AND
GEORGE EDWIN TANNER
c/o 24 Castlebury Court N.E.
Calgary, Alberta
T3J 1L6

(hereinafter called the "Grantor")

AND: LADYSMITH HILLTOP HOLDINGS LTD.
(B.C. Inc. No. 116407)
503 Comox Road
Nanaimo, British Columbia
V9R 3J2

(hereinafter called the "Grantee")

WHEREAS:

1. The Grantor is the registered owner of lands and premises situated and lying in the City of Ladysmith, in the Province of British Columbia, more particularly known and described as:

~~Remainder of~~ W. 1/2 of the S. 1/2 of District Lot 97, ~~Plan VIP60630~~
Oyster District, except parts in plans 24414, 26836, 27412 and VIP60630
(hereinafter called the "Servient Tenement")

2. The Grantee is the registered owner of lands and premises situated and lying in the City of Ladysmith, in the Province of British Columbia, more particularly known and described as:

Remainder of Lot 1, D.L. 96, Oyster District, Plan VIP57507
except part in Strata Plan VLS 3242 (Phases 1 and 2)
(hereinafter called the "Dominant Tenement")

4

4

3. The Grantee is desirous of developing the Dominant Tenement, and requires storm and sewer drainage servicing over the Servient Tenement as a condition of development.
4. The Grantee is desirous of running the necessary storm and sewer drainage servicing through the Servient Tenement by way of Easement.

AND WHEREAS this Easement is necessary for the operation and maintenance of the Works:

AND WHEREAS to facilitate the installation of a system of sewerage works, and/or waterworks, and/or drainage works, including all pipes, valves, fittings and facilities in connection therewith and/or hydro electric works including all wires, poles, conduits and other facilities in connection therewith, (hereinafter called the "Works"), the Grantor has agreed to permit the construction by the Grantee of the Works on a portion of the Servient Tenement and to Grant for that purpose the Easement hereafter described.

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of ONE (\$1.00) DOLLAR of lawful money of Canada, now paid by the Grantee to the Grantor (the receipt and sufficiency of which is hereby acknowledged by the Grantor), and in consideration of the covenants and conditions hereinafter contained to be observed and performed by the Grantee and for other valuable consideration, the parties agree as follows:

1.0 THE GRANTOR DOTH HEREBY:

- 1.1 Grant, convey, confirm and transfer, in perpetuity, unto the Grantee the full, free and uninterrupted right, license, liberty, privilege, permission and easement to lay down, install, construct, entrench, operate, maintain, inspect, alter, remove, replace, bury, cleanse, string, and otherwise establish one or more systems of Works upon, over, under and across that part of the Servient Tenement as shown outlined and marked on an Easement Plan Number VIP61064, prepared by John Gisborne, a British Columbia Land Surveyor, and a copy of which is attached hereto as Schedule "A".

(hereinafter called the "Easement Area")

- 1.2 Covenant and agree to and with the Grantee that for the purposes aforesaid and upon, over, under, and across the Easement Area, the Grantee shall for itself and its servants, agents, workmen, contractors and all other licensees of the Grantee together with machinery, vehicles, equipment, and materials be entitled at all times to enter, use, pass and repass, labour, construct, erect, install, dig, carry away soil or other surface or subsurface materials, clear of all trees, growth, buildings or obstruction now or hereafter in existence, as may be necessary, useful, or convenient in connection with the operations of the Grantee in relation to the Works.

Attachment C

Status: Registered

Doc #: EJ36043

RCVD: 1995-04-07 RQST: 2022-02-04 15.41.02

5

~~1.3 Grant, convey, confirm and transfer unto the Grantee for itself, and its servants, agents, workmen, contractors and all other licensees of the grantee together with machinery, vehicles, equipment and materials, the rights at all times to enter upon and to pass and repass over such of the Servient Tenement as may reasonably be required for the purpose of ingress to and egress from the Easement Area.~~

over
all

1.4 Transfer, assign and convey to the Grantee all right, title and interest in and to any Works that the Grantee, or the Grantor have prior to this Agreement established or constructed or maintained or operated within the Easement Area or in relation to any similar Works previously constructed by any party whatsoever within the Easement Area.

2.0 THE GRANTOR HEREBY COVENANTS TO AND AGREES WITH THE GRANTEE, as follows:

2.1 That the Grantor will not, nor permit any other person to erect, place, install or maintain any buildings, structure, mobile home, concrete driveway or patio, pipe, wire or other conduit on, over or under any portion of the Easement Area so that it in any way interferes with or damages or prevents access to, or is likely to cause harm to Works authorized hereby to be installed in or upon the Easement Area.

2.2 That the Grantor will not do nor knowingly permit to be done any act or thing which will interfere with or injure the said Works and in particular will not carry out any blasting on or adjacent to the Easement Area without the consent in writing of the Grantee, provided that such consent shall not be unreasonably withheld.

2.3 That the Grantor will not substantially add to or diminish the soil cover over any of the Works installed in the Easement Area and in particular, without limiting the generality of the foregoing, will not construct open drains or ditches along or across any of the Works installed in the Easement Area without the consent of the Grantee which will not be unreasonably withheld.

2.4 That the Grantor will from time to time and at all times upon every reasonable request and at the cost of the Grantee do and execute or cause to be made, done or executed all such further and other lawful acts, deeds, things, devices, conveyances and assurances in law whatsoever for the better assuring unto the Grantee of the rights hereby granted.

2.5 Upon request by the Grantee, the Grantor will execute any and all standard Statutory Right-of-Way documents as required by the City of Ladysmith for the purposes referred to herein.

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- 3.0 THE GRANTEE HEREBY COVENANTS TO AND AGREES WITH THE GRANTOR, as follows:
- 3.1 That the Grantee will thoroughly clean all lands to which it has access hereunder of all rubbish and construction debris created or placed thereon by the Grantee and will leave such lands in a neat and clean condition.
- 3.2 That the Grantee will, as soon as weather and soil conditions permit, and so often as it may exercise its rights of entry hereunder to the Servient Tenement, replace the surface soil as nearly as may be reasonably possible to the same condition as it was prior to such entry, in order to restore the natural drainage to such lands, PROVIDED HOWEVER that nothing herein contained shall require the Grantee to restore any trees or other surface growth but the Grantee shall leave such lands in a condition which will not inhibit natural regeneration of such growth.
- 3.5 That the Grantee will, as far as reasonably possible, carry out all work in a proper and workmanlike manner so as to do as little injury to the Servient Tenement as possible.
- 4.0 THE PARTIES HERETO EACH HEREBY COVENANT TO AND AGREE WITH THE OTHER, as follows:
- 4.1 The said Works referred to above, together with all pipes, valves, conduits, wires, casings, fittings, lines, meters, appliances, facilities, attachments or devices used in connection therewith shall constitute the Works.
- 4.2 Notwithstanding any rule of law or equity to the contrary, the Works brought on to, set, constructed, laid, erected in, upon or under the Easement Area by the Grantee shall at all times remain the property of the Grantee notwithstanding that the same may be annexed or affixed to the freehold and shall at any time and from time to time be removable in whole or in part by the Grantee.
- 4.3 In the event that the Grantee abandons the Works or any part thereof the Grantee may, if it so elects, leave the whole or any part thereof in place.
- 4.4 That no part of the title in fee simple to the soil shall pass to or be vested in the Grantee under or by virtue of these presents and the Grantor may fully use and enjoy the Servient Tenement subject only to the rights and restrictions herein contained.
- 4.5 That the covenants herein contained shall be covenants running with the land and that none of the covenants herein contained shall be personal or binding upon the Grantor, save except during the Grantor's seisin or ownership of any interest in the Servient Tenement, and with respect only to that portion of the Servient Tenement of which the Grantor shall be seised or in which he shall have an interest, but that the Servient Tenement, nevertheless, be and remain at all times charged therewith.

Attachment C

Status: Registered

Doc #: EJ36043

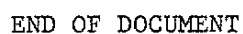
RCVD: 1995-04-07 RQST: 2022-02-04 15.41.02

7

- 4.6 If at the date hereof the Grantor is not the sole registered owner of the Servient Tenement, this Agreement shall nevertheless bind the Grantor to the full extent of his interest therein, and if he shall acquire a greater or the entire interest in fee simple, this Agreement shall likewise extend to such after-acquired interest.
- 4.7 Where the expression "Grantor" includes more than one person, all covenants herein on the part of the Grantor shall be construed as being several as well as joint.
- 4.8 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors and assigns as the case may be and wherever the singular or masculine is used, it shall be construed as if the plural or the feminine or neuter, as the case may be, had been used, where the parties or the context hereto so require and the rest of the sentence shall be construed as if the grammatical and terminological changes thereby rendered necessary had been made.

~~—END OF DOCUMENT—~~

G E



Committee of the Whole Recommendations to Council March 15, 2022

At its March 8, 2022 meeting, the Committee of the Whole recommended:

1. That Council approve the following list of 2022 Grants-in-Aid:

Cowichan Family Caregivers Support Society	1,000
Ladysmith and District Historical Society	7,500
Ladysmith and District Marine Rescue Society	2,500
Ladysmith Celebrations Society	10,000
Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival of Lights	15,000
Ladysmith Little Theater	2,500
Ladysmith Maritime Society	1,500
Ladysmith Show and Shine	2,000
Nanaimo-Ladysmith Schools Foundation (FJCC Bursary)	1,500
Old English Car Club Central Island Branch	600
Art Council of Ladysmith and District	5,000
Ladysmith Fire Rescue - Santa Parade	1,500
Waiving Fees	1,500
Late Applications/Council discretion	4,070

2. That Council:
 - a. Include \$50,000 in the 2022-2026 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and
 - b. Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 2 grant.



**COMMITTEE OF THE WHOLE MEETING
MINUTES**

Tuesday, March 8, 2022

6:30 P.M.

This meeting was held electronically

Council Members Present:

Councillor Tricia McKay, Chair
Councillor Amanda Jacobson
Councillor Rob Johnson
Councillor Duck Paterson

Councillor Marsh Stevens
Mayor Aaron Stone
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma

Donna Smith
Mike Gregory
Sue Bouma
Andrea Hainrich

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Councillor McKay, Chair, called this Committee of the Whole meeting to order at 6:30 p.m., and acknowledged with gratitude that it was being held on the traditional unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CW 2022-010

That the agenda for this March 8, 2022 Committee of the Whole meeting be approved.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held January 18, 2022

CW 2022-011

That the minutes of the Committee of the Whole meeting held January 18, 2022 be approved.

Motion Carried

4. REPORTS

4.1 2022 Grant in Aid Requests

CW 2022-012

That the Committee add to the next Committee of the Whole agenda a discussion regarding refinement of the Grants-in-Aid Policy and process.

Motion Carried

Prior to discussion of the Show and Shine Grant-in-Aid allocation, Councillor Paterson declared a conflict of interest due to his membership with the organization and vacated the meeting at 6:46 p.m. He returned to the meeting at 6:48 p.m.

CW 2022-013

That the Committee recommend the following list of 2022 Grants-in-Aid to Council for approval:

Cowichan Family Caregivers Support Society	1,000
Ladysmith and District Historical Society	7,500
Ladysmith and District Marine Rescue Society	2,500
Ladysmith Celebrations Society	10,000
Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival Of Lights	15,000
Ladysmith Little Theater	2,500
Ladysmith Maritime Society	1,500
Nanaimo-Ladysmith Schools Foundation (FJCC Bursary)	1,500
Old English Car Club Central Island Branch	600
Art Council of Ladysmith and District	5,000
Ladysmith Fire Rescue - Santa Parade	1,500
Waiving Fees	1,500
Late Applications/Council discretion	4,070

Motion Carried

Prior to the Committee's vote regarding the Show and Shine Grant-in-Aid allocation, Councillor Paterson again declared a conflict of interest due to his membership with the organization and vacated the meeting at 7:10 p.m.

CW 2022-014

That the Committee recommend that Council approve the Show and Shine Grant-in-Aid allocation of \$2,000.

Motion Carried

Councillor Paterson returned to the meeting at 7:11 p.m.

4.2 Poverty Reduction Task Group

CW 2022-015

That the Committee recommend that Council:

1. Include \$50,000 in the 2022-2026 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and
2. Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 2 grant.

Motion Carried

4.3 Council Remuneration Review

CW 2022-016

That the Committee recommend that Council direct staff to conduct a review of Council remuneration including benefits coverage, based on similar sized communities and report its recommendations to Council prior to September 30, 2022.

Motion Defeated

OPPOSED: Councillor McKay, Mayor Stone, and Councillors Jacobson, Johnson, Stevens and Virtanen

4.4 2020-2023 Strategic Priorities Update

CW 2022-017

That the Committee receive the 2020-2023 Strategic Priorities Update dated March 8, 2022.

Motion Carried

5. COUNCIL SUBMISSIONS

5.1 1st Avenue and High Street Intersection

The Committee discussed the 1st Avenue and High Street intersection and concluded that the traffic issue would be best addressed once the Official Community Plan review is complete.

6. ADJOURNMENT

CW 2022-018

That this meeting of the Committee of the Whole adjourn at 8:01 p.m.

Motion Carried

CERTIFIED CORRECT:

Chair (Councillor T. McKay)

Corporate Officer (D. Smith)

Minutes of the Parks, Recreation & Culture Advisory Committee
Wednesday, February 16, 2022 at 7:00pm via ZOOM and
Frank Jameson Community Centre, 810 6th Avenue

COMMITTEE MEMBERS PRESENT:

Tim Richards, Chair	Geoff Dean
Councilor Duck Paterson	Emily Weeks
Lesley Lorenz	Lynda Baker
Jacqueline Huard	Lucy Partington

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang

REGRETS:

Bruce Mason
Kelly Daniels

The meeting was called to order at 7:04pm.

**CALL TO ORDER AND
ACKNOWLEDGEMENT**

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

AGENDA

2022-01:

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

Motion carried.

MINUTES

2022-02:

That the Parks, Recreation & Culture Advisory Committee approve the minutes of the December 15, 2021 meeting as presented.

Motion Carried

NEW BUSINESS

Glenn Popenko Presentation

Glen Popenko, Ladysmith Minor Softball Association Umpire Coordinator, made a presentation to the Committee outlining how the Town could help local sports associations attract and keep officials like referees, umpires and other positions. His suggestions included using the Town website and Activity Guide to promote volunteerism, providing a list of all associations in town with contact numbers, and allowing access to the washroom in Aggie Hall during sporting events.

The Committee suggested that Mr. Popenko contact the Chamber of Commerce for volunteer organization's information. They also advised accessing educational programs to recruit volunteers and working with the Chronicle or Take Five to feature a local volunteer.

Review PATG Draft Toolkit Guidelines

L. Baker provided an overview of Guidelines for Toolkit #1 – Acquisition of Public Art and Toolkit #3 – Deaccession of Public Art.

Add to agenda item for next meeting commentaries of the Toolkit # 1 and 3 guidelines.

Community Banner Update

There have been challenges with navigating the timeline and production of banners to have them installed by late April to early May. A special electronic meeting will be arranged in early March to review the recommendation from PATG.

Park Implementation Plan Items Postponed until March

OLD BUSINESS

M. Gregory to provide a draft survey to bring back to the Committee based on comments and emerging themes from discussions.

The committee will invite Stz'uminus First Nation Elders to attend for an open discussion on importance of open space in Ladysmith.

L. Lorenz will look into coordinating a facilitator to review protocol with the Committee prior to the visit from the Elders.

PRC Department Update

PRC DEPARTMENT UPDATE

C. Barfoot provided an update regarding the following:

- Programs
- Facility Projects

NEXT MEETING

Next meeting will be held at 7:00pm, March 16, 2022 via ZOOM and at Frank Jameson Community Centre.

ADJOURNMENT

2022-03:

That the committee adjourn this meeting at 8:38pm.

Motion carried

Special Meeting
Minutes of the Parks, Recreation & Culture Advisory Committee
Monday, March 7, 2022 at 7:00pm via ZOOM

COMMITTEE MEMBERS PRESENT:

Tim Richards, Chair	Geoff Dean
Councilor Duck	Emily Weeks
Paterson	Lynda Baker
Lesley Lorenz	Lucy Partington

Bruce Mason
Kelly Daniels

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang

REGRETS:

Jacqueline Huard

The meeting was called to order at 7:03pm.

**CALL TO ORDER AND
ACKNOWLEDGEMENT**

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

AGENDA

2022-04:

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

Motion carried.

NEW BUSINESS

Review Public Art Banners Selection

2022-05:

RECOMMENDATION:

That the Parks, Recreation and Culture Advisory Committee endorse the recommendations of the Public Arts Banners Selection Committee and recommend that Council:

1. Approve production of the following banners for the 2022 Community Banner Program:
 - I. Hummingbird Season - (Artist Jason Harris)
 - II. Sea Searching (Otter) – (Artist Jason Harris)

Motion carried.

NEXT MEETING

Next meeting will be held at 7:00pm, March 16, 2022 via ZOOM and at Frank Jameson Community Centre.

ADJOURNMENT

2022-06:

That the committee adjourn this meeting at 7:27pm.

Motion carried.

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, Chief Administrative Officer
Meeting Date: March 15, 2022
File No: 5360-02
Re: Spring Cleanup and Yard Waste Collection 2022

RECOMMENDATION:

That Council:

1. Select Option 1 for the 2022 Spring Cleanup Program as outlined in the staff report dated March 15, 2022; and
2. Direct staff to schedule two yard waste collections in 2022: one in the spring and one in the fall.

EXECUTIVE SUMMARY:

During the Spring Cleanup of 2021 staff were contacted by the CVRD regarding the mixed solid waste being received at their facilities. The CVRD was concerned with contamination of recyclable materials being mixed with garbage and advised Town staff that it should be separated. Contractually, Waste Connections is required to continue providing the Town this service and do a basic level of sorting; however, sorting could be improved. Additionally, costs such as tipping fees have been increasing for this program.

Last year's Yard Waste collection was generally a success and staff anticipate that participation would increase over last year if the program continued. Two pickups in the spring and one in the fall were carried out by Waste Connections. Staff believe that one pickup each in the spring and fall will maximize participation and value to the Town.

PREVIOUS COUNCIL DIRECTION:

CS 2021- 334	10/19/2021	That Council approve two additional yard waste curbside collection days per route in the fall of 2021, using funding remaining from the 2021 Yard Waste Pilot Program budget.
CS 2021- 090	03/16/2021	That Council direct staff to: 1. Implement a yard waste pilot project, starting with two spring pickup dates targeted for the end of April and May 2021; 2. Bring a summary report of costs and participation levels after the first two spring pickups, in order that Council can provide direction on a fall pickup schedule; and 3. Include \$20,000 in the Solid Waste budget for 2021 with the funds to come from the Solid Waste Reserve.

INTRODUCTION/BACKGROUND:

In an effort to mitigate illegal dumping and provide a convenient way to remove garbage and yard waste from residents the Town has previously provided an annual Spring Cleanup and more recently a yard waste collection pilot. Costs, participation levels, environmental stewardship, and public feedback have been considered in the discussion below.

Spring Cleanup

In the spring of 2021, the CVRD informed the Town that solid waste from our Spring Cleanup program contained a mixture of materials that should be sorted to maximize recycling and diversion from the landfill. Through discussion with Waste Connections, two options for collection that fit within the contract requirements were proposed:

Option 1

The collection and sorting procedure would remain the same as in 2021, but the disposal would be hauled to a private service (the GFL yard) as opposed to the CVRD. All material with the exception of metals and appliances would be hauled to the GFL yard.

- a. The cost of disposal would increase to \$175/mt, and no additional materials would be recycled (In May of 2021 approximately 68mt were disposed.)
- b. New collection rate would be \$7.47 per home using 2021 house count.

Option 1 cost estimate:

Collection rate	\$24,225
Disposal cost	\$11,900
Total	\$36,125

This amount was included in the 2022 budget.

Option 2

Diversion plan with mattresses removed from the program: This plan would divert the wood furniture out of the landfill in a 3rd truck.

- a. The cost of disposal would be approximately \$146/mt
- b. New collection rate, increased to include costs for the additional truck and 2 operators, would be \$11.21 per home using 2021 house count.

Option 2 cost estimate:

Collection rate	\$36,354
Disposal cost	\$9,928 (Assuming \$146/mt for disposal)
Total	\$46,282

For this option, an additional \$10,157 is required to be added to the 2022 Budget. The funds for this option could come from the Recycle BC rebate. Currently, the Town reserves ~\$89k of this rebate for the eventual automation of the solid waste pick-up program.

Note that Option 2 does not sort the solid waste to completely divert materials to recycling or other disposal options.

Under the contract terms it is possible to not use the Spring Cleanup service and an alternative method could be considered. Staff considered a self-service option where residents bring the solid waste to the Peerless Road Recycling Centre, sort the solid waste appropriately, and the Town pays for tipping fees through a voucher system. This form of Spring Cleanup program could be less expensive and divert more waste from landfills; however, those without a suitable vehicle or inability to move heavy items could miss out on the program benefits.

Option 1 is being recommended as it fits within the 2022 budget and matches previous years' arrangements of which residents are familiar. Alternative methods of collection could be considered for next year going forward.

Yard Waste Collection

Participation in the Yard Waste Collection pilot program ranged from 10-20 percent of households with peak participation in May 2021. Estimates for yard waste collection are based on a 25 percent increase to last year's participation and is approximately \$9,000 per round. Staff are recommending a single spring and fall pickup to balance the demand and costs associated with the program. Additionally, drop off of yard waste is free at the Peerless Road Recycling Centre if the pickup dates don't work for residents. The total cost is estimated to be \$18,000.

ALTERNATIVES:

Council can choose to:

1. Select Option 2 for the Spring Cleanup and amend the 2022 budget to cover the additional costs;
2. Direct that staff implement an alternative user drop off program and look for support from local community groups;
3. Increase or decrease the number of yard waste pickups in the spring and fall.

FINANCIAL IMPLICATIONS:

The costs of Option 1 for the spring cleanup and the spring and fall yard waste pickups are currently included in the 2022 budget. Any other services, such as Option 2, would require an increase to the budget.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Resident participation levels and feedback indicate that both the Spring Cleanup and Yard Waste collection programs are worth continuing in some form. Depending on the direction provided by Council, staff will provide notification to the public about dates and permitted materials to be disposed.

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 recommendations.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director of Parks, Recreation & Culture
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 15, 2022
File No:
Re: Lot 108 Phase 1 Implementation

RECOMMENDATION:

That Council:

1. Increase the Lot 108 Park Plan Phase 1 budget by \$130,000 to include an outdoor fitness area and overall project management with \$30,000 to come from the Canada Community Building Fund (Gas Tax) and \$100,000 from COVID Safe Restart funds; and
2. Waive the Town of Ladysmith Purchasing Policy and direct award the design, tender and construction services to Cascara Engineering for a cost of \$29,650.

EXECUTIVE SUMMARY:

The [Lot 108 Park Plan](#) outlined a phased approach to the development of amenities at the synthetic turf field. This has been an important project for the Lot 108 project group, which consists of many local service clubs and sport organizations. The Town is now ready to proceed with Phase 1 elements such as the design of the practice pitch, completion of an accessible walkway, and the development of a parking area on the south side of the park. An outdoor fitness equipment area would also be installed at the northwestern corner of Forrest Field, connected to the accessible walkway. Staff have requested a proposal from Cascara Engineering to complete design, tender and construction services for Phase 1 of the Lot 108 Park Plan. Cascara is well suited to complete this work as they have recently completed a grading plan for Lot 108, shown as Attachment A. The cost for the work is estimated at \$29,650.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2019-320	10/07/2019	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receive the final report for Lot 108 Park Plan Update and direct staff to include the Lot 108 Park Plan recommendations in future capital plans; 2. Direct staff to work with the existing Lot 108 Service Group to construct the pathway based on the design and criteria identified within the Lot 108 Park Plan Update for a cost of \$20,000 with the funds to come from service group grants, donations and in-kind contributions; and 3. Amend the 2019-2023 Financial Plan accordingly.

INTRODUCTION/BACKGROUND:

Lot 108 Park is an inviting community park that offers something for everyone and contributes to the health and wellbeing of Ladysmith residents. Since the completion of Forrest Field and other amenities, the final park boundary has now been established, neighbourhood development has progressed, and community needs have become more focused. Most of the park site remains undeveloped, and there are numerous community groups who have remained committed to enhancing the existing park, such as youth sports associations and community service clubs.

Previously the Town retained Lees and Associates to examine the site and prepare a long-term vision of its development that included a baseball field, bicycle skills-park, accessible walking paths and parking. In 2021, Cascara completed a grading plan for the site that adjusted the location of the future amenities to take advantage of the site's existing topography.

The existing project includes a fenced practice pitch, which will be constructed using the same artificial turf as the existing Forrest Field. The design will incorporate the required drainage features and access to the main walkway and existing field. It will be located at the western end of the site. The accessible walkway around Forrest Field was started in 2021 and will be completed during this phase of the work. The design of the existing parking lot off 4th Avenue will also be addressed to widen the overall space and manage the drainage along the south side of the property.

An outdoor fitness area connected to the accessible walkway, is also proposed to be included in Phase 1. A diverse outdoor recreation system contributes to community capital by providing a high quality of life for residents. Many communities are seeking new ways to provide outdoor spaces and activities to residents, and outdoor exercise is one ideal option. Outdoor Adult Fitness Parks located by new and existing recreation centres allow users to exercise while enjoying natural and designed landscapes in an open air environment.

Cascara's proposal is based on their previous work completed during the completion of the Lot 108 grading plan, previous site visits, phone conversations and thorough review of the existing Lot 108 Park plan.

ALTERNATIVES:

1. Not include an outdoor fitness area in phase 1 of the Lot 108 project.
2. Direct staff to prepare a Request for Proposals for this work rather than direct award.

FINANCIAL IMPLICATIONS:

Phase 1 of the project is budgeted at \$370,000 with \$23,732 spent to date. The project funding is Canada Community Building Funds (CCBF) in the amount of \$320,000 and \$50,000 from Parks DCCs.

The additional requested funds will come from CCBF and COVID-19 safe restart funds. It is expected that there will be \$1.1 million remaining in the CCBF at year-end which is allocated to future phases of Lot 108 as well as road improvements.

There will also be over \$1 million remaining in the COVID safe restart funds by yearend. These funds are allocated to offset revenue losses and the additional costs of cleaning and sanitation supplies during COVID-19.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This project will be administered through the Parks, Recreation & Culture Department and will involve multiple staff. Engineering consultants will complete the majority of the work.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

I approve the report and recommendations.

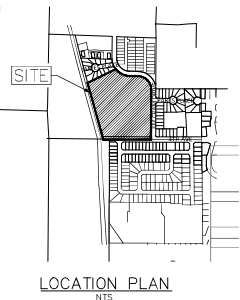
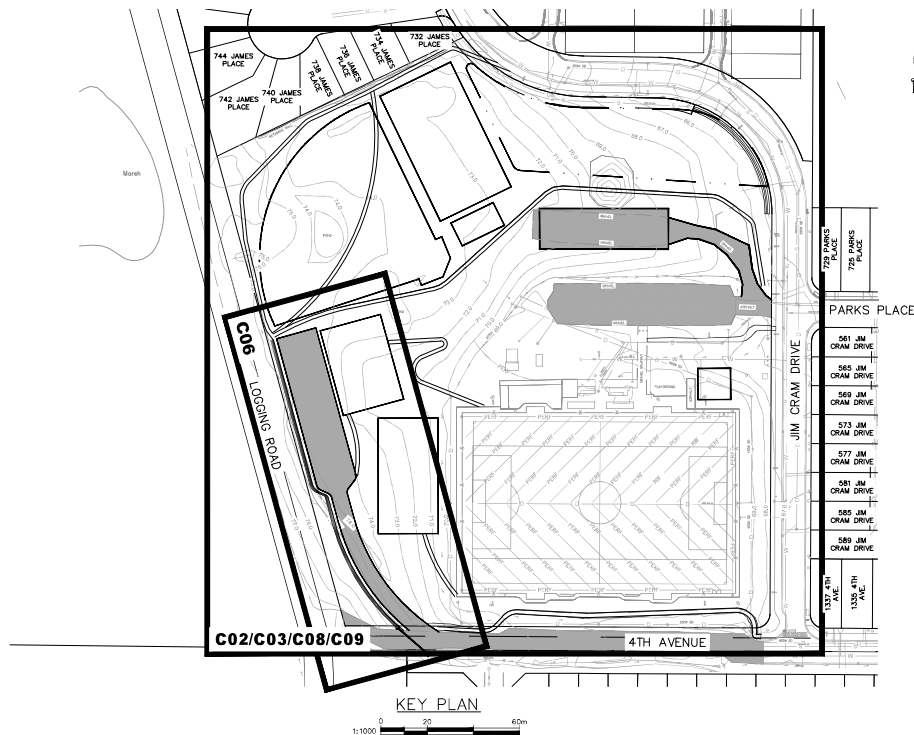
Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

- A. Lot 108 Grading Plan.

LOT 108
GRADING PLAN
LADYSMITH, BC

ATTACHMENT A



GENERAL NOTES:

1. ALL WORK AND MATERIALS ARE TO BE AS DESCRIBED IN THE TOWN OF LADYSMITH'S 'ENGINEERING STANDARDS & SPECIFICATIONS' LATEST EDITION OR AS OTHERWISE APPROVED BY THE TOWN ENGINEER.
2. CONNECTION TO, OR ALTERATION OF, EXISTING TOWN-OWNED UTILITIES, REQUIRES AUTHORIZATION BY THE TOWN ENGINEER.
3. A "CONSTRUCTION PERMIT TO INSTALL WORKS WITHIN STREETS, LANES AND TOWN PROPERTY AREAS" WILL BE REQUIRED WHERE CONSTRUCTION IS TO BE UNDERTAKEN IN TOWN OF LADYSMITH RIGHT-OF-WAYS AND/OR TOWN OF LADYSMITH-OWNED UTILITIES OR PROPERTIES.
4. UPON APPROVAL OF THE PERMIT, THE TOWN OF LADYSMITH ENGINEER SHALL BE NOTIFIED 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
5. THE ENGINEER SHALL BE NOTIFIED 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
6. CONTRACTOR TO COMPLY WITH ALL APPLICABLE MINISTRY OF ENVIRONMENT AND DEPARTMENT OF FISHERIES & OCEANS CANADA REQUIREMENTS AT ALL TIMES DURING CONSTRUCTION.
7. CONTRACTOR TO CONFIRM LOCATION OF EXISTING UTILITIES AT ALL CROSSINGS AND CONNECTIONS AND REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
8. CONTRACTOR TO CONFIRM THAT ELEVATION, LOCATION AND GRADIENT OF ASPHALT MATCH EXISTING PRIOR TO PLACEMENT OF ASPHALT OR CONCRETE.
9. ALL TREES NOT BEING REMOVED IN THE CONSTRUCTION AREA SHALL BE PROTECTED.
10. ADJUST ALL MANHOLES, WATER VALVES, HYDRO VALVES, ETC. TO MATCH NEW CONSTRUCTION.
11. ALL LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY AND SHOULD BE CONFIRMED BY USE OF A PIPE LOCATOR AND MANUAL DIGGING. ALL OR ANY STRUCTURES NOT NECESSARILY SHOWN.
12. ALL ELEVATIONS ARE TO GEODETIC DATUM.
13. DATA SOURCES:
 - TOPOGRAPHIC SURVEY COMPLETED BY TURNER LAND SURVEYING, JANUARY 2021.
 - RECORD DRAWINGS PROVIDED BY THE TOWN OF LADYSMITH.
14. ANY AREAS DISTURBED BY CONSTRUCTION ACTIVITIES ARE TO BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN THAT WHICH EXISTED PRIOR TO CONSTRUCTION.

GAS NOTES:

1. GAS MAIN AND SERVICE LOCATIONS ARE APPROXIMATE ONLY AND ARE BASED ON FORTIS BC INFORMATION.

DRAWING LIST

- CASCARA
- C01 LOCATION PLAN, KEY PLAN, DRAWING LIST & GENERAL NOTES
 - C02 EXISTING CONDITIONS
 - C03 SITE GRADING
 - C04 WEST TO EAST CROSS SECTIONS
 - C05 SOUTH TO NORTH CROSS SECTIONS
 - C06 WEST ROAD - PLAN AND PROFILE
 - C07 WALKING PATH - PLAN AND PROFILE
 - C08 CUT AND FILL VOLUMES
 - C09 STORMWATER

LEGEND					
EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED
LAMP STANDARD	LS	CLEANOUT	●	WATER	—
UTILITY POLE	UP	CATCHBASIN	CB	SANITARY	—
GUY WIRE ANCHOR	WA	ROUND CATCHBASIN	CB	STORM	—
U/G HYDRO/TEL/CABLE	—	MANHOLE	●	WATER METER	—
JUNCTION BOX	JB	INSPECTION CHAMBER	IC	FLUSHOUT	FO
GAS	—	MOUNTABLE CURB & GUTTER	MC	GATE VALVE	GV
FENCE	—	NON-MOUNT. CURB & GUTTER	NC	REDUCER	—
ELEVATION	100.00	ASPHALT CURB	AC	PIPE HYDRANT	—
EDGE ASPHALT	—	TOP OF BANK	—	AIR RELEASE VALVE	—
ASPHALT REMOVAL	—	BOTTOM OF BANK	—	SDOH	—
ON-SITE PARKING (GRAVEL AND ASPHALT)	—	CULVERT OUTLET	—	ROAD SIGN	—
PROPOSED CONCRETE	—	CULVERT HEADWALL	—	CENTERLINE ALIGNMENT	1:250

CLIENT

TOWN OF LADYSMITH



REV.	DATE	BY	DESCRIPTION	ENG.
D	12/01/2021	GPD	FINAL REVISION	CRK
C	08/01/2021	GPD	DRAFT FINAL	CRK
B	04/01/2021	GPD	ISSUED FOR REVIEW	CRK
A	03/01/2021	GPD	ISSUED FOR REVIEW	CRK

LOT 108 GRADING PLAN

LADYSMITH, BC

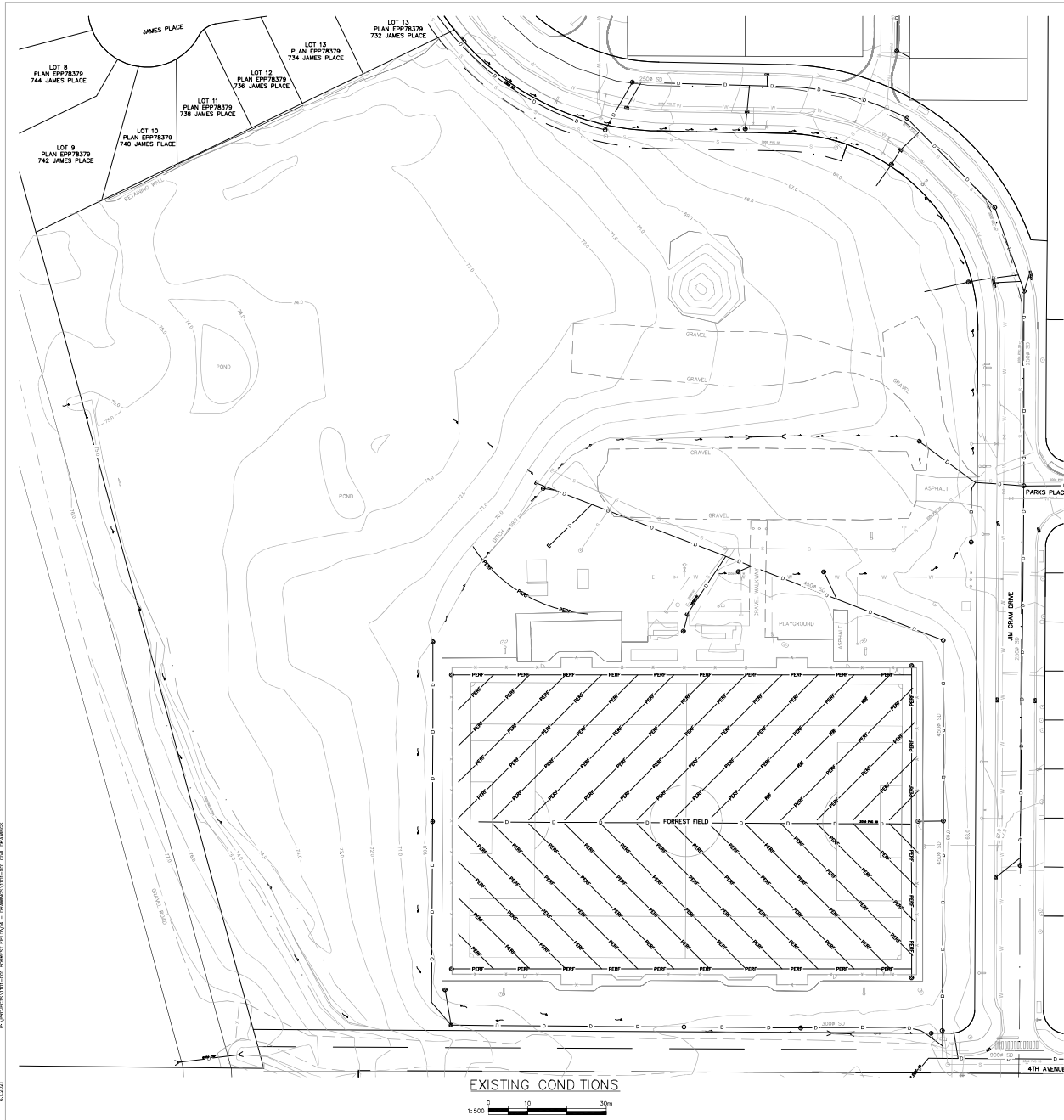
DRAWING TITLE:

LOCATION PLAN,
KEY PLAN, DRAWING
LIST &
GENERAL NOTES

**CASCARA**
CONSULTING ENGINEERS LIMITED
#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

DESIGN BY:	GPD	CHECKED BY:	
DRAWN BY:	GPD	APPROVED BY:	
SCALE:	HORIZ: 1:2000	VERT: NA	
DATE:	08/01/2021	SHEET	1 OF 9
ENG. FILE NUMBER:	8-51747	PROJECT #	1001-001
DRAWING NUMBER:	C01	REV:	D

2021-07-20



CLIENT

TOWN OF LADYSMITH



LADYSMITH

REV	DATE	BY	DESCRIPTION	ENG
D	12JAN2021	GPD	FINAL REVISION	CDR
C	04JUN2021	GPD	DRAFT FINAL	CDR
B	04APR2021	GPD	ISSUED FOR REVIEW	CDR
A	02MAR2021	GPD	ISSUED FOR REVIEW	CDR

LOT 108 GRADING PLAN

LADYSMITH, BC

DRAWING TITLE:

EXISTING CONDITIONS



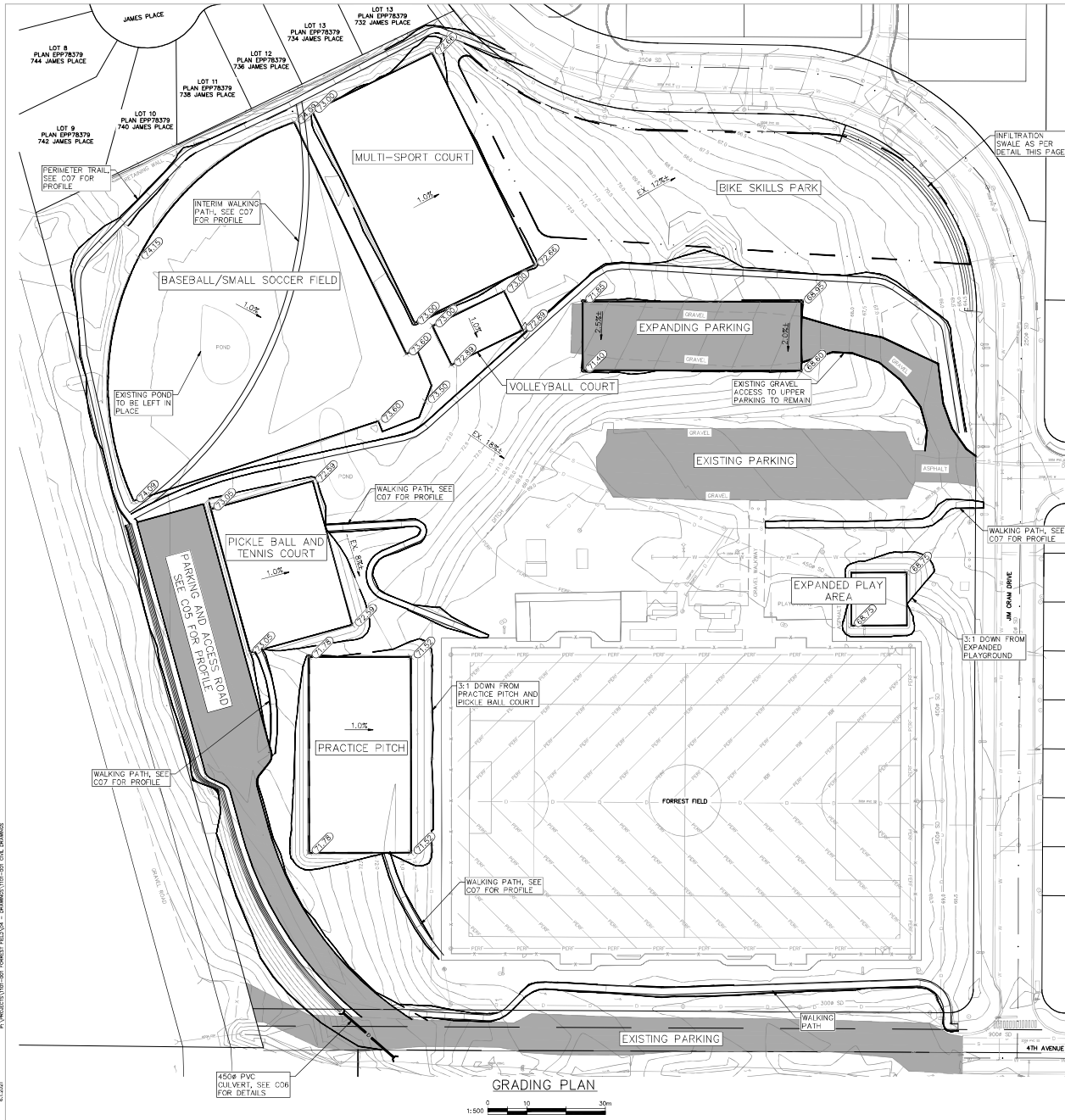
CASCARA
CONSULTING ENGINEERS LIMITED

#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

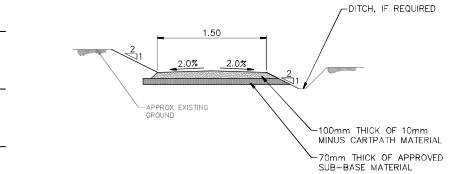
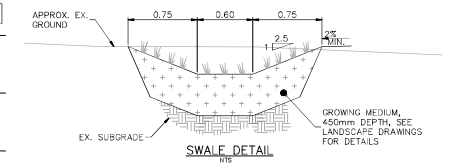
DESIGN BY: GPD	CHECKED BY:
DRAWN BY: GPD	APPROVED BY:
SEAL:	SCALE: HORIZ: 1:500 VERT: NA
	DATE: 02MAR2021 SHEET: 3 OF 9
	ENG. FILE NUMBER: PROJECT #
DRAWING NUMBER: C02	REV: D

NOTES:

1. REFER TO DRAWING NUMBER C01 FOR GENERAL NOTES.



Approximate Cut and Fill Volumes	Cut (m³)	Fill (m³)	Net Fill (m³)
Expanded Play Area	85	125	40
Baseball and Small Soccer Field	840	1300	460
Volleyball Court	20	20	0
Multi-Sport Court	600	125	-475
Practice Pitch	925	400	-525
Pickle Ball and Tennis Court	275	515	240
West Road - Parking and Road	375	375	0
Expanded Upper Parking	50	25	-25
Walking Paths	150	35	-115
Total	3,320	2,920	-400



TYPICAL GRAVEL PATHWAY
DETAIL
NTS

- NOTES:
1. REFER TO DRAWING NUMBER C01 FOR GENERAL NOTES.
 2. CONTOURS REPRESENT PROPOSED FINAL GRADES.
 3. GRADING REPRESENTS PRELIMINARY DESIGN. CONSTRUCTION OF ANY AND ALL FEATURES SHOWN REQUIRES DETAILED DESIGN.
 4. GRADING FROM ALL FEATURES IS 2:1 TO EXISTING GROUND, UNLESS NOTED OTHERWISE.
 5. ESTIMATED CUT AND FILL AMOUNTS ARE BASED ON THE DIFFERENCE BETWEEN FINISHED AND EXISTING GRADES. EXISTING MATERIAL MAY NOT MEET REQUIREMENTS FOR FUTURE USE.

CLIENT

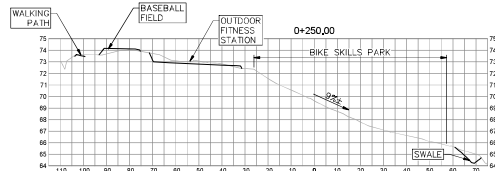
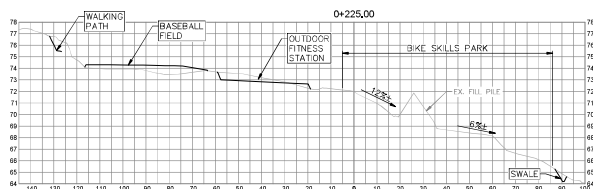
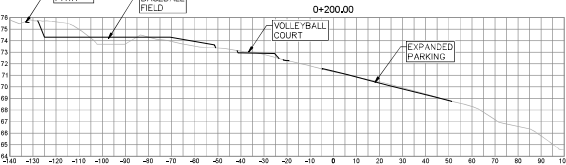
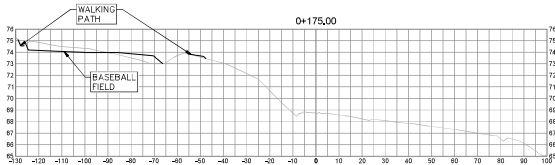
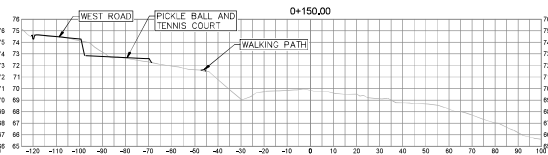
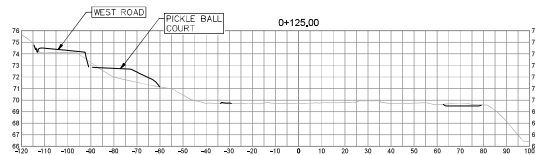
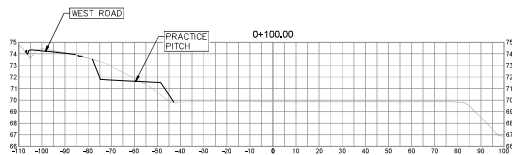
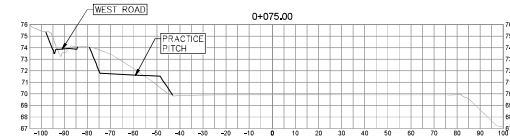
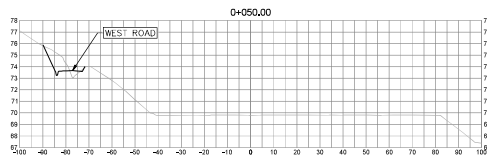
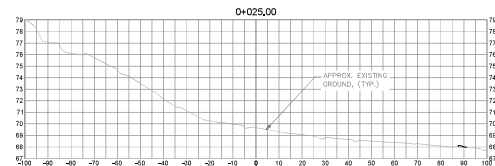
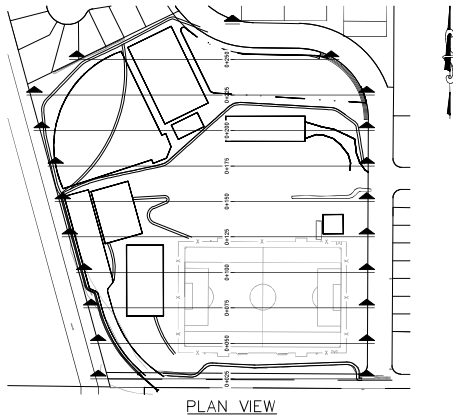
TOWN OF LADYSMITH

LOT 108 GRADING PLAN

GRADING PLAN

CASCARA
CONSTRUCTING ENGINEERS LIMITED
#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

DESIGN BY: GPD	CHECKED BY:
DRAWN BY: GPD	APPROVED BY:
SCALE: HORIZ. 1:500 VERT. NA	DATE: 03MAR2021 SHEET 3 OF 9
ENG. FILE NUMBER: 8-5747	PROJECT # 1100-000
DRAWING NUMBER: C03	REV: D



WEST TO EAST
CROSS SECTIONS

1:1000 0 20 60m

NOTES:

1. REFER TO DRAWING NUMBER C01 FOR GENERAL NOTES.

CLIENT

TOWN OF LADYSMITH



REV	DATE	BY	DESCRIPTION	ENG.
D	12/JAN/2021	GPD	FINAL REVISION	CDR
C	04/JUN/2021	GPD	DRAFT FINAL	CDR
B	04/APR/2021	GPD	ISSUED FOR REVIEW	CDR
A	02/MAR/2021	GPD	ISSUED FOR REVIEW	CDR

LOT 108 GRADING PLAN

LADYSMITH, BC

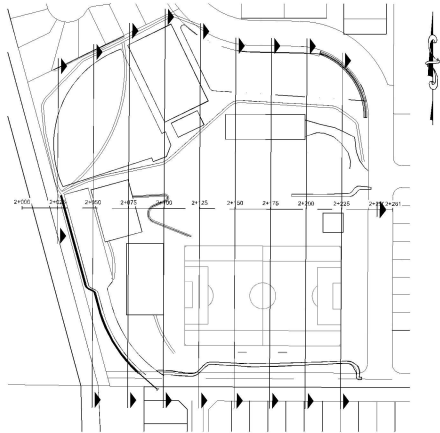
DRAWING TITLE:

WEST TO EAST
CROSS SECTIONS

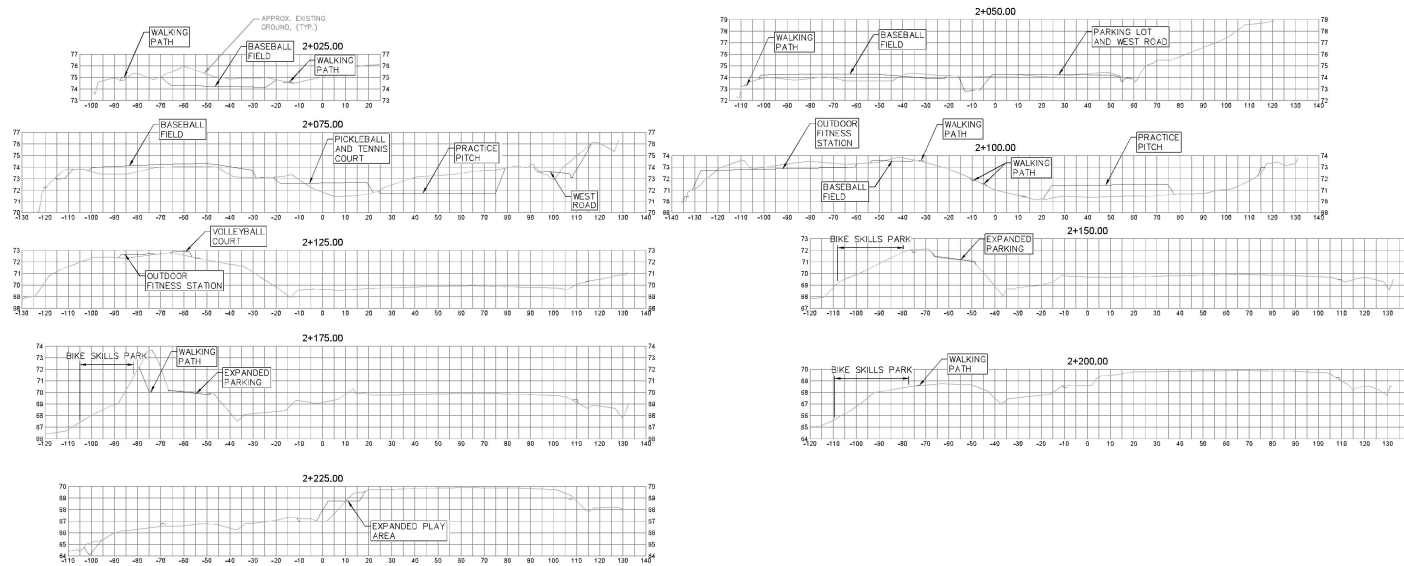
CASCARA
CONSULTING ENGINEERS LIMITED

#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

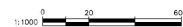
DESIGN BY: GPD	CHECKED BY:
DRAWN BY: GPD	APPROVED BY:
SCALE: HORIZ. 1:500 VERT. NA	
DATE: 02/MAR/2021	SHEET: 4 OF 9
ENG. FILE NUMBER:	PROJECT # 1102-001
DRAWING NUMBER: C04	REV: D



PLAN VIEW



SOUTH TO NORTH
CROSS SECTIONS



NOTES:
1. REFER TO DRAWING NUMBER C01
FOR GENERAL NOTES.

CLIENT

TOWN OF LADYSMITH

LADYSMITH, BC

REV.	DATE	BY	DESCRIPTION	ENG
D	12/01/2021	GPD	FINAL REVISION	CDR
C	06/01/2021	GPD	DRAFT FINAL	CDR
B	06/01/2021	GPD	ISSUED FOR REVIEW	CDR
A	02/01/2021	GPD	ISSUED FOR REVIEW	CDR

LOT 108 GRADING PLAN

**SOUTH TO NORTH
CROSS SECTIONS**

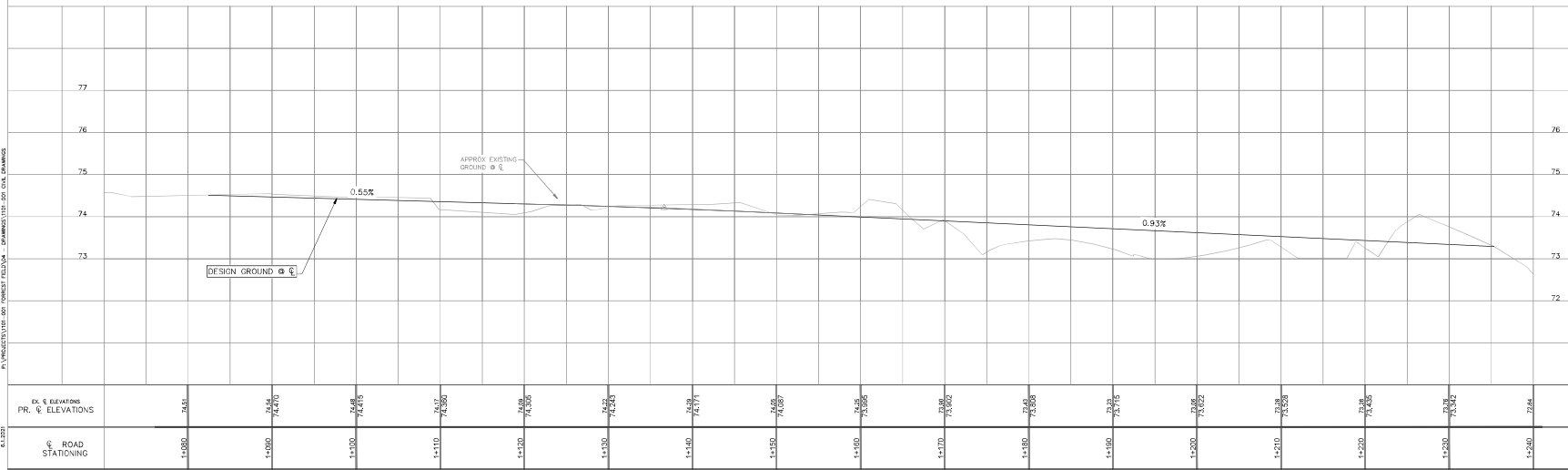
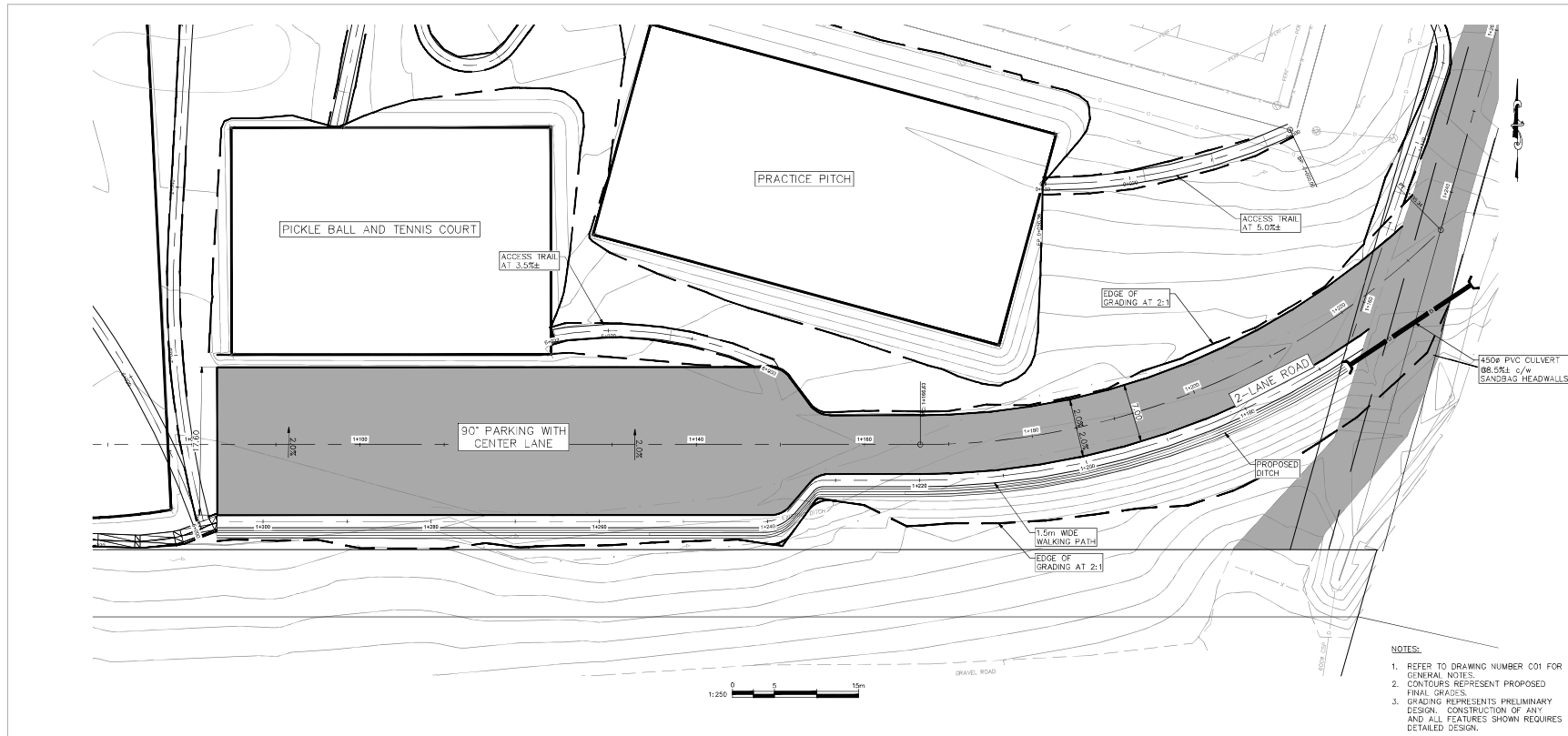
CASCARA
CONSULTING ENGINEERS LIMITED

#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

DESIGN BY: GPD
DRAWN BY: GPD
SEAL:

CHECKED BY:
APPROVED BY:

SCALE:
HORIZ: 1:1000 VERT: 1:200
DATE: 02/01/2021 SHEET: 3 OF 3
ENG. FILE NUMBER:
PROJECT #:
DRAWING NUMBER: C05
REV: D



TOWN OF LADYSMITH

REV	DATE	BY	DESCRIPTION	ENG
D	22JAN2021	GPD	FINAL REVISION	COR
C	04JUN2021	GPD	DRAFT FINAL	COR
B	04APR2021	GPD	ISSUED FOR REVIEW	COR
A	02MAR2021	GPD	ISSUED FOR REVIEW	COR

LOT 108 GRADING PLAN

LADYSMITH, BC

WEST ROAD
PLAN AND PROFILE

CASCARA
CONSULTING ENGINEERS LIMITED

#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

DESIGN BY: GPD	CHECKED BY:
DRAWN BY: GPD	APPROVED BY:
SCALE: HORIZ: 1:250 VERT: 1:30	DATE: 02MAR2021 SHEET: 5 OF 9
ENC. FILE NUMBER:	PROJECT # 1102-001
DRAWING NUMBER: C06	REV: D



Approximate Cut and Fill Volumes			
	Cut (m³)	Fill (m³)	Net Fill (m³)
Expanded Play Area	85	125	40
Baseball and Small Soccer Field	840	1300	460
Volleyball Court	20	20	0
Multi-Sport Court	600	125	-475
Practice Pitch	925	400	-525
Pickle Ball and Tennis Court	275	515	240
West Road - Parking and Road	375	375	0
Expanded Upper Parking	50	25	-25
Walking Paths	150	35	-115
Total	3,320	2,920	-400

- NOTES:
1. REFER TO DRAWING NUMBER C01 FOR GENERAL NOTES.
 2. CONTOURS REPRESENT THE APPROXIMATE ELEVATION DIFFERENCE BETWEEN THE EXISTING AND FINISHED GRADES.

CLIENT

TOWN OF LADYSMITH

LOT 108 GRADING PLAN

LADYSMITH, BC

DRAWING TITLE:

CUT AND FILL VOLUMES

CASCARA

CONSULTING ENGINEERS LIMITED

#206-335 WESLEY STREET NANAIMO, BC V9R 2T5

TEL: 250.591.7364 EMAIL: info@cascara.ca

DESIGN BY: GPD

CHECKED BY:

DRAWN BY: GPD

APPROVED BY:

SEAL:

SCALE: HORIZ: 1:500 VERT: N/A

DATE: 02MAR2021 SHEET: 1 OF 9

ENG. FILE NUMBER:

PROJECT # 1001-001

DRAWING NUMBER: C08

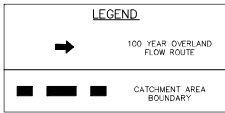
REV: D

Page 58 of 72

Project Lot 108

Engineering Company Cascara Consulting Engineers Limited
Address #206 - 335 Wesley Street Nanaimo BC
Engineer Charles Ramos P.Eng

Rational Formula: $Q = C \times I \times A \times 2.78$													
Location	Catchment	Area (Ha)	Coef. C	Area x Coef. (AC)	Accum. A x C	Time of Concet (mins)	Rainfall Intensity (mm/hr)	Cumulative Q (l/s)	Diam. (mm)	Design Slope (%)	Installed Slope (%)	Cap. (l/s)	Velocity (m/s)
To 4th Ave Storm Main													
Upstream	Lot 108	S1	19.01	0.30	5.70	5.70	30	22.80	361.42	800	-	-	-
Lot 108	4th Ave Outlet	S2	3.31	0.50	1.65	7.36	10	23.70	470.33	900	1.00%	1.00%	1810.30
To Parks Place Storm Main													
Upstream	Lot 108	N1						No Overland Flow Upstream to Lot 108					
James Place	Park Place Manhole	N2	0.77	0.60	0.46	0.46	5	23.90	30.67				
Lot 108	Park Place Manhole	N2	1.99	0.50	0.99	0.99	10	23.70	96.16				
Road	Park Place Manhole	N3	0.51	0.90	0.46	1.45	5	23.90	126.57				
Existing Homes	Park Place Manhole	N4	0.09	0.60	0.05	1.51	10	23.70	130.15	300	2.21%	2.21%	143.75

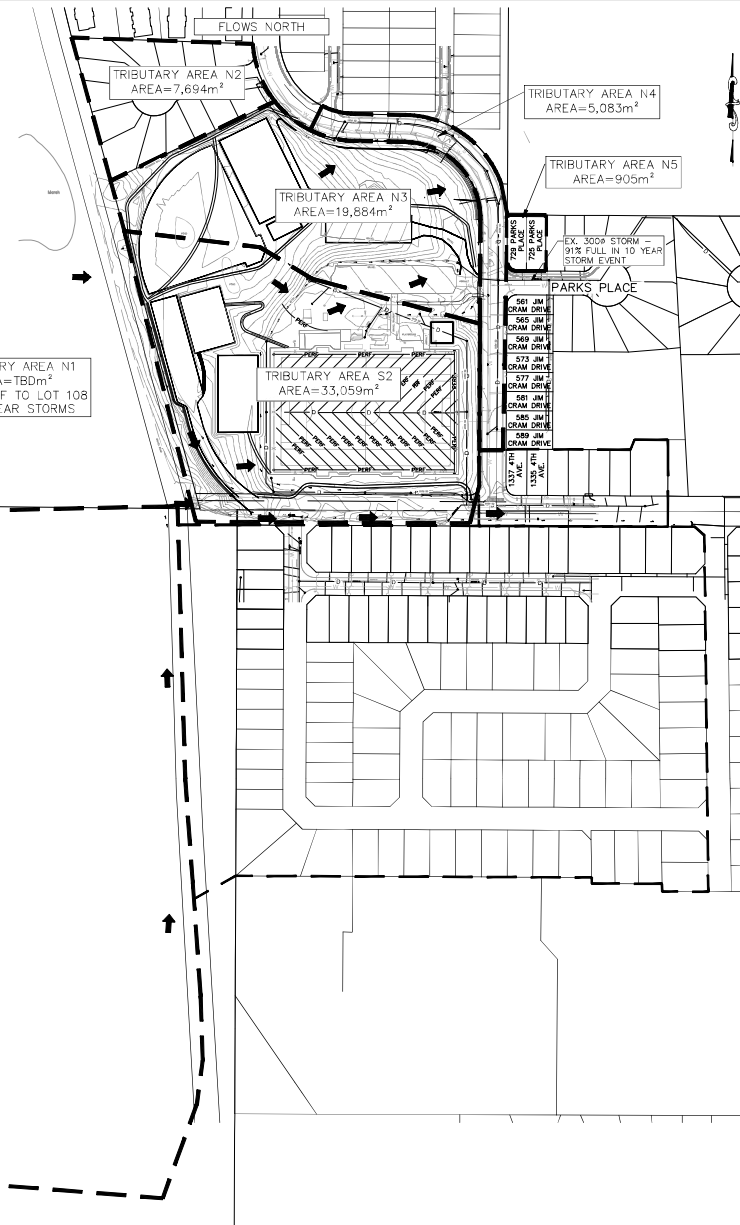


TRIBUTARY AREA S1
AREA=19,069m²
FLOWS TO DITCH
DIRECTED TO LOT 108

TRIBUTARY AREA N1
AREA= TBDm²
NO RUNOFF TO LOT 108
IN 10 YEAR STORMS

STORMWATER TRIBUTARY AREAS


1:1500 0 30 60m



- NOTES:
1. REFER TO DRAWING NUMBER C01 FOR GENERAL NOTES.
 2. CONTOURS REPRESENT PROPOSED FINAL GRADES.

CLIENT

TOWN OF LADYSMITH




LADYSMITH

REV	DATE	BY	DESCRIPTION	ENG
D	12/01/2021	GPD	FINAL REVISION	CRS
C	01/06/2021	GPD	DRAFT FINAL	CRS
B	01/06/2021	GPD	ISSUED FOR REVIEW	CRS
A	02/04/2021	GPD	ISSUED FOR REVIEW	CRS

LOT 108 GRADING PLAN

STORMWATER



CASCARA
CONSULTING ENGINEERS LIMITED

#206-335 WESLEY STREET NANAIMO, BC V9R 2T5
TEL: 250.591.7364 EMAIL: info@cascara.ca

DESIGN BY:	GPD	CHECKED BY:	
DRAWN BY:	GPD	APPROVED BY:	
SCALE:	HORIZ: 1:200	VERT: NA	
DATE:	02/04/2021	SHEET	9 OF 9
ENG. FILE NUMBER:	8-5767	PROJECT #	1102-001
DRAWING NUMBER:	C09	REV:	D

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director Parks, Recreation & Culture
Reviewed By: Allison McCarrick, Chief Administration Officer
Meeting Date: March 15, 2022
File No:
Re: Civic Recognition Program

RECOMMENDATION:

That Council refer the "Civic Recognition" program to the Parks, Recreation & Culture Advisory Committee to develop a draft policy for Council's consideration.

EXECUTIVE SUMMARY:

Council has requested a report on ways to recognize noteworthy contributions and achievements of individuals and organizations that provide or have provided a benefit to the community by bestowing a "Civic Recognition" award, when deemed appropriate.

Part of this request also includes creating a permanent memorial to recognize award recipients. Staff recommend referring this item to the Parks, Recreation & Culture Advisory Committee to develop a policy for Council consideration.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2022-023	01/25/2022	That Council direct staff to prepare a report for consideration at a future Council meeting, including options and budget for the creation of 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.

INTRODUCTION/BACKGROUND:

Civic awards are an opportunity for Council to acknowledge people or organizations in the community who, through their efforts, make the community a better place. These types of awards can be a meaningful and permanent way to recognize citizens of extraordinary achievement in a variety of areas, including, but not limited to:

- culture;
- public or community service;
- the environment;
- heritage conservation; and
- sports.

It is important to establish criteria for a formal Council recognition program whereby Council acknowledges recipients for outstanding service, accomplishments or milestones. As many of the proposed categories for recognition encompass the realm of Parks, Recreation & Culture, staff recommend referring this program to the Parks, Recreation & Culture Advisory Committee to develop a draft policy, including evaluation criteria.

The policy may contain various award levels. One example may include an award for those who achieve exceedingly high merit. This award would recognize exceptional cases and be infrequently bestowed. Its focus would include the lifetime achievements of those who have enhanced the livability of the municipality, as well as recognizing those who have gained national acclaim in the arts, business, humanities, politics, community service, or sports and/or who have brought recognition to the municipality through their lifetime of achievements.

The main purpose of a civic recognition program is to:

- recognize the outstanding effort of a citizen or organization who has given exemplary service and/or recognition to a community;
- foster good feelings in the community; and,
- create an awareness of contributions made towards the well-being of a community by its citizens.

Recipients selected by Council may be honoured with a special ceremony during a regular Council meeting or community event. A public display with the names of award recipients may be made available in a safe public location, on the Town website, or a combination of both.

ALTERNATIVES:

Council can choose to:

1. Not create a municipal 'Civic Recognition' program.
2. Create a 'wall of honour' for existing programs led by community organizations. *Staff do not recommend this option as these existing community programs do not utilize Council approval, nor are recipients evaluated through a Town of Ladysmith formal civic recognition program /or policy.*

FINANCIAL IMPLICATIONS:

Dependent on the type of public display, estimated initial setup cost may range from \$50-\$3,000. Ongoing expenses will be dependent on the number of awards given and may range from \$50-\$300 per award.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Civic recognition to those who have made a commendable contribution to the Town of Ladysmith.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks, Recreation, & Culture will be the lead on this assignment.

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.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Shannon Wilson, Recreation & Culture Coordinator
Reviewed By: Chris Barfoot, Director of Parks, Recreation & Culture
Meeting Date: March 15, 2022
File No:
Re: **2022 Public Art Banners Selection**

RECOMMENDATION:

That Council:

1. Approve the recommendations of the Parks, Recreation & Culture Advisory Committee and the Public Art Banners Selection Committee for the 2022 Community Banner Program to produce banners based on the following submissions:
 - Hummingbird Season – (Artist Jason Harris); and
 - Sea Searching (Otter) – (Artist Jason Harris); and
2. Direct staff to proceed with ordering and installing the 2022 Community - Public Art banners.

EXECUTIVE SUMMARY:

The purpose of the Community Banner Program is beautification and the promotion of a 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. The 2022 Public Art Banners Selection Committee has reviewed submissions and made its recommendations to the Parks, Recreation & Culture Advisory Committee (PRCAC). The PRCAC endorsed the Committee's recommendations which are presented in this report. Images of the recommended banners are shown in Attachment A.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2022-006	01/11/2022	FINAL RESOLUTION, AS AMENDED BY CS 2022-007 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 in a way that is mindful and sensitive of our Stz'uminus First Nation neighbours.

INTRODUCTION/BACKGROUND:

A total of seven different designs by four artists were submitted by the February 24, 2022 deadline. On March 2nd, members of the Public Art Banner Selection Committee met to review and select two Public Art banners for display. The members of the Selection Committee included the following representatives:

- Facilitating: Lynda Baker
- Staff: Shannon Wilson
- PATG and Youth: Julia Noon
- Community: Erika Forssman
- Design Community: –Kathleen Hall
- Arts Community: Claudia Lohmann

The Selection Committee assessed the entries, considering artistic merit and exemplification of the theme as categories for adjudication. The recommended banners were chosen because each highlights the 2022 theme “Community on the Coast” and represents the best of Ladysmith’s small town charm, coastal community life and diverse cultural heritage. The theme “Community on the Coast” 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.

The banners were presented to the PRCAC at its Special Meeting held on March 7, 2022 with a recommendation to proceed to Council for approval. The draft Minutes are included in Attachment B.

RECOMMENDATION:

That the Parks, Recreation & Culture Advisory Committee endorse the recommendations of the Public Arts Banners Selection Committee and recommend that Council approve production of the following banners for the 2022 Community Banner Program:

- Hummingbird Season - (Artist Jason Harris)
- Sea Searching (Otter) – (Artist Jason Harris)

Motion carried.

There are approximately 160 banners throughout Ladysmith’s downtown core and along Transfer Beach Boulevard.

Each year, banners are displayed from May to October.

ALTERNATIVES:

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

FINANCIAL IMPLICATIONS:

If approved, the two banner designs will go to the production phase of the program, with costs included within 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 recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. 2022 Public Art Banner recommendations (Jason Harris) Hummingbird Season and Sea Searching (Otter)
- B. March 7, 2022 PRCAC Special Minutes (Draft)

ATTACHMENT A
Town of Ladysmith
Community Banner Program - Public Art Banners
202 2 Design Template #1

TOP

24" (60.96 cm)

3.5" (8.89 cm) sleeve

61.5" (156.21cm)

Design area 24" (60.96cm)
wide, 61.5" (156.21cm) tall.

3.5" (8.89 cm) sleeve

BOTTOM

Town of Ladysmith
Community Banner Program - Public Art Banners
2022 Design Template #2

TOP

24" (60.96 cm)

3.5" (8.89 cm) sleeve

61.5" (156.21 cm)

Design area 24" (60.96cm)
wide, 61.5" (156.21cm) tall.

3.5" (8.89 cm) sleeve

BOTTOM

Jason
Harris

Special Meeting
Minutes of the Parks, Recreation & Culture Advisory Committee
Monday, March 7, 2022 at 7:00pm via ZOOM

COMMITTEE MEMBERS PRESENT:

Tim Richards, Chair	Geoff Dean
Councilor Duck	Emily Weeks
Paterson	Lynda Baker
Lesley Lorenz	Lucy Partington

Bruce Mason
Kelly Daniels

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang

REGRETS:

Jacqueline Huard

The meeting was called to order at 7:03pm.

**CALL TO ORDER AND
ACKNOWLEDGEMENT**

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

AGENDA

2022-04:

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

Motion carried.

NEW BUSINESS

Review Public Art Banners Selection

2022-05:

RECOMMENDATION:

That the Parks, Recreation and Culture Advisory Committee endorse the recommendations of the Public Arts Banners Selection Committee and recommend that Council:

1. Approve production of the following banners for the 2022 Community Banner Program:
 - I. Hummingbird Season - (Artist Jason Harris)
 - II. Sea Searching (Otter) - (Artist Jason Harris)

Motion carried.

NEXT MEETING

Next meeting will be held at 7:00pm, March 16, 2022 via ZOOM and at Frank Jameson Community Centre.

ADJOURNMENT

2022-06:

That the committee adjourn this meeting at 7:27pm.

Motion carried.

STAFF REPORT TO COUNCIL

Report Prepared By: Erin Anderson, Director of Financial Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 15, 2022
File No:
Re: **2022 FINANCIAL PLAN UPDATE**

RECOMMENDATION:

That Council:

- 1) Include in the 2022-2026 Financial Plan funding to hire an Engineering Technologist starting May, 2022; and
- 2) Direct Staff to prepare the 2022-2026 Financial Plan with revenues of \$9,450,931 to come from property taxation.

EXECUTIVE SUMMARY:

This report summarizes budget changes since the last Financial Plan deliberation meeting as well gives estimates on property taxation amounts.

PREVIOUS COUNCIL DIRECTION:

- CS 2021-379 Include in the 2022–2026 Financial Plan:
1. Funding to hire a full time Manager of Protective Services/Fire Chief starting July 1, 2022;
 2. Funding for a part time contract term Planner and a part time contract term Administrative Assistant in the Development Services area with the funds to come from prior year surplus; and
 3. Funding for the early budget approval of the following capital projects [...]
- CS 2022-019 Increase the proposed 2022-2026 Financial Plan budgeted amount for the Fire Department Aerial Device Truck (Ladder Truck) to \$2.1 million dollars with the additional funds to be borrowed; [...]
- CS 2022-039 That Council direct staff to include in the 2022-2026 Financial Plan funding for exempt staff short-term disability insurance and amend the Exempt Staff Compensation Policy accordingly.

INTRODUCTION/BACKGROUND:

Council began 2022 budget discussions in November, 2021. By the end of the deliberations, the total amount of funds to come from property taxation is \$7,900,191 for municipal and \$1,392,485 for policing, totaling \$9,292,676. Since that time, some additional items have been approved to be included in the budget:

- \$31,543 for debt payments (Sep – Dec) on Fire Department Aerial (ladder) truck;
- \$11,100 for short-term disability coverage (Jul – Dec).

Subsequent information has also been received that impacts the budget:

- Additional \$5,200 for working alone software;
- Reduction of \$21,428 due to Fortis franchise fees being greater than originally proposed;
- Additional \$11,710 inflationary property insurance costs greater than proposed budget; and
- Additional \$63,880 due to the RCMP pay raises.

Staff are also requesting funding for a new Engineering position. This position will assist with new developments after the planning stages, such as subdivision works, services and inspections, as well as complete GIS and asset management work. It is anticipated that this new position would cost \$90,000 (2021 wage rate) annually including benefits. If approved, this position could begin May 16th with \$56,250 to be included in the 2022 budget.

Additionally, some one-time costs, funded through other sources have also been proposed within the budget:

- Continue to fund for the remainder of the year the additional personnel (2 people) hired to complete water service repairs with the funds to come from the water reserve, capital works and prior year surplus.
- Adjust the Planner contract position from 2-days per week to 3-days with the additional funds to come from prior year surplus.

The total revenue from taxation at this time is \$9,450,931, which includes \$56,250 for the Engineering position. This is a budget increase of 5.97% for municipal purposes.

The Town levies the taxes against the Assessment Roll received from BC Assessment in early April. Non-market change is expected to account for nearly 2% of the tax increase, leaving a tax increase of ~3.9%.

In April, Council will determine how the \$9,450,931 is allocated to the various property classes. In 2021, the breakdown was:

1 Residential	73.01%
2 Utilities	0.54%
3 Supportive Housing	0.00%
4 Major Industry	11.83%
5 Light Industry	0.86%
6 Business/Other	13.51%
7 Managed Forest Land	0.00%
8 Rec/Non-Profit	0.24%
9 Farm Land	0.01%

ALTERNATIVES:

Council can choose to:

1. Not implement the new Engineering Technologist position at this time, resulting in a budget increase of 5.34%.
2. Direct staff to reduce the budget by specifying areas of service level reductions.

FINANCIAL IMPLICATIONS:

Full implementation of the following items will increase the 2023-operating budget by 1.71% without any other adjustments or inflationary items:

- Manager of Protective Services/Fire Chief.
- Fire Department Aerial (ladder) Truck debt payments.
- Exempt staff short term disability insurance.
- Engineering Technologist (if approved).

LEGAL IMPLICATIONS:

The 5-year Financial Plan must be adopted before May 12, 2022.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The amount of taxation affects all property owners.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

BYLAW STATUS SHEET
March 15, 2022

Bylaw #	Description	Status
2068	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068" (to designate 1130 Rocky Creek Rd. as "General Commercial" to permit a commercial plaza with drive-through coffee shop)	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" (to rezone 1130 Rocky Creek Rd. to "Shopping Centre Commercial" to permit a commercial plaza with drive-through coffee shop)	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.
2083	"Park Dedication Bylaw 2022, No. 2083" (to dedicate eight previously undedicated properties as parkland and consolidate existing park dedication bylaws into a single bylaw)	First and second readings, January 11, 2022. Requires 2/3 majority approval.
2087	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 68) 2021, No. 2087" (to change the permitted land uses at 1260 Churchill Place from single-unit residential to a mix of multi-family residential, single family residential and park)	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" (to change the permitted land uses at 1260 Churchill Place from single-unit residential to a mix of multi-family residential, single family residential and park)	First and second readings, October 5, 2021. Public Hearing and third reading November 2, 2021. MOTI approval received November 29, 2021.
2089	"Housing Agreement Bylaw 2021, No. 2089" (to establish an agreement and covenant scheme related to the affordable housing unit identified for 1260 Churchill Place)	First, second and third readings, October 5, 2021.