

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

Tuesday, May 17, 2022
City Hall Council Chambers
410 Esplanade

Pages

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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

Members of the public may attend the meeting in person at City Hall or view the livestream on YouTube:

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

2. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for May 17, 2022.

3. RISE AND REPORT- Items from Closed Session

Item from the Closed Meeting of Council held April 19, 2022

CE 2022-024

That Council:

1. Authorize staff to enter into a one year program administration agreement with the Ladysmith Chamber of Commerce for the promotion of economic development and tourism services on behalf of the Town of Ladysmith ending April 30, 2023; and
2. Rise and report on this item once the agreement has been signed by both parties.

Items from the Closed Meeting of Council held May 3, 2022

CE 2022-031

That Council direct staff to proceed with the sale of 1260 Churchill Place for cash to the highest bidder.

CE 2022-032

That Council rise and report on Resolution CE 2022-031 immediately.

4. MINUTES

4.1. Minutes of the Regular Meeting of Council held May 3, 2022

7

Recommendation

That Council approve the minutes of the Regular Meeting of Council held May 3, 2022.

5. DELEGATIONS

5.1. Ladysmith Supported Housing - LRCA Affordable Housing Project at 314 Buller Street

Sheila McMillan, Guido Weisz, Dawn Bezeau and Belinda Harrison of Ladysmith Supported Housing

6. PROCLAMATIONS

6.1. Access Awareness Day

13

Mayor Stone has proclaimed June 4, 2022 as Access Awareness Day in the Town of Ladysmith.

6.2. World Oceans Day

14

Mayor Stone has proclaimed June 8, 2022 as World Oceans Day in the Town of Ladysmith.

7. DEVELOPMENT APPLICATIONS

7.1. OCP and Zoning Bylaw Amendment Application for 1301 and 1391 Rocky Creek Road (Update Conditions and Schedule Public Hearing)

15

Recommendation

That Council:

1. Direct staff to proceed with scheduling and notification for a Public Hearing for “Official Community Plan 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103”; and
2. Require that the developer, at their cost, and in addition to the conditions set by Council Resolution No. CS 2022-028 on February 1, 2022, register on the title of the subject property Lot A, District Lots 81, 86, and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), a covenant or covenants in favour of the Town pursuant to section 219 of the *Land Title Act* to:
 - a. Require that the 5% parkland dedication specified on February 1, 2022 by Resolution CS 2022-028, also meet the criteria outlined in Table 1 of the staff report to Council dated May 17, 2022;
 - b. Prohibit all development on the property until such time as either:
 - i. The sanitary sewer main on Rocky Creek Road has been upgraded to a 300mm main; or
 - ii. The developer has entered into an agreement with the Town to upgrade the sanitary sewer main to a 300mm main along Rocky Creek Road from Ludlow Road to the Town’s boundary, pursuant to Section 507 of the *Local Government Act*.
 - c. Require archaeological protection by:
 - i. Prohibiting the owner from disturbing the land or constructing any buildings on the land without first providing the Town with an Archeological Impact Assessment; and
 - ii. Requiring that the owner only disturb and develop the land in a manner that complies with all the recommendations contained in the Archeological Impact Assessment, unless otherwise approved by the Town.

8. COMMITTEE MINUTES

8.1. Committee of the Whole Recommendations - May 10, 2022

43

Recommendation

That Council authorize staff to install a crosswalk on Malone Road at a safe location, as identified by staff.

9. REPORTS

9.1. 4th Avenue Reconstruction – Tender Results

48

Recommendation

That Council direct staff to:

1. Cancel Tender 2022-IS-01 for the 4th Avenue Improvement project; and
2. Issue a new tender for the 4th Avenue Improvement project with a completion date of late 2023.

9.2. Organic Infrastructure Program – Compost Facility Addition

52

Recommendation

That Council:

1. Support a grant application to the Organic Infrastructure Program for the purposes of adding capacity to the Town compost facility;
2. Commit to operating and maintaining the facility until at least 2034;
3. Direct staff to include in the 2022-2026 Financial Plan the Composting Facility Upgrade for \$1.5 million in 2023 with the Town's portion of \$500,000 to come from Sewer Capital and Sewer Operating Reserves; and
4. Commit to cover any unexpected ineligible costs and project overruns.

10. BYLAWS

10.1. Bylaw Status Sheet

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11. CORRESPONDENCE

11.1. Ladysmith Chamber of Commerce Annual Golf Tournament Sponsorship

58

Recommendation

That Council:

1. Allocate \$200 to sponsor a hole at the Ladysmith Chamber of Commerce Annual Golf Tournament.
2. Consider entering a team in the tournament.

12. NEW BUSINESS

12.1. Municipality of North Cowichan Regional Grant Application to the UBCM Strengthening Communities' Services Fund 2022

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Request for support of the application.

Recommendation

That Council approves the submission of a regional application by the Municipality of North Cowichan for the UBCM Strengthening Communities Fund 2022.

And further,

That Council approves the primary applicant to apply for, receive, and manage the grant funding on their behalf.

13. UNFINISHED BUSINESS

13.1. Councillor Johnson - Motion regarding Lot 4, Plan 45800 (future expansion of Transfer Beach Park)

At the May 3, 2022 Regular Council meeting Councillor Johnson provided the following notice of motion to be considered this evening:

"Whereas, Transfer Beach Park is much beloved and heavily used by the residents of Ladysmith and the surrounding area; and

Whereas this Council must consider plans for future expansion of Transfer Beach Park, especially when the population of the area may grow by nearly 50% over the next 30 plus years; and

Whereas "Slack Point" and a portion of Lot 4, Plan 45800 (in the past referred to as the "jewel") is available for park land expansion; and

Whereas the Ladysmith Waterfront Area Plan indicates that park

expansion is planned for “Slack Point”, however this site is presently eroding away and is vulnerable to rising sea levels which may make the area unusable within 30 years unless major upgrades for shoreline protection are undertaken to prevent the loss of these lands. Such measures will require expenditures that the Town alone cannot afford and would be subject to significant grants from senior levels of governments, which cannot be guaranteed;

Therefore, I move: That Council not proceed with the sale of a portion of Lot 4, Plan 45800 (in the past referred to as the “jewel”) until the area known as “Slack Point” has been preserved as usable parkland and incorporated as part of Transfer Beach Park.”

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, May 3, 2022

6:00 P.M.

City Hall Council Chambers
410 Esplanade

Council Members Present:

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

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba

Donna Smith
Ryan Bouma
Mike Gregory
Sue Bouma

1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 6:00 p.m., in order to retire immediately into Closed Session.

2. CLOSED SESSION

CS 2022-107

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:

- (e) 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;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (k) 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.

Motion Carried

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 P.M.)

The Regular Meeting reconvened at 7:00 p.m. and Mayor Stone recognized with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

Mayor Stone reminded the public that REDress Day is May 5th, a day that honours Missing, Murdered Indigenous Women and Girls and Two Spirit People. He encouraged citizens to hang their red dresses in support of the initiative.

4. AGENDA APPROVAL

CS 2022-108

That Council approve the agenda for this Regular Meeting of Council for May 3, 2022 as amended to include the following item received after publication of the agenda:

- Item 8.2., "National Public Works Week" proclamation.

Motion Carried

5. MINUTES

5.1 Minutes of the Regular Meeting of Council held April 19, 2022

CS 2022-109

That Council approve the minutes of the Regular Meeting of Council held April 19, 2022.

Motion Carried

6. PRESENTATION

6.1 Barry Frech, Ladysmith Celebrations Society

Mayor Stone and Council celebrated the accomplishments of Mr. Barry Frech, who has volunteered with the Ladysmith Celebrations Society for over 35 years, and thanked him for his efforts, noting the impact of the Ladysmith Days event on the memories of old and young alike. They presented Mr. Frech with a print of the Town. Mr. Frech thanked Council and his family for their support.

7. PROCLAMATIONS

7.1 International Day Against Homophobia and Transphobia

Mayor Stone proclaimed May 17, 2022 as International Day Against Homophobia and Transphobia.

7.1.1 International Day Against Homophobia and Transphobia - Flag Request

CS 2022-110

That Council approve the request by the Fondation Émergence, in their correspondence dated March 25, 2022, to fly the Pride flag on May 17, 2021 in support of the International Day Against Homophobia and Transphobia.

CS 2022-111

AMENDMENT

That Council amend resolution CS 2022-110 to include direction to staff to explore opportunities to illuminate available Town facilities with the pride colours.

Amendment Carried

Resolution CS 2022-110, as amended reads:

That Council:

1. Approve the request by the Fondation Émergence, in their correspondence dated March 25, 2022, to fly the Pride flag on May 17, 2021 in support of the International Day Against Homophobia and Transphobia; and
2. Direct staff to explore opportunities to illuminate available Town facilities with the pride colours.

Main Motion, as Amended, Carried

7.2 National Public Works Week

Mayor Stone proclaimed May 15 to May 21, 2022 as National Public Works Week in the Town of Ladysmith.

8. REPORTS

8.1 Alternative Approval Process Official Results – New Fire/Rescue Vehicle

CS 2022-112

That Council:

1. Receive the official results of the Alternative Approval Process for borrowing funds for the purchase of a new Fire/Rescue Vehicle;
2. Authorize up to \$2.1 Million to be borrowed under section 175 of the *Community Charter*, from the Municipal Finance Authority, for the purpose of purchasing a new Ladysmith Fire/Rescue aerial platform apparatus vehicle; and
3. That the loan be repaid within 25 years, with no rights of renewal.

Motion Carried

8.2 Water Billing Adjustments – Methuen and Kitchener

CS 2022-113

That Council direct staff to:

1. Adjust the water billing amounts to zero for Account Nos. 0665000, 0666000, 0667000, 1313000, 1313100, 1314000, 1317000, and 1317100 for 2022 Q2 and beyond until the Methuen watermain project is complete;
2. Adjust the water billing amount to zero for Account No. 0043000 for 2022 Q1 (January to March) and 2022 Q2 and beyond until the Kitchener watermain project is complete; and
3. Adjust, based on suitable evidence of poor water clarity, the water billings for the specific accounts within the range of 741-821 Esplanade and 20-26 Kitchener.

Motion Carried

9. BYLAWS

9.1 Bylaw No. 2108

CS 2022-114

That Council adopt “Financial Plan Bylaw 2022, No. 2108”.

Motion Carried

9.2 Bylaw No. 2109

CS 2022-115

That Council adopt "Tax Rates Bylaw 2022, No. 2109".

Motion Carried

9.3 Bylaw No. 2110

CS 2022-116

That Council adopt "Sewer Parcel Tax Bylaw 2022, No. 2110".

Motion Carried

9.4 Bylaw No. 2111

CS 2022-117

That Council adopt "Water Parcel Tax Bylaw 2022, No. 2111".

Motion Carried

9.5 Bylaw Status Sheet

10. NEW BUSINESS

10.1 Notice of Motion

Councillor Johnson provided the following notice of motion to be considered by Council at its Regular Meeting to be held May 17, 2022:

"Whereas Transfer Beach Park is much beloved and heavily used by the residents of Ladysmith and the surrounding area; and

Whereas this Council must consider plans for future expansion of Transfer Beach Park, especially when the population of the area may grow by nearly 50% over the next 30 plus years; and

Whereas "Slack Point" and a portion of Lot 4, Plan 45800 (in the past referred to as the "jewel") is available for park land expansion; and

Whereas the Ladysmith Waterfront Area Plan indicates that park expansion is planned for "Slack Point", however this site is presently eroding away and is vulnerable to rising sea levels which may make the area unusable within 30 years unless major upgrades for shoreline protection are undertaken to prevent the loss of these lands. Such

measures will require expenditures that the Town alone cannot afford and would be subject to significant grants from senior levels of governments, which cannot be guaranteed;

Therefore, I move: That Council not proceed with the sale of a portion of Lot 4, Plan 45800 (in the past referred to as the “jewel”) until the area known as “Slack Point” has been preserved as usable parkland and incorporated as part of Transfer Beach Park.”

11. QUESTION PERIOD

There were no questions submitted by the public.

12. RECESS

CS 2022-118

That Council recess at 7:21 p.m. in order to reconvene the Closed Session.
Motion Carried

13. RECONVENE

Council reconvened the Open Session at 7:47 p.m.

14. RISE AND REPORT - Items from Closed Session

Council rose from Closed Session at 7:47 p.m. without report.

15. ADJOURNMENT

CS 2022-119

By unanimous consent Council adjourned the meeting at 7:48 p.m.

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (D. Smith)



TOWN OF LADYSMITH

PROCLAMATION

ACCESS AWARENESS DAY

- WHEREAS: Accessibility is essential for ensuring the true inclusion of all citizens; and*
- WHEREAS: Accessibility creates the opportunity for everyone to fully participate in all aspects of community life – economic, social, physical, cultural, and recreational; and*
- WHEREAS: We all play a role in ensuring that our communities are as accessible and inclusive as possible; and*
- WHEREAS: The Town strives to promote equitable opportunities for people of all abilities.*
- THEREFORE, I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim June 4, 2022 as “Access Awareness Day” in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

May 11, 2022



LADYSMITH
TOWN OF LADYSMITH

PROCLAMATION

World Oceans Day 2022

- WHEREAS:** *Wednesday, June 8, 2022 is the United Nation's 30th annual "World Ocean's Day" – a day to celebrate the role of the ocean in everyday life and inspire action to protect it; and*
- WHEREAS:** *Countries around the world, including Canada as a prominent leader, have committed to protecting 30% of their ocean territory by 2030 in order to reverse nature loss in the ocean and safeguard at-risk marine life; and*
- WHEREAS:** *The ocean is home to vulnerable ecosystems and hundreds of species at risk; it is a crucial carbon sink shielding us from the worst of climate change; and*
- WHEREAS:** *The ocean produces over half of the world's oxygen and absorbs 50 times more carbon dioxide than our atmosphere. Therefore, protecting the ocean is in the interest of all life on Earth, including communities both coastal and inland, as it is essential to our shared future; and*
- WHEREAS:** *It is the jurisdiction of the Government of Canada, under various pieces of legislation and regulation, to establish marine protected areas in consultation with Indigenous Peoples, with many Indigenous nations and communities leading in the conservation of the ocean, having been stewards of the ocean since time immemorial; and*
- WHEREAS:** *It is important for municipal leaders to demonstrate support for actions to safeguard the ocean, as they have for action on climate change and other environmental matters of national importance; and*
- WHEREAS:** *In celebrating the ocean, and protecting its habitats and ecosystems, we can together raise the profile of ocean conservation's critical role in improving planetary health and slowing the crisis of species collapse and ecosystem decline.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim June 8, 2022 as "World Ocean's Day" in the Town of Ladysmith, British Columbia.*

Mayor A. Stone

April 28, 2022

STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey, RPP, MCIP, Senior Planner
Reviewed By: Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date: May 17, 2022
File No: 3360-20-10
Re: OCP and Zoning Bylaw Amendment Application for 1301 and 1391 Rocky Creek Road (Update Conditions and Schedule Public Hearing)

RECOMMENDATION:

That Council:

1. Direct staff to proceed with scheduling and notification for a Public Hearing for “Official Community Plan 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103”; and
2. Require that the developer, at their cost, and in addition to the conditions set by Council Resolution No. CS 2022-028 on February 1, 2022, register on the title of the subject property Lot A, District Lots 81, 86, and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), a covenant or covenants in favour of the Town pursuant to section 219 of the *Land Title Act* to:
 - a. Require that the 5% parkland dedication specified on February 1, 2022 by Resolution CS 2022-028, also meet the criteria outlined in Table 1 of the staff report to Council dated May 17, 2022;
 - b. Prohibit all development on the property until such time as either:
 - i. The sanitary sewer main on Rocky Creek Road has been upgraded to a 300mm main; or
 - ii. The developer has entered into an agreement with the Town to upgrade the sanitary sewer main to a 300mm main along Rocky Creek Road from Ludlow Road to the Town’s boundary, pursuant to Section 507 of the *Local Government Act*.
 - c. Require archaeological protection by:
 - i. Prohibiting the owner from disturbing the land or constructing any buildings on the land without first providing the Town with an Archeological Impact Assessment; and
 - ii. Requiring that the owner only disturb and develop the land in a manner that complies with all the recommendations contained in the Archaeological Impact Assessment, unless otherwise approved by the Town.

EXECUTIVE SUMMARY:

On February 1, 2022, Council gave first and second readings to Bylaw Nos. 2102 and 2103 to amend the Official Community Plan and Zoning Bylaw. The Bylaws would allow for a mix of multiple-dwelling, single-detached dwellings and other uses at 1301 and 1391 Rocky Creek Road up to a maximum density of 282 dwelling units plus commercial space.

Council directed staff to report back on outstanding issues prior to scheduling a Public Hearing. Based on review of the outstanding issues, staff now recommend that three additional conditions be placed on the development and that a Public Hearing be scheduled for the application. The three additional conditions relate to:

- 1) Securing a suitable location and configuration for the required parkland that will provide a minimum of 40m of waterfront access for the public;
- 2) Addressing the need to upgrade the sanitary sewer main capacity along Rocky Creek Road; and
- 3) Protecting potential archaeological resources on the subject property.

PREVIOUS COUNCIL DIRECTION:

Resolution # /Date:	Resolution:
CS 2022-028 Feb. 1, 2022	<p>That Council:</p> <ol style="list-style-type: none">1. Having considered s. 475 of the <i>Local Government Act</i>, and in particular the matters set out in subsections (2)(a) and (b), resolve as follows:<ol style="list-style-type: none">a. That the following persons, organizations and authorities are the only entities that are appropriate to consult in connection with “Official Community Plan 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102”:<ol style="list-style-type: none">i. Stz’uminus First Nation; and,ii. The BC Ministry of Forests, Lands, Natural Resource Operations and Rural Development – Archaeology Branch;b. That consultation with Stz’uminus First Nation and the Archaeology Branch should be early and ongoing and that staff be directed to refer application 3360-20-10 and Bylaw No. 2102 to Stz’uminus First Nation and Archaeology Branch to initiate the consultation process described in the staff report to Council dated February 1, 2022;2. Direct staff to refer application 3360-20-10 to School District 68 pursuant to section 476 of the <i>Local Government Act</i>.3. Give first and second reading to Bylaw No. 2102;4. Consider Bylaw No. 2102 in conjunction with the Town’s Financial Plan, the Town’s Liquid Waste Management Plan, and the Cowichan Valley Regional District’s Solid Waste Management Plan, pursuant to section 477(3) of the <i>Local Government Act</i>;5. Consider Bylaw No. 2102 in conjunction with the Town’s Housing Needs Report, pursuant to section 473(2.1) of the <i>Local Government Act</i>;6. Give first and second reading to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103”;

Resolution # /Date:	Resolution:
	<p>7. Direct staff to report back to Council on the outcome of the consultation with Stz'uminus First Nation and the Archaeology Branch prior to scheduling a Public Hearing for Bylaw Nos. 2102 and 2103;</p> <p>8. Require that the developer, at their cost, complete the following prior to adoption of Bylaw Nos. 2102 and 2103:</p> <ul style="list-style-type: none"> a. Register on the title of the subject property, Lot A, District Lots 81, 86, and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), a covenant or covenants in favour of the Town pursuant to section 219 of the <i>Land Title Act</i>: <ul style="list-style-type: none"> i. Establishing a tree preservation area and a tree management plan as outlined in the staff report to Council dated February 1, 2022; ii. Requiring parkland dedication as outlined in the staff report to Council dated February 1, 2022; iii. Limiting residential development prior to the construction of commercial units as outlined in the staff report to Council dated February 1, 2022; iv. Securing the community amenity contribution of \$1,000 per additional unit, underground parking, and energy efficiency standards as outlined in the staff report to Council dated February 1, 2022; and v. Requiring that the developer decommission, at their expense, the 100mm watermain along the former Gladden Road; b. Amend Covenant CA7488213 to require that the developer construct a bus "pull out" lane for a transit stop along Rocky Creek Road; b. Amend Covenant CA7488208 to clarify that a 20 metre access to the harbour is required for any development; and c. Amend Covenant CA7488209 and CA7488210 to clarify that the location of the waterfront pathway must be setback a minimum of 3.0 metres from the top of bank as recommended by the Geotechnical Assessment provided as Attachment F to the February 1, 2022 staff report to Council. <p><i>Motion Carried</i></p>

INTRODUCTION/BACKGROUND:

On February 1, 2022, Council gave first and second readings to Bylaw Nos. 2102 and 2103 to amend the Official Community Plan and Zoning Bylaw for the subject property at 1301 and 1391 Rocky Creek Road. The Bylaws would allow for a development including a mix of multiple-dwelling, single-detached dwellings and other uses up to a maximum density of 282 dwelling units plus commercial space. Additional background information on the proposed development can be found in the staff report to Council dated February 1, 2022.

Council directed staff to report back to Council on this file prior to scheduling a Public Hearing. Accordingly, this report provides additional information on the following items:

- The outcome of additional review by staff regarding a preferred location for parkland;

- The outcome of sewer modelling to assess whether the additional units can be accommodated by the existing sanitary sewer; and
- The outcome of the consultation with Stz'uminus First Nation and Archaeology Branch.

ANALYSIS:

Based on staff's review of the outstanding issues, staff now recommend that three additional conditions be placed on the development and that a Public Hearing be scheduled for the file. The three additional conditions relate to:

- 1) Securing a suitable location and configuration for the required parkland;
- 2) Addressing the need to upgrade sanitary sewer main capacity along Rocky Creek Road; and
- 3) Protecting potential archaeological resources on the subject property.

Parkland:

On February 1, 2022, Council placed a condition for approval of the proposed bylaw amendments that requires a covenant to be placed on the property to secure 5% of the property as park. This will be considered the 5% required at the time of subdivision, but ensures that the Town will not accept cash-in-lieu of parkland and that if the development proceeds without subdivision the park will still be provided. This requirement was in response to the comments from the Community Planning Advisory Committee (CPAC) which noted that there are no parks in the immediate area. Given that the property is at the northern boundary of Town and adjacent to the water, the location and configuration of the future parkland is important.

Staff from the Development Services and the Parks, Recreation & Culture departments have been working with the applicant to determine a suitable location for this parkland. The applicant is requesting zoning approval based only on design concepts, so it is not currently possible to confirm the exact location and dimension of the park. The proposed criteria are designed to ensure that the eventual parkland dedication is functional and valuable.

Accordingly, staff recommend that the criteria for parkland dedication outlined in Table 1 be secured by covenant. Table 1 also provides details for the reasons for the recommended criteria. The park is proposed to be in the northeast corner of the property to provide a waterfront park with the most useable access to the water, and to allow for the potential of future expansion to the north. The approximate location and examples of the potential configuration are shown in Figure 1 and Figure 2.

Figure 1: Examples of Park Location and Configuration to meet Criteria



Figure 2: Park Location in the Northeastern Area of the Property where the Slopes to the Water are More Gradual



Table 1: Criteria for suitable parkland dedication

Criteria	Rationale
Park is to be located adjacent to the waterfront.	<ul style="list-style-type: none"> • This development represents a rare opportunity for the Town to obtain a new waterfront park. • Ladysmith is an oceanfront community, but with only two oceanfront parks, there are limited opportunities for the public to access the water.¹ • In addition to the benefit to the broader community, locating the park adjacent to the waterfront will mean that all the future residents of the immediate area (including future residents of the proposed development) live in a waterfront neighbourhood, rather than limiting that benefit to only the few units directly adjacent to the water.
Park is to be located adjacent to the northern property line in the northeast corner of the property.	<ul style="list-style-type: none"> • The northeastern corner of the property has a gentler slope (Figure 2) which allows for easier access to the water.² • This location allows for the best potential that additional park could be added to expand the park in the future.³
Park is to be located adjacent to the required Road Dedication (water access road).	<ul style="list-style-type: none"> • Section 75 of the <i>Land Title Act</i> and Covenant CA7488208 require the applicant to provide a 20m road dedication connecting Rocky Creek Road to the water to provide public access to the water. • Locating the park and the water access road side by side will maximize waterfront access and open space to increase the utility of the park.

¹ There are currently two oceanfront parks within the Town of Ladysmith: Transfer Beach Park (approximately 2 km south of the subject property) and Gourley-Janes Park (approximately 5km south of the subject property). The next nearest oceanfront parks are on the opposite side of Ladysmith Harbour (Raven Park and Elliot Beach Park), and to the south in Saltair (Davis Lagoon) and Chemainus (Cook Street Beach).

² This will be the most feasible/cost effective location to build access to the water.

³ The parcel to the north is approximately 0.9ha and within the CVRD. The property is not currently designated/zoned for additional subdivision. However, there are a number of scenarios where parkland to the north could be created. If the parcel were rezoned/redeveloped the CVRD could take parkland as part of the proposal or at the time of subdivision and the Town would likely be consulted on such development proposals. It is also possible that the Town could apply for a boundary expansion (e.g. in response to a development proposal) in the future or could consider purchasing the property. Similarly, the CVRD or a conservation group might purchase the property for the purpose of creating additional park. The proposed development increased the likelihood of park development to the north, as it will increase the population in the area, and thus demand for amenities.

Criteria	Rationale
	<ul style="list-style-type: none"> The park could be divided so it is located on both sides of the Road Dedication, as long as both parts are adjacent to the water.
Park is to have a minimum of 20 metres of frontage on the waterfront.	<ul style="list-style-type: none"> 20 meters of park frontage plus 20 meters of road dedication will provide 40m of waterfront access for the public. By comparison, Gourlay-Janes Park is approximately 45 meters wide along the waterfront.
Park is to have sufficient road frontage to allow for a minimum of 3 on-street parallel parking spaces including one accessible space.	<ul style="list-style-type: none"> 21 metres of road frontage would allow for three parking stalls (including one accessible stall). This requirement could be satisfied by road frontage on the water access road or on one of the internal roads that will be built within the property for this development.

Sanitary Sewer Main Upgrade:

The existing 200mm sanitary sewer main on Rocky Creek Road serves the properties on Rocky Creek Road as well as the Stz'uminus First Nation. The Town has a servicing agreement in place to provide sewer services to the Stz'uminus First Nation, including for planned developments in the community. To accommodate the planned development of the Stz'uminus First Nation, an upgrade to a 300mm sanitary sewer main along Rocky Creek Road will be required sometime before 2032. The proposed development increases the overall projected sewer flows for the area,⁴ and the modelling did not demonstrate that the existing sewer could accommodate the proposed development. Therefore, staff recommend that Council require the sewer main to be upgraded prior to any development on the site.

Staff recommend that Council require a covenant as a condition of the rezoning and OCP amendment prohibiting development on the property until the sanitary sewer main is upgraded, or until the property owner enters into an agreement to construct the sanitary sewer main. This gives the developer the option of waiting until the Town upgrades the sanitary sewer main under the Town's capital works plan or proceeding now and upgrading the sewer line through an agreement with the Town in accordance with section 508 and 509 of the *Local Government Act* (excess and extended services). This prevents a situation where the Town is forced to construct the sewer sooner than planned, because of the proposed development.

⁴ The applicant provided a memo regarding sewer capacity on Rocky Creek Road (Attachment C: Sanitary Sewer Main Memo) completed by Cascara Consulting Engineers, March 18, 2022. The report calculates that at full build out, the proposed development (when added to the flows from the Oak Bay Marine Group Marina) is estimated to require the equivalent of up to 50% of the total capacity of the 200mm sanitary sewer main. Gladden Pump Station maximum capacity will be 12.9L/s, the maximum recommended capacity of the 200mm sanitary sewer main is 25.1L/s. The data on existing sewage flows from Rocky Creek Road and Stz'uminus First Nation are from 2012 and it is not known how close the sewer currently is to the maximum recommended capacity.

The sanitary sewer upgrade is identified as a Development Cost Charges (DCC) Project with a projected budget of \$750,000.⁵ The Town has set aside the \$750,000 to pay for the sewer and this amount is available whether the Town or the developer constructs the project.⁶ If the project costs more than the \$750,000 budgeted, then whoever constructs the project will be responsible for the additional cost. If the developer constructs the sewer main, the Town will pay the budgeted amount and the developer would be responsible for any additional costs (with the possibility of recovering the cost through “latecomer fees” if other properties in the area develop within 15 years, in accordance with the requirements of the *Local Government Act*). If the Town constructs the sewer main, the Town would need to pay any costs in excess of the budgeted amount.

Note that an upgrade to the Ludlow Road lift station is also required, but this work is already scheduled to take place in late 2022.

Archaeological Protection:

The subject property is listed on the provincial databases as having high archaeological potential, and the archaeologist retained by the applicant has recommended that an Archaeological Impact Assessment (AIA) be completed for the property/project. Therefore, following the Council Meeting on February 1, 2022, a formal referral was sent to the Stz’uminus First Nation and to the Archaeology Branch of FLNROD.

In response to the Town’s referral, the Archaeology Branch confirmed that there was an active file for the subject property, but did not provide additional comments. As of April 25, 2022, the province had issued a “Heritage Inspection Permit” which allows the archaeologist to begin work on the AIA. According to the applicant, this work is scheduled to begin in May.

The Stz’uminus First Nation has not provided a written response to the referral, however staff discussed the file with a representative of the Stz’uminus First Nation. The consistent message has been that the Stz’uminus First Nation does not want to delay this proposal, but that they want to ensure that the archaeological potential and any archaeological resources are dealt with properly.

Based on this input from the Stz’uminus First Nation, staff recommend that a covenant for archaeological protection be placed on the property which will:

- 1) Prohibit the owner from disturbing the land or constructing any buildings on the land without first providing the Town with an Archeological Impact Assessment; and

⁵ Up to a total of \$750,000 including \$375,000 from Development Cost Charges and \$375,000 from the Town’s Capital Infrastructure Budget.

⁶ Note that a portion of the sanitary sewer is to be constructed as part of the roundabout project at Ludlow Road/Rocky Creek Road. This portion of the sewer must also to be paid for from the \$750,000 project budget.

- 2) Require the owner to only disturb and develop the land in a manner that complies with all recommendations contained in the Archeological Impact Assessment, unless otherwise approved by the Town.

The primary responsibility for archaeological protection remains with the Provincial Government through the *Heritage Protection Act*. However, unlike other areas of overlapping jurisdiction (e.g. contaminated sites, riparian areas, highways, etc.)⁷ the *Heritage Protection Act* does not have a direct connection (i.e. a “signoff”) to the planning approval process. While the Province has recommended that an AIA be prepared, the Province cannot prohibit municipal approvals on the condition that an AIA be prepared. When a site has “high archeological potential” the Province recommends, but does not require that an AIA be completed.⁸ Archeological potential does not prevent work from taking place on a property.⁹ The requirement is that work must stop only if archeological resources are discovered and the onus is on the owner and person doing the work to cease work and file a report with the provincial archeology branch. Given the current provincial framework, staff do not believe that the *Heritage Protection Act* alone sufficiently addresses the request from the Stz’uminus First Nation for assurance that the archaeological potential of the site will be dealt with properly. The recommended Covenant would require that the AIA be completed before any work is done on the property that could disturb archaeological resources and would be reviewed prior to the issuance of any Town approvals (e.g. development permits, subdivision, building permits, etc.).

ALTERNATIVES:

Council can choose to:

1. Amend the proposed conditions.
2. Refer the application back to staff for further review as directed by Council, prior to scheduling a Public Hearing.
3. Deny the application.

FINANCIAL IMPLICATIONS:

If the developer upgrades the sanitary sewer main, the budgeted amount of the project (approximately \$750,000) will be funded from DCCs and the Town’s sewer reserves. If the cost of constructing the sewer main exceeds the amount in the DCC budget, whoever constructs the sewer main will be required to pay the difference. If the developer constructs the sewer main, they will be eligible to recover the cost through “latecomer fees” in accordance with the requirements of the *Local Government Act*.

⁷ In these areas, local governments are typically prohibited from approving development until there is approval from a provincial agency.

⁸ Note that in some cases property owners are not aware of the archaeological potential of their property. The location of archaeological sites is not publically available and owners are expected to contact the provincial archeology branch to determine if there is a known archeological site their property. This is not widely understood and does not always occur, meaning work may start without the proper provincial authorizations.

⁹ The Heritage Protection Act does allow the minister to issue a stop work order for a period of 120 days to prevent damage to heritage.

On February 1, 2022, Council considered the proposed amendment to the Official Community Plan (Bylaw No. 2102) in conjunction with the Town's Financial Plan and the Town's Liquid Waste Management Plan. If the proposed development goes ahead, and Council does not require the applicant to construct the required upgrade to the sanitary sewer main, the Town's Financial Plan may need to be amended to allow for this project.

LEGAL IMPLICATIONS:

The *Local Government Act* (sections 475 and 476) requires that the Town specifically consider providing consultation opportunities for persons, organizations, and authorities as part of amending an OCP. Staff consider that the Town has met the obligations to consult in accordance with this requirement of the *Local Government Act* and as directed by Council on February 1, 2022.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Staff recommend that the Public Hearing be scheduled for this file.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks, Infrastructure Services, and Finance have all been involved with developing these recommendations.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Bylaw No. 2102
- B. Bylaw No. 2103
- C. Sanitary Flow Memo

TOWN OF LADYSMITH

BYLAW NO. 2102

A Bylaw to amend "Official Community Plan Bylaw 2003, No. 1488"

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Official Community Plan Bylaw 2003, No. 1488":

1. Schedule A.1 - Development Permit Areas "Exemptions", by deleting item 4.(m) in its entirety and replacing with the following:

 "(m) construction of, addition to, or alteration of a single family or two family dwelling in Commercial (DPA 3), or Multi-Unit Residential (DPA 4);"
2. Map 1 – Land Use, by changing the "Single Family Residential" designation to "Multi-Family Residential" for Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 1, which is attached to and forms part of this Bylaw;
3. Map 2 – Development Permit Areas, by adding:
 - a. Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 1 to "DPA 3 – Commercial" (Development Permit Area 3 – Commercial) and "DPA 4 – Commercial" (Development Permit Area 4 – Multi-Unit Residential); and
 - b. The easternmost portion of Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) to "DPA 7 – Hazard Lands" (Development Permit Area 7 - Hazard Lands), as shown in Schedule 2 which is attached to and forms a part of this Bylaw.

Citation

4. This Bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102".

READ A FIRST TIME on the 1st day of February, 2022

READ A SECOND TIME on the 1st day of February, 2022

PUBLIC HEARING HELD on the _____ day of _____, 2022

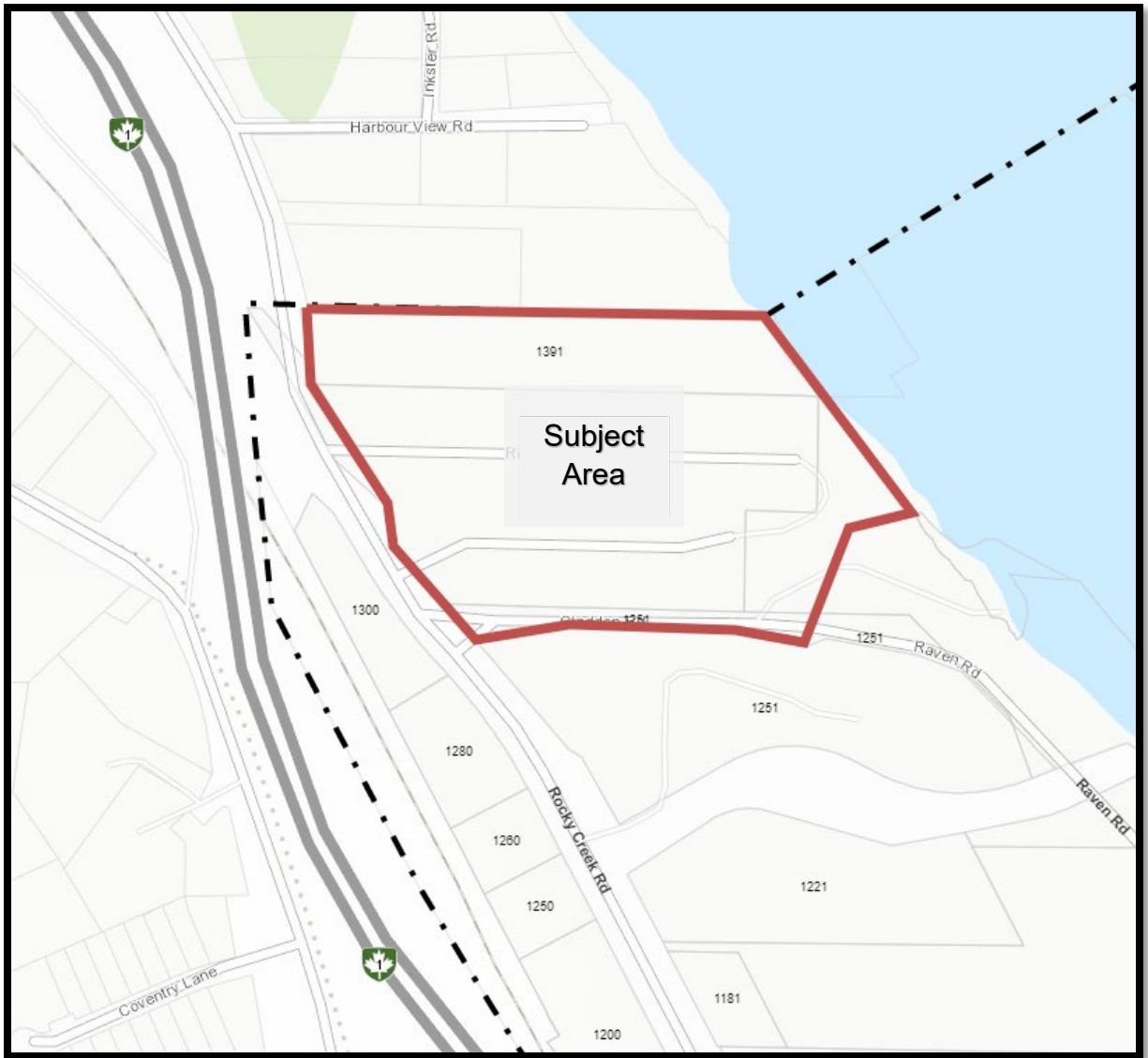
READ A THIRD TIME on the _____ day of _____, 2022

ADOPTED on the _____ day of _____, 2022

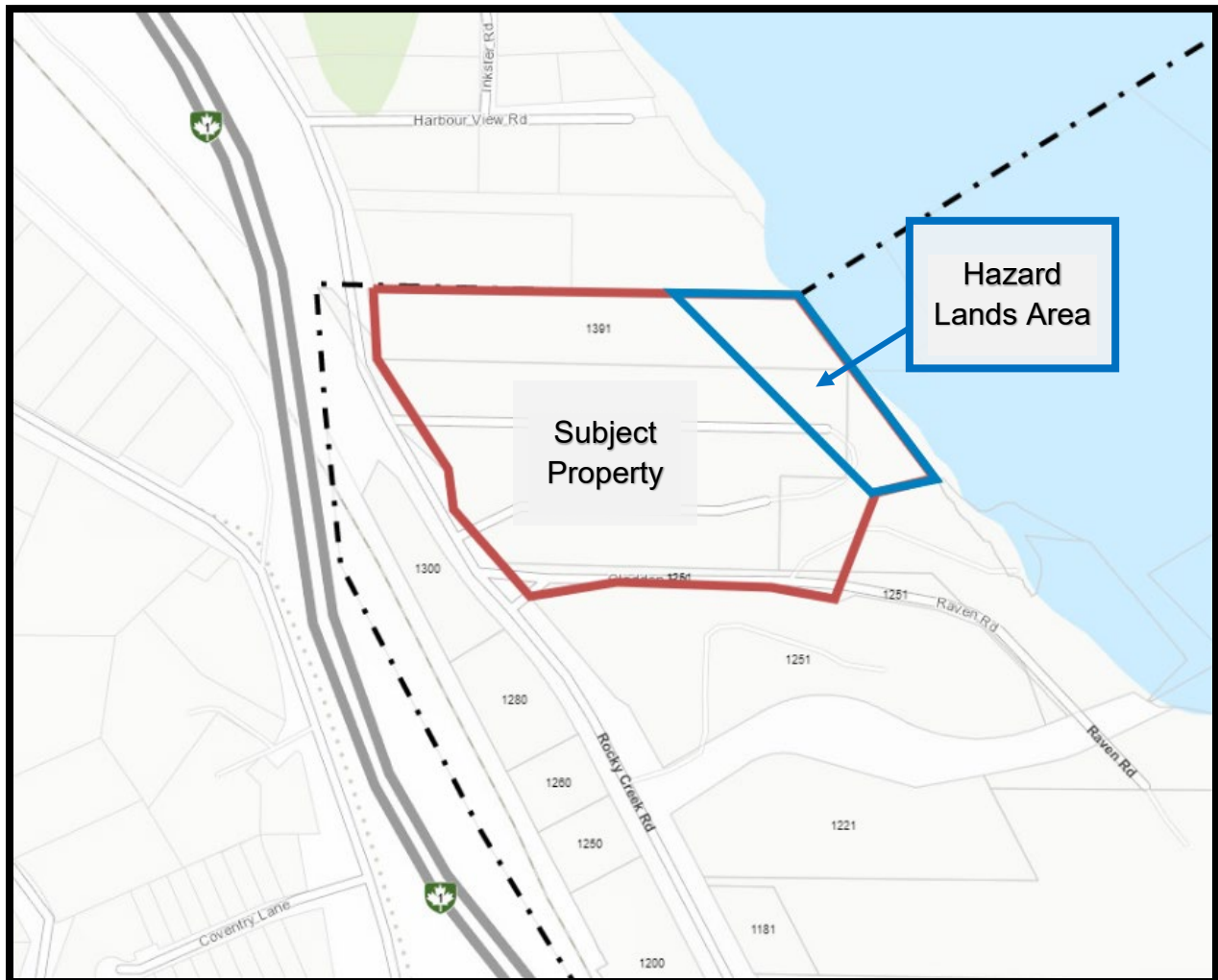
Mayor (A. Stone)

Corporate Officer (D. Smith)

Schedule 1



Schedule 2



TOWN OF LADYSMITH

BYLAW NO. 2103

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

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendments to "Town of Ladysmith Zoning Bylaw 2014, No. 1860":

1. Schedule A – Zoning Bylaw Text:
 - a. By adding the following to the end of the table in Section 9.1 "Creation of Zones" subsection a):

Rocky Creek Road Mixed-Use Residential	CD-7
--	------

- b. By adding to Part 17: Comprehensive Development Zones a new zone "17.7 Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7)" as shown in Schedule 1, which is attached to and forms part of this Bylaw.
2. By amending Schedule B – Zoning Bylaw Map to change the zone for the subject area, at Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 2 which is attached to and forms a part of this Bylaw from R-1-B and RU-1 to CD-7.

Citation

3. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103".

READ A FIRST TIME on the 1st day of February, 2022

READ A SECOND TIME on the 1st day of February, 2022

PUBLIC HEARING HELD on the _____ day of _____, 2022

READ A THIRD TIME on the _____ day of _____, 2022

APPROVED BY MINISTRY OF TRANSPORTATION

on the _____ day of _____, 2022

ADOPTED on the _____ day of _____, 2022

Mayor (A. Stone)

Corporate Officer (D. Smith)

Schedule 1

17.7 COMPREHENSIVE DEVELOPMENT 7 – ROCKY CREEK ROAD MIXED-USE RESIDENTIAL (CD-7)

The purpose of the Comprehensive Development 7 Zone is to accommodate a mixed-use residential neighbourhood with a range of housing options and densities, with flexibility in permitted uses to allow for the option of Live-Work uses adjacent to Rocky Creek Road and to provide access to local commercial services for existing and future residents.

1. Principal Uses

- a) Artist Studio.
- b) Bakery.
- c) Coffee Shop.
- d) Commercial School.
- e) Community Care Facility.
- f) Convenience Store.
- g) Cottage Industry.
- h) Liquor Retail Sales.
- i) Media Production Studio.
- j) Micro-Brewery.
- k) Multiple-Unit Dwelling.
- l) Neighbourhood Pub.
- m) Non-Motorized Recreational Equipment Sales or Rental
- n) Office.
- o) Personal Service Establishment.
- p) Restaurant.
- q) Retail Sales.
- r) Single Unit Dwelling.
- s) Tourist Accommodation.
- t) Two Unit Dwelling.

- u) *Townhouse Dwelling*.
- v) *Veterinary Clinic*.

2. Accessory Uses

- a) *Coach House Dwelling*, as an *Accessory Use* to a *Single Unit Dwelling*, and subject to Part 6, Section 6.5.
- b) *Home Based Business*, subject to Part 6, Section 6.8.
- c) *Recreation Activity Space*.
- d) *Secondary Suite*, subject to Part 6, Section 6.4.
- e) *Urban Agriculture*.

3. Sizing and Dimensions of Parcels

- a) No *Parcel* for a *Single Unit Dwelling Use* shall be created which has a *Parcel Area* less than 372 square metres in area.
- b) No *Parcel* for a *Two Unit Dwelling Use* shall be created which has a *Parcel Area* less than 780 square metres in area.
- c) No *Parcel* for a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* shall be created which has a *Parcel Area* less than 2023 square metres.
- d) No *Parcel* for a commercial use shall be created which has a *Parcel Area* less than 668 square metres in area.
- e) No *Parcel* shall be created which has a *Frontage* of less than 12.19 metres.

4. Total Density of the Use of Land, Buildings and Structures

- a) For the *Parcel* legally described as Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), the maximum number of *Dwelling Units* is 282 in total.
- b) The maximum number of *Dwelling Units* permitted by subsection 17.7.4.a) applies despite any subdivision of the *Parcel* specified.
- c) For the purpose of calculating the maximum total density permitted by 17.7.4.a) and b), an *Accommodation Unit* for a *Tourist Accommodation Use* will be counted as a *Dwelling Unit*.

5. Size and Density of the Use of Land, Buildings and Structures

- a) For a *Single Unit Dwelling* section 10.4.4. "Size and Density of the Use of Land, Buildings and Structures" of Section 10.4 "Single Dwelling Residential – Small Lot B Zone (R-1-B)" shall apply.
- b) For a *Two Unit Dwelling* section 10.6.4. "Size and Density of the Use of Land, Buildings and Structures" of Section 10.6 "Old Town Residential (R-2)" shall apply.
- c) For a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* the *Floor Space Ratio* shall not exceed 2.0.
- d) For a *Parcel* created for a *Multiple-Unit Dwelling* or a *Townhouse Dwelling*, no *Building* or *Structure* shall exceed a *Parcel Coverage* of 50.0 percent.
- e) No commercial use on a *Parcel* shall have a *Gross Floor Area* greater than 200 square metres.
- d) Despite subsection 17.7.5.e) a maximum of one commercial use on the *Parcel* legally described as Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), may have a *Gross Floor Area* of no greater than 500 square metres. The maximum of one commercial use no greater than 500 square metres applies despite any subdivision of the *Parcel* specified.
- f) The combined *Floor Space Ratio* for all commercial uses on a *Parcel* shall not exceed 0.5.
- g) Commercial uses may only be located on the *First Storey* of a *Building*.
- h) Despite section 17.7.5(g) *Tourist Accommodations* may be located above the *First Storey* of a *Building*.
- i) A *Parcel* may contain more than one *Principal Building*.
- j) Despite section 17.7.5.(i) a *Parcel* for a *Single Unit Dwelling* shall not contain more than one *Principal Building*.

6. Siting, Sizing and Dimension of Uses, Buildings and Structures

- a) For a *Single Unit Dwelling* section 10.4.5. "Siting, Sizing and Dimension of Uses, Buildings and Structures" of Section 10.4 "Single Dwelling Residential – Small Lot B Zone (R-1-B)" shall apply.
- b) For a *Two Unit Dwelling* section 10.6.5 "Siting, Sizing and Dimension of Uses, Buildings and Structures" of Section 10.6 "Old Town Residential (R-2)" shall apply.

- c) For a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* section 10.10.5 "Siting, Sizing and Dimension of Uses, Buildings and Structures" of Section 10.10 "Medium Density Residential (R-3)" shall apply.
- d) Despite section 10.10.5.(a) a *Multiple-Unit Dwelling Building* shall not exceed a *Height* of 21.0 metres.
- e) Despite section 10.10.5.(d) no *Multiple-Unit Dwelling Building* shall be located closer than 6.0 metres from any *Parcel Line* that abuts a *Parcel* that contains a *Single Unit Dwelling* or a *Two Unit Dwelling*.

7. Landscaping and Screening

- a) *Landscaping* and *screening* shall be provided in accordance with Part 7: Landscaping and Screening Regulations.

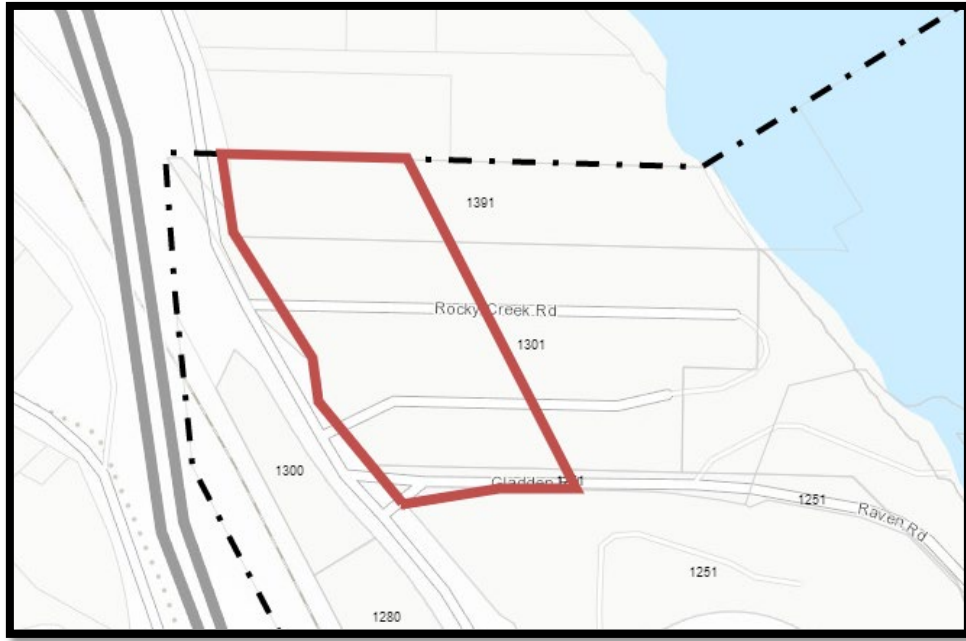
8. Parking and Loading

- a) Off-street parking and off-street loading shall be provided in accordance with Part 8 Parking and Loading Regulations.

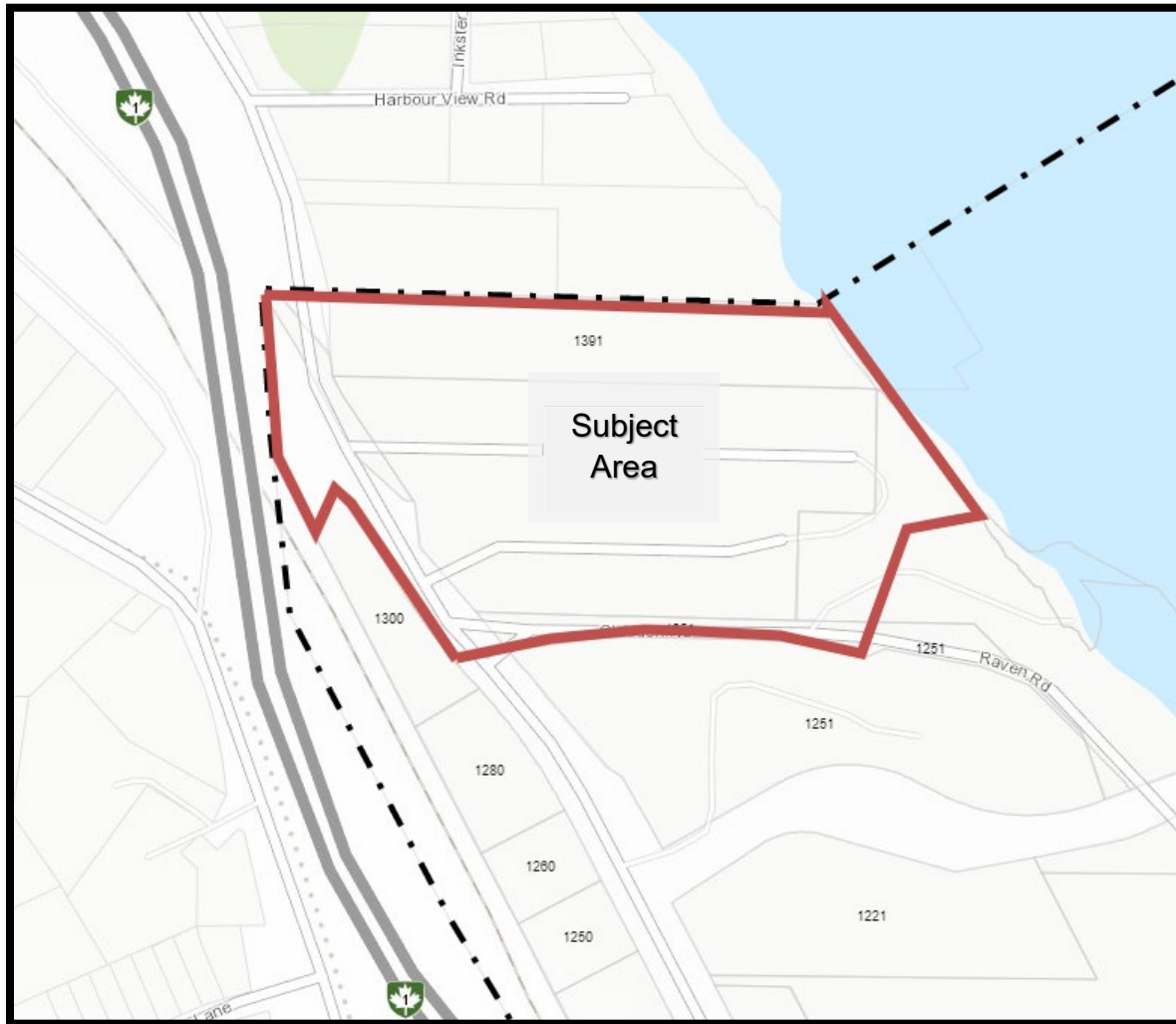
9. Additional Option for Live-Work Industrial Development

- a) For the portion of *Parcel* legally described as Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460), shown in Figure 17.7, the *Uses* permitted in the I-1A *Zone* are permitted in addition to the *Uses* listed in section 17.7.1 and 17.7.2, subject to meeting the requirements for: sizing and dimension of parcels; size and density of the use of the land, buildings and structures; siting sizing and dimensions of uses, buildings and structures; landscaping and screening; parking and loading; and, other regulations as provided in sections 12.1.3 to 12.1.8 of Section 12.1 "Live/Work Industrial (I-1A)".

Figure 17.7



Schedule 2



March 18, 2022

Rocky Creek Ventures Inc.
1890 Schoolhouse Road
Nanaimo, BC V9X 1T4

Attn: Mike Crucil, Director

Re: Rocky Creek Sanitary Sewer Main

Dear Mr. Crucil,

Cascara Consulting Engineers Limited is pleased to submit the attached summary memo regarding the Rocky Creek Road sanitary sewer main.

In this we identify the existing conditions, background information and capacity reports commissioned by the Town of Ladysmith, and discuss upgrades and timing of upgrades that are expected to be necessary.

Sincerely,

Cascara Consulting Engineers Limited



Charles D. Ramos, P.Eng., P.E.

SUMMARY CAPACITY MEMO for: ROCKY CREEK ROAD SANITARY SEWER MAIN

Prepared for:

Rocky Creek Ventures Inc.

Attn: Mike Crucil, Director

Prepared by:



Cascara Consulting Engineers Limited
206-335 Wesley Street
Nanaimo, BC V9R 2T5
Phone: (250) 591-7364

Submittal Date:
March 18, 2022

CCEL Project Number: 1055-004

A handwritten signature in blue ink, reading "Geoff Dean".

Geoff Dean, EIT.

A handwritten signature in black ink, reading "Charles D. Ramos".

Reviewed by: Charles D. Ramos, P.Eng., P.E.

Table of Contents

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1.0 Gladden Road Lift Station.....	2
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1.2 Projected Sanitary Sewer Design Flows	2
1.3 Approved Design	3
2.0 Flow from Stz'uminus First Nation	3
3.0 Flow from Existing Properties	3
4.0 Ludlow Lift Station	4
5.0 Total Wastewater Flow Projections	4
6.0 Conclusion	4

Introduction

This summary memo describes the existing and projected sanitary sewer infrastructure associated with the proposed development of 1301/1391 Rocky Creek Road. Wastewater from the proposed development will be directed to a new municipal sanitary sewer lift station located at the end of Gladden Road, which will direct wastewater to the Town-owned 200mm dia. PVC sanitary gravity main located in Rocky Creek Road.

In this memo, the flow to the Rocky Creek Road gravity sanitary main has been separated into three components: flow from the Stz'uminus First Nation, existing flows from properties along Rocky Creek Road, and flow from the proposed Gladden Road Lift Station. The Rocky Creek Road gravity sanitary main conveys wastewater to the Town-owned Ludlow Lift Station. This memo does not review the sanitary flows beyond the Ludlow lift Station.

This memo is only intended to be a summary of available information. The reports referenced should be reviewed for a more complete understanding of the existing and future wastewater flows.

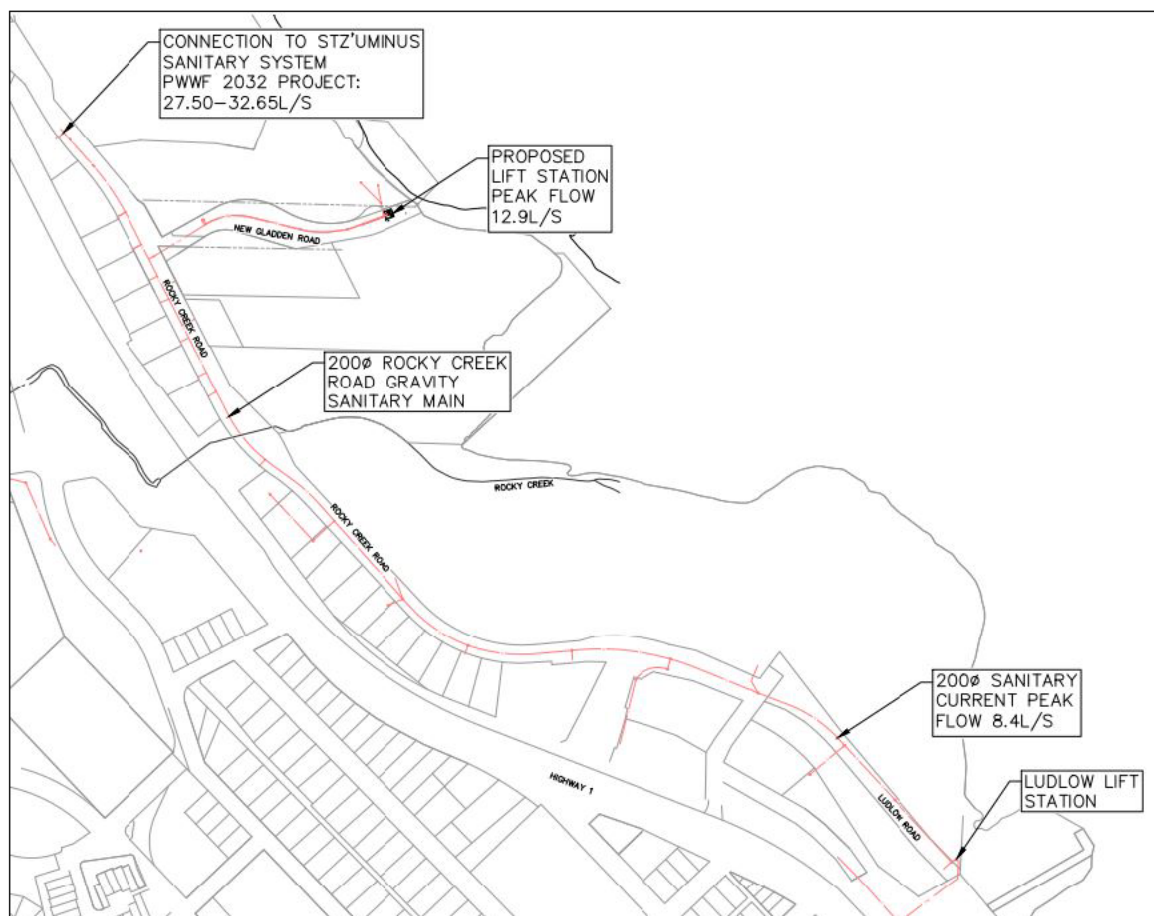


Figure 1 - Existing Rocky Creek Road Sanitary Main

1.0 Gladden Road Lift Station

1.1 Background and Existing Conditions

In 2020, a re-aligned Gladden Road was constructed, complete with a 200mm dia. gravity sanitary main and two smaller lines that are intended to be used as force mains with the proposed municipal pump station. The 100mm dia. and 50mm dia. force mains were installed along the same Gladden Road alignment.

The approved Gladden Road lift station is scheduled to be constructed in 2022, and will convey wastewater from the re-zoned 1301/1391 Rocky Creek Road, Oak Bay Marina and properties fronting the re-aligned Gladden Road to the sanitary sewer main on Rocky Creek Road.

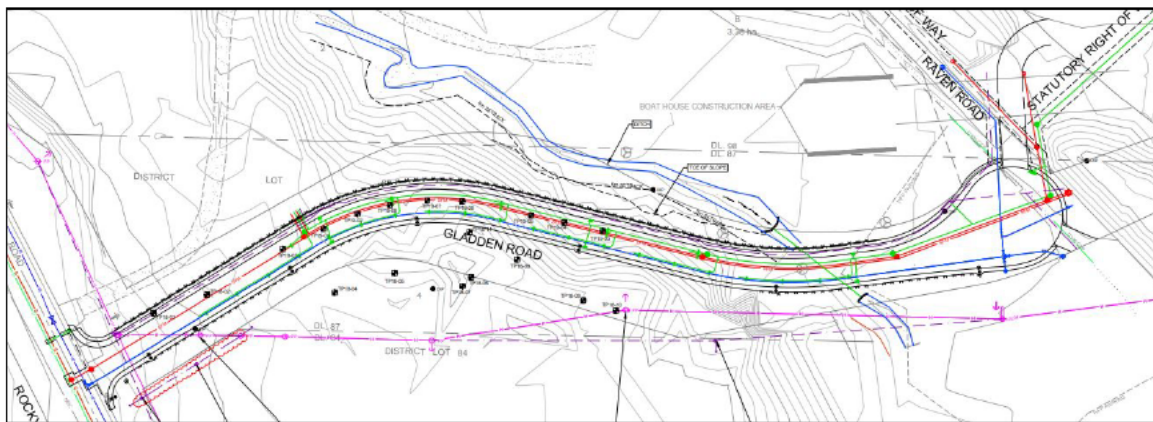


Figure 2 – Recently-installed Gladden Road Sanitary Sewer Infrastructure

Rezoning of 1301/1391 Rocky Creek Road is currently ongoing. The final layout of the development has not been determined; and the ultimate number of units included in the development will be determined after the re-zoning process is completed.

Design flows from Oak Bay Marina and properties fronting Gladden Road were provided by Oak Bay's design engineer: J.E. Anderson & Associates.

1.2 Projected Sanitary Sewer Design Flows

1301 and 1391 Rocky Creek Road are in the preliminary stages of development and undergoing rezoning at this time. Design flows from the site were determined using the proposed ultimate buildout.

1301 and 1391 Rocky Creek Road are a combined 4.69 Ha, it is assumed that the development will consist of 48 single-family lots, 210 units of multi-family housing, and 24 townhouses. Per Town standards, the single family lots were modeled with a design density of 2.8 persons per unit (ppu), while the multi-family units were modeled with a design density of 1.7 ppu. Therefore, the design population of this development is 532 people.

Accounting for infiltration and inflow, the average flow from 1301/1391 Rocky Creek Road will be 122.4m³ / day when the development is complete.

Using the Town of Ladysmith's sanitary sewer flow curve (Town of Ladysmith standard drawing S13) it was determined that the peak flow from 1301/1391 Rocky Creek Road will be 8.2 L/s when development is complete.

Information received from the adjacent Oak Bay Marine Group (OBMG), their design engineers, JE Anderson & Associates, provided projected peak design flows from the OBMG properties of 2.41 L/s. Therefore, the total peak design flow to the proposed municipal sanitary pump station is 10.6 L/s.

1.3 Approved Design

The Town-approved lift station will be located at the end of Gladden Road and is scheduled for 2022 construction. The lift station will pump through the existing, previously installed 100mm dia. PVC sanitary forcemain in Gladden Road, and outlet to the 200mm gravity sanitary main located in Rocky Creek Road.

The design pumps in the Gladden Road pump station will pump wastewater at a rate of 12.9L/s to Rocky Creek Road.

2.0 Flow from Stz'uminus First Nation

Wastewater from the Stz'uminus First Nation (SFN) connects to the Town's sewer system at a manhole near 1301/1391 Rocky Creek Road. The projected flows from the SFN are expected to exceed the capacity of the Town's existing sanitary sewer in Rocky Creek Road at full SFN buildout.

In 2012, the Town of Ladysmith retained Opus DaytonKnight (ODK) Consultants Ltd. to assess the *Ludlow Sewage Lift Station and Capacity Expansion Options*. The summary ODK memo review of a report completed by McElhanney Consulting Services Ltd. (MCS) for the the SFN: *Off-Site Sewer Capacity Analysis in the Town of Ladysmith*. The MCS report detailed future flows from the Stz'uminus First Nation to the Sanitary Main located in Rocky Creek Road. The report also outlined several options to accommodate future flows.

The MCS report outlined planning projection for wastewater demands. The 2032 projected peak flow was calculated as 32.65L/s using MMCD standards and 27.50L/s using Ladysmith design standards.

We do not have any information regarding the current state of buildout, or wastewater flows, from the Stz'uminus First Nation, or information regarding the current accuracy of the 2012 planning projection.

3.0 Flow from Existing Properties

Noted in the MCS report is a peak wastewater flow from the existing properties serviced by the Rocky Creek Sanitary Main of 8.4L/s.

We have no further information on the accuracy, or any variation, from this reported 2012 flowrate.

4.0 Ludlow Lift Station

Wastewater from the Rocky Creek Road gravity sanitary main outlets to the Ludlow Lift Station. As per the MCS report, the lift station consists of a 2.4m dia. wet well with 2-10HP Myers VC pumps, capable of pumping 15L/s. These pumps appear inadequate to handle the existing peak flows from Rocky Creek Road.

Our understanding from discussions with the Town is that the Ludlow lift station is scheduled for upgrades in late 2022.

5.0 Total Wastewater Flow Projections

The MCS and ODK reports noted that the existing 200mm Rocky Creek Road sanitary main would require capacity upgrade to a 300mm sanitary main to handle projected flowrates. The timing of the requirement is dependent of the pace of development at the Stz'uminus First Nation.

Table 1 outlines the peak flows from the Gladden Road Pump Station, the Stz'uminus First Nation and the existing Rocky Creek Road properties. Table 2 outlines the capacity of a PVC sanitary main at 0.8%, which is the average grade of the Rocky Creek Road sanitary main.

	Peak Flow (L/s)
Gladden Road Pump Station	12.9
Stz'uminus First Nation – 2032 Planning Projection – T.O.L. Standards	27.5
Existing Rocky Creek Road Properties	8.4
Total	48.8

Table 1 – Calculated Peak Wastewater Flows

	Full Capacity (L/s)	MMCD Recommendation* (L/s)
Capacity of 200Ø PVC at 0.8%	29.3	25.1
Capacity of 300Ø PVC at 0.8%	86.5	74.1
*MMCD Design guidelines recommend that at peak flow d/D should not exceed 0.8		

Table 2 - Pipe Capacity

6.0 Conclusion

The development of 1301/1391 Rocky Creek Road will increase the flow in the 200mm dia. Rocky Creek Road sanitary main. The expected, and we understand planned, pipe size upgrade within Rocky Creek Road by the Town of Ladysmith will provide capacity to convey all projected flows to the Ludlow pump station. The current sanitary sewer line appears undersized for projected future flows.

Committee of the Whole Recommendations to Council May 17, 2022

At its May 10, 2022 meeting, the Committee of the Whole recommended:

1. That Council authorize staff to install a crosswalk on Malone Road at a safe location, as identified by staff.



COMMITTEE OF THE WHOLE MEETING

MINUTES

Tuesday, May 10, 2022

6:30 P.M.

City Hall Council Chambers
410 Esplanade

Council Members Present:

Councillor Tricia McKay, Chair

Councillor Amanda Jacobson

Councillor Rob Johnson (via telephone)

Councillor Duck Paterson

Councillor Marsh Stevens (via telephone)

Councillor Jeff Virtanen

Council Members Absent:

Mayor Stone

Staff Present:

Allison McCarrick

Erin Anderson

Chris Barfoot

Ryan Bouma

Jake Belobaba

Donna Smith

1. **ACKNOWLEDGEMENT AND CALL TO ORDER**

Councillor McKay, Chair, called this Committee of the Whole meeting to order at 6:31 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 2022-019

That the agenda for this May 10, 2022 Committee of the Whole meeting be approved.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held March 8, 2022

CW 2022-020

That the minutes of the Committee of the Whole meeting held March 8, 2022 be approved.

Motion Carried

4. REPORTS

4.1 Building Inspector's Report for January to April 2022

CW 2022-021

That the Committee receive the Building Inspector's Report for the months January to April 2022.

Motion Carried

4.2 Ladysmith Fire/Rescue Reports for January to April 2022

CW 2022-022

That the Committee receive the Ladysmith Fire/Rescue Reports for the months January to April 2022.

Motion Carried

4.3 Coastal Animal Control Services Reports for January to March 2022

CW 2022-023

That the Committee receive the Coastal Animal Control Services Reports for the months January to March 2022.

Motion Carried

4.4 RCMP Reports for October 2021 to March 2022

CW 2022-024

That the Committee receive the RCMP Reports for the months October 2021 to March 2022.

Motion Carried

4.5 2022 Q1 (January to March) Financial Update

CW 2022-025

That the Committee receive the staff report dated May 10, 2022, regarding the 2022 Q1 Financial Update.

Motion Carried

4.6 Grants-in-Aid Policy and Process

CW 2022-026

That the Committee direct staff to prepare a report on Grants-in-Aid Policy, including research from similar municipalities, for consideration at a future Committee of the Whole Meeting.

Motion Carried

5. COUNCIL SUBMISSIONS

5.1 Drought Resistant Plants in Planter Boxes on 1st Avenue

CW 2022-027

That the Committee direct staff to prepare a report for consideration at a future Committee of the Whole meeting that outlines the options and budget to replace flowers in planter boxes on 1st Avenue for the 2023 planting season with drought resistant plants and/or vegetables.

Motion Carried

5.2 Adding a Crosswalk on Malone Road Behind the Track at Ladysmith Secondary School

CW 2022-028

That the Committee of the Whole recommend that Council authorize staff to install a crosswalk on Malone Road at a safe location, as identified by staff.

Motion Carried

5.3 Recreational Vehicles as Temporary Housing

The Committee discussed recreational vehicles as temporary housing.

7. ADJOURNMENT

CW 2022-029

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)

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: May 17, 2022
Re: 4th Avenue Reconstruction – Tender Results

RECOMMENDATION:

That Council direct staff to:

1. Cancel Tender 2022-IS-01 for the 4th Avenue Improvement project; and
2. Issue a new tender for the 4th Avenue Improvement project with a completion date of late 2023.

EXECUTIVE SUMMARY:

The 4th Avenue Improvement project Tender 2022-IS-01 recently closed with two bids, both of which were significantly over the original budget of \$1,880,000. The lowest bid was for \$2,589,906.00 plus GST and contract administration, resulting in an \$839,401.30 shortfall between the budgeted amount and the bid.

Staff surmise the higher than expected cost is related to the short construction schedule and escalating construction costs, and recommend reissuing the tender in order to extend the construction schedule to a more manageable timeline. Staff anticipate the extended schedule will attract more bidders and result in a more reasonable price.

PREVIOUS COUNCIL DIRECTION:

CS 2022-021	2022-01-25	That Council direct staff to include in the 2022-2026 Financial Plan the 4th Avenue Improvement Project (Root Street to White Street) at a cost of \$1,880,000, with the additional funding to come from the Water Reserve for \$300,000 and the Gas Tax/Canada Community Building Fund up to \$158,000.
-------------	------------	--

INTRODUCTION/BACKGROUND:

The 4th Avenue Improvement Project budget of \$1,880,000 was approved by Council at its January 25, 2022 meeting. The Town put the project out to tender via BC Bid with an expectation that the project would be completed by the end of November 2022.

At the close of the tender, the following bids were received:

Contractor	Base Price	GST	Total
Copcan Civil Ltd.	\$2,589,906.00	\$129,945.30	\$2,719,401.30
IWC Excavation Ltd.	\$2,758,498.14	\$137,924.91	\$2,896,423.05

Herold Engineering, who prepared the tender on behalf of the Town and provided the original estimate, provided a review of the tender submissions and found that both bids were compliant and generally consistent with each other. At this point, the tender is still active and the Town has several more weeks to either cancel the tender or award a bidder.

The lack of bidders and consistency of each bid indicates that the prices are realistic, but high due to market pressures. Recent correspondence with contractors on various projects have informed staff that surface works (concrete curbs, asphalt, sidewalks, etc.) and scheduling are driving the high prices.

The tender results and research have informed the following options and staff recommendation:

1. Retender with a longer completion date.
2. Increase the Budget and proceed with the Copcan Civil Ltd. bid.
3. Reduce the scope and partially increase the budget.
4. Reallocate the funds to another project.

1. Retender the project with a different completion date (*recommended*)

Projects with a condensed schedule, particularly over the summer months, tend to be higher cost. The recent feedback from contractors indicates that schedule is the primary driver behind the unexpected high bids. The project could be retendered to allow a summer/fall **2023** completion date. This may attract more bidders that were not able to bid due to prior commitments, reduce prices, and allow funds to be used from both the 2022 and 2023 financial years. The project would be tendered with the same scope of work, unless Council wished to create a hybrid of reduced scope and schedule extension.

This is the staff-recommended option as the costs can be spread over two years and the scope will remain intact. Staff are concerned that a long schedule duration would have an impact on residents, so staff would work with the consultant to include stipulations in the tender to mitigate this issue. Staff would also explore road closures with emergency services to further reduce costs and reduce driver interaction with construction crews.

2. Increase the Budget by \$1,000,000

There is an \$839,401.30 shortfall between the budgeted amount and the tender price; however, additional funds will be required for engineering review, contract administration, and potential changes to quantities (common in road work). There is the option of using an additional \$1 million from the Gas Tax reserve, as there is an expectation that there will be \$1.1 million in the reserve by the end of 2022. These funds could be used to make up the budget requirements. By doing so, the expansion to Lot 108, beyond the current work proposed in 2022 consisting of the practice pitch, accessibility walking path and parking lot design would be put on hold. In addition, any

other road improvement would not occur until the Gas Tax (Canada Community Building Fund) program is renewed.

Although this option is the most direct way of completing the project, staff believe the Town would be paying a premium for a condensed schedule. The advantage to such a condensed schedule is the reduced impact to residents and commuters.

3. Reduce the scope of the project and partially increase the budget

The current project was to span from Root Street to White Street, including a roundabout at Belaire and upgrades to underground utilities. Staff could work with the consulting engineer to revise the scope of work to reduce overall costs. Without significant reduction to the scope of the project, it is unlikely that the budget would be met, therefore an increase to the budget would be required. Without knowing the changes to the project, it's not possible to know how much of a budget increase would be necessary. Staff would return to Council and request the increase once the tender closes.

This option is not recommended as there would be redesign costs, the project would be delayed (potentially into winter and paving wouldn't be possible), the project scope would be less desirable, and staff believe the Town would be paying a premium for a condensed schedule.

4. Reallocate the funds to another project

The Town is continually facing infrastructure demands. There are several existing capital projects that could be accelerated if the funds were reallocated.

This option is not recommended as it does not solve the issue with 4th Avenue reconstruction. Funds will again need to be reserved to eventually complete the project.

ALTERNATIVES:

Council can choose to:

1. Direct staff to execute Option 2 and award the tender to Copcan Civil Ltd.
2. Direct staff to reduce the scope of the project and reissue the tender.
3. Cancel Tender 2022-IS-01 and reallocate the funds to another project.

FINANCIAL IMPLICATIONS:

The funding for the \$1,880,000 came from the following sources:

Gas Tax	\$ 398,930
Carry Forward	923,970
Development Cost Charges	257,100
Water reserves	300,000

Staff anticipate that the recommended option (retender with different completion date) will result in receiving bids closer to the budgeted amount.

LEGAL IMPLICATIONS:

Tender 2022-IS-01 is still active at this time, therefore the Town must notify bidders of cancellation or award by June 27, 2022. Cancellation of the tender must only be carried out in specific situations, of which being over budget is an allowable reason.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is understood that the community is hopeful to see 4th Avenue reconstructed and that a delay will be frustrating. Additionally, construction dust, noise, and traffic control will have significant impacts on residents who live in the area or use 4th Avenue for commuting. Efforts will be made to mitigate impacts and provide advance notice of the contractor's activities.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Infrastructure Services has worked with Finance to prepare the above options. When the project proceeds, our communications team will actively update the community on activities, timelines, road closures, and service interruptions.

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 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

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: May 17, 2022
Re: **Organic Infrastructure Program – Compost Facility Addition**

RECOMMENDATION:

That Council:

1. Support a grant application to the Organic Infrastructure Program for the purposes of adding capacity to the Town compost facility;
2. Commit to operating and maintaining the facility until at least 2034;
3. Direct staff to include in the 2022-2026 Financial Plan the Composting Facility Upgrade for \$1.5 million in 2023 with the Town's portion of \$500,000 to come from Sewer Capital and Sewer Operating Reserves; and
4. Commit to cover any unexpected ineligible costs and project overruns.

EXECUTIVE SUMMARY:

The BC Organic Infrastructure Program (OIP) has announced funding for projects that:

- Increase organic waste processing capacity in BC.
- Support the diversion of organic waste from Landfills.

The Town's current compost facility has seen increased demands over the past 3 years due to increased sludge production. Untreated compost has been diverted to other facilities on Vancouver Island to mitigate overwhelming the plant. Staff would like to make application to the OIP to fund an addition to the existing facility, as recommended by Transform Compost Systems, the Town's consultant for our compost facility. The project cost is anticipated to be \$1.5 million.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

Population growth, secondary treatment at the waste water treatment plant, and the new water treatment plant have contributed to increased load on our compost facility. During the cooler winter months, the facility is unable to produce a suitably processed product at a rate that keeps up with incoming material. Material that has not cured enough to suitably kill pathogens cannot leave the facility, except to another licensed disposal or compost facility. Approximately three truck loads per week are diverted to these other facilities during the

winter.

In a letter from Transform Compost Systems (Attachment A) it was recommended that the Town consider adding an aeration bunker to pre-treat the material prior to moving it into the normal processing channels. Similarly sized and functioning facilities such as the Comox Valley Regional District compost facility, have this aeration system. It is understood that a similar pre-treatment system was contemplated in the original design of the facility, but budget constraints removed it from the scope of work based on the smaller volumes of sludge at the time.

Staff are working on conceptual designs and cost estimates. Preliminarily, the project cost is anticipated to be \$1.5 million. In order to qualify for the OIP funding, the Town must commit to one third (\$500,000) of the project costs. Efforts are being made to reduce the overall cost of this project, but detailed costs won't be known until further design has been completed.

The grant application is due June 3, 2022 and the project must be complete by March 31, 2024. Staff would budget this expenditure for the 2023 financial year.

ALTERNATIVES:

- Not apply to the Organic Infrastructure Program.
- Consider another project as directed by Council.

FINANCIAL IMPLICATIONS:

If successful, this grant will fund a large portion of the facility upgrade. Staff are recommending using Sewer Capital and Sewer Reserves to fund the \$500,000 Town portion of the project.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

If approved, Infrastructure Services and Finance will work to complete the grant application. Infrastructure Services will lead this project if the grant funding is successful.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

- | | |
|---|--|
| <input type="checkbox"/> Complete Community Land Use | <input type="checkbox"/> Low Impact Transportation |
| <input checked="" type="checkbox"/> Green Buildings | <input type="checkbox"/> Multi-Use Landscapes |
| <input checked="" type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input 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. Transform Compost Systems letter - Biosolids Composting Strategies



ATTACHMENT A

Transform Compost Systems

turning waste into an opportunity

Biosolids Composting Options – Town of Ladysmith

January 25, 2022

Introduction

The Town of Ladysmith operates an enclosed composting process for the biosolids produced from their community. It consists of two aerated channels, where the biosolids are blended with wood chips, aerated and mixed as a compost turner moves the material along the length of the channel.

The biosolids are typically blended with wood chips at a ratio of approximately 4 to 1 by volume. This ratio is required to reduce the moisture content of the biosolids mixture to 60-65%. Most of the wood chips are screened after the composting process and recycled by blending with fresh biosolids.

The heat produced from the composting process kills the potential pathogens, and drives off significant amounts of moisture, allowing the product to be screened efficiently (removing the wood chips) after the composting process.

During the fall of 2020, the volume of biosolids increased because of the input of additional material from the water processing facility. Two notable changes occurred:

1. The volume of biosolids doubled, and
2. The potential energy in the biosolids decreased. The potential energy decrease was noted by the decrease in temperatures of the material in the channel, as well as independently by Transform in March 2021, after observing the blended biosolids in a 1m³ aerated and insulated composting box.

The impact of the change in volume and energy of the biosolids is twofold:

1. The volume increase results in a requirement to mix and move (using the compost turner) the composting biosolids nine times per week, with a two week residence time in the channel, and
2. The decrease in energy combined with the increased turning prevents the temperature in the composting material from rising enough to kill potential pathogens, and remove moisture.

During the summer months, the temperature increase during composting and the amount of drying appears to be just adequate for a successful composting process.

During the winter months, the ambient air temperature is lower which impacts the ability of the composting material to achieve the required temperatures, especially because the material has to be mixed so often to move it along the channel.

During the winter of 2021, and again this winter, the biosolids composting is not working. The lack of temperature development has two implications:

1. The biosolids mix remains very wet, resulting in excess moisture moving downward, blocking the pores in the wood chip layer below the composting material, resulting in blocking upward

movement of air.

2. The wet composting material remains very sticky, which increases the time required for the turner to pass through the channel. The time required for one pass of the turner has increased from less than 2 hours in the summer to more than 8 hours currently.

Mike Brown, Shane Lassam and John Paul had a telephone conversation on January 21, 2022 to review and brain storm solutions. We reviewed the situation as described above, and noted one additional observation. The biosolids, although they do have less energy than previously, are still able to achieve high temperature as observed from the biosolids temporarily stored in the compost facility before mixing and composting

Based on this observation, we explored the potential of mixing the biosolids with wood chips and aerating them in a bunker for 1-2 weeks before moving them into the channels. This would allow the biosolids to heat up and allow some of the moisture to be removed, allowing a more successful composting process in the channels.

The initial composting in an aerated bunker before moving the product into aerated channels is similar to the process that the Comox Valley Regional District uses, and was one option proposed when the new Town of Ladysmith facility was being designed.

The additional benefit is improved overall health and safety in the composting space in that the primary odour and air quality concern occurs during the first week of the composting process.

We explored how this could potentially be achieved by extending the length of the composting building to accommodate at least two aerated bunkers and a mixer.

The estimated volume of material to be composted is approximately 200 cubic meters weekly. An aerated bunker large enough to accommodate one weeks production of biosolids would be an estimated 7.6 m (25 ft) wide, 2.4 m (8 ft) high, and 10 m (34 ft) long.

A minimum of two of these aerated bunkers would be required to allow for the 1-2 week composting process. After this preliminary aerated process, the material can be moved into the channel and further composted. The moisture content is expected to be significantly lower, the temperatures would be high enough to achieve potential pathogen kill, and the turner should be able to turn the material more efficiently.

Report prepared by John Paul, PhD PAg.

BYLAW STATUS SHEET
May 17, 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.

LADYSMITH CHAMBER
**MEMORIAL
GOLF
CLASSIC**

FRIDAY, JUNE 17, 2022
COTTONWOOD GOLF CLUB



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LARRY INGRAM

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STALKER
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May 2022

Dear Business Owner,

On behalf of the Ladysmith Chamber of Commerce we would like to invite you to Participate and/or consider becoming a Sponsor of the Ladysmith Chamber's Annual Memorial Golf Classic. We are happy to recognize the Ladysmith & District Credit Union as this year's Title Sponsor. Stalker Excavating will be our Memorial Sponsor honoring Larry Ingram who was a longtime employee. Partial proceeds of the tournament will be going to Diabetes Canada in honor of Larry.

Sponsorship choices literally cover the golf course and businesses can adopt the level which best suits their needs. A Sponsor Package is attached detailing the benefits of each level of sponsorship.

The Annual Golf Classic, which is the marquee fundraising event for the Chamber, is one of the most unique marketing opportunities that the Chamber offers. It dollar-for-dollar may be one of the best marketing investments you can make this year. The Tournament is held each June and brings together close to 100 business and government leaders to golf, network, win prizes, bid on fabulous auction items and of course to have loads of fun.

Please join us on June 17th, 2022 at Cottonwood Golf Course for the Ladysmith Chamber's Annual Memorial Golf Classic and make sure your business is well represented.

Thank you,

Ladysmith Chamber of Commerce

Golf Committee: Cheri Mactier, Kara Olson, Andrea Rosato Taylor, Trent Kaese

Staff: Jacquie Chellew, Interim Executive Director & Millie Stirling, Economic Recovery Coordinator.

Ladysmith Chamber Memorial Golf Classic

In Honor of Larry Ingram

SPONSOR PACKAGES

TITLE SPONSOR - \$3,000

- Exclusivity: Only one title sponsor for event and similar businesses will be excluded from being a Tournament Sponsor as defined below.
- Naming rights: Dominant brand/logo presence at registration and reception, on all tournament advertising including website, social media, posters and print media advertising.
- Chamber membership upgrade: includes a free Chamber membership for one year, an upgrade to an enhanced membership listing, and a featured listing on the Chamber home page for a minimum of 6 months.
- Opportunity to address guests during reception.
- One Hole Sponsorship with opportunity to set up a kiosk at your hole to promote your business.
- 4 Golfers including dinner.
- Signage on 2 golf carts.
- Recognition in the golf program and awards ceremony.
- Post-event recognition - thank you in the newspaper, newsletter, website etc.
- First right of refusal for the following year.

Tournament Sponsor - \$1,000

- Exclusivity: similar businesses are excluded from being a Tournament Sponsor.
- Brand/logo recognition in the golf program, awards ceremony and tournament advertising (secondary priority/emphasis to Title Sponsor).
- One Hole Sponsorship with opportunity to set up a kiosk at your hole to promote your business.
- 2 Golfers including dinner.
- Post-event recognition - thank you in the newspaper, newsletter, website etc.

Hole Sponsor - \$200

- Brand/logo recognition on one hole on golf course with opportunity to set up a kiosk at your hole to promote your business.
- Recognition in the golf program and awards ceremony.
- Post-event recognition – thank you in the newspaper, newsletter, website etc.

Cart Sponsor - \$50

Cart Fleet Sponsor - 5 for \$200

- Brand/logo recognition on 1 golf carts per sponsorship.
- Recognition in the golf tournament program,
- Post-event recognition - thank you in newspaper, newsletter, web etc.

Prize Sponsor

- Donate a product or service for use as door prize and/or auction item.
- Includes recognition in the golf tournament program and during auction/prize announcements.
- Post-event recognition - thank you in newspaper, newsletter, web etc.



**Ladysmith Chamber Memorial Golf Classic
In Honor of Larry Ingram
Cottonwood Golf Club, Friday, June 17th, 2022
Registration / Sponsorship Form**

Company Name:	
Contact Name:	Email:
Address:	
Postal Code:	Phone:

Check appropriate level of Sponsorship if Sponsoring:

- ☐ Title Sponsor - \$3000
☐ Tournament Sponsor - \$1000
☐ Hole Sponsorship - \$200
☐ Cart Sponsorship - \$50
☐ Fleet Cart Sponsorship – 5 for \$200
☐ Prize Sponsorship/Live Auction: Item: _____

TEAM/GOLF REGISTRATION

Golf & Dinner \$150 per person Includes GST

Golf & Dinner package includes 18 holes of golf, cart, and a Roast Beef dinner. (Dinner only: \$50).

Number of Golfers: _____ Number Dinner Only (include name/s) _____

TEAM MEMBER NAMES	Special Dietary Considerations

METHOD OF PAYMENT	CREDIT CARD INFORMATION
Card Type: Visa or MC	Card #
Cheque Enclosed	Expiry Date:
Request Invoice to be sent to:	CVV#:
Email:	Name on card:

SEND YOUR ENTRY TO: LADYSMITH CHAMBER OF COMMERCE
 PO BOX 598 33 ROBERTS STREET, LADYSMITH, BC. V9G 1A4 –
 PHONE 250-245-2112 – FAX 250-245-2124 OR EMAIL: admin@ladysmithcofc.com
[OR REGISTER ONLINE AT WWW.LADYSMITHCOFC.COM](http://WWW.LADYSMITHCOFC.COM)



Ladysmith Chamber Memorial Golf Classic In Honor of Larry Ingram

Tournament Rules

General Rules:

- The first (and most important) rule of golf is to leave the course in as good a condition as you found it. Please replace divots, repair ball marks on the greens, and rake sand traps.
- Please consider the other golfers on the course.
- Play without delay - be sure to keep up with the group ahead of you.
- To keep up the pace of play at any point should the group be 2 over par on any given hole, please pick up and proceed to the next tee box. Record the score of 2 over par.
- Power carts must remain 20 feet from tees and greens.
- No coolers.

18-Hole Scramble Rules:

- Tees: Ladies = red / Mens = white
- All players tee off, pick the best ball of the four and play from that spot. All players hit again, pick the best ball and continue procedure until the ball is holed out.
- Events on the course to watch for:
 - Ladies Long Drive #3 (Drive must land on fairway)
 - Men's Long Drive #16 (Drive must land on fairway)
 - Ladies Closest to the Pin #8
 - Men's Closest to the Pin #5
 - \$5000 Hole in One (49th Parallel Grocery) #2
 - TBD Hole in One(A&W) #5
 - \$10,000 Island Savings a Division of First West #17
 - Putting Competition (Cottonwood Golf Course) on Putting Green
- **Have Fun ☺**

From: Shelley Cook <shelley.cook@cowichanhousing.com>

Sent: May 3, 2022 3:41 PM

Subject: UBCM Grant Funding - Resolutions required for regional grant submission

Good day,

On behalf of the region, the Municipality of North Cowichan recently submitted a grant application (A Place for Everyone to Call Home) to the UBCM Strengthening Communities' Services Fund 2022. As a regional application, we require your support for this project through the provision of the recommended motions (see below).

The purpose of 'A Place for Everyone to Call Home' is to develop a coordinated, post-pandemic, regional response that builds on lessons learned through Covid 19, works within a collective impact framework, and is guided by the social determinants of health. The application supports the development of two day-time service centres (separate centres for women and men) that will provide support, a point of contact into the service system, and a place for unsheltered people in the area to be during the day. Currently, there is well over 100 unsheltered individuals in the Cowichan Valley. As can be typical with unsheltered populations, they gravitate to the core of the region. This creates difficulties for businesses and residents in the area who are challenged to manage the impacts of street homelessness in their neighbourhood and surrounding community. These day-time service centres will be located within Duncan and will be attached to existing homelessness and related services sites to ensure that they will fit well in the community. In addition, the funding will also support a position to help plan and do the work necessary to implement a post-covid homelessness response for the region.

There are two documents attached for your information/review. The first document is the report written for the Municipality of North Cowichan regarding the application, and the second is a summary of the proposed project.

Recommendation:

That Council approves the submission of a regional application by the Municipality of North Cowichan for the UBCM Strengthening Communities' Fund 2022.

And further,

That Council approves the primary applicant to apply for, receive, and manage the grant funding on their behalf.

Thank you in advance for your assistance. Please do not hesitate to contact me if you have any questions.

Kind regards,

Shelley Cook, PhD (she/her)
Executive Director
Cowichan Housing Association

Report

Date April 20, 2022

File:

Subject Cowichan Housing Association Grant Application

PURPOSE

To consider the submission of a regional grant application on behalf of the Cowichan Housing Association.

BACKGROUND

Late on April 14, 2022 staff received an email asking that Council consider submitting a regional application with a deadline of April 22 on behalf of the Cowichan Housing Association (CHA) to the Strengthening Communities Services Grant program administered by UBCM. As a community driven project, the CHA Board also needs to consider taking the lead and will do so at their meeting on April 21, 2022. With the tight timelines, North Cowichan is being asked to consider this request in advance of this decision.

The grant, totalling \$600,000, would provide semi-permanent daytime shelter options and the basics of day shelter plus warming and cooling spaces for the unsheltered homeless population. This would build on the services being provided through the grant application North Cowichan submitted for the temporary shelter spaces and services on Trunk Road.

DISCUSSION

The previous grant application that North Cowichan submitted on behalf of the CHA was taken on because the Cowichan Valley Regional District (CVRD) did not have the capacity. Each year, the CVRD requisitions on behalf of the CHA and receives a small administrative fee (\$6,000) for this work; however, they have declined to submit the grant application.

The grant does address some of Council's objectives through the Community Safety Response Model Gap Analysis and the Community Safety Plan and is aligned with regional objectives.

There are costs associated with North Cowichan taking this on. There are the direct staff costs related to submitting the grant, signing the agreement, establishing a funding agreement with the CHA, making sure all of the paperwork is done, etc. There are also costs associated with receiving the funds, making the transfers to the CHA and ensuring that our auditors review transactions. By submitting the grant application, we take on liability and responsibility for the grant.

OPTIONS

(Staff are not providing a recommended option)

THAT Council *[choose either option 1 or option 2]*:

- (1) direct staff to work with the Cowichan Housing Association to submit a grant application to

the Strengthening Communities Services Program in an amount up to \$600,000;

AND THAT, should the application be successful, the Cowichan Housing Association be required to enter into an agreement with the Municipality of North Cowichan with respect to the use of the funds.

- The grant application does align with Council's objectives by providing needed services. In order to qualify for the requested amount of grant funding, resolutions would be required from the CVRD, City of Duncan, Town of Ladysmith and Town of Lake Cowichan naming the Municipality of North Cowichan as the primary applicant. Should any of these parties not agree to the resolution, the application would need to be amended to fall within the authorized funding limits.
- (2) not support the Municipality of North Cowichan as the primary applicant for the Cowichan Housing Association's Strengthening Communities Services Program grant application.
- Should one of the other local governments agree to be the primary applicant, North Cowichan would likely be asked to pass a resolution authorizing that local government to be the primary applicant. This is necessary as only one application per local government is permitted under this program.

IMPLICATIONS

All grant applications come with costs. Staff time and effort are required to review and submit grant applications, process and forward payments, review, and submit progress and final reports. It is impossible for staff to estimate the cost that would be incurred for this application; however, the benefits to the region should be considered in conjunction with these costs.

The resolution does include the requirement for CHA to sign an agreement with the Municipality with respect to the use of the funds to help limit the liability of the Municipality.

RECOMMENDATION

THAT Council *[choose either option 1 or option 2]*:

Report prepared by:



Talitha Soldera, CPA, CGA
Director, Financial Services

Report reviewed by:



Sarah Nixon
Deputy Chief Administrative Officer

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments: UBCM April Proposal Brief Enhancing Services Grant Outline from CHA

UBCM Enhancing Services Grant

A Place To Be

Activities

1. To provide daytime warming and cooling spaces for unhoused people.

Current shelter policies require unhoused people to leave sites during daytime hours and people have nowhere to be resulting in disruption to businesses and in public spaces throughout the region. In some cases, this looks like RV's or vehicles camped on roadsides, in others, tents outside of businesses and congregations of people set up in public spaces. Altercations with bylaw business and the public are ongoing concerns with people when they simply have no where to go. In addition to the norm of freezing temperatures in the winter months, we are now faced with a growing number of extreme weather events including wind storms, flooding, smoke from forest fires, and over the past year learned new terms due to heat domes and atmospheric rivers. During the times of these events, unsheltered people are often left with little to no daytime shelter options.

This project is intended as a pilot to provide semi-permanent daytime shelter options that can be moved if required and will provide the basics of day shelter plus provide warming and cooling spaces.

- One daytime space for vulnerable women supported by Cowichan Women Against Violence
 - One daytime space for general unhoused population
 - At these spaces people will be provided with a place to be between the hours of 8:30 am and 4:30 pm 7 days per week that will provide washrooms, shade and cooling in the summer and heat in the colder months. It will serve as a place for people to keep warm and will allow outreach teams and health care providers and service providers a place to directly connect with unsheltered people during daytime hours.
 - The space will be staffed with two people onsite plus one security position.
 - This will enhance the safety of vulnerable community members and will positively impact both businesses and residents as vulnerable unhoused people will have a place to go during the day to have their basic needs met.
 - Provide access to washrooms and hand washing stations
2. Provide a coordinating position oversee planning, staffing at the daytime shelters and provide facilitation of the Cowichan Homelessness post covid task force to coordinate to look for permanent locations for shelter, land site, transition work etc. Coordinator will work with business to mitigate concerns, would plan anti stigma workshops and presentations and work with peer coordinators to enhance relations in the community.
 3. To assist Cowichan Women Against Violence to renovate a kitchen at the women's shelter to support the ability to be able to provide food for women accessing services.
 4. To provide laundry passes for unhoused people to reduce the amount of discarded clothing in the region.

Outcomes

- Less people will be on the streets where currently there are NO options
- Increase safety in neighbourhoods
- Decrease negative interactions with bylaw
- Decrease stigma
- Help alleviate mental health and wellbeing of community and unhoused people
- Reduction of feces, urination and public spaces being used for washrooms
- Decreased garbage
- Decrease number of instances of open drug use
- Concerns about impact of toxic brain injury and anoxic brain injury from poisoned drug supply resulting in unpredictable behaviours could be reduced by providing people a place to go
- Improved coordination between partners
- Providing a gathering place where service providers can work together but also have access to individuals
- CWAV- CMHA- allows them time to develop shared responsibilities amongst organizations and determine how to develop shared service delivery model.
- A “doer” to follow up on action items. Facilitate coordination of partners to continue to develop the community strategy with identified needs and priorities

Estimated Budget is 600,000

This funding is meant to enhance the funding for the Village project by providing some of the basic services to the remaining approx. 83 people in our region who remain unhoused at this time.

April 22, 2022

Certified Resolution

Cowichan Housing Association Grant Application

THAT Council direct staff to work with the Cowichan Housing Association to submit a grant application to the Strengthening Communities Services Program in an amount up to \$600,000;

AND THAT, should the application be successful, the Cowichan Housing Association be required to enter into an agreement with the Municipality of North Cowichan with respect to the use of the funds.

I hereby certify this to be a true and correct copy of a resolution passed by Municipal Council at the April 20, 2022 Regular Council meeting.



Tricia Mayea
Deputy Corporate Officer

DATED at Duncan, B.C., this 22nd day of April, 2022.