

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

Tuesday, June 21, 2022
City Hall Council Chambers
410 Esplanade

Pages

1. CALL TO ORDER

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

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

2. CLOSED SESSION

Recommendation

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

- (a) personal information about an identifiable individual who holds or is being considered for a position; 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.

3. OPEN MEETING AND ACKNOWLEDGEMENT (7:00 pm)

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>.

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for June 21, 2022.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1. Minutes of the Regular Meeting of Council held June 7, 2022

6

Recommendation

That Council approve the minutes of the Regular Meeting of Council held June 7, 2022.

6.2. Minutes of the Public Hearing and Special Meeting of Council held June 14, 2022

12

Recommendation

That Council approve the minutes of the Public Hearing and Special Meeting of Council held June 14, 2022.

7. DELEGATIONS

7.1. Quentin Goodbody, President, Ladysmith and District Historical Society (LDHS)

18

2022 LDHS Operational Report to Council.

8. DEVELOPMENT APPLICATIONS

8.1. 740 4th Avenue - Development Permit 3060-22-12

52

Recommendation

That Council issue Development Permit 3060-22-12 for a proposed single detached dwelling at 740 4th Avenue.

8.2. Lot "A" Holland Creek - Development Permit 3060-22-13

60

Recommendation

That Council issue Development Permit 3060-22-13 for subdivision and environmental protection and restoration for Lot A Block 192 District Lot 103 Oyster District Plan EPP63594 except Plan EPP67741, EPP75579, EPP80490, EPP98460 and EPP98461 subject to the applicant providing a bond in the amount of \$15,000.

9. COMMITTEE MINUTES

9.1. Parks, Recreation & Culture Advisory Committee - May 18, 2022

105

Recommendation

That Council receive the minutes of the Parks, Recreation and Culture Advisory Committee meeting held May 18, 2022.

10. REPORTS

10.1. Poverty Reduction Task Group Terms of Reference

107

Recommendation

That Council:

1. Approve the Poverty Reduction Task Group Terms of Reference; and
2. Appoint one Council representative and their alternate to the Poverty Reduction Task Group.

10.2. Stormwater Master Plan – UBCM Strategic Priorities Fund

111

Council is requested to consider the following recommendations separately as the first one will form part of the grant application.

Recommendation

That Council:

1. Direct staff to apply for grant funding under the UBCM Strategic Priorities Fund – Capacity Building Stream for \$250,850 to fund the Old Town Area Stormwater Master Plan; and
2. Commit to cover any unexpected ineligible costs and project overruns.

Recommendation

That Council authorize staff to enter into a contract with WSP as the preferred bidder for RFP 2022-IS-04 to complete the Old Town Area Stormwater Master Plan for an estimated \$250,850.

10.3.	Machine Shop Arts, Heritage and Cultural Centre Project – UBCM Strategic Priorities Fund	114
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Recommendation

That Council:

1. Direct staff to apply for grant funding under the UBCM Strategic Priorities Fund – Capital Infrastructure Stream for \$5,487,210 to fund the Machine Shop Arts, Heritage and Cultural Centre Project; and
2. Commit to cover any unexpected ineligible costs and project overruns.

11. BYLAWS

11.1.	Bylaw No. 2115	141
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(to regulate, prohibit and impose requirements on the sale, possession and discharge of fireworks within the Town of Ladysmith)

Recommendation

That Council adopt “Fireworks Regulation Bylaw 2022, No. 2115”.

11.2.	Bylaw No. 2116	152
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(for the administration of the *Freedom of Information and Protection of Privacy Act*)

Recommendation

That Council adopt “Freedom of Information and Protection of Privacy Bylaw 2022, No. 2116”.

11.3.	Bylaw Status Sheet	154
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12. NEW BUSINESS

12.1.	Municipal Insurance Association of BC (MIABC) Annual General Meeting - Voting Delegates
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Recommendation

That Council appoint a voting delegate and two alternate voting delegates for the Municipal Insurance Association of BC (MIABC) Annual General Meeting taking place on September 13, 2022, in conjunction with the Union of BC Municipalities Convention in Whistler.

(In 2021, the voting delegates were Mayor Stone, Councillor Stevens and Councillor McKay.)

13. 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.

14. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, June 7, 2022

6:00 P.M.

This meeting was held electronically

Council Members Present:

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

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma

Donna Smith
Julie Thompson
Mike Gregory
Sue Bouma

Guests:

Jennifer Fix, ahne Studio, consultant for the OCP Review
Tim Shah, Watt Consulting Group, consultant for the OCP Review

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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

2. AGENDA APPROVAL

CS 2022-130

That Council approve the agenda for this Regular Meeting of Council for June 7, 2022.

Motion Carried

3. MINUTES

3.1 Minutes of the Regular Meeting of Council held May 17, 2022

CS 2022-131

That Council approve the minutes of the Regular Meeting of Council held May 17, 2022.

Motion Carried

4. DELEGATIONS

4.1 Official Community Plan Review Update

Jennifer Fix, consultant for the OCP Review, presented key components of the draft 2022 Official Community Plan to Council. The plan includes policies for growth management and land use, as well as for future infrastructure – both municipal and social – transportation, culture and reconciliation. Ms. Fix was joined by Tim Shah, Watt Consulting Group, who was available for any questions related to transportation.

Ms. Fix advised that the next steps of the process will be to hold a workshop with Council as well as to organize a public engagement session downtown, with both events hopefully occurring prior to the end of June.

Ms. Fix responded to Council's questions and thanked Council, staff and the public for their engagement in the OCP Review.

Council thanked Ms. Fix and her team for their work.

5. PROCLAMATIONS

5.1 Island Good Days - June 20-26, 2022

Mayor Stone proclaimed the week of June 20-26, 2022 as Island Good Days in the Town of Ladysmith.

6. DEVELOPMENT APPLICATIONS

6.1 Development Permit 3060-22-06 – Coach House at 520 Kitchener St.

CS 2022-132

That Council issue Development Permit 3060-22-06 for a coach house at 520 Kitchener Street (Lot 11, Block 127, Oyster District, Plan 703A).

Motion Carried

6.2 Site-Specific Amendments - 606 and 626 Farrell Road

CS 2022-133

That Council:

1. Give first, second and third readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 50) 2022, No. 2114”; and
2. Direct staff to refer Bylaw No. 2114 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the *Transportation Act*.

Motion Carried

7. COMMITTEE MINUTES

7.1 Arts & Heritage Hub Steering Committee - March 30, 2022

CS 2022-134

That Council receive the minutes of the Arts & Heritage Hub Steering Committee meeting held March 30, 2022.

Motion Carried

7.2 Public Art Task Group - April 25, 2022

CS 2022-135

That Council receive the minutes of the Public Art Task Group meeting held April 25, 2022.

Motion Carried

7.3 Parks, Recreation & Culture Advisory Committee - May 4, 2022

CS 2022-136

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held May 4, 2022.

Motion Carried

8. REPORTS

8.1 Town of Ladysmith 2021 Statement of Financial Information

CS 2022-137

That Council approve the Town of Ladysmith Statement of Financial Information for the fiscal year ended December 31, 2021.

Motion Carried

8.2 Town of Ladysmith 2021 Annual Municipal Report

CS 2022-138

That Council approve the Town of Ladysmith 2021 Annual Municipal Report.

Motion Carried

8.3 1260 Churchill Place – Extended Infrastructure

CS 2022-139

That Council:

1. Pursuant to section 507 of the *Local Government Act*, require the owner of Lot 1 District Lot 97 Oyster District Plan EPP117980 (1260 Churchill Place) to construct, at time of subdivision or development:
 - a. sanitary sewer, storm sewer and water mains, connecting McKinley Road and 4th Avenue; and
 - b. an 'Urban Local' road from the end of McKinley Road to 4th Avenue;
2. Pursuant to subsection 507(3)(b) of the *Local Government Act*, resolve that the cost to the municipality of providing the services under 1(a) and 1(b) would be excessive and require the developer to pay the full cost of installing these services; and
3. Authorize staff to enter into the required latecomer agreements under section 508 of the *Local Government Act* at time of development.

Motion Carried

8.4 Telecommunication Antenna Structures Policy

CS 2022-140

That Council adopt Telecommunication Antenna Structures Policy No. 08-3010-A.

Motion Carried

9. BYLAWS

9.1 Bylaw No. 2115

CS 2022-141

That Council give first three readings to "Fireworks Regulation Bylaw 2022, No. 2115".

Motion Carried

9.2 Bylaw No. 2116

CS 2022-142

That Council give first three readings to "Freedom of Information and Protection of Privacy Bylaw 2022, No. 2116".

Motion Carried

9.3 Bylaw No. 2083

CS 2022-143

That Council:

1. In accordance with "Bylaw Revision Bylaw 2022, No. 2090" give third reading to "Park Dedication Bylaw 2022, No. 2083" as amended to include the legal description for Queen's Park; and
2. Adopt "Park Dedication Bylaw 2022, No. 2083".

Motion Carried unanimously

9.4 Bylaw Status Sheet

10. CORRESPONDENCE

10.1 Help Ukraine Vancouver Island

CS 2022-144

That Council provide assistance to "Help Ukraine Vancouver Island" by including displaced Ukrainian individuals and families in the Town's Leisure Access Program, as requested in the correspondence dated May 24, 2022.

OPPOSED: Councillor Johnson

CS 2022-145

That Council direct staff to investigate how other municipalities are addressing the inclusion of displaced families and individual refugees who are new to Canada in Leisure Access Programs, and whether other programs are offered to support such individuals and family groups.

Motion Carried

11. QUESTION PERIOD

There were no questions submitted by the public.

12. ADJOURNMENT

CS 2022-146

That this Regular Meeting of Council be adjourned at 7:43 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (D. Smith)



MINUTES OF A SPECIAL MEETING OF COUNCIL

Tuesday, June 14, 2022

6:02 P.M.

This meeting was held electronically

Council Members Present:

Mayor Stone
Councillor Jacobson
Councillor Johnson
Councillor McKay

Councillor Paterson
Councillor Stevens
Councillor Virtanen

Staff Present:

Allison McCarrick
Chris Barfoot
Jake Belobaba
Ryan Bouma

Donna Smith
Christina Hovey
Mike Gregory
Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Mayor Stone called this Public Hearing and Special Meeting of Council to order at 6:02 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CS 2022-147

That Council approve the agenda for this Public Hearing and Special Meeting of Council for June 14, 2022 as amended to include a public submission received after publication of the agenda for Item 3.1., "Official Community Plan Bylaw 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".

Motion Carried

3. PUBLIC HEARING

3.1 "Official Community Plan Bylaw 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"

Members of the public attending: 9

3.1.1 Outline of Public Hearing Process - Mayor Stone

Mayor Stone outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaw Nos. 2102 and 2103.

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

3.1.2 Introduction of Bylaw and Statutory Requirements - Senior Planner, Development Services

Christina Hovey, Senior Planner, introduced "Official Community Plan Bylaw 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" as the subjects of the public hearing.

Ms. Hovey advised that if approved, Bylaw Nos. 2102 and 2103 would:

1. Amend the OCP to:
 - change the Land Use Designation from Single Family Residential to Multi-Family Residential;
 - apply the Multi-Unit Residential Development Permit Area to the property and apply the Hazard Lands Development

Permit Area to the portion of the property near the water;
and

2. Change the zoning for the subject property from RU-1 (Rural Residential) and R-1-B (Single Dwelling Residential - Small Lot B) to CD-7 (Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential) to permit a mix of multiple-unit, townhouse, and single detached dwellings, commercial and live/work industrial uses.

Ms. Hovey noted that a number of conditions had been placed on the application, to be completed by the developer prior to final approval of Bylaw Nos. 2102 and 2103, such as:

- Establishing a tree preservation area and tree management plan;
- Requiring 5% of the parcel to be dedicated as a park, which will be located in the northeast corner of the parcel;
- Requiring a 20m Road Dedication to provide public access to the harbour;
- Limiting residential development prior to the construction of some commercial units;
- Requiring a community amenity contribution of \$1,000 per additional unit permitted, underground parking, and energy efficiency standards;
- Requiring that the developer:
 - decommission the 100mm watermain along the former Gladden Road;
 - Construct a bus “pull out” lane for a transit stop along Rocky Creek Road;
 - Provide a right of way for a pathway along the waterfront;
 - Upgrade the sewer main along Rocky Creek Road from Ludlow to the Town Boundary or postpone the development until the sewer is upgraded; and
- Requiring archaeological protection.

Ms. Hovey also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on June 2 and 9, 2022 and was posted on the Town's website and community notice boards. A copy of the Notice, the proposed Bylaw, and background information were made available at the front counter of City Hall and Development Services and on the Town's website for the Notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing. She noted that as of noon on Tuesday, June 14, one written submission related to the proposed bylaw had been received.

3.1.3 Submissions

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

Mayor Stone invited the applicant to make the first submission.

Toby Seward, 1820 Argyle Avenue, Nanaimo, agent for the owners, reviewed the application process, which included working with staff to develop plans for park placement, providing access to the water, upgrading the sanitary sewer system and erecting a tree buffer. He noted that two neighbourhood meetings had been held, where traffic, parking and density concerns had been raised. Additional consultation with the property owners most affected by the potential development had also taken place.

Mayor Stone called for submissions from the public.

April Robinson, 1285 Rocky Creek Road, expressed concerns regarding the development, citing traffic safety due to increased volume and parking on the road. She recommended installing a sidewalk to limit parking on the east side of the road and expressed her wish that Council follow the recommendations of the OCP and not allow the number of parking units for the development to be reduced. She stated that Rocky Creek Road is the only other access road if there is an accident on the highway. She also advised that prior to development a fence be erected as a barrier between existing property owners and the development, and urged Council to consider moving the steps to the beach closer to the marina, where there are more lights.

Mayor Stone called for submissions a second time.

Rachel Muller, 1245 Rocky Creek Road, expressed traffic safety concerns, particularly for students walking along the road on the way to school. She advised that vehicles are travelling at fast speeds and asked what traffic calming methods would be put in place to make the road safer. She recommended that a sidewalk be extended along the road.

Ben Muller, 1245 Rocky Creek Road, expressed concerns regarding what the sustained, increased volume of traffic would do to the road infrastructure. He stated that highway traffic is routed through Rocky Creek Road during emergencies and recommended that traffic capacity be used as an indicator of how many residences should be built.

Mayor Stone called for submissions a third and final time.

No one else wished to speak regarding "Official Community Plan Bylaw 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".

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

3.1.5 Declaration that the Public Hearing for Bylaw Nos. 2102 and 2103 is Closed - Mayor Stone

Hearing no further comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw Nos. 2102 and 2103 closed at 6:25 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

4. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING

4.1 "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102"

CS 2022-148

That Council give third reading to "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102".

Motion Carried

4.2 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103"

CS 2022-149

That Council:

1. Give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103"; and
2. Direct staff to refer Bylaw No. 2103 to the Ministry of Transportation and Infrastructure pursuant to section 52 of the *Transportation Act*.

Motion Carried

5. ADJOURNMENT

CS 2022-150

That this Special Meeting of Council adjourn at 6:58 p.m.

Motion Carried

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (D. Smith)



**JUNE 21st 2022 UPDATE ON ACTIVITIES
TO LADYSMITH TOWN COUNCIL**



MANAGEMENT AND OPERATING AGREEMENT BETWEEN LDHS AND TOWN OF LADYSMITH

Town provides \$ and in return the LDHS operates the Archives and Museum on 1st Ave

2021 FINANCIAL CONTRIBUTION FROM TOWN OF LADYSMITH TO LDHS

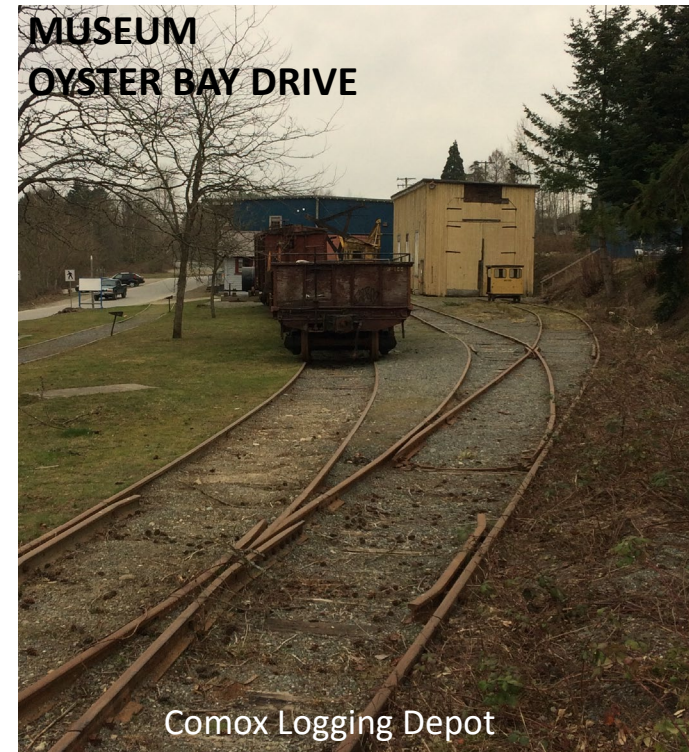
M&OA Funding for Museum (1 st Ave) and Archives operation	\$25,437
Heritage Promotion contribution	\$ 1,500
<u>Professional Development contribution</u>	<u>\$ 1,600</u>
TOWN BUDGET LINE ITEM FINANCIAL CONTRIBUTION IN 2020	\$28,537

2021 Grant in Aid for Industrial Heritage Preservation	\$ 7,500
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TOTAL TOWN FINANCIAL CONTRIBUTION TO LDHS IN 2021.	\$36,037
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- M&O Agreement expires June 30th 2022.
- M&O Agreement continuation has been agreed

LDHS HAS 4 CENTRES OF ACTIVITY



ONLINE

Website: averages 4000 visitors/month
facebook page: 1538 followers
YouTube: 51 videos, 91,865 views
TikTok: 5 clips; 34,416 views



ARCHIVES ACTIVITIES

Archival

- Archiving documents / fonds etc.
- Records/Database management
- Answering technical/property queries from Town, Public etc.

Reading Room

- Researching/Publishing local history
- Building files, Family files, etc.
- Reference library
- Answering queries – family histories etc.
- Heritage promotion
- Book sales

Part time Archivist: Christine Meutzner. Works Tuesdays.

Archives operational Monday-Friday 9.00am – 2.00pm : staffed by Volunteers

Archives volunteer hours 2021: 3065

Archives volunteer hours 2022 to end May: 1530

Archives closed to physical visitors all of 2021: adhered to progressing Covid-19 protocols.

At of now, the Archives is open to visitors. Doors are kept locked for security.

ARCHIVES ACTIVITIES

LDHS Contracts



Currently working on two contracts with outside agencies.
Both contracts will showcase Ladysmith to a wide audience

‘The Beat Goes On – Music in Ladysmith’: (Digital Museum of Canada)

History of the Town and District through its music. National exposure.

‘ONE Community’ Heritage Network Project: (Heritage BC)

Establishing a Central Vancouver Island ‘Heritage Network’ connecting cultural groups and heritage organisations.

Developing a webpage and interactive map to promote Heritage Awareness and Heritage Tourism.

LADYSMITH MUSEUM 1st AVENUE

2020/21: SIGNIFICANT FLOODING ISSUE



VIEW TO S.E. SHOWING MAIN
BUILDING AND ADD-ON

STANDING WATER
OUTSIDE THE ADD-ON



**2021/2022
MUSEUM
IMPROVEMENTS
HAVE FIXED
FLOODING ISSUE
DONE BY
TOWN OF LADYSMITH**

**REPLACED ADD-ON
ROOF**

**INSTALLED
NEW GUTTERING
AND
DOWNSPOUTS
OVER ENTIRE BUILDING**



**INSTALLED GROUND DRAINAGE
AND
CONNECTED ALL DRAINAGE TO SEWER**

**REPLACED LEAKING
WATER CONNECTION**



1st AVENUE MUSEUM ACTIVITIES

INTERNAL RENOVATIONS

Financing:

- \$89,000 CERIP Grant

Aims:

- Improve flow (unidirectional)
- Improve space usage
- Create additional meeting room
- Improve curatorial/storage areas
- Spruce up

Methodology:

- Contractors
 - Ken Brownlow & Sons – Deconstruction & main construction
 - Josh Electrical – Electrical
 - United Floors Duncan – Engineered Flooring (main floor)
 - 200 hours volunteer labour – Planning, Finishing, Painting, Concrete Floor.

Status:

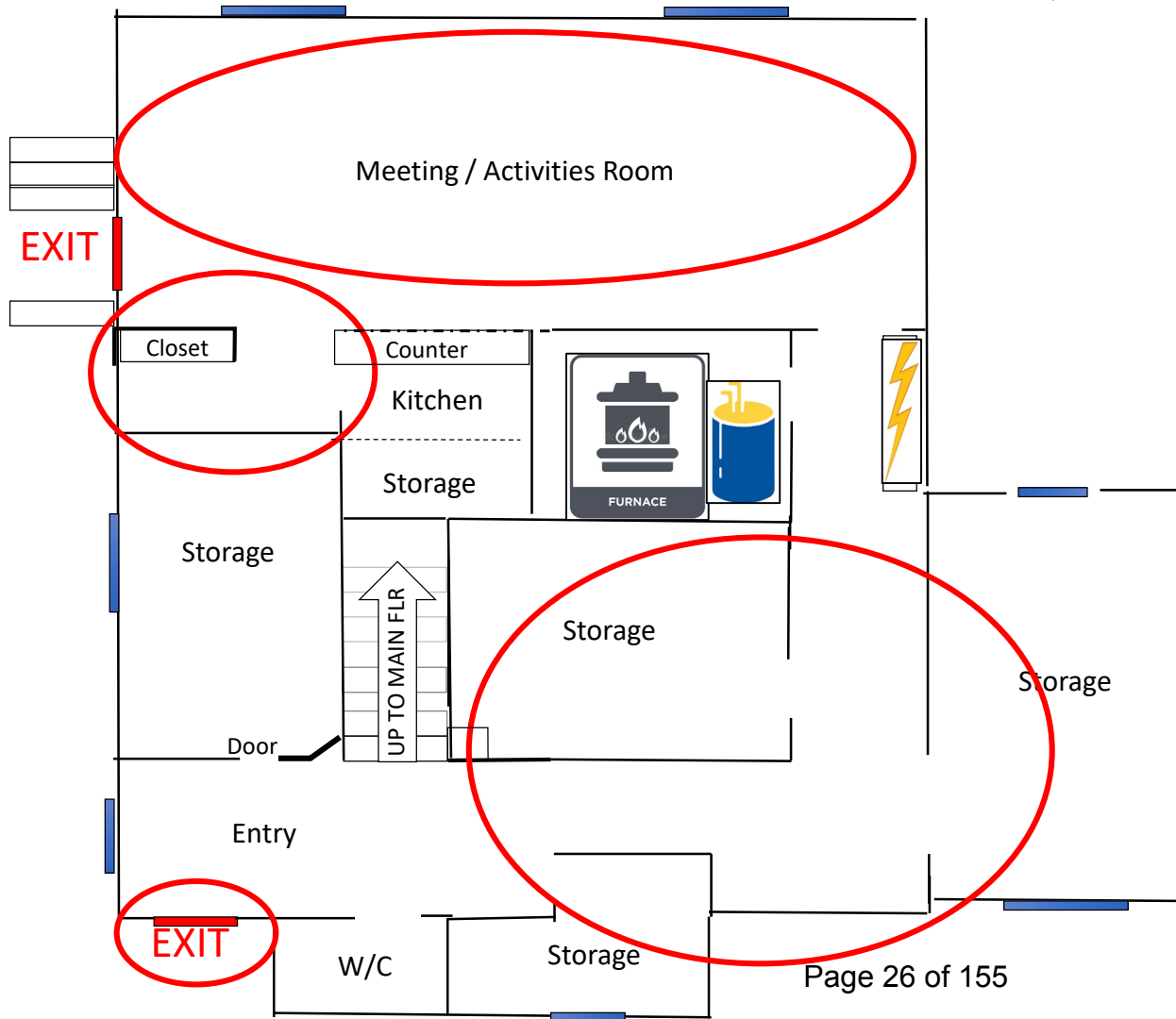
- Essentially complete;
 - some work benches to be installed, lights to be replaced, new security system
- On Budget.

A BIG THANK YOU TO THE CONTRACTORS

LADYSMITH MUSEUM BUILDING
721 1ST AVENUE
FLOOR PLAN
BASEMENT



AREAS OF CHANGE

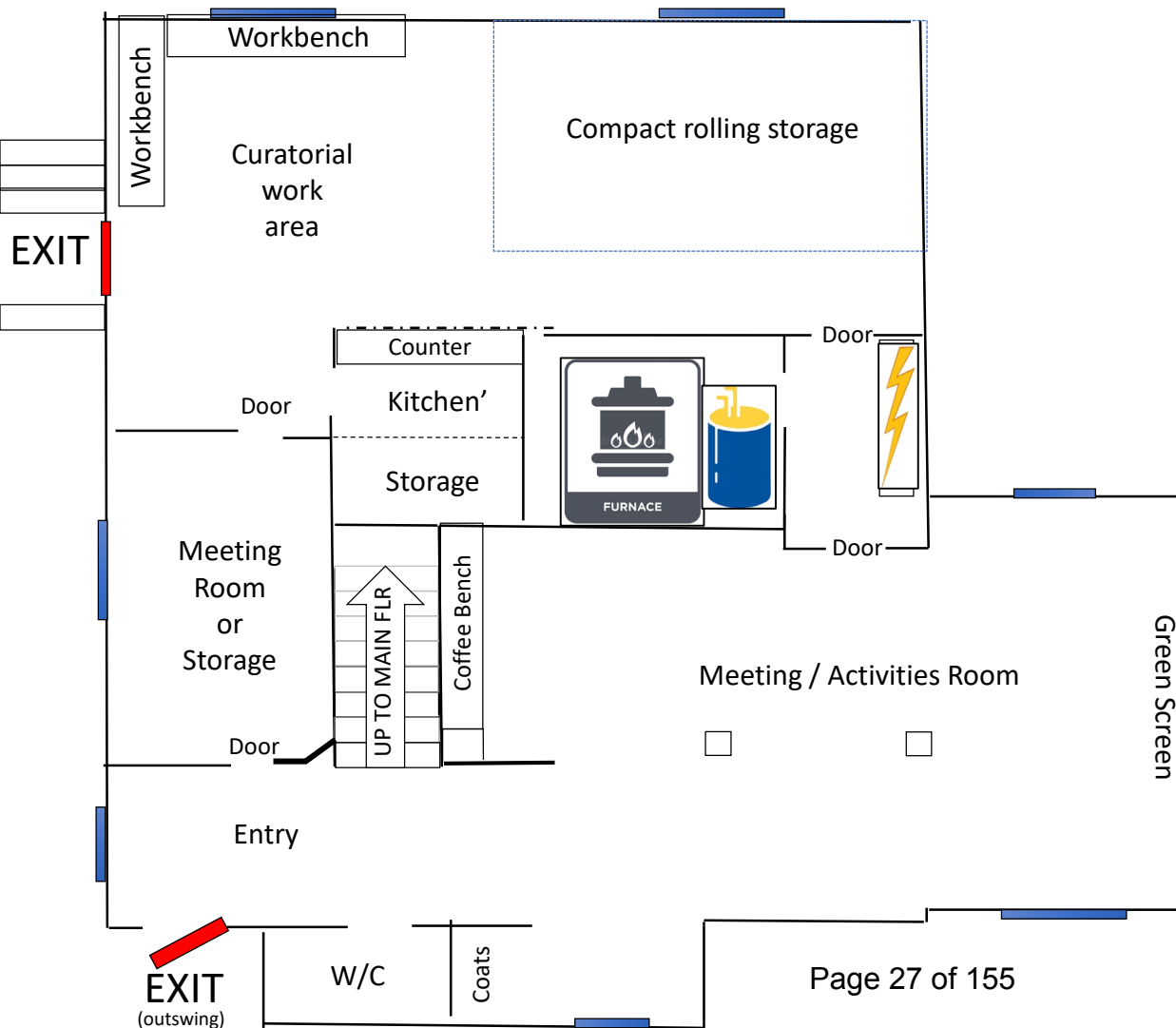


Major changes:

- Moved Storage/Work areas
- Upgraded Storage
- Partition of Meeting/Activity areas from rest of building

LADYSMITH MUSEUM BUILDING
721 1ST AVENUE
FLOOR PLAN
BASEMENT

North

AFTER RENOVATION

Layout changes:

- Moved Storage/Work areas
- Moved Meeting Room
- Additional Meeting Room
- Installed Rolling Storage
- Partition of Meeting/Activity areas from rest of building so can be used by 3rd parties.

Other changes:

- Significant electrical work
- Painting
- Removal of carpet over concrete
- New entry door
- W/C fixtures changed out



BEFORE



AFTER



BEFORE



AFTER



BEFORE



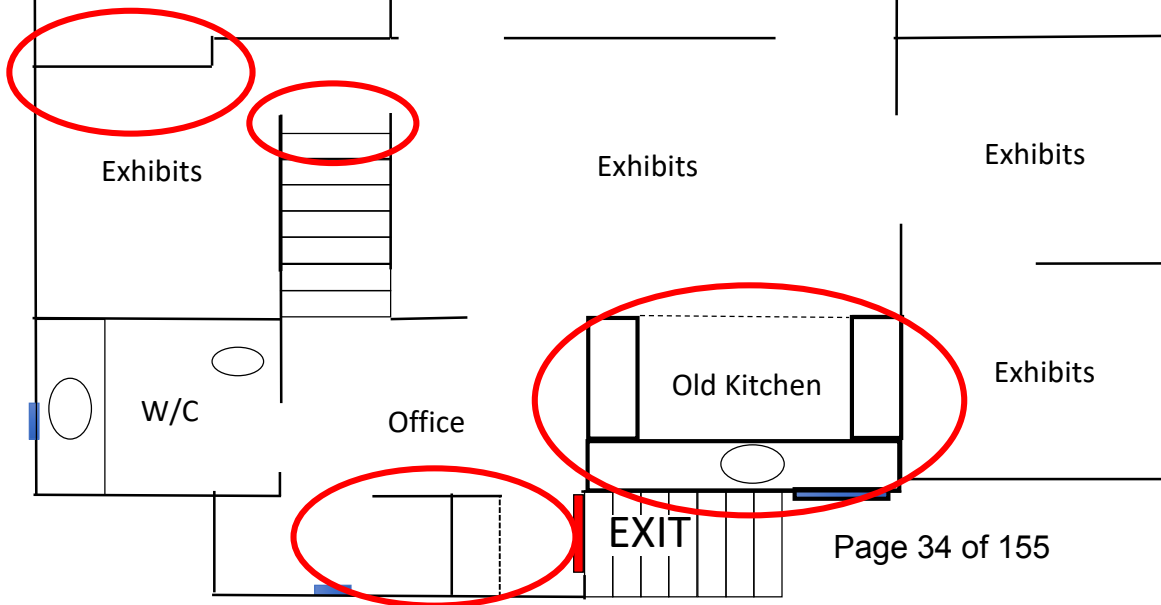
AFTER

1st Avenue

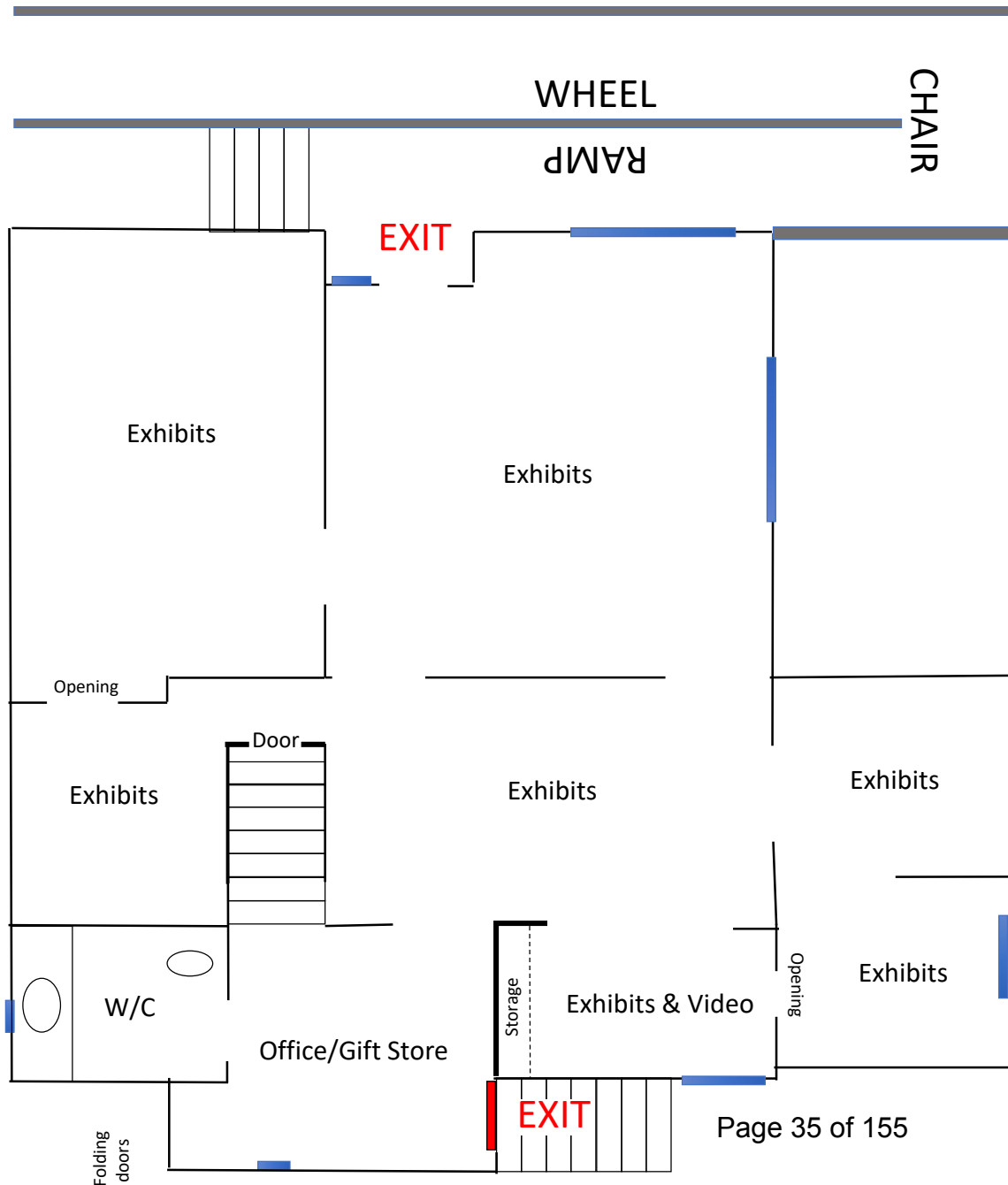
LADYSMITH MUSEUM BUILDING
721 1ST AVENUE

FLOOR PLAN
MAIN FLOOR

AREAS OF CHANGE



1st Avenue



LADYSMITH MUSEUM BUILDING
721 1ST AVENUE

FLOOR PLAN
MAIN FLOOR

AFTER RENOVATION





Museum Renovation Update: Main Level

Main Floor gift shop area.
Removed walls, drywalled,
Refloored, painted.
Created bright useable space.



Old Kitchen area

Removed cupboards:
Drywalled, refloored,
Painted.
Provides additional
exhibit area.





1st AVE. MUSEUM ACTIVITIES (contd.)

What's inside:

- Change from 'Chronicling the Past' to 'Illustrating the Relevance of Heritage to our Present and Future'
- Establishing the Museum as recognized 'Place of Learning' within the community.

Exhibits

- Permanent exhibits– being updated
 - Interactive
 - Revised story lines
- Introduction of Temporary Feature Exhibits
 - Prime Predators Exhibit.
 - Magic of the Season Christmas Exhibit
 - **Next Exhibit planned for mid/late 2022 opening: "Treemendous, Our Fabulous Forests"**

The Learning Centre

'Historically Speaking' talks series

- Designed to be both educational and to provide a public service.
- Topics of current community concern are introduced from an historical perspective, putting the present day situation in context, thus enabling the community to make informed decisions for the future.

Activity Centre – in basement.

- Covidly challenged at this time... basement has been in renovation

Upstairs Gallery

A space for local temporary exhibitions featuring subjects/matters of local interest

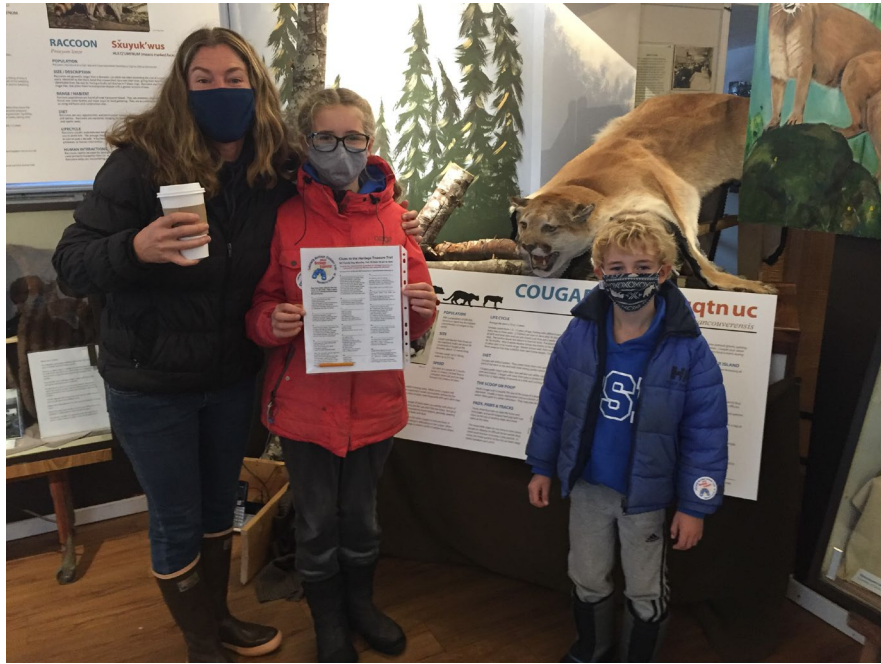
1st Ave Museum Volunteer hours: 2021: 1756

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2022 to date: 500+

Museum Temporary Feature Exhibit: Prime Predators of Vancouver Island

Opened Feb 15th 2021: Closed November 15th 2021. 1962 visitors



MUSEUM ACTIVITIES:

BC Heritage Week 2021: BC Family Day

Heritage Guide and Activity Booklet (22 pages) given free to families at the event



FAMILY FUN at Ladysmith's Heritage Waterfront ACTIVITY BOOK AND HERITAGE GUIDE



Transfer Beach

Train Station



Boat Restoration Shop



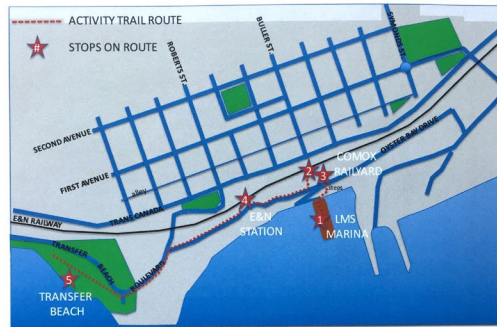
Rail yard & Locomotive 11



Ladysmith Community Marina - Museum exhibits,
Heritage Boat displays and Sea Life



FAMILY FUN at Ladysmith's Heritage Waterfront FIVE HERITAGE SITES TO ENJOY



YOUR FREE FAMILY FUN BOOK IS COMPLIMENTS OF:

LADYSMITH MARITIME SOCIETY AND LADYSMITH & DISTRICT HISTORICAL SOCIETY

WITH CONTRIBUTIONS FROM: Shirley Blackstaff, Quentin Goodbody,
Jeff Reichert, Dennis Ahola, Ken Healey, Marina Sacht, Marnie Craig &
STZ'UMINUS FIRST NATION

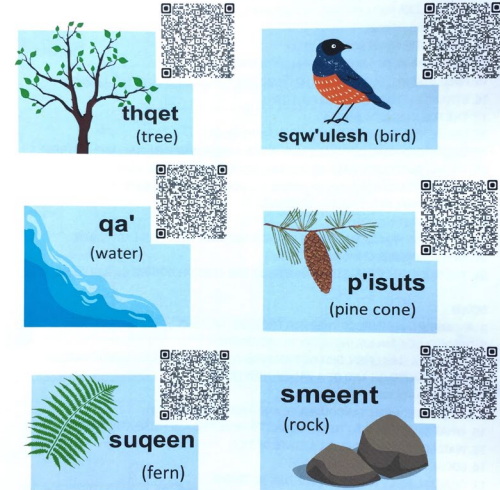
WITH DONATIONS FROM THESE HERITAGE SUPPORTERS:



Supported by the Province of British Columbia

hul'q'umi'num' Nature Walk I-Spy

hul'q'umi'num' is the language spoken by local Coast Salish peoples for thousands of years.
Find these items in nature and try to say the name in hul'q'umi'num'!
To hear how these words sound scan the QR codes that accompany each image.



To explore more about hul'q'umi'num' and other Indigenous languages visit www.firstvoices.com.

STZ'UMINUS FIRST NATION
Itst uw'hw-nuts'ul-wum -- We are working as one



Activity supported by Family Day Grant from BC Govt.

MUSEUM ACTIVITIES:

BC Heritage Week 2022

Annual Heritage Awards



Given to businesses, individuals and groups that have played a key role during the year in preserving or promoting local heritage through their actions or initiatives.

Recipients are chosen from nominations received from the community.

- 3rd Annual Ceremony held February 27th 2022 by Zoom
- MC'd by Quentin Goodbody
- Awards presented by Mayor Stone and Chief Harris
- Guest speakers included:
 - The Honorable Melanie Mark, BC Minister of Tourism, Arts, Culture and Sport
 - Lisa Marie Barron MP
 - Doug Routley BC MLA

Recipients included:

Bill Verchere and Family – Preservation of 641 3rd Avenue (Coburn/Verchere house)

Clinton Charlie and The Young Wolves Dance Group – Promoting and preserving Stz'uminus heritage

Ladysmith Maritime Society – Production of 10 documentary videos about restored wooden vessels

Ladysmith & District Credit Union – Wall of History Mural

MUSEUM ACTIVITIES

Learning Centre

'Historically Speaking' Talks

- Heritage and Public Service themes



To date: 18 Historically Speaking Talks

6 Talks since June 2021 include:

*BC 150, Confederation and the Railway: How Ladysmith fits into the tricky tale of the E&N**: Q Goodbody.

*The Story of Yellow Point Lodge**: David Hill.

*History of Strathcona Park**: Catherine Gilbert.

*Ray Conti – a Ladysmith flyer**: Cathy Gilroy.

*Luschiim's Plants. Hul'qumi'num Peoples and the Plant World**: Drs. Luschiim Charlie and Nancy Turner.

The Robert Kerr: from global trader to coastal collier: David Hill-Turner

Talks are available on the LDHS YouTube channel.

LADYSMITH MUSEUM

Industrial Heritage (Comox Logging) Site

2021/2 Accomplishments and Ongoing Activities



PLYMOUTH 107 SHUNTING ENGINE

(on loan from Port Alberni)



UPDATE:

- Transported to Ladysmith (courtesy BOSS Machinery of Parksville)
- Ongoing mechanical work
 - Motor now running
 - Working on air system and transmission
- Rotten wood cab panels replaced
- Awaiting painting in Crown Forest livery



LADYSMITH MUSEUM

Industrial Heritage (Comox Logging) Site



BALDWIN LOCI 11

UPDATE:

- Fabricated engineer and Fireman's seats
- Fabricated and installed railings
- Installing what valves etc. currently in possession
- Sourcing valves, gauges etc.

TO DO:

- Continue sourcing gauges and install
- Fabricate throttle lever



LADYSMITH MUSEUM

Industrial Heritage (Comox Logging) Site



HUMDERGIN

UPDATE:

- Customised and installed replacement radiator
- Rebuilt starter motor
- Replaced rusted out flooring and machine guards
- Modified and reinstalled fuel tank

TO DO:

- Rust proof interior
- Descale, clean and rust proof undercarriage
- Paint entire outside of unit



LADYSMITH MUSEUM

Industrial Heritage (Comox Logging) Site 2021 Accomplishments and Ongoing Activities

Track maintenance: Rehabilitation of switches



LADYSMITH MUSEUM

Industrial Heritage



TYEE STEAM DONKEY

Problem:

Missing caps allowing water ingress and rusting of bearings and interior of boiler & firebox.

Solution:

Fabricate and install caps



OTHER LDHS ACTIVITIES

E&N Station



Financed, Purchased and Installed steel entry door.

Handle almost immediately smashed by vandals,
Necessitating its replacement (done).

OTHER LDHS ACTIVITIES

Continued:



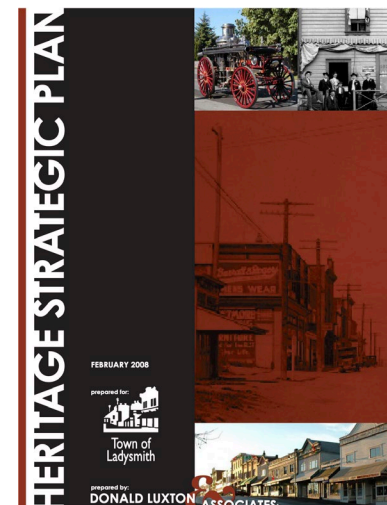
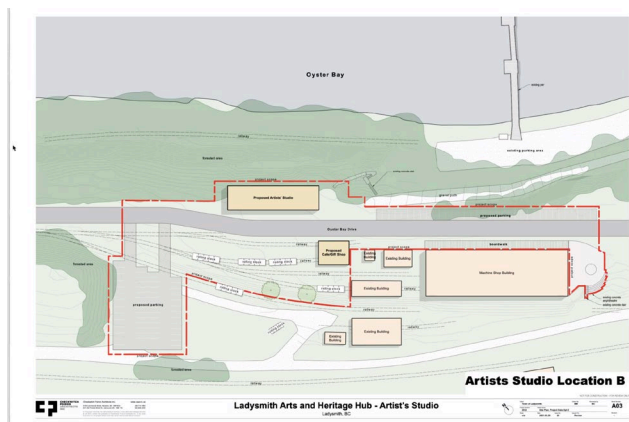
Finalised update of collage on
1st Ave. & Gatacre St.



Other collage projects are in the pipe

Harbour Heritage Committee (joint with LMS)
& Arts & Heritage Hub Steering Committee

2008 Heritage Strategic Plan Update





OVERVIEW

Very active year despite Covid-19

- Significant expansion of online presence and activities.
- Stable financially
- Society Membership circa 50, but following is in the thousands.
- Raising the profile of local heritage, Ladysmith & District
- Principle of inclusivity: Signatory of The Heritage and Reconciliation Pledge
- Proud of accomplishments – and more to come!



Thank you for this opportunity to present this LDHS activity update to Council.

Questions welcome!

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: June 21, 2022
File No: 3060-22-12
Re: Single Detached Dwelling in Commercial DPA (740 4th Ave)

RECOMMENDATION:

That Council issue Development Permit 3060-22-12 for a proposed single detached dwelling at 740 4th Avenue.

EXECUTIVE SUMMARY:

A single detached dwelling is proposed at 740 4th Avenue. This parcel is within the Local Commercial (C-1) zone and within Development Permit Area 3 – Commercial (DPA 3). The proposed single detached dwelling is permitted by the C-1 zone, however a Development Permit is required prior to construction. Staff recommend that Council issue Development Permit 3060-22-12 since the proposal complies with the Zoning Bylaw regulation and very few of the DPA 3 guidelines apply.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The subject property, 740 4th Avenue, is at the intersection of Kitchener Street and 4th Avenue, across from Ladysmith Intermediate School. The applicant is proposing to construct a single detached dwelling and has no plans for any commercial uses on the property. There was previously a mixed-use building on the property that at one time had a dwelling and storefront. The building was demolished in 2021.

Figure 1: 740 4th Avenue, Subject Property



Figure 2: Proposed Dwelling Facing 4th Avenue

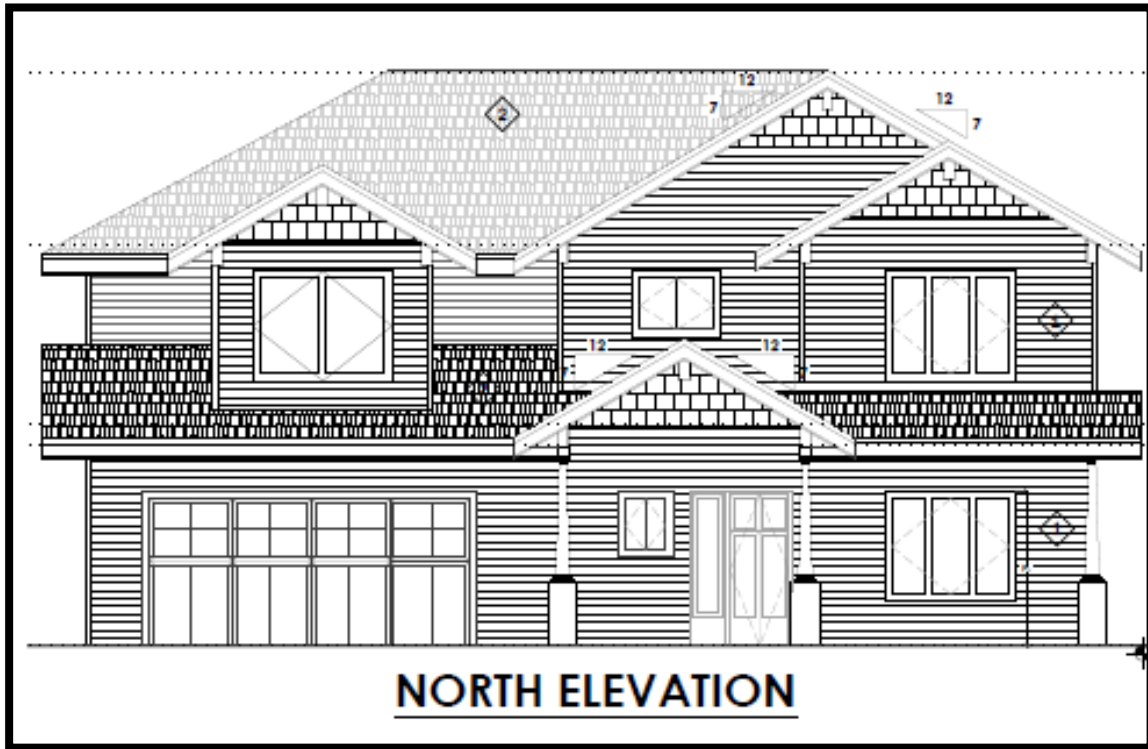
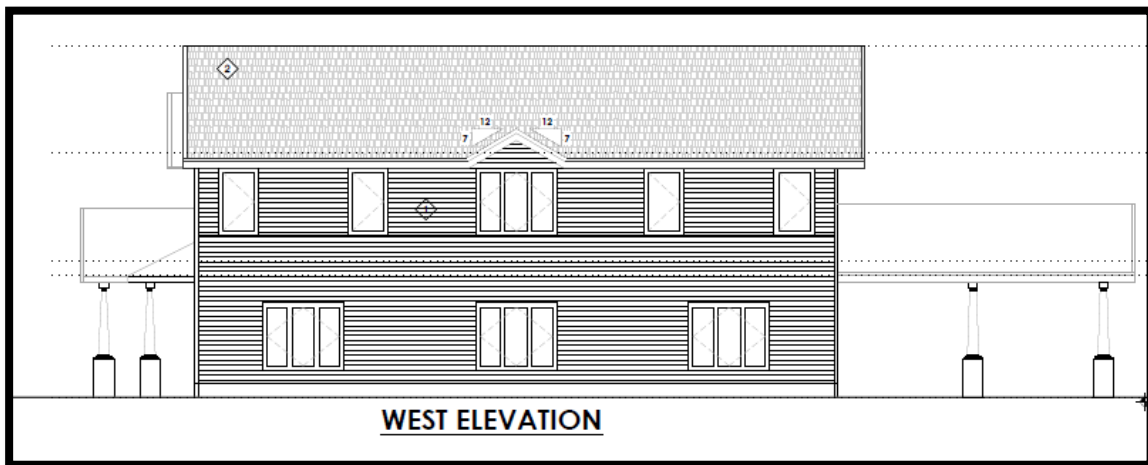


Figure 3: Proposed Dwelling Facing Kitchener Street



ANALYSIS:

The subject property is within the Local Commercial Designation in the Official Community Plan (OCP) and the Local Commercial (C-1) zone (Zoning Bylaw 2014, No. 1860). A single unit dwelling is permitted in the C-1 zone.

The majority of the DPA 3 guidelines are specific to commercial developments and do not apply to the proposed development.¹ However, the applicant is proposing several energy efficiency measures for the home, including energy efficient windows and a heat pump (Attachment B – Letter from Applicant). Table 1 provides an assessment of the proposal’s consistency with the applicable guidelines.

Development Permit 22-12 proposes to vary the Zoning Bylaw by waiving the requirement for a landscape buffer. The Zoning Bylaw requires a landscape buffer to be installed whenever a commercial property abuts a parcel where a residential use is allowed. The DPA 3 guidelines allow for the buffer requirements to be varied when the residential use can be buffered from the commercial use by other measures. In this case, a landscape buffer is not needed to separate the residential use from its residential neighbours.

Table 1: Summary of Proposal's Consistency with Applicable DPA 3 Guidelines

Guideline	Staff Observations
Landscaping	<ul style="list-style-type: none"> • Most guidelines are not applicable to a residential use. • The Zoning Bylaw requires a landscape buffer wherever a commercial property abuts a property that allows for a residential use. In this case, along the rear and interior side parcel lines. • DPA 3 Guideline 13.i) states that “the minimum landscape buffer requirements provided in Part 7 of the Zoning Bylaw may be varied where the abutting parcels in a zone that permits residential use would be buffered through alternative measures on the parcel such as, topography, non-commercial land uses, other structures and/or landscaping, or existing vegetation”. • In this case, there is no commercial use to be buffered. • DP 22-12 proposes to waive the requirement for a landscape buffer.
Energy Conservation, Rainwater Management & Water Conservation	<ul style="list-style-type: none"> • The applicant is proposing the following measures: <ul style="list-style-type: none"> ○ Installation of a heat pump, energy efficient windows, hot water on demand and a smart thermostat. ○ Use of permeable pavers for the patio. • Staff suggested that the applicant consider installing a rain barrel but the applicant does not want to do this.
Recycling, Organics & Solid Waste Management	<ul style="list-style-type: none"> • The proposal includes a large garage where recycling, organic waste and solid waste can be stored.
Neighbourhood Commercial	<ul style="list-style-type: none"> • This guideline relates to incorporating local commercial uses into residential neighbourhoods. The guidelines encourage refurbishing existing commercial buildings and multi-use buildings. • The guideline states that “A predominantly residential character is preferred.” • Staff encouraged the applicant to design the building to allow for future conversion to a commercial use, however the applicant has stated clearly that they do not plan to incorporate a commercial use.

¹ Guidelines 1 to 12 and 18 to 19 are not applicable. Guidelines 13 to 17 and Guideline 20 have limited applicability.

Adding local commercial uses in Ladysmith's residential neighbourhoods has emerged as a key issue in the OCP review. The draft of the new OCP proposes to be more permissive of local commercial uses. This may expand opportunities to allow more local commercial uses in more locations in the future.

The Zoning Bylaw currently permits development of this C-1 property as a single unit dwelling. The Town cannot refuse a development permit or a building permit solely on the grounds that the proposal doesn't include a commercial use. It may be possible for the Town to require that the building design be altered to allow for a future commercial conversion. However, given that the guidelines emphasize a preference for a "residential character" of development, additional review of this option would be required.

Staff recommend that Council issue Development Permit (DP) 3060-22-12 since the proposal complies with the Zoning Bylaw regulations and very few of the DPA 3 guidelines apply.

ALTERNATIVES:

Council may:

1. Choose not to issue Development Permit 3060-22-12 where refusal is based upon determination that the application does not meet the DPA 3 guidelines.
2. Defer consideration of Development Permit 3060-22-12 and request additional information as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

If the Development Permit is refused, reasons must be given based on the DPA 3 guidelines as the issuance of a Development Permit is not a completely discretionary decision of Council.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was referred to the Engineering and Building Inspection departments. Building and Engineering requirements will be addressed at the time of building permit.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. DP 3060-22-12
- B. Letter from Applicant



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 *Local Government Act*)

FILE NO: 3060-22-12

DATE: June 21, 2022

Name of Owner(s) of Land (Permittee): Magdalene Henderson & Dean Henderson

Applicant: Magdalene Henderson

Subject Property (Civic Address): 740 4th Avenue

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

Lot 4, Block 93, of District Lot 56, Oyster District and of an Unnumbered Portion of Said District, Plan 703-A
PID# 002-450-364
(referred to as the "Land")
3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a single unit dwelling and accessory structures on the Land subject to all applicable laws;
4. With respect to the Land:
 - (a) Town of Ladysmith Zoning Bylaw 2014, No. 1860 is hereby varied, in accordance with section 490(1) of the *Local Government Act*, as follows:
 - i. Section 7.2.2. "Landscape Buffer" is varied such that a *Landscape Buffer* is not required.
5. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860, nor a flood plain specification under s.524(3) of the *Local Government Act*.

6. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
7. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
8. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE
TOWN OF LADYSMITH ON THE ____ DAY OF _____2022.

Received May 30, 2022

To whom it may concern,

My husband and I are the owners of the property 740 4th Avenue and we are planning to build a single family dwelling. We have no current or future plans to integrate any type of commercial business on the property. We plan to build an energy efficient home that includes a heat pump, energy saving windows, hot water on demand, smart thermostat, smart lighting, paver driveway and patio and be professionally landscaped.

Sincerely,

Dean & Magdalene Henderson

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Reviewed By: Allison McCarrick
Meeting Date: June 21, 2022
File No: 3060-22-13
Re: Lot "A" Holland Creek - Development Permit 3060-22-13

RECOMMENDATION:

That Council issue Development Permit 3060-22-13 for subdivision and environmental protection and restoration for Lot A Block 192 District Lot 103 Oyster District Plan EPP63594 except Plan EPP67741, EPP75579, EPP80490, EPP98460 and EPP98461 subject to the applicant providing a bond in the amount of \$15,000.

EXECUTIVE SUMMARY:

This report presents Development Permit 3060-22-13, which authorizes the subdivision of "Lot A" and requires the restoration of areas that were cleared without approval, for consideration by Council.

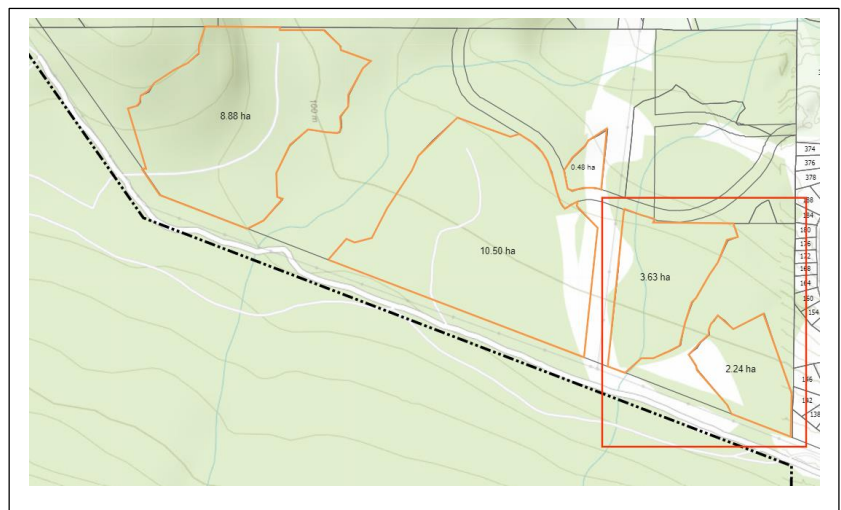
PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:**Subject Property**

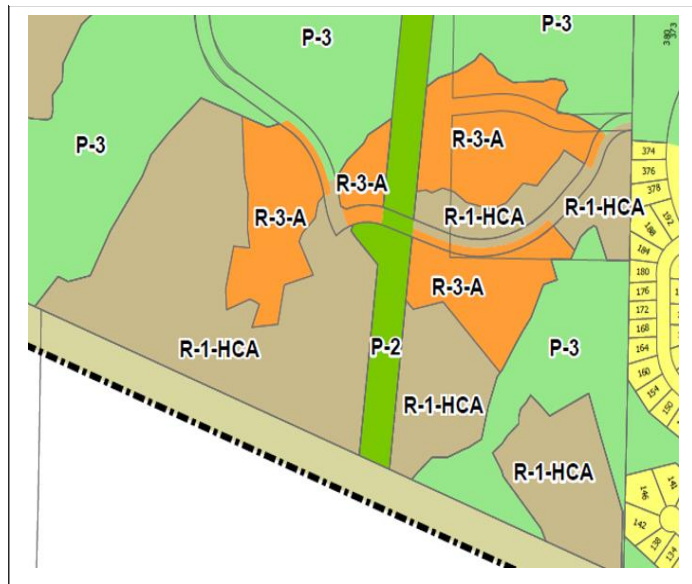
The subject property (shown in orange in Figure 1) is a 25.73 hectare site located in the Holland Creek Development. The developer has received a Preliminary Layout Approval (PLA) for a phased subdivision of the southeast corner (outlined in red in Figure 1). This area of the subject property is bisected by a tributary of Heart Creek. The site has sloping topography and most of the site has been recently cleared.

Figure 1: Subject Property



The subject property is located within the Holland Creek Local Area Plan and includes a mix of land designated and zoned for single family and multifamily development. The site is zoned Low Density Residential (R-3-A) and Single Dwelling Residential–Holland Creek Area (R-1-HCA), as shown in Figure 2. Portions of the property are located within Development Permit Area 6 – Riparian (DPA 6) and Development Permit Area 8 – Multi-Unit Residential Environmentally Sensitive Area (DPA 8) as shown in figure 3. These two DPAs overlap in some areas.

Figure 2: Zoning



Site History

According to [Google Earth time lapse](#) the site was initially cleared circa 2018. With the exception of clearing within DPAs, there are no bylaw restrictions on clearing land. However, portions of the land within the DPAs shown in Figure 3, including area designated as park¹ (see figure 5), were cleared without obtaining the necessary Development Permits.

Clearing in the designated parkland included falling and removing three large cedar trees as shown in Figure 4 (note photo is distorted and actual area is smaller than it appears). It is unclear what extent of clearing occurred in 2019 and what occurred during the period of clearing in 2021, described below.

Figure 3: Development Permit Areas



On May 20, 2021 a PLA was issued to subdivide 26 lots in the southeast corner of the subject property. Subdivision also triggers the need for a Development Permit. Subsequently, the PLA indicated that the portions of the site were in DPA 6 and DPA 8 and noted that “A Development Permit is required prior to application for Final Approval or prior to commencing works within the above-noted DPAs, whichever occurs first”.

¹ The area has been designated and zoned as park since the adoption of the Holland Creek Local Area Plan and consequential zoning amendments (circa 2016) and was transferred to Town in 2020.

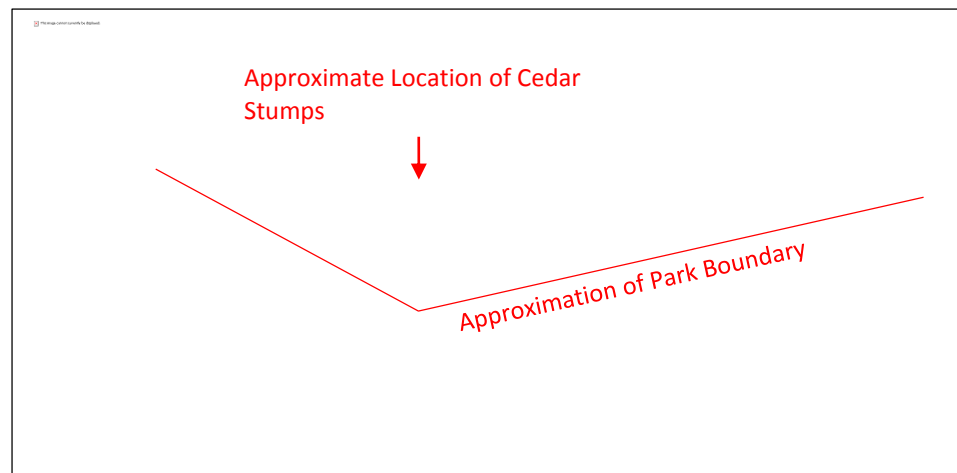
The developer had obtained “Section 11” approval from the Province to construct a culvert in the Heart Creek tributary, but had not obtained the required Development Permits, or additional Provincial approvals for works within the riparian area². The developer again cleared trees from the site, which included clearing within the riparian area (most of which was in the area proposed for the crossing).

The developer was told to stop work and obtain the necessary permits in August of 2021. The developer then amended their subdivision application to subdivide in two phases—referred to as “Stage 5” and “Stage 6”. Stage 6 is adjacent to the creek and Stage 5 lies outside of the 30m Riparian Assessment Area (see Attachment B). This new phasing plan did not eliminate the requirement for development permits. Subsequently, a new PLA was issued on March 4, 2022 with a virtually identical requirement to the May 20, 2021 PLA, noting that the site was “...covered by DPA 6 and DPA 8” and that “A Development Permit is required prior to application for Final Approval or prior to commencing works (including clearing vegetation) within the above-noted development permit areas, whichever occurs first.”

Additionally, because clearing occurred prior to the Provincial review required under the Riparian Areas Protection Regulation, the developer had to complete a “Conditions and Impacts Assessment” for Provincial approval. A Conditions and Impact Assessment must document damage resulting from the unauthorized works and make recommendations for remediation.

Figure 4: Clearing Within Park

The report found that the Streamside Protection and Enhancement Area (SPEA) is largely intact except in the area where the culvert is proposed to cross the stream. Some trees in the SPEA were physically damaged when the land was cleared and several trees are now recommended to be



removed due to wind exposure. The “Conditions and Impacts Assessment” recommends

² When constructing a stream crossing, two types of approvals are required. Provincial/federal approval is required under the provincial *Water Act* and federal *Fisheries Act* for works within the wetted area of the stream and Provincial/Local Government approvals are required under the *Riparian Areas Protection Act* for works within the riparian area (typically 30 meters from the high water mark). These approvals are administered by different Provincial departments, however the approval documents typically advise that both approvals are required.

removing hazard trees and provides planting standards for replacing damaged or removed trees. These recommendations form conditions of proposed Development Permit 3060-22-13.

The Conditions and Impact Assessment was submitted on March 2022 and approved by the Province on May 18, 2022. The Province has approved only the initial subdivision of shown in Attachment C and construction of the stream crossing. Additional authorization from the Province and additional development permits will be required to develop Stage 6 and “Stage 7”³.

An application for final approval of the Stage 5 subdivision (as shown in Attachment C) was submitted on April 27, 2022—prior to issuance of the required Development Permits and required Provincial approval. While reviewing the application for final subdivision approval, it was determined that the application and required reports for a Development Permit under DPA 8 had not been submitted. The developer was reminded of the requirement to submit an application for DPA 8 on May 27, 2022, and the application was received on May 31, 2022. Development Permits under DPA 6 can be issued by staff, however Development Permits under DPA 8 must be issued by Council.

Under section 85(1) of the *Land Title Act*, the Approving Officer must approve or reject a final approval application within two months of receiving it. If the required development permits are not issued by June 27th, the Approving Officer must deny the subdivision under section 489(a) of the *Local Government Act*. However, the applicant can reapply for final approval as soon as the Development Permits are obtained.

DPA 6 is established for the protection of waterbodies, streams and riparian areas and is the primary means by which the Town fulfills its requirements under section 4 of the Provincial *Riparian Areas Protection Regulation*. DPA 8 is established for the form and character of multi-family development, energy and water conservation, reduction of greenhouse gas emissions and protection of the natural environment, its ecosystems and biodiversity.

PROPOSAL:

For the DPA 6 application, the applicant has provided the required Riparian Area Assessment and restoration plan and these were approved by the Province on May 18, 2022. As noted above, DPA 6 permits are typically issued by staff, but due to the overlap between DPA 6 and DPA 8, the proposed Development Permit contains some authorizations and conditions related to DPA 6. An additional permit under DPA 6 will also be issued separately by staff for the crossing and other areas that do not overlap with DPA 8. Staff are awaiting additional clarification from the Province as to what the Province has authorized before issuing this permit.

The applicant has provided a revegetation and management plan (Attachment B) and recommended bond amount for restoration. The proposed permit includes the following conditions which are based on the recommendations of the revegetation plan and Conditions and Impact Assessment:

³ i.e. the portion of land on the opposite side of the Heart Creek tributary which will be accessed by the new crossing.

- Within 60 days of issuance of permit the developer must:
 - remove invasive species from proposed Lot 19 and the Riparian Assessment Area (in accordance with best management practices for invasive plant removal);
 - provide confirmation from a Registered BC Land Surveyor of any vegetation removal within the parkland and restore these areas as required; and
 - identify damaged trees within the SPEA and replace as required.
- Every spring until this property is developed the developer must remove invasive species from proposed Lots 1-5, and 14-19 and the Riparian Assessment Area and provide a report to the Town confirming that this work has been completed.

ANALYSIS:

Since buildings are not proposed on the site at this time and the Riparian Area Assessment and restoration plans approved by the Province only apply to this initial subdivision, further Development Permits under both DPA 8 and DPA 6 will be required for future subdivision phases and building construction on the multifamily lots (Lots 14-19 in the subdivision plan in Attachment C). In this context it is only necessary to evaluate the development permit applications based on development permit guidelines that are currently applicable to the unauthorized clearing and proposed subdivision.

For DPA 6, the applicant has provided the required impact assessments and remediation plans. These have been approved by the Province and form part of the permit.

For DPA 8, buildings are not proposed at this time and form and character, energy and water conservation and, reduction of greenhouse gas emissions will be evaluated in future Development Permit applications. The proposal has been reviewed based only on development permit guidelines relevant to protection of the natural environment, ecosystems and biodiversity. Table 1 summarizes the proposal's consistency with these guidelines.

Table 1: Review of Development Permit Guidelines

Guideline	Staff Comments
a) Land clearing shall not take place prior to the issuance of a DP. Danger trees identified by an appropriately certified arborist may be removed when authorized by the Town.	Land clearing occurred circa 2018 and again in 2021 without a DP. The revegetation and management conditions of the DP call for managing invasive plants until construction occurs. Future DPs will require replanting in undevelopable areas (e.g. setbacks). Replanting outside of building envelopes was not recommended at this time as the dry season is approaching. However, it should be noted that there is no reason the DP cannot require planting outside of building envelopes in the fall or next spring which are typical planting seasons for native plants (see Alternative 3). Earlier plantings would result in the forest maturing sooner.
b) A Qualified Professional Biologist shall conduct an ecological assessment and identify appropriate green space to be protected, maintained and managed, such as forested stands, rocky outcrops and/or additional areas adjacent to riparian features. A covenant may be required to protect sensitive ecosystems. Two reference reports that can be utilized include "Ecological Assessment- Malone Road" (Madrone Environmental Services Ltd., 2010) and "Bio-inventory of Northern Portions of District Lot 103E&N and Block 192, Oyster District, Ladysmith" (Toth and Associates Environmental Services, 2013).	The site has mostly been cleared. A professional forester has prepared the revegetation and monitoring program.
c) No development activities are permitted within the Streamside Protection and Enhancement Area (SPEA) including construction of permanent/non-permanent structures; clearing/disturbing vegetation; dumping of yard waste; and limbing / pruning of trees unless deemed to be danger trees by an appropriately certified Arborist overseen by a Qualified Environmental Professional. The location of the SPEA is subject to the Provincial Riparian Area Regulation.	The appropriate riparian area assessments and restoration plans have been submitted and approved by the Province.
d) Any development (buildings or land clearing) within the Riparian Assessment Area (RAA) shall be subject to the development of detailed measures consistent with the	

Riparian DPA guidelines (DPA 6). The location of the RAA is subject to the Provincial Riparian Area Regulation.	
e) Identify the SPEA edge on site plans and in the field through the use of flagging or high visibility, temporary snow fencing to prevent encroachment.	
f) A construction environmental management plan should be developed prior to any physical development of the lands to avoid adverse effects on the environment and during construction.	Physical development has already occurred.
g) A detailed site-specific sediment and erosion control plan shall be prepared by a qualified professional prior to development. The sediment and erosion control plan shall include the following requirements: i) Minimize areas to be cleared; ii) Maintain vegetation cover for as long as possible; iii) Carry out site preparation work in the summer months and suspend operations during periods of wet weather; iv) Install silt fencing where appropriate; v) Cover exposed areas with geotextiles or tarps to prevent rain splash mobilization of sediment; and vi) Use mulch and/or seeding to stabilize exposed ground and decrease the potential for mobilization of sediment.	An erosion and sediment control plan was required and reviewed as a condition of subdivision approval.
h) If vegetation clearing (grasses, shrubs and/or trees) is proposed to occur during the bird breeding season (April 15 to July 31) a nest survey shall be completed by a Qualified Professional Biologist prior to site disturbance. Active nest sites shall be identified and flagged so that nest sites can be left undisturbed until the young birds have fledged and left the nest.	It is not known if the clearing in 2018 occurred within the bird nesting season or if a nest survey was completed beforehand. In 2021, clearing occurred in July or August. Further site disturbance is not needed to carry out the proposed subdivision or revegetation plan.
i) Where slopes are greater than 30 percent, the guidelines contained in DPA7- Hazard Lands' shall apply.	A geotechnical analysis was a requirement of subdivision and has been completed.

<p>j) FireSmart Interface Priority Zones shall be used to determine appropriate vegetation (fuel) management areas from structures and along access routes.</p>	<p>The revegetation plan accounts for future FireSmart considerations. A wildfire report was provided and is included in Attachment D.</p>
<p>k) A tree preservation plan shall be prepared and supplied by an appropriately certified Arborist. The following general measures shall be addressed:</p> <ul style="list-style-type: none"> i) Retention and replacement of tree cover as strategies for carbon storage and groundwater management; ii) Management of tree cover to maximize solar radiation in winter months. iii) Maintenance of continuous forest stands where possible to sustain connectivity and wildlife use. iv) Retain mature large diameter trees and surrounding vegetation within the drip line area (at a minimum); v) Identification of the rooting zone of trees in construction areas to avoid damage to roots (e .g. through trenching); vi) Management of the soil around the trees so that it is not compacted (e .g. through the action of heavy machinery) so as to maintain drainage conditions; vii) Management of pollutants to ensure that they do not enter the rooting zones of trees; viii) Identify and safely retain large diameter snags with significant wildlife use; ix) Ensure that trees retained around structures and along road access routes are wind firm; x) Management of the site to avoid damage to tree limbs and bark; xi) Provision for on-site monitoring during site clearing and construction. 	<p>Trees within the DPA have already been cleared. The revegetation plan includes protection and management provisions intended to ensure forest health and plant resilience.</p>
<p>5. Landscaping, Energy & Water Conservation, and GHG Emission Reduction</p>	
<p>a) The site landscape plan shall be prepared by a registered professional Landscape Architect in collaboration with the registered professional Biologist.</p>	<p>The site is not being landscaped at this time. The revegetation plan has been prepared by a professional forester.</p>

b) A 6.0 metre landscaped buffer shall be provided and maintained along the west property line (BC Hydro right of way) as an additional area of landscaping between the transmission lines and the development site. Vegetated bio-swales may be considered within this buffer area.	The portion of subject property that is within DPA 8 is not adjacent to the western property line abutting the hydro corridor.
c) On-site landscaping shall consist of native and drought tolerant plants to reduce water consumption and to contribute to natural habitat	The site is not being landscaped at this time. However, the revegetation and management plan recommends native plants.
d) All landscaping work and plant material shall conform to the most recent edition of the British Columbia Landscape Standard published by the British Columbia Society of Landscape Architects.	
e) The sequencing and timing of a development may be specified in the DP to reduce impacts to the environment and neighbouring properties.	The DP only applies to the current subdivision. Further permits will be required for future subdivisions and building construction.
6. Monitoring	
a) Conditions regarding monitoring and reporting shall be included in the DP.	The permit includes monitoring requirements, which include invasive plant management and a bond.
b) On-site monitoring may be required to be undertaken by a registered professional Biologist during site clearing and throughout the construction of the development.	
c) On-site monitoring may be required to be undertaken by an appropriately certified Arborist during site clearing.	
d) On-site monitoring shall be undertaken by a registered professional Landscape Architect during landscape installation. Any request for release of a landscape bond shall be accompanied by a report from the Landscape Architect.	

The DPA 8 guidelines primarily relate to forest and tree retention. Because the site was cleared without appropriate authorizations, little can be done in terms of retaining mature trees and existing forests. However, the restoration plans as submitted offer an adequate solution under

the circumstances. Staff recommend that Development Permit 3060-22-13 be approved for issuance.

ALTERNATIVES:

Council can choose to:

1. Deny the application for a Development Permit 3060-22-13 and provide reasons for Council's decision, citing specific Development Permit guidelines;
2. Defer consideration of Development Permit 3060-22-13; or
3. Amend Development Permit 3060-22-13 and approve the permit for issuance as amended.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There are no public consultation requirements for development permits.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Development Permit is a requirement of subdivision and Planning and Infrastructure Services have been working jointly on these files.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. DP 3060-22-13
- B. Revegetation Plan
- C. Updated Subdivision Plan (Submitted for Final Approval)
- D. Wildfire Report



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 *Local Government Act*)

FILE NO: 3060- 22-13

DATE: June 21, 2022

Name of Owner(s) of Land (Permittee): 0963984 B.C. Ltd., Inc. No. BC0963984

Applicant: 0963984 B.C. Ltd., Inc No. BC0963984 (Jim Dickinson)

Subject Property (Civic Address): Phase 5 Holland Creek Subdivision (Rollie Rose Drive and Colonia Drive South of Ray Knight Drive)

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

Lot A, Block 192, District Lot 103, Oyster District, Plan EPP63594, Except Plan EPP67741, EPP75579, EPP80490, EPP98460 and EPP98461
PID# 030-139-520
(referred to as the "Land")

3. This Permit has the effect of authorizing:
 - (a) Subdivision, as shown in **Schedule A – Proposed Subdivision Plan** subject to the requirements of the *Local Government Act* and the *Land Title Act*; and
 - (b) the alteration of land on Lots 14 to 19, outside of the Riparian Assessment Area, as shown in **Schedule A – Proposed Subdivision Plan** to allow installation of infrastructure associated with the proposed subdivision;
 - (c) Removal of invasive species from the Riparian Assessment Area and replacement with native species under the supervision of a Qualified Environmental Professional (QEP).

for land designated in the Official Community Plan under section 488(1)(a) of the *Local Government Act* subject to the conditions, requirements and standards imposed and agreed to in section 6 of this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.
5. The Permittee, as a condition of the issuance of this Permit, shall:
 - (a) Within 60 days of issuance of this permit:

- i. Remove invasive species from Proposed Lot 19 and within the Riparian Assessment Area as shown on **Schedule A - Proposed Subdivision Plan**:
 1. under the supervision of a Qualified Environmental Professional; and,
 2. in accordance with best management practices for invasive plant removal (e.g. cutting scotch broom in bloom).
 - ii. Provide confirmation from a Registered BC Land Surveyor of any vegetation removal that has occurred within the parkland adjacent to the Lands.
 - iii. For any areas identified under (ii) to develop a revegetation plan to be prepared or reviewed by a Qualified Environmental Professional (QEP) and approved by the Town of Ladysmith Director of Parks, Recreation, and Culture.
 - iv. Revegetate any parkland identified under (ii) under the supervision of a Qualified Environmental Professional and in accordance with the specifications developed in the revegetation plan prepared in accordance with (iii).
 - v. Complete a survey of the SPEA trees that were physically damaged during land clearing and plant replacement trees within the SPEA in accordance with the following tree replacement standards identified in **Schedule B – Tree Replacement Standards** and under the guidance of a QEP.
 - (b) Every spring until this property is developed:
 - i. Remove invasive species from Lots 1-5, and 14-19 and the Riparian Assessment Area as shown on **Schedule A – Proposed Subdivision Plan**:
 1. under the supervision of a Qualified Environmental Professional; and,
 2. in accordance with best management practices for invasive plant removal (e.g. cutting scotch broom in bloom).
 - ii. Provide to the Town, a report by no later than July 1 of every year, confirming that (i) has been completed.
6. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of cash or an irrevocable letter of credit to guarantee the performance of the conditions in section 6 of this Permit respecting protection of the Streamside Protection Area and revegetation (landscaping). Security shall be in the amount of \$15,000. A Letter of Credit, shall be for a period of two years and shall be automatically extended.
7. Should the Permittee fail to satisfy the conditions referred to in:
 - (a) section 6(a) of this Permit within 60 days of the issuance of this permit, or,

Attachment A

- (b) the conditions referred to in section 6(b) by July 1, 2023 and every year thereafter as applicable

the Town of Ladysmith may undertake and complete the works required to satisfy the condition(s) at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.

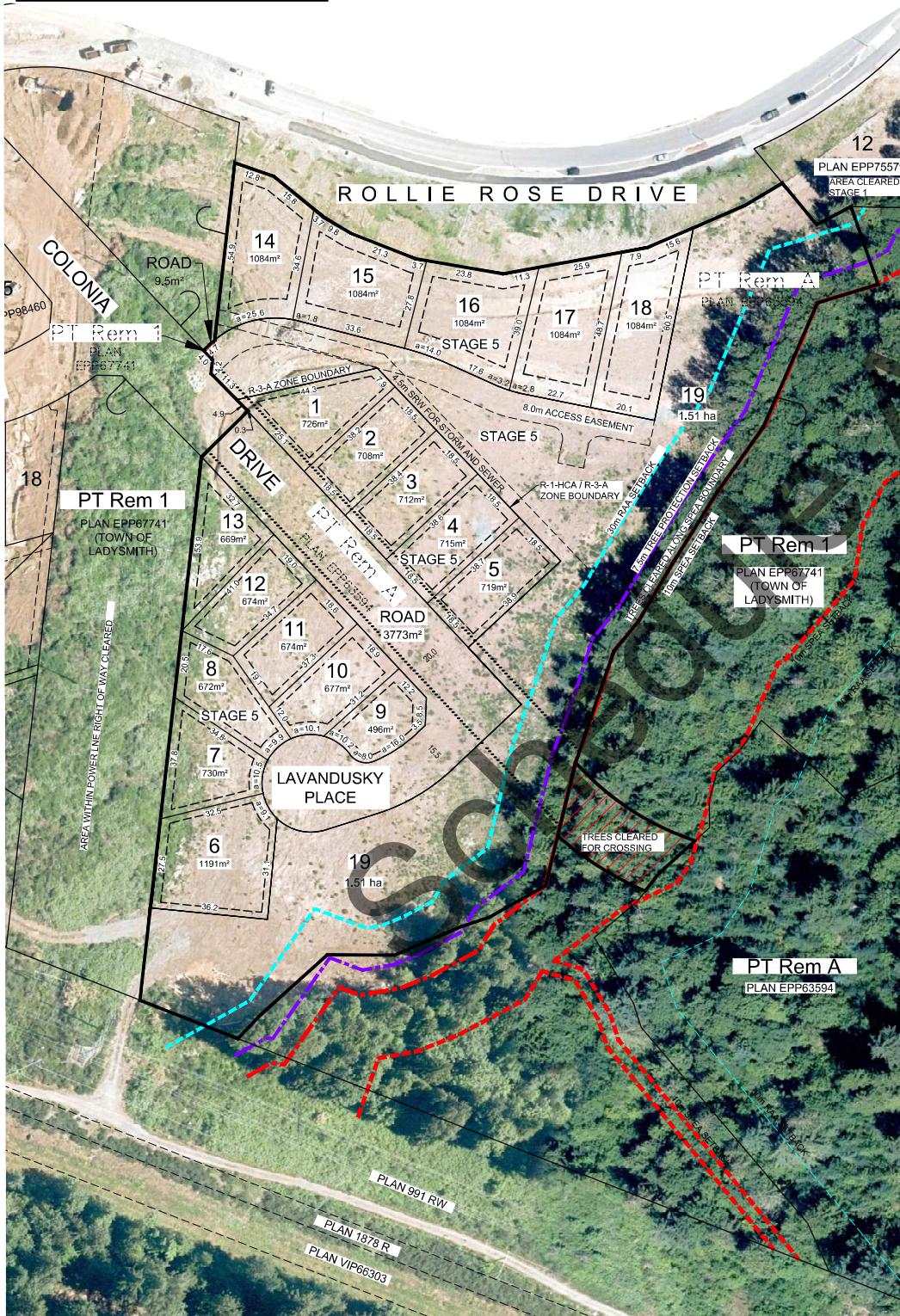
8. Requests for the release of the security shall be considered once the Town has issued development permits for construction of buildings on the north and south portions of Lot 19 as shown in **Schedule A – Proposed Subdivision Plan** and shall be accompanied by a report from a landscape professional and QEP confirming that the conditions in section 5 of this permit have been met.
9. Should there be no default as herein provided, the Town of Ladysmith shall return any security provided to the Permittee.
10. If the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
11. The plans and specifications attached to this Permit are an integral part of this Permit.
12. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
13. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.
14. Further Development Permits must be obtained prior to:
 - (a) construction of any buildings;
 - (b) further subdivision;
 - (c) further alteration of land; or
 - (d) further clearing of vegetation.

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

**Schedule A - Proposed
Subdivision Plan
DP 3060-22-13**
Phase 5 Holland Creek
Subdivision
Page 1 of 1

**SKETCH PLAN TO ACCOMPANY A
DEVELOPMENT PERMIT
APPLICATION FOR HOLLAND
CREEK STAGE 5**

SHOWING PROPOSED STAGE 5 WITH
2019 IMAGERY
TOWN OF LADYSMITH
CLIENT: HOLLAND CREEK PARTNERSHIP



SCALE 1:1000

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.

STAGE 5 PROPOSED LOT INFORMATION:

LOTS 1-13 ZONED R-1-HCA (SINGLE FAMILY)
LOTS 14-18 ZONED R-3-A (MULTI FAMILY)
LOT 19 ZONED R-1-HCA AND R-3-A

LEGEND:

- a - DENOTES ARC LENGTH
- SRW - DENOTES STATUTORY RIGHT OF WAY
- DENOTES 30m RIPARIAN ASSESSMENT AREA (RAA)
- DENOTES 10m STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA)
- DENOTES 7.5m TREE PROTECTION SETBACK

PROPERTY:

PROPERTY DIMENSIONS SHOWN ARE DERIVED FROM: FIELD SURVEY AND LAND TITLES RECORDS.

OFFSETS TO PROPERTY LINES ARE NOT TO BE USED TO DEFINE BOUNDARIES.

REFER TO CURRENT CERTIFICATE(S) OF TITLE FOR ADDITIONAL, EXISTING OR PENDING CHARGES.

GENERAL:

THIS PLAN SHOWS THE LOCATION OF VISIBLE FEATURES ONLY, AND DOES NOT INDICATE BURIED SERVICES THAT MAY EXIST ON OR AROUND THE SUBJECT SITE.

FEATURES SHOWN WITHOUT DIMENSIONS SHOULD BE CONFIRMED WITH BENNETT LAND SURVEYING LTD.

IMAGERY SHOWN DERIVED FROM ONLINE SOURCES DATED 2019



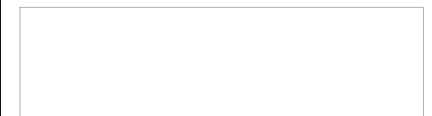
bennett
LAND SURVEYING LTD.
BC LAND SURVEYORS
2339-UNIT B DELINEA PL. NANAIMO, BC V9T 5L9
TEL 250-754-5518 www.bennettsurveys.com

DATE:	BY:
2022-05-29	DKV
REVISION:	0

THIS PLAN HAS BEEN PREPARED FOR MORTGAGE AND OR MUNICIPAL PURPOSES ONLY AND IS FOR THE EXCLUSIVE USE OF OUR CLIENT.
ALL RIGHTS RESERVED. NO PERSON MAY COPY, REPRODUCE, TRANSMIT OR ALTER THIS DOCUMENT IN WHOLE OR IN PART WITHOUT THE CONSENT OF BENNETT LAND SURVEYING LTD.

BENNETT LAND SURVEYING LTD. ACCEPTS NO RESPONSIBILITY OR LIABILITY FOR ANY DAMAGES THAT MAY BE SUFFERED BY A THIRD PARTY AS A RESULT OF ANY DECISIONS MADE, OR ACTIONS TAKEN BASED ON THIS DOCUMENT.

CERTIFIED CORRECT



THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED OR DIGITALLY CERTIFIED.

**Schedule B – Tree Replacement
Standards**

DP 3060-22-13

Phase 5 Holland Creek Subdivision

Page 1 of 1

Tree Replacement Standards:

- 0 mm - 151 mm (6") dbh 2 replacement trees (min height 1.5 m), or, 4 shrubs
(for up to 50% of trees being replaced in this range);
- 152 mm - 304 mm (12") dbh 3 replacement trees (min height 1.5 m);
- 305 mm - 456 mm (18") dbh 4 replacement trees (min height 2.0 m);
- 457 mm - 609 mm (24") dbh 6 replacement trees (min height > 2.0 m);
- 610 mm - 914 mm (36") dbh 8 replacement trees (min height > 2.0 m)
 - Trees > 914 mm dbh (36") will require individual approval and replacement criteria prior to removal.
 - Every effort must be made to retain 20% of trees > 304 mm dbh (12") as wildlife snags at minimum height of 3 m.



Margaret Symon, RPF PCP
Strathcona Forestry Consulting
PO Box 387 Stn. Mn.
Duncan BC V9L 3X5
strathcona.fc@shaw.ca
250 715-6983 (c/text)

June 8, 2022

To: Jim Dickinson jddickinsen@shaw.ca
Holland Creek Partnership

Re: **Vegetation Management Plan Stage 6**

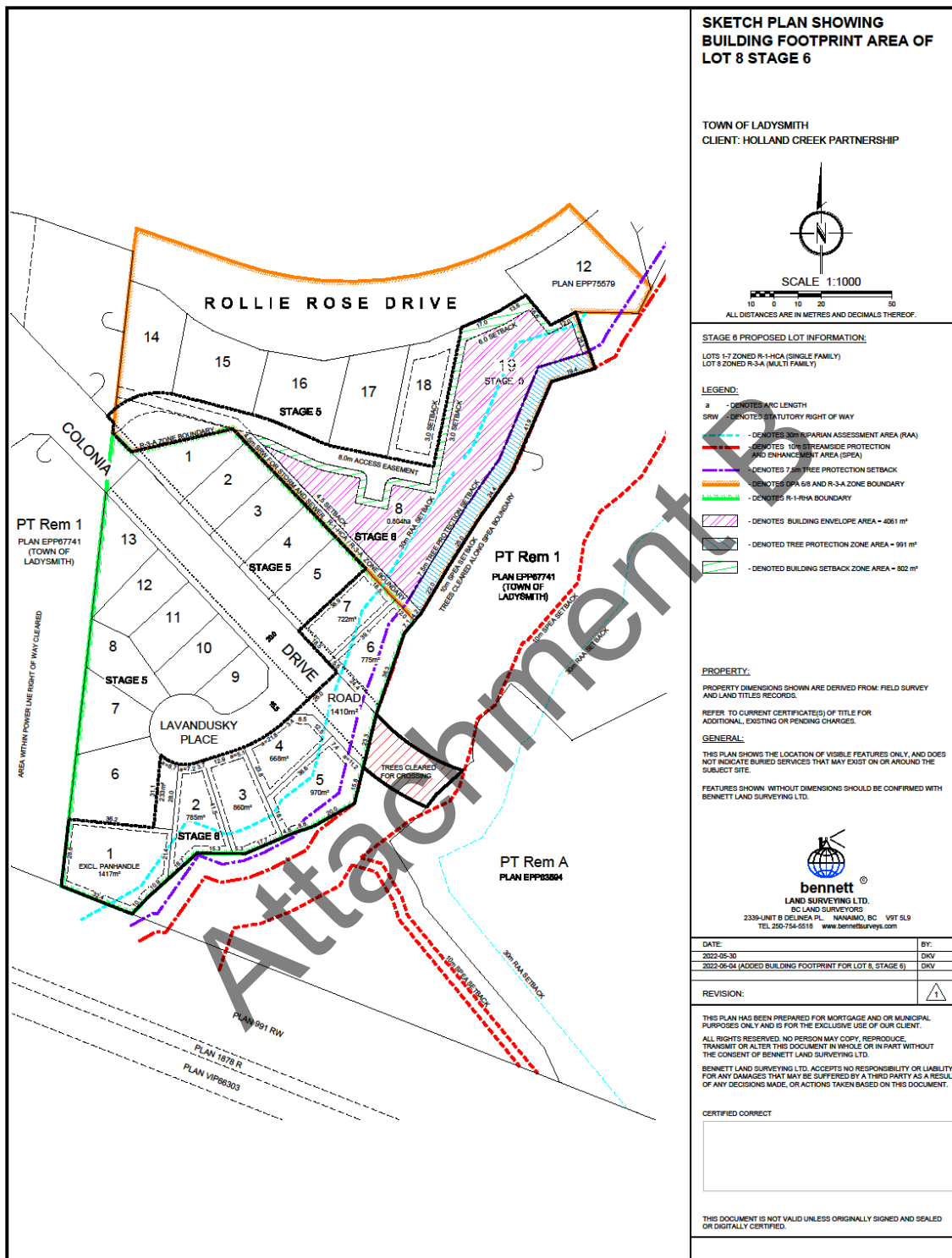
At the request of Holland Creek Partnership, Strathcona Forestry Consulting reviewed vegetation management plans for post-development at Holland Creek Stage Lot 19 Stage 6 (see Site Plan next page). The site is proposed for a mix of multifamily (Lot 8) and single family residences (Lots 5 and 6). As a reflection of the Town of Ladysmith's Vision guidelines, landscaping should emphasize native vegetation that is also FireSmart. Post-development, landscaping will comprise existing native plants supplemented by plantings of ecologically suitable native shrubs and tree seedlings.

Post-development, in consultation with the Town, builder, and developer, the RPBio and/or RPF will oversee the following actions at Stage 6:

- Promptly re-vegetate any areas of soil disturbed during clearing and construction with approved landscaping materials and/or native plant species to prevent encroachment from invasive plant species (i.e., broom, etc.).
- Incorporate FireSmart landscaping by using certified native grass seed and/or fire-resistive, low-growing, native groundcover in combination with rock and/or water features.

Posting of a surety bond in the amount of \$15,000 will guarantee the developer complies with obligations for invasive species removal (e.g., broom), ecologically suitable re-vegetation, and maintenance at **Lot 19 Stage 6**.

Yours sincerely,
Margaret Symon RPF PCP LFR



G:\SHARED DRIVE\NANAIMO - JOBS\2022\110023.00-HOLLAND-CREEK-ESTATES-LADYSMITH\110023.00-DRAWINGS\110023.00-SKETCHES\SK110023-17 (LOT 8 AREA) 2022-05-04.DWG

Site Plan: Holland Creek Stage 6.

SUBDIVISION PLAN OF
PART OF LOT 1, PLAN EPP67741 &
PART OF LOT A, PLAN EPP63594, EXCEPT PLAN EPP67741, EPP75579, EPP80490, EPP98460 AND EPP98461,
BOTH WITHIN BLOCK 192, DISTRICT LOT 103, OYSTER DISTRICT.

TOWN OF LADYSMITH
BCGS 92B.091

5 0 5 10 25
ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.
THE INTENDED PLOT SIZE OF THIS PLAN IS 1320mm IN
WIDTH BY 864mm IN HEIGHT (E SIZE) WHEN PLOTTED AT
A SCALE OF 1:400

LEGEND

THIS PLAN LIES WITHIN INTEGRATED SURVEY AREA NUMBER 43,
TOWN OF LADYSMITH, NAD83 (CSRS) 3.0 B.C. 1.N.1

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN
GEODETIC CONTROL MONUMENTS 19265 AND 823716 AND ARE
REFERRED TO CENTRAL MERIDIAN OF UTM ZONE 10.

- - DENOTES STANDARD IRON POST FOUND
- - DENOTES STANDARD IRON POST PLACED
- ▲ - DENOTES GEODETIC CONTROL MONUMENT
- - DENOTES STANDARD ROCK POST FOUND
- - DENOTES STANDARD ROCK POST PLACED
- US - DENOTES UNSUITABLE
- WI - DENOTES WITNESS
- (I) - DENOTES PREVIOUSLY TIED AND DESTROYED BY CONSTRUCTION, RESTORED FROM PREVIOUSLY TIED POSITION.
- + - DENOTES UNMARKED MEASURED POINT IRON POST PREVIOUSLY TIED NOW DESTROYED

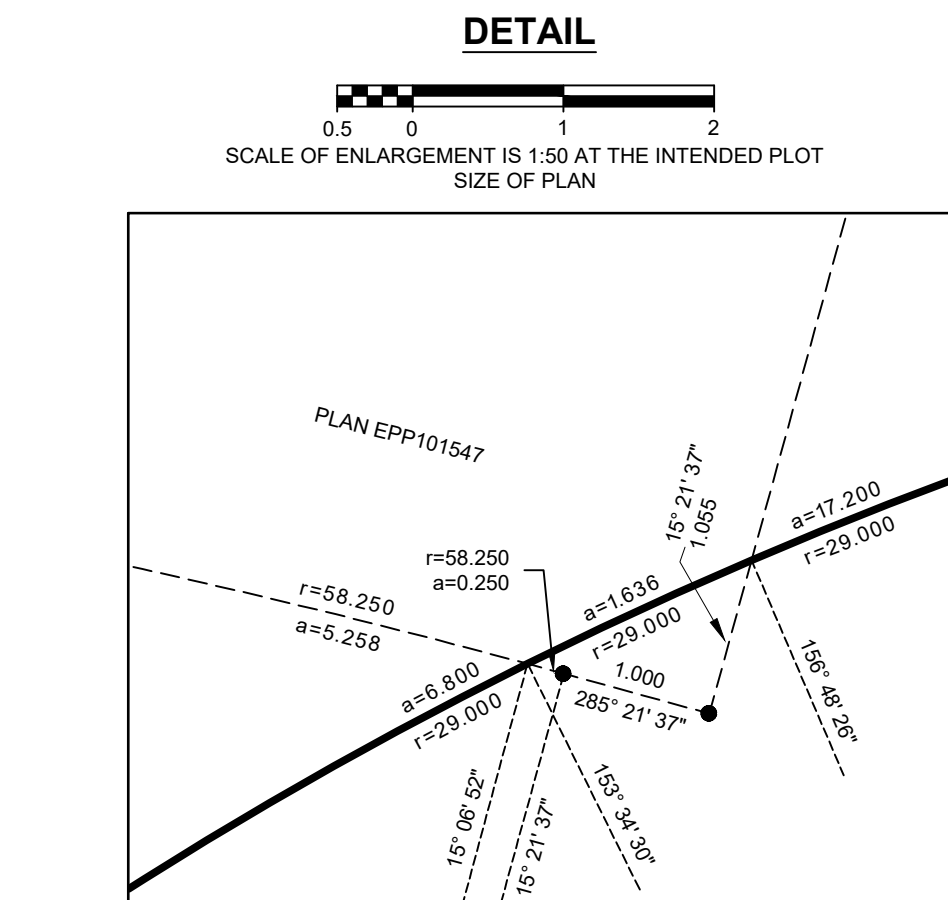
THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES.
UNLESS OTHERWISE SPECIFIED, TO COMPUTE GRID DISTANCES,
MULTIPLY GROUND LEVEL DISTANCES BY THE AVERAGE COMBINED
FACTOR OF 0.999636. THE AVERAGE COMBINED FACTOR HAS BEEN
DETERMINED BASED ON GEODETIC CONTROL MONUMENTS 19265 AND 823716.

NOTE:
SOME LINES ARE EXAGGERATED FOR CLARITY.
THIS PLAN SHOWS ONE OR MORE WITNESS POSTS
WHICH ARE NOT SET ON THE TRUE CORNERS.

DATUM: NAD83 (CSRS) 3.0 B.C. 1.N.1, UTM ZONE 10.				
GCM	NORTHING	EASTING	ESTIMATED ABSOLUTE ACCURACY	COMBINED FACTOR
19265	5425293.223	440751.424	0.06	0.9996401
823716	5425176.267	440631.409	0.06	0.9996392

NOTE: FOR MAPPING PURPOSES ONLY.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE
DERIVED FROM THE MASCOT PUBLISHED COORDINATES AND STANDARD
DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 19265 AND 823716.

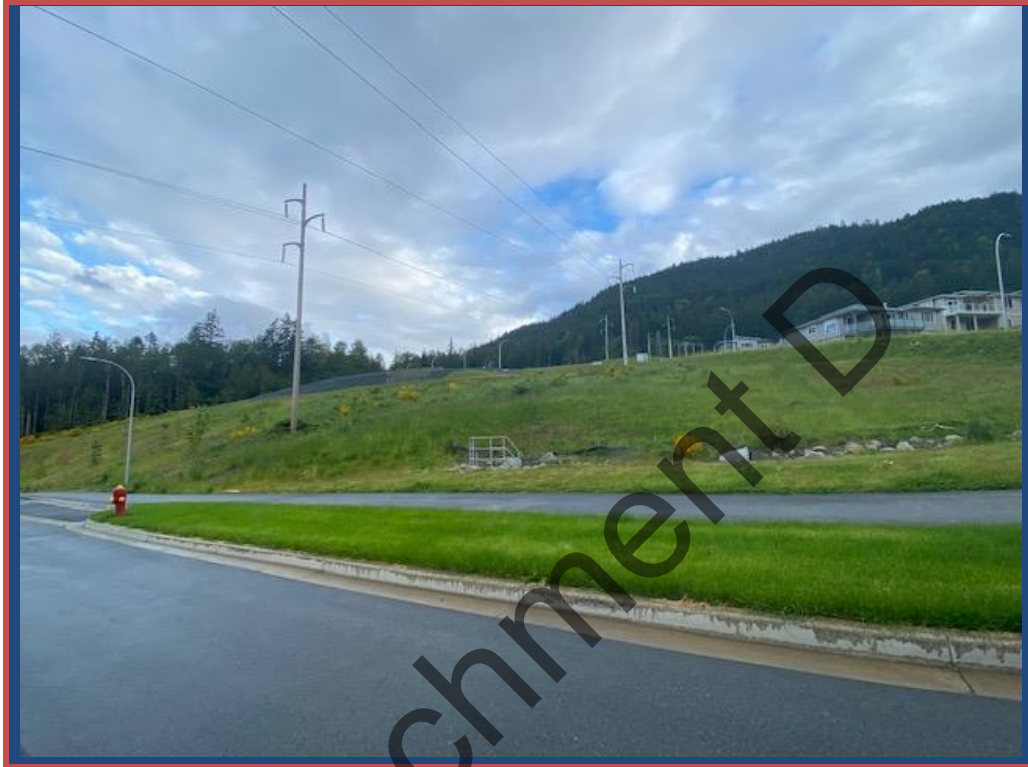


bennett
LAND SURVEYING
(COSTAL) LTD.
BC LAND SURVEYORS
102 CLIFT STREET
NANAIMO, BC
V9R 5E7
TEL 250-754-5518
www.bennettsurveyors.com
FB110023 PSD-98 RP-JS
2022-02-17

PLAN EPP117682

THIS PLAN LIES WITHIN
THE COWICHAN VALLEY REGIONAL DISTRICT.

THIS PLAN LIES WITHIN THE JURISDICTION OF THE
APPROVING OFFICER FOR THE TOWN OF LADYSMITH.
THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS
COMPLETED ON THE 4TH OF FEBRUARY, 2022.
DANU K. VANDERMARK, BOLS 1006



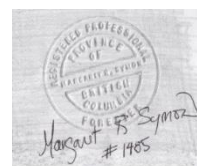
Wildfire Hazard Assessment

Holland Creek Stage 6

Prepared for: Holland Creek Partnership Ltd.
Colonia Drive
Attn: Jim Dickinson Jddickinson@shaw.ca

Prepared by: **Strathcona Forestry Consulting**
PO Box 387 Stn Mn
Duncan BC V9L 3X5
strathcona.fc@shaw.ca

6 June 2022



EXECUTIVE SUMMARY

In accordance with the Town of Ladysmith's guidelines for development, Holland Creek Partnership Ltd. retained Strathcona Forestry Consulting to prepare a wildfire hazard assessment for Holland Creek Stage 6.

Assessment determined that the wildfire threat at the subject proposal is currently Moderate. Expanding development at Ladysmith is pushing the interface boundary further into surrounding wildlands, increasing the local threat level and wildfire risk. A Wildfire Hazard Assessment conducted in 2015 rated the subject area a High wildfire hazard. Since that time, significant clearing has taken place and infrastructure has been enhanced; the local wildfire threat is now rated Moderate. This rating reflects: discontinuous fuel loading in the area; well-travelled locale (visible); and existing infrastructure (e.g., hydrants, roads). These factors must be balanced against the possibility of delayed response, and intermix >1 structure/ha. Hazard/ Impact/ Risk/ Vulnerability assessment corroborated the overall current MODERATE hazard. Under the provincial Wildfire Threat Rating system, ratings must be moderate or less to be considered acceptable.

Development standards play a significant role in reducing the potential impact a wildfire will have on a community (FireSmartCanada.ca; FireSmartBC.ca). Developing in fire-prone ecosystems involves taking the necessary steps to protect homes, property, and ecosystems from wildfire. FireSmart principles for wildfire prevention and preparedness have proven effective at reducing risk related losses to wildfire. Over recent years, the developer has consistently strived to implement measures to enhance resiliency of the subject proposal and surrounding area.

In my professional opinion, if the wildfire risk reductions recommendations contained in this report are followed through planning and construction – and continue after buildout, the risk of wildfire (and windthrow) can be reduced to a level acceptable to ensure the safety of the intended development.

Fire prevention and protection in the interface zone are ongoing processes. Long-term implementation of FireSmart mitigation is essential to enhance resiliency of life, property, and ecological processes in Ladysmith's wildland interface.

Introduction

In accordance with the Town of Ladysmith's guidelines for development, Holland Creek Partnership retained Strathcona Forestry Consulting to conduct a Wildfire Hazard Assessment of Holland Creek Stage 6.

A Wildfire Hazard Assessment evaluates the susceptibility of the subject property to wildfire from conditions both on and off-site, including neighbouring lands that may present a wildfire hazard.

The interface (wildland urban interface/wildland residential interface) describes any area where combustible wildland fuels are found adjacent to homes or other buildings. Under Section 919.1(1) (a) of the Local Government Act, development permits may be designated where protection of Natural Hazard Lands is justified. Natural hazards, including wildfires, may put life and property, and local biodiversity, at risk if development is inappropriately situated and not well planned. The objective is to properly manage the risks associated with the hazard (interface wildfires).

Assessment

This assessment reflects site conditions prior to the proposed disturbance, including any previous site disturbance, and the anticipated site conditions post-development. The assessment considers existing off-site developments and the impact these developments may have on the subject property. The assessment report describes the vegetation, terrain, and infrastructure on and around the subject property.

Assessment criteria are based on Rating Interface Wildfire Threats in British Columbia (<https://www2.gov.bc.ca/>), FireSmart (FireSmart, Protecting Your Community From Wildfire (Second Edition. Partners in Protection, 2003 (<https://www.firesmartcanada.ca/>), and the Home Owners FireSmart Manual (BC Edition (<https://www2.gov.bc.ca/assets/gov/public-safety-and.../homeowner-firesmart.pdf>)). Fire behavior modeling is standardized after the Canadian Forest Fire Danger Rating System (CFFDRS).

The assessment utilizes supported assessment methodology of the BC Ministry of Forests, Lands and Natural Resource Operations. Wildfire threat assessment was conducted through an analysis of fuel threats in and adjacent to the proposed development, as described in the 2020 Wildfire Threat Assessment Guide and Worksheets (MFLNRO, 2020). This process, used by qualified environmental

professionals, employs physical and biophysical factors, combined with fuel hazards, to determine the wildfire threat (low, moderate, high, or extreme). Fire risk is based on four classes: low, moderate, high, and extreme. Fuel Types listed in this assessment are customized from the CFFDRS Fuel Type list for applicability on BC's south coast. Recommendations in this report conform to BC Building Code standards and fire hazard planning authorized by Section 3(2) of the BC Fire Services Act.

The assessment includes consideration of a range of factors including but not limited to: fuel hazards, history of wildfire occurrence, and existing and proposed structures. The assessment evaluates the subject property for wildfire susceptibility as it pertains to the proposed land use and not just the current land use. The assessment includes evaluation of conditions both on and off-site including neighbouring lands that may present a wildfire hazard to the subject property. The assessment specifies how the proposal incorporates defensible space and building materials to form an appropriate buffer zone or protection buffer. The assessment includes fire hazard mitigation recommendations regarding site modification requirements and any other requirements for subdivision or new construction that may reduce the susceptibility of the subject property to wildfire. Where green remainders about the subject property, this wildfire hazard assessment includes methods for reducing wildfire hazard along the property line to a level of "moderate" or less, and also addresses management of the interface.

Recommendations in this report conform to BC Building Code standards and fire hazard planning authorized by Section 3(2) of the BC Fire Services Act.

Review of Existing Information

The following information was reviewed:

- 'Community Vision Report' (A Community Vision for a Sustainable West Coast Town)
- [Official Community Plan Bylaw 2003, No. 1488](#)
- Imap BC <https://maps.gov.bc.ca/>
- RAPR (DR Clough and Associates)

Working closely with the Town of Ladysmith, local residents, and partners in the Stz'uminus First Nation, Holland Creek Partnership strives to ensure residential development meets standards laid out in the Town of Ladysmith's Community Vision Report.

Field Inspection

Fieldwork was conducted during the spring of 2022. Field investigation entailed an analysis of the interface fire hazard that the property is exposed to, from the perspective of the general area, local site, and proposed and existing structures in the general vicinity, up to 100+ m (to 2+ km) from property boundaries, where feasible.

Hazard Assessment

Methods used in this assessment are repeatable and based on scientific standards appropriate to the scope of the proposed development and the landscape being assessed. Methods contributing to the results, interpretations and recommendations contained in this assessment are identified in the assessment, mapping, and/or included in appendices.

Wildfire threat assessment employed collection of detailed data on key forest stand attributes. Priority setting scoring examined topography, site level and previous mitigation activities within the area of interest. Site level fuel assessment examined the ground fuel, surface fuel, ladder fuel, and crown or aerial fuel. The wildfire threat assessment process is consistent with wildfire behavior principles from the Canadian Forest Fire Danger Rating System (CFFDRS).

The focus of assessment is stand attribute data in order to document the ability of a unique area of forestland to support a wildfire. Analysis of forest structure and fuel types contributes to determination of the threat rating.

Methodology involved a detailed walk through and ocular approaches consistent with stated survey objectives. A combination of coarse and fine filters was employed for fuel typing, and included a combination of aerial imagery and field work. Site level assessment identified areas of the subject property in need of hazard mitigation.

Location and Description of Proposal

The subject site is located upslope and to the south of Rollie Rose Road (see photos and maps following pgs.). The property is bounded to the northwest and southwest by cleared, proposed single family lots on Rollie Rose Drive and Colonia Drive, to the east by existing single family development on Kinsmen Place and multi-family development on Rollie Rose Drive, and to the south by a tributary of Holland Creek. The subject property is cleared of trees excepting for tree cover retained in a riparian corridor along

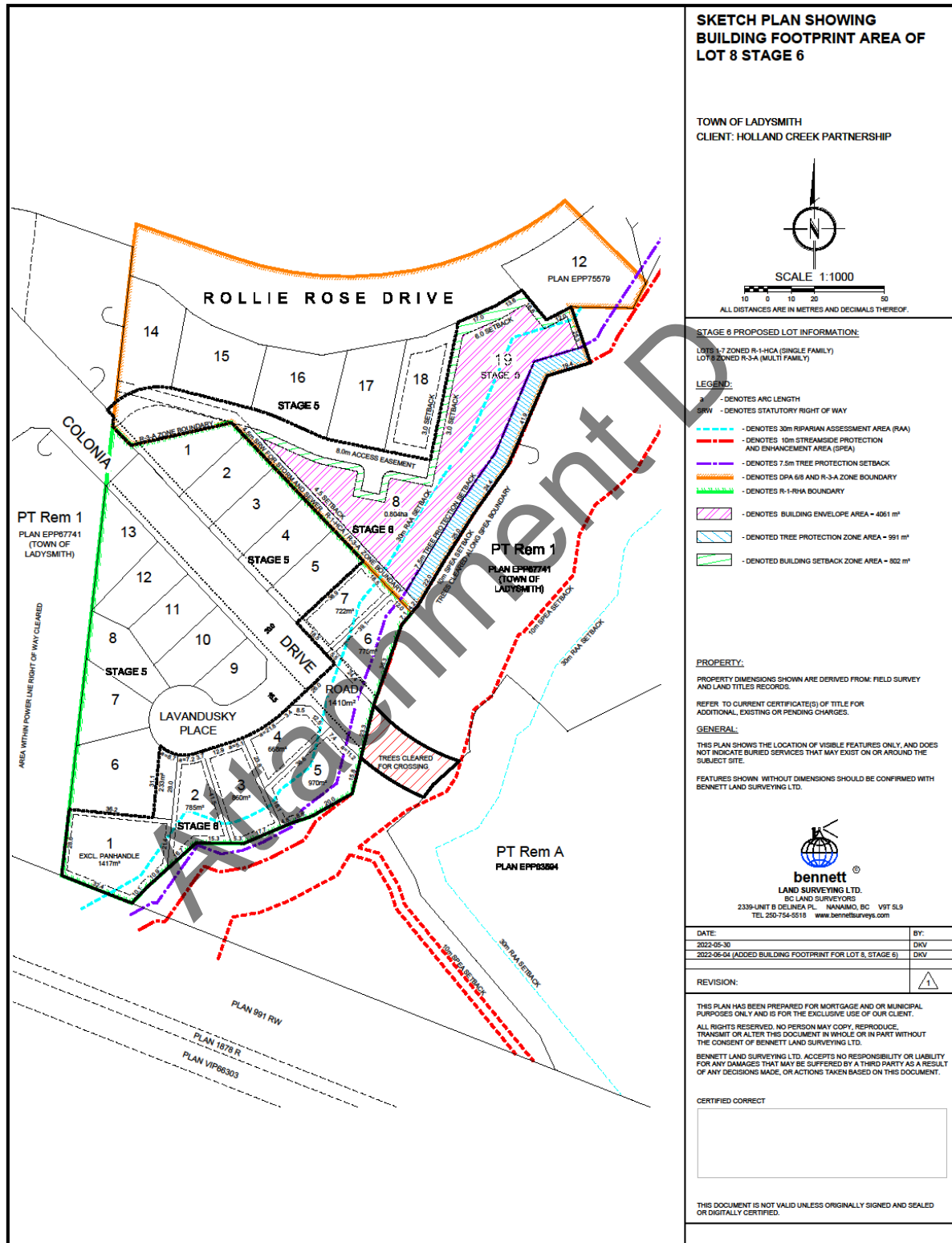
a tributary of Holland Creek, which flows eastward along the upper portion of the lot. DR Clough and Associates determined a 30 m RAA setback, 10 m SPEA setback, and 7.5 Tree Protection Setback.

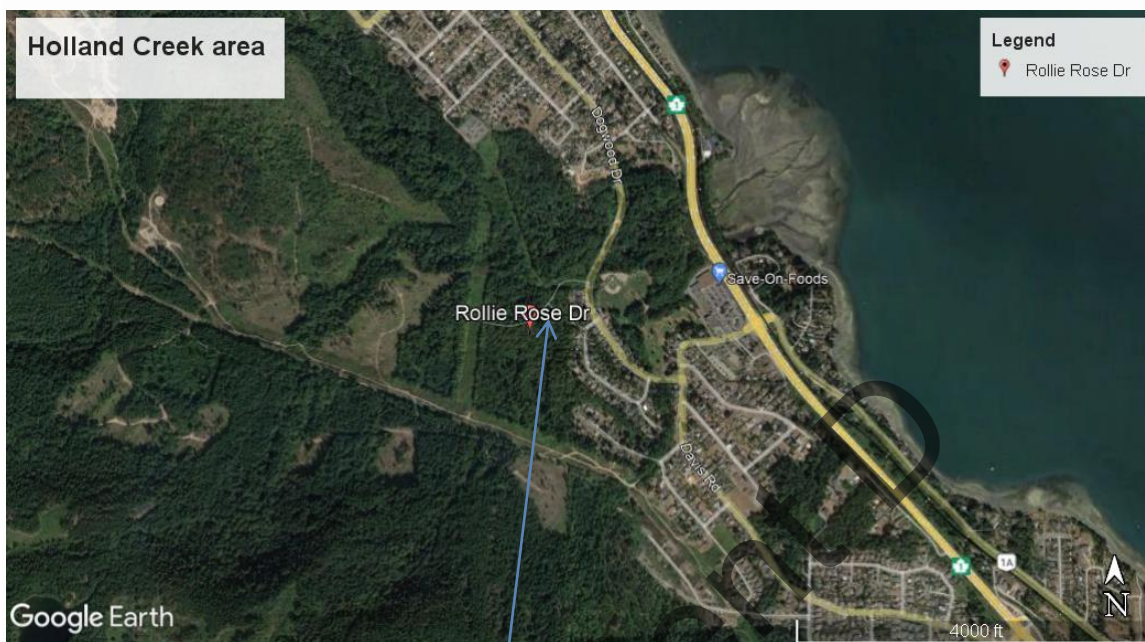
The local area is hydrated.

The subject site is proposed for multi-family residential accessed from Colonia Drive.

Attachment D

Next Page - Site Plan: Stage 6



Location Map, Photo Stage 6

Significant area of forest has been cleared over the last decade within the subject area (ca 2016).



View looking southwest from lower Rollie Rose Drive towards Stage 6.

Wildfire Hazard and Risk


Wildfire hazard is a process, a phenomenon or a human activity that may cause loss of life, injury, or other health impacts, property damage, social and economic disruption or environmental degradation. Wildfire hazard can be described qualitatively as a fire environment—fuel, weather, topography, and ignitions.

Risk assessment for wildfire and its impacts to communities considers both the likelihood of a wildfire and the potential consequence associated with that likelihood. For example, if the fuel (i.e. the hazard) ignites and the fire spreads towards the community (probability), the wildfire can become a threat to life and property (consequence) with an associated risk of loss.

As outlined in the Methodology section, determination of the wildfire hazard and risk involves a detailed assessment of potential fire behaviour, field reviewed fuel characteristics, proximity of fuel to the community, local fire spread patterns, topographical considerations and local factors.

Fire Behaviour. Fire behaviour has three components: weather, topography, and fuel. Fire behavior predicts how forest and wildland vegetation (fuel) will burn under different conditions. Weather and topography cannot be changed; alteration of fuels across the landscape is the only way to lower fire intensity and change fire behaviour. Various factors influence fuel, weather, and topography (see chart below).

FIRE BEHAVIOUR

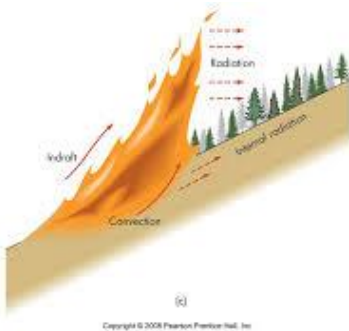
<i>Fire Behaviour Components / Influencing Factors</i>	FUEL	WEATHER	TOPOGRAPHY
	<i>Moisture</i>	<i>Wind</i>	<i>Slope</i>
	<i>Size</i>	<i>Precipitation</i>	<i>Aspect</i>
	<i>Spacing</i>	<i>Relative Humidity</i>	<i>Terrain</i>
	<i>Continuity</i>	<i>Temperature</i>	<i>Elevation</i>
	<i>Fuel Loading</i>		

Biogeoclimatic Classification. The subject proposal is located in the moist maritime Coastal Douglas-fir moist maritime (CDFmm) biogeoclimatic subzone. Summers are warm and dry, while winters are moist and mild. Growing seasons are long, and often

feature pronounced water deficits on zonal (average) and drier sites. Fire Danger Ratings (i.e., the risk of a fire starting) often reach High and Extreme in summer.

Due to the historical human activities over the last century (e.g., forestry, agriculture, housing), expanding population density and relatively benign topography, urban development is common and widespread in the CDFmm. Recreational activities are also burgeoning in the area.

Topography. Physical site characteristics impact fire behavior by affecting ignition potential and the rate of fire spread. The subject proposal occupies a mid slope with a northeast (cooler) aspect. Wildfire behavior tends to be of greater concern on steeper, upper slopes with warmer aspects. During extended periods of warm, dry, windy summer weather, all interface areas can be vulnerable to wildfire.



Wildfires typically burn uphill. Warmer aspects tend to burn “hotter.” Subject proposal is located on a cool aspect.

Vegetation. Fire behavior predicts how forest and wildland fuels (vegetation) will burn under different conditions. Fuel hazard means the potential fire behaviour, without regard to the state of weather or topography, based on the physical fuel characteristics, including fuel arrangement, fuel load, condition of herbaceous vegetation and the presence of ladder fuels.

Benchmark vegetative fuel types developed by the Canadian Forest Fire Danger Rating System Fire Behavior System (CFFDRS) are used to forecast how a wildfire will react (cwfis.cfs.nrcan.gc.ca) (refer to Appendix 2). A Fuel Type is defined as “an identifiable association of fuel elements of distinctive species, form, size, arrangement, and continuity that will exhibit characteristic fire behavior under defined burning conditions” (Canadian Interagency Forest Fire Centre, 2003).

Major Fuel Types at Subject Proposal:

Fuel Types	Description	Forest Floor & Surface Fuels	Ladder Fuels	Wildfire Behaviour (why and how a fire spreads)
0-1/C-2/C-3 Open grass discontinuous with brush/scattered low trees	Grasses, low shrubs, and discontinuous tree cover occupies significant portion of site	Surface fuels comprised of a mix of native and invasive grasses, native and invasive shrubs.	Ladder fuel loading generally low, except along fringes of tree cover.	Fire start during warm dry weather could have relatively rapid rate of spread through cured grasses and brush.
C-5 Coniferous forest (with mixed leaf component)	Coniferous immature to mature 2nd-growth forest – variable density. To south, upslope of Lot 8 (riparian corridor)	Discontinuous needle litter. Discontinuous to continuous understorey - scattered shrubs. Moderate fuel loading.	Low to moderate ladder fuel loading. Natural pruning activities have reduced branch-load on trunks	Fire start during warm, dry windy weather could see elevated potential for Crown Fire Initiation depending on winds and ember drift

During assessment, a small number of safe, dead trees (snags) were observed in the riparian corridor. Dead and dying standing timber often provides valuable wildlife habitat. A hazard tree assessment prior to commencement of any work is recommended to identify potentially dangerous trees, and to retain wildlife trees where possible. The subject area provides known habitat for several cavity nesting birds (e.g., owls, chestnut backed chickadees) (imapBC).

Risk of Ignition. Risk of ignition represents the potential for fire starts. Risk of ignition could come from pedestrian use in the area, current property owners in the vicinity, construction activities (at the subject site or surrounding vicinity), and local recreational activities (e.g., hiking).

The site, which has been cleared, is clearly visible from a road regularly travelled by residents and construction workers. Risk of ignition is currently rated LOW.



Rollie Rose Drive, looking west.

Fire Spread and Intensity. Head fire intensity is a numerical ranking of difficulty of control for specific fuel types. Flame length is a main visual manifestation. Head fire intensity is a major determinant of certain fire effects and difficulty of control. Numerically, it is equal to the product of the net heat of combustion, quantity of fuel consumed in the flaming front, and the linear rate of spread. Under warm, dry conditions, there is currently sufficient continuity of surface and ladder fuels to enable a fire to spread only moderately quickly. Dry, windy conditions, of course, would increase the rate of spread.

HeadFire Intensity is currently rated High. The goal of Wildfire Risk Reduction (WRR) is to reduce/ and or maintain HeadFire Intensity at less than 2000 kW/m (< 3, HFI column Moderate).

Fire Weather Indices

Hazard Rating	FFMC Fine Fuel Moisture Code	DMC Duff Moisture Code	DC Drought Code	ISI Initial Spread Index	BUI Build Up Index	FWI Fire Weather Index	HFI Head Fire Intensity
Low	0-76	0-21	0-79	0-1.5	0-24	0-4.5	1-2
Moderate	77-84	22-27	80-189	2-4	25-40	4.5-10.5	3
Very High	89-91	41-60	300-424	9-15	61-89	18.5-29.5	5
Extreme	92+	61+	425+	16+	90+	29.5+	6

Spotting Potential. Spotting is a fire behavior characteristic in which sparks or embers are carried up by the wind and/or convective column and fall into other downwind fuels to ignite additional fires beyond the zone of direct ignition by the main fire (Firewise.org). Fire spotting is one of the major ways that fires spread and homes are ignited and destroyed in wildland/urban interface fires. Firebrands can come down on and ignite combustible roofs, combustible items stored adjacent to homes, and other nearby combustible fuels. The resulting spot fires may go unnoticed and thus unsuppressed when an area has been evacuated of residents, when firefighters are spread too thin, or when spot fires are too numerous.

The maximum spotting distance in a particular fire varies according to several factors, including overall fire intensity, wind speed, fuel type, initial size of the ember when lofted up, and how rapidly it is burning (Firewise.org). If a fire start occurred during very warm/hot dry weather (High/Extreme Fire Danger Ratings) within a wide range of the

subject proposal, there is a likely possibility of spotting at the local area. Likewise, if a fire started at the subject site, spotting is likely in the surrounding area. Wind-borne embers can travel several kilometres.

Fire Protection. The subject site is located within the service area of Ladysmith Fire Rescue (LFR), a volunteer fire department that provides protection to the Town of Ladysmith. The firehall is at 330 6 Avenue.

Response time can be delayed, depending on the time of day. The British Columbia Building Code addresses situations where the firefighter response time 'exceeds 10 minutes in 10% or more of all calls' by requiring higher levels of non-combustible construction and reductions on allowable areas of unprotected openings.

Mutual Aid. Fire Departments within the CVRD operate under a mutual aid agreement with other fire departments within (and outside) the region. In the case of a serious fire, mutual aid from adjoining fire departments can benefit fire suppression by pooling manpower and resources (water supply, water tenders, etc.,). Mutual aid, however, may not always be available.

Wildfires. Ladysmith Fire Rescue automatically responds to structure fires and small, easily accessible bush fires inside the fire service protection area (FPA). The Wildfire Management Branch generally responds to forested areas outside a FPA.

Water Supply. The subject proposal will be fully serviced. The subject area is already hydranted; roads are in place.

Access. Safe access increases safety for both residents and firefighters, and also facilitates quick response by firefighters. The subject proposal will be accessed from Colonia Drive via a short driveway with low gradient.

Wildfire Hazard Assessment Results

Scoring from the wildfire hazard assessment and fire behavior analyses determined the subject property currently has a Moderate Fuel Assessment rating (see chart next page), contributing to a Moderate Local Wildfire Threat Rating (below). Positive factors include: discontinuous fuel loading in the area; well-travelled locale; and existing infrastructure (e.g., hydrants, roads). Considerations include the possibility of delayed response and intermix >1 structure/ha. A Hazard/Impact/Risk/Vulnerability assessment also indicated the overall current hazard is MODERATE.

Ratings must be low/moderate to ensure an area and/or structure(s) are safe. Post-development, the Threat rating is projected to be moderate (or possibly lower, depending on mitigation employed).

LOCAL WILDFIRE THREAT SUMMARY: Holland Creek Stage 6			
System:	Subcomponents	CURRENT ratings	Projected Ratings post-development*
MFLNRO Wildfire Threat Assessment	Fire Behaviour: Fuel, Weather, Topography	Fuel Assessment Class: Mod (see chart next pg.)	Moderate
	Structural (incl vicinity)	Mod	Moderate
Overall Rating:		High	Low to Moderate
HIRV Model	Hazard Impact Risk Vulnerability	Mod High Low to Mod Mod	Moderate Moderate Moderate Moderate
Wildfire Risk	Likelihood Intensity Susceptibility	Moderate	Moderate (to Low)

*Projected ratings conditional upon compliance with recommendations contained in this report.



Wildfire risk triangle. (Scott et al. 2013).

Risk rating is currently **Moderate** (considers several factors, including current usage of the area, recent fire history, and current lack on on-site infrastructure).

Generalized Descriptions of the “Fuel Assessment Rating” classes:

Low	Fires may start and spread slowly. There will be minimal involvement of deeper fuel layers or larger fuels.
Moderate	Forest fuels are drier and there is an increased risk of surface fires starting. There will be involvement of the organic layer but larger dead material will not readily combust.
High	Forest fuels are very dry, new fires may start easily, burn vigorously; aerial fuel will be engaged in the flaming front. Most fuel in the organic layer will be consumed and larger dead fuel will be consumed in the smoldering combustion.
Extreme	Extremely dry forest fuel, new fires will start easily, burn vigorously; all aerial fuel will be engaged in the flaming front. Most fuel in the organic layer will be consumed and larger dead fuel will be consumed in the smoldering combustion.

FMC (Fuel Moisture Content) 95% value based on 90th percentile drought conditions.

Fuel reduction targets should be sufficient to be effective to meet treatment objectives of reduced fire behaviour under 90th Percentile Fire Weather Index (FWI) Conditions (FFMC, ISI, BUI) from the BCWS weather network.

Summary

Expanding residential development over the recent years into the wildfire interface zone along western fringes of Ladysmith has reduced fuel loading (forest cover) and increased infrastructure (roads and water connections). Originally assessed in 2015 with a High Wildfire Hazard rating, the subject site at Stage 6 proposed for multifamily residential is rated with a moderate wildfire threat that will likely decrease further when the area is fully built out.

Compliance with FireSmart strategies are important to ensure the subject proposal and surrounding area are safe for the intended purpose.

Attachment D

FireSmart Recommendations

Development standards play a significant role in reducing the potential impact a wildfire will have on a community (FireSmartCanada.ca; FireSmartBC.ca). Creating a fire-prone ecosystem involves taking the necessary steps to protect homes, property, and community from wildfire. FireSmart principles for wildfire prevention and preparedness have proven effective at reducing risk related losses to wildfire.

Wildfire risk reduction recommendations outlined in this report are based on FireSmart principles and best practices (wildfire prevention, mitigation, and preparedness) to manage wildfire risk and impact (FireSmartCanada.ca; FireSmartBC.ca). FireSmart techniques include minimizing the risk of home ignition by carefully landscaping around residential structures (e.g., thinning trees and brush and choosing fire-resistant plants), selecting ignition-resistant building materials and positioning structures away from slopes.

New neighbourhoods in the area are encouraged to participate in FireSmart Canada's Neighbourhood Recognition Program. Neighbourhoods in Canada that have earned the special distinction of being recognized under the FireSmart Program follow a systematic approach to organizing and implementing a FireSmart mitigation plan in their neighborhood. FireSmart actions at a community level will reduce the risk of wildfire and enhance resiliency of a community.

Application of the following recommendations will reduce the risk of wildfire during and post-development of the subject proposal.

Vegetation Management

General Precautions During Land Clearing and Construction

- Ensure any land clearing activities are conducted in compliance with BC's Wildfire Act local bylaws.
- As per the BC Wildfire Act, if a high risk activity (i.e., land clearing) is taking place between 1 April and 31 October, the operator must keep at the activity site fire fighting hand tools, in a combination and type to properly equip each person who works at the site with a minimum of one fire fighting hand tool, and an adequate fire suppression system (onsite portable water tanker and fire fighting tools – shovels, pulaskis, portable water backpacks). In addition, efforts must be made to maintain an adequate fire break between any high risk activity and areas of continuous forest to ensure a fire originating at the site does not escape the site.

- During landclearing, develop an Emergency Plan of Action, listing key contact information in case of fire and/or other emergency at the site.
- Hazard abatement (removal of slash/disposal of debris piles) must take place in compliance with Town of Ladysmith bylaws.
- Ensure construction workers are made aware of the risk of fire in the interface zone, especially during dry summer weather.

Hazard Tree Management

- *As per WorkSafe regulations, prior to commencement of work at the site, potentially hazardous trees require assessment from a certified Danger Tree Assessor. Trees identified as Danger Trees will require treatment (removal / possible modification) from a certified tree service.*

Where safely practical, modified treatment can provide useful wildlife habitat.

FireSmart Zones – (see Appendix 1)

- **Priority Zone 1a: 0-1.5 m**

A noncombustible surface should extend for 1.5 m around structures, homes, and accessory structures, and any attachments, such as decks. Avoid storing flammable outdoor items, such as wicker or wooden patio furniture, cushions, doormats, window boxes and planters, garbage cans without lids and BBQ propane tanks, which are all places where embers can land and start a fire, in this critical area adjacent to the home.

- Landscape with noncombustible landscaping materials, such as gravel, brick, or concrete
- Avoid woody shrubs, trees, or tree branches in this zone
- Create a noncombustible zone underneath and for 1.5 m around any RVs/vehicles
- Mitigate any auxiliary structures to same standards as those of home

- **FireSmart Priority Zone 1: 0-10 m**

Establish and maintain an environment around structures that will not support fire. Focus on fuel removal, conversion, and reduction.

- Plan on landscaping with a low density of fire resistant plants and shrubs. Avoid the use of cedar hedging.
- Maintain landscapes with regular irrigation, mowing, pruning, raking, weeding and dead plant removal.
- Create non-flammable hardscapes, such as rock, gravel, and water features, which, function as firebreaks by breaking up areas of fuel. Rock can provide a natural looking, low-maintenance and water-efficient mulch and as well as a fire-resistant buffer zone.
- Group fire resistant plant materials in islands. Group plants in islands surrounded by nonflammable materials, such as rock; employ landscape elements together to create breaks between fuels.
- Limb (prune) trees 1.5 to 2m from the ground. Create space between trees and shrubs – a general rule is twice the height of what the plant will be at maturity. Remove tree limbs closer than 15-feet from power lines and any touching the house or other structures.
- Avoid using woody debris, including bark mulch, as it provides potential places for fires to start

- Store items such as firewood piles, construction materials, patio furniture, tools and decorative pieces at least 10 m from the homes and any structures

- **FireSmart Priority Zone 2: 10-30 m**

**** FireSmarting may not be feasible in this zone due to Riparian Area****

When and where feasible, extend the fuel modified area 10-30 m around structures. Conduct FireSmart thinning, pruning, and fuel reduction strategies in this zone to reduce fuel loading.

- Thin and prune evergreen trees to reduce hazard in this area
- Within 30 m of homes and any other structures, selectively remove evergreen trees to create at least 3 m of horizontal space between the single or grouped tree crowns, and remove all branches to a height of at least 2.5 m from the ground on the remaining evergreen trees. (For smaller evergreen trees; general rule of thumb is prune branches up to a third the height of the tree)
- Regularly clean up accumulations of fallen branches, dry grass, dried arbutus leaves, and conifer needles from the ground to eliminate potential surface fires

- **FireSmart Priority Zone 3: 30-100 m**

**** FireSmarting may not be feasible in this zone due to Riparian Area****

Where fuel modification in PZ1 and PZ2 is insufficient to protect structures and/or property, and where property boundaries permit, thin and prune trees in order to create an environment that will not support high-intensity crown fires.

- Look for opportunities to create a fire break by creating spaces between trees and other potentially flammable vegetation
- If possible, prune the trees located up to 100 m from homes
- Thin and prune overgrown trees to reduce hazard
- Regularly clean up accumulations of fallen branches, dry grass, and needles from the ground to eliminate potential surface fires

FireSmart Landscaping

- Incorporate FireSmart landscaping by using fire-resistive, widely spaced trees, native shrubs and groundcover in combination with stone and/or water features and/or maintained lawn areas. See FireSmart Guide to Landscaping.
<https://www.firesmartcanada.ca/resources-library/firesmart-guide-to-landscaping>
- Promptly re-vegetate any areas of soil disturbed during clearing and construction with approved landscaping materials and/or native plant species to prevent encroachment from invasive plant species (i.e., broom, gorse, daphne, Himalayan blackberry).
A moderate infestation of broom is currently encroaching on the site.
- Powerlines should be clear of branches and other vegetation and conduct appropriate rehab as determined by RPBio and/or RPF with ecologically suitable plantings.

Perimeter Buffers

Establish and maintain 7.5-m Tree Protection Setback buffer (RAA) with native grass seed mix and / or native groundcover (e.g., *Arctostaphylos uva-ursi* Kinnikinnick)).

Construction

The roof is the most vulnerable component of a structure. Sparks and burning embers from a wildfire can travel long distances and quickly ignite flammable roofing material.

Siding material is also vulnerable to wildfire. Combustible debris can accumulate at the vents and openings on your home and be ignited by embers during a wildfire.

- Use fire-retardant roof covering assemblies rated Class A, B, or C (i.e., metal, tile, ULC-rated asphalt) and feature non-combustible siding materials (i.e., stucco, metal siding, brick, cement shingles or cementitious materials, poured concrete, or ULC-rated wood siding) on new structures. Metal, clay tile, and rated asphalt shingles are the most fire resistant roofing materials. Siding materials such as stucco, metal, brick and concrete offer superior fire resistance to wildfire. Logs and heavy timbers are less effective, while wood and vinyl siding offer very little protection.
- Follow FireSmart guidelines for design, construction, and maintenance of window and door glazing, eaves and vents, and decking. Install noncombustible material for all vents (should be 3 mm screening or ASTM fire rated vents). Metal products are recommended for vents and vent flashing. <https://www.firesmartcanada.ca/>
- Ensure structures are equipped with working smoke alarm(s).
- Sheath in the base of decks, balconies and homes with fire-resistant material to reduce the risk of sparks and embers igniting the home. Use metal railings or tempered glass for decks and balconies. Select noncombustible patio furniture and decorations.
- If a wood fence is installed, ensure at least a 1.5 m noncombustible break between the fence and a structure (i.e., a metal gate with a stone wall to break up combustible fence).

Maintenance

- Regularly inspect siding for locations where embers could accumulate and lodge.
- Maintain and remove combustible debris near exterior walls to reduce a building's vulnerability to ignition during a wildfire.
- Regularly remove debris from gutters – sparks and easily ignite these dry materials.
- Inspect vents and openings regularly to ensure vents are in good repair, and remove any accumulated combustible debris.

Water Supply / Fire Protection

- Ensure water main, fire hydrant capabilities and servicing meet Town of Ladysmith Engineering specifications.

Access

- Ensure roads and driveways meet BC Building Code and municipal Engineering requirements.
- Ensure address signage is clearly evident during the construction phase and at build-out. Letters, numbers, and symbols should be at least 10 cm high, with a 12 mm stroke, contrast with the background colour of the sign, and be reflective.
- Ensure new structures are mapped on fire department “pre-org” (fire planning) maps.

FireSmart Program

- Promote neighbourhood resiliency by encouraging residents of the new development and surrounding existing development to liaise with the Ladysmith Fire Rescue and enroll in the FireSmart Canada Neighbourhood Recognition Program. FireSmart Canada developed the FCNRP to encourage and officially recognize neighbourhoods that have taken critical steps to reduce their vulnerabilities to wildfire. FireSmart is most effective when neighbours band together.
- See <https://firesmartbc.ca/firesmart-canada-neighbourhood-recognition-program-fcnrp/>

Regulatory Provisions

- Conduct follow-up assessment (at building permit) to ensure appropriate mitigation measures have been implemented.
- The municipality to consider entering into Section 219 Covenants with property owners to regulate regarding the use of land or the construction of structures or buildings, as part of the development approval process. This is to ensure the protection, preservation, conservation, maintenance and or restoration of land and/or other specified features within the municipality.

A Section 219 Covenant is a charge secured against the title to a property in favour of the municipality to impose a positive or negative obligation on the property owner, as per the provisions of Section 219 of the Land Title Act.

Appendix 1. FireSmart Interface Priority Zones

In interface areas, FireSmart advocates the establishment and maintenance of Fuel Management Zones* extending outward from structures and along access routes:

Zone 1 a (0-1.5m)

Zone 1 (0-10 m).

Zone 2 (10-30 m).

Zone 3 (30-100 m).

(FireSmart, 2003; updated 2018)

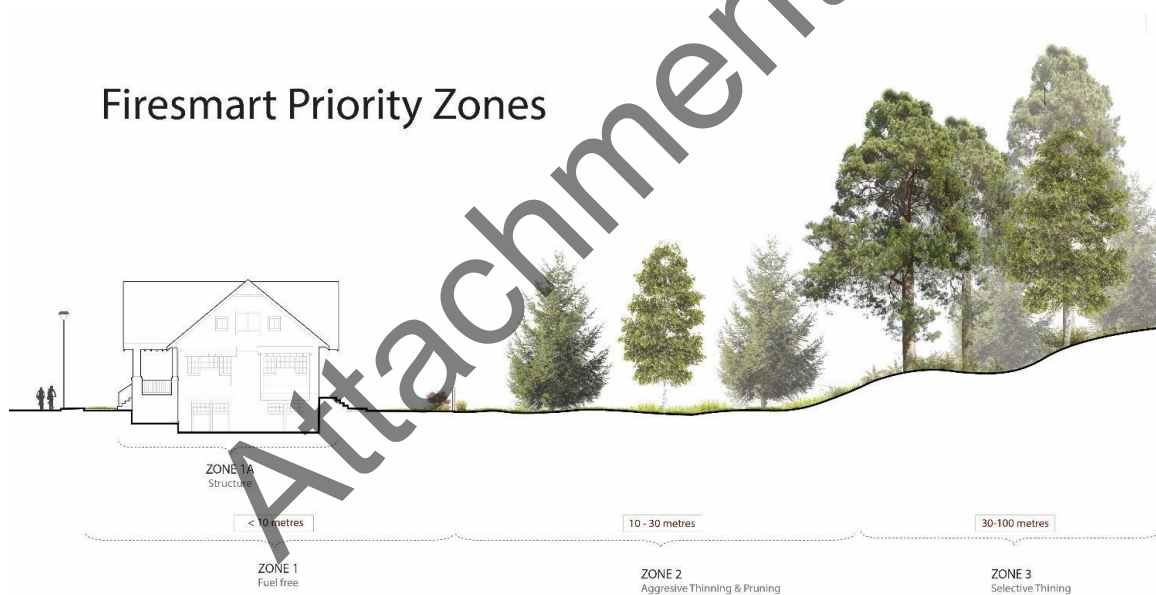
Zone 1a (0-1.5 m): This is the noncombustible zone, where it is very important not to have any combustibles next to buildings.

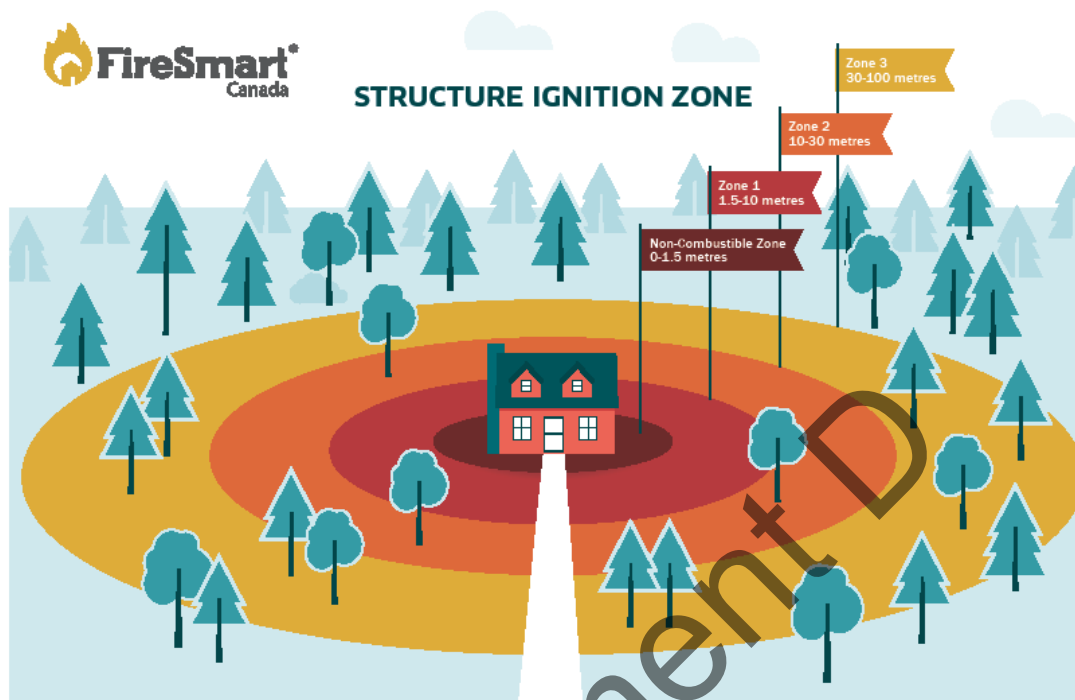
Zone 1 (0-10 m): The main objective of vegetation management is to create an environment that will not support fire. Vegetation management focuses on fuel removal, conversion, and reduction.

Zone 2 (10-30 m): Where treatment in PZ 1 is not sufficient to significantly reduce the fire hazard due to fuel loading, extend the fuel modified area with a variety of thinning and pruning actions.

Zone 3 (30-100 m): Where fuel modification in PZ1 and PZ2 is insufficient to protect structures and/or property, FireSmart advocates treatment in Priority Zone 3 with a variety of thinning and pruning actions in order to create an environment that will not support high-intensity crown fires.

*Setback Zone distances may be extended depending on aspect, slope, fuel loading, etc.





Work with your neighbours in any overlapping priority zones!

Non-combustible Zone (0-1.5 metres)	<p>Reduce the chance of wind-blown embers igniting materials near your home. A non-combustible surface should extend around the entire home and any attachments, such as decks. Creating a non-combustible surface can be as easy as clearing vegetation and combustible material down to mineral soil. To add to your landscape design, use non-combustible materials such as gravel, brick, or concrete in this critical area adjacent to your home. Woody shrubs, trees or tree branches should be avoided in this zone, any that are present should be properly mitigated.</p>
Zone 1 (1.5-10 metres)	<p>Create a landscape that will not easily transmit fire to the home. A FireSmart yard includes making smart choices for your plants, shrubs, grass and mulch. Selecting fire-resistant plants and materials can increase the likelihood of your home surviving a wildfire. Plant a low density of fire-resistant plants and shrubs. Avoid having any woody debris, including mulch, as it provides potential places for fires to start. Storing items such as firewood piles, construction materials, patio furniture, tools and decorative pieces against or near a house is a major fire hazard. Move firewood piles, trailers/ recreational vehicles, storage sheds and other combustible structures out of this zone and into Zone 2. If unable to move, store firewood inside your mitigated garage, shed or other ember resistant structures, create a non-combustible zone underneath and for 1.5 metres around trailers/ vehicles and mitigate sheds and other structures to the same standards as those of your home.</p>
Zone 2 (10-30 metres)	<p>If your property extends out to this zone, thin and prune evergreen trees to reduce hazard in this area. Within 30 metres of your home, selectively remove evergreen trees to create at least 3 metres of horizontal space between the single or grouped tree crowns and remove all branches to a height of 2 metres from the ground on the remaining evergreen trees. If possible, pruning trees up to 100 metres from your home (Zone 3) is recommended. Regularly clean up accumulations of fallen branches, dry grass and needles from on the ground to eliminate potential surface fuels. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.</p>
Zone 3 (30-100 metres)	<p>Taking FireSmart actions in Zone 3 on your property will influence how a wildfire approaches your home. You can change the dynamics of wildfire behaviour by managing vegetation within this zone. Look for opportunities to create a fire break by creating space between trees and other potentially flammable vegetation. Thinning and pruning is effective here as well. These actions will help reduce the intensity of a wildfire. Consider seeking the guidance of a forest professional with wildland fire knowledge on appropriate management options for this zone.</p>

Appendix 2. Generic Fuel Types (adopted from CFFDRS).

Fuel Type	Description	Wildfire Behaviour Under High Wildfire Danger
Coniferous:		
C1	Terrestrial herbaceous ecosystem: mossy rock outcroppings	High potential for surface fire, especially if high moss/lichen
C2	Dense regeneration to pole-sapling (immature) forest with crowns almost to ground	High potential for crown fires; low to very high fire intensity and rate of spread
C3	Fully stocked, mature forest, crowns separated from ground; sparse understorey	Surface and crown fire, low to very high fire intensity and rate of spread
C4	Dense, pole-sapling (immature) forest, heavy standing dead and down, dead woody fuel; continuous needle litter; continuous vertical crown fuel continuity	High potential for crown fires, high to very high fire intensity and rate of spread
C5	Moderately well-stocked, mature forest, moderate dense understorey crowns well separated from ground; continuous needle litter	Low to moderately fast-spreading, low to moderate intensity surface fire
C6	Fully stocked conifer plantation; absent understorey; tree crowns separated from ground; continuous needle litter	Surface fire may spread rapidly to become high intensity fire with high rate of spread
C7	Open, mature coniferous stand; uneven-aged; discontinuous understorey; tree crowns mostly separated from ground	Surface, torching, rarely crowning (except on steeper slopes), moderate to high intensity and rate of spread
D (Deciduous)	Moderately well-stocked deciduous stands; moderate medium to tall shrubs and herb layers D-1 Leafless D-2 In leaf	Typically a surface fire; low to moderate rate of spread and fire intensity
M (Mixed Forest)	Moderately well-stocked mixed stand of conifers and deciduous tree species; moderate shrub understorey; conifer crowns extend nearly to ground M-1 Leafless M-2 In Leaf	Surface, torching and crowning; moderate to very high intensity and spread rate (varies with slope and % vegetation cover) Fine fuel % and cedar foliage retention will result in faster ignition and spread
S (Slash)	Slash from logging and land clearing	Rapid spreading, moderate to high intensity surface fire
01-Long	Continuous standing grass – fuel loading is 0.3 kg/m ² ; scattered trees 01-a Matted 01-b Tall	The taller, and more cured the grass, the more rapid spread; low to moderate intensity surface fire
01-Short	Continuous human modified short grass	Typically low rate and spread and low fire intensity.

Appendix 3. Fire Risk Classes.

RELATIVE WILDFIRE RISK
Low
Moderate
High
Extreme

Fire Risk Classes

Low (Green): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns, and known local wildfire threat factors make it a lower potential for threatening a community. These stands will support surface fires, single tree or small groups of conifer trees could torch/ candle in extreme fire weather conditions. Fuel type spot potential is very low, low risk to any values at risk.

Moderate (Yellow): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns and known local wildfire threat factors make it possible that a wildfire in this area would threaten the community. Areas of matted grass, slash, conifer plantations, mature conifer stands with very high crown base height, and deciduous stands with 26 to 49% conifers. These stands will support surface fires, single tree or small groups of conifer trees could torch/ candle. Rates of spread would average between 2-5 meters/ minute. Forest stands would have potential to impact values in extreme weather conditions. Fuel type spot potential is unlikely to impact values at a long distance (<400m).

High (Orange): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns, and known local wildfire threat factors make it likely that a wildfire in this area would threaten the community. This includes stands with continuous surface/ crown fuel that will support regular torching/ candling, intermittent crown and/or continuous crown fires. Rates of spread would average 6 -10 meters/ minute. Fuel type spot potential is likely to impact values at a long distance (400 -1 000m).

Extreme (Red): The combination of the local fuel hazard, weather influences, topography, proximity to the community, fuel position in relation to fire spread patterns, and known local wildfire threat factors make it very likely that a wildfire in this area would threaten the community. Stands with continuous surface/ crown fuel and fuel characteristics that tend to support the development of intermittent or continuous crown fires. Rates of spread would average >10 meters/ minute. Fuel type spot potential is probable to impact values at a long distance (400 -1 000m or greater). These forest stands have the greater potential to produce extreme fire behaviour (long range spotting, fire whirls and other fire behaviour phenomena).

Limitations

This report provides an assessment of site conditions. Evaluation is based on professional judgment. The investigation involved field observation. Recommended treatment pertains only to the particular site as disclosed at the time of inspection. The report was prepared considering site-specific circumstances and conditions. It is intended only for use by the client for the purpose for which it was commissioned and for use by local government regulating the activities to which it pertains.

**Minutes of the Parks, Recreation & Culture Advisory Committee
Wednesday, May 18, 2022 at 7:00pm
Frank Jameson Community Centre**

COMMITTEE MEMBERS PRESENT:

Tim Richards, Chair
Lynda Baker
Bruce Mason
Lucy Partington
Councillor Duck Paterson

STAFF PRESENT:

Chris Barfoot, Lead
Kim Cheang, Minute Taker

REGRETS:

Kelly Daniels
Geoff Dean
Jacqueline Huard
Lesley Lorenz
Emily Weeks

GUESTS:

Germain Badke
Tim Fletcher
Charlene Manner
Jesse Manner

**CALL TO ORDER AND
ACKNOWLEDGEMENT**

The Chair called the meeting to order at 7:03pm and acknowledged with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

AGENDA

2022-16:
That the Parks, Recreation & Culture Advisory Committee approve the agenda for the meeting as presented.
Motion Carried.

MINUTES

2022-17:
That the Parks, Recreation & Culture Advisory Committee approve the minutes of the May 4, 2022 meeting as presented.
Motion Carried

NEW BUSINESS

1. Delegation: Ladysmith Skatepark Community Interest Group

J. Manner and T. Fletcher made a presentation entitled "Why Us? Why Now? Our Vision, and What's wrong with Ladysmith Skatepark?"

The group would like to form a committee to explore improvements to Ladysmith's skatepark. Many other regional district have recognized the need for and invested in their own skateparks. The park should be an inclusive experience to create a safe and enjoyable modern skatepark for all ages and abilities. An opportunity for fun/outdoor/subconscious physical activity for health of the youth.

The group feels that there are some safety concerns that need to be addressed such as the sharp change of gradient, wheels can get stuck in the cracks, the box is too close to the quarter pipes in a high speed area. The design is a very open layout with a lack of features to maintain momentum throughout the skatepark.

The Committee provided the following feedback to the delegation:

1. Work on the concept plan i.e. design, elements, features with budget and some possibilities to create a preliminary vision to help get to the next step.
2. Make the public aware of the project and begin fundraising through service clubs and community groups.
3. Distinguish between the maintenance problems that are safety related versus the design issues i.e. list of maintenance issues with photo of each in order to request increased funding from the Town (short term plan).

2. Park Implementation Plan: In-Person Engagement

The Committee discussed engaging and interactive activities such as:

1. Stops with map and information similar to self-guided tours focusing on:
 - Entry point
 - Playground
 - Storybook walk
 - Trails through the forest
 - Creek
 - Open space
2. Hot dogs and coffee at the end of the event.

PRC DEPARTMENT UPDATE

C. Barfoot provided a department update including:

- April drop-in/scans admission
- Registration and participant numbers continue to be steady
- Program area projects: Youth Week, Storybook Walk
- Facility projects: canoe shelter, Kinsmen and Sportsmen shelter, Transfer Beach washrooms, concession building demolition, RGB Lighting and 2022 capital projects.

NEXT MEETING

7:00pm on Wednesday, June 15, 2022 at FJCC

ADJOURNMENT

2022-18:

That the Parks, Recreation & Culture Advisory Committee adjourn this meeting at 8:39pm.

Motion Carried

STAFF REPORT TO COUNCIL

Report Prepared By: Julie Tierney, Executive Liaison
Reviewed By: Allison McCarrick, CAO
Meeting Date: June 21, 2022
File No: 0540-20
Re: Poverty Reduction Task Group Terms of Reference

RECOMMENDATION:

That Council:

1. Approve the Poverty Reduction Task Group Terms of Reference; and
2. Appoint one Council representative and their alternate to the Poverty Reduction Task Group.

EXECUTIVE SUMMARY:

This report provides Council with an update on establishing a Poverty Reduction Task Group as identified in the Poverty Reduction Strategy as well as the proposed Terms of Reference for the Task Group (Attachment A).

PREVIOUS COUNCIL DIRECTION:

CS 2022-068	That Council: Include \$50,000 in the 2022-2026 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 2 grant.
CS 2022-031	That Council receive the Poverty Reduction Task Group staff report dated February 1, 2022.
CS 2021-369	That Council direct staff to prepare a report outlining the process and timeline required to establish a Poverty Reduction Task Group as recommended in the Poverty Reduction Strategy final report presented to Council on August 20, 2021.
CS 2020-087	That Council direct staff to submit an application to the UBCM Poverty Reduction Planning & Action Program Funding Stream 1 for up to \$25, 000; confirm its willingness to provide overall grant management; and waive the purchasing policy in order to contract with Social Planning Cowichan to conduct the work, should the grant application be successful.

INTRODUCTION/BACKGROUND:

At the March 15, 2022 Council meeting, Council directed staff to apply for a UBCM Poverty Reduction Planning and Action grant and to contract with Social Planning Cowichan (SPC) should the Town receive the funding.

The Town was successful in this application and as directed, staff have enlisted SPC to assist in establishing and facilitating the Poverty Reduction Task Group. SPC has proposed recruiting members of the previous working group formed during the first phase of this program. This

group includes members of the community as well as representatives from a wide variety of stakeholders who represent the diversity of Ladysmith and Stz'uminus including:

- Stz'uminus First Nation;
- First Nation Health Authority;
- Island Health Authority;
- Ladysmith Resources Centre Association;
- Boys & Girls Clubs of Central Vancouver Island; and
- School District 68.

ALTERNATIVES:

Council can choose to:

1. Appoint some or none of the stakeholders listed in the report; or
2. Recruit for new applicants.

FINANCIAL IMPLICATIONS:

The program is supported by the grant funds awarded.

LEGAL IMPLICATIONS:

The Task Group is a select committee of Council as identified in section 142 of the *Community Charter*, and at least one Council member must sit on the committee.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The formulation of the Task Group was one of the initial priorities identified during the community consultation process to develop the Poverty Reduction Strategy.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENT:

- A. Poverty Reduction Task Group Terms of Reference

POVERTY REDUCTION TASK GROUP

Type

☐ Council Committee ☒ Task Force

Mandate

The Poverty Reduction Task Group (PRTG) is a select advisory committee of Council pursuant to section 142 of the *Community Charter*. Council has contracted Social Planning Cowichan to facilitate and coordinate the PRTG.

The purpose of the PRTG is to assist the Town of Ladysmith Council by:

- Overseeing the planning and completion of activities as outlined in the 2022 UBCM Poverty Reduction Grant Application;
- Raising awareness about the issues of poverty in the community;
- Fostering innovative partnerships to implement actions;
- Championing community involvement during the implementation of project activities; and
- Advocating for local, Provincial and Federal Government policy changes that address systemic causes of poverty.

Progress toward ending poverty will be measured and tracked through outcomes and indicators that are linked to local actions and activities and will be reported to Council and the community at large.

Authority

The PRTG will review matters as outlined within the Task Group Mandate, and make recommendations to Council.

Membership and Terms

The PRTG will be comprised of the following representatives:

Voting Members (18)

- Social Planning Cowichan (2)
- Stz'uminus First Nation (3)
- Individuals with lived experience of poverty (3)
- First Nation Health Authority (1)
- Island Health Authority (1)
- Ladysmith Resources Centre Association (2)
- Other representatives from partnering community organizations, school district, service clubs, business community (2)
- Community youth (2)
- Community seniors (2)

Non-Voting Members (2):

- One representative from Town of Ladysmith Council. The role of the Council representative is to provide a Council perspective on matters under consideration, and to speak to Council's strategic priorities and council business as appropriate
- One staff liaison from the Parks, Recreation and Culture Department.

Members are appointed for at least a one-year term for the duration of the funding program's allotted timeframe (2022-2023 UBCM Poverty Reduction Planning and Action – Stream 2). The Council member appointment is made annually by the Mayor.

Membership Requirements/Qualifications

Members of the PRTG will represent the diversity of the community.

The citizen members of the PRTG will represent a broad range of skills and experience related to the mandate of the PRTG including social and health issues, planning, community services, development and engagement.

Reporting

PRTG recommendations on matters referred by Council will be placed on a Regular Council meeting agenda, accompanied by an explanatory staff report. PRTG minutes will be provided to Council on a regular basis.

Meeting Management

PRTG meetings will be facilitated and coordinated by Social Planning Cowichan with meetings taking place electronically and/or in-person.

Alignment with Council Strategic Priorities

- ☐ Employment & Tax Diversity
- ☐ Watershed Protection & Water Management
- ☒ Communications & Engagement

- ☐ Natural & Built Infrastructure
- ☒ Partnerships
- ☐ Not Applicable

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: June 21, 2022
File No:
Re: Stormwater Master Plan – UBCM Strategic Priorities Fund

RECOMMENDATION:

Council is requested to consider the following recommendations separately as the first one will form part of the grant application.

Recommendation #1

That Council:

1. Direct staff to apply for grant funding under the UBCM Strategic Priorities Fund – Capacity Building Stream for \$250,850 to fund the Old Town Area Stormwater Master Plan; and
2. Commit to cover any unexpected ineligible costs and project overruns.

Recommendation #2

That Council authorize staff to enter into a contract with WSP as the preferred bidder for RFP 2022-IS-04 to complete a stormwater master plan of the Old Town Area for an estimated \$250,850.

EXECUTIVE SUMMARY:

The Town's stormwater infrastructure is aging, particularly within the Old Town Area. The underground pipes experience frequent root intrusion, collapse, sinkholes, and erosion. An assessment of the drainage system is needed to identify deficiencies in pipe capacity and condition. The Town recently completed a Request for Proposal (RFP) for engineering firms to prepare a Stormwater Master Plan of the Old Town Area and received two proposals. The scope of work appears to qualify for the UBCM Strategic Priorities Fund Capacity Building grant.

PREVIOUS COUNCIL DIRECTION:

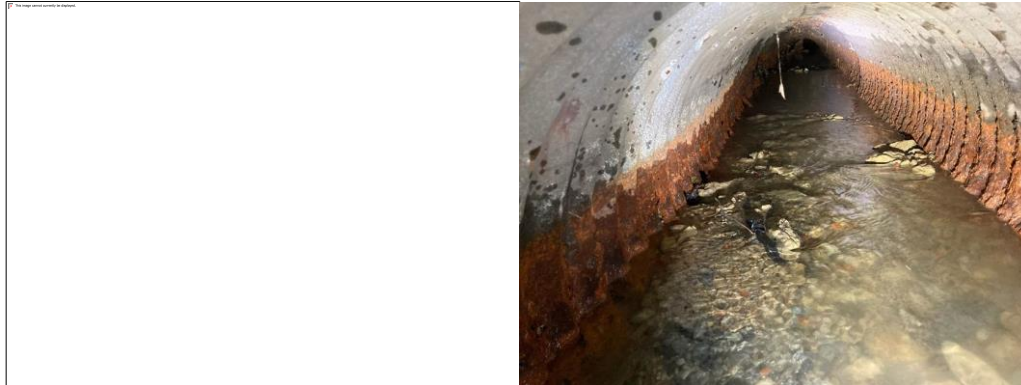
N/A

INTRODUCTION/BACKGROUND:

The Union of BC Municipalities has announced funding available under the Strategic Priorities Fund. There are two streams to this grant program: (1) Capital Stream and (2) Capacity Building Stream. Municipalities can only apply for one project per funding stream. Staff are

recommending that the Stormwater Master Plan be applied to the Capacity Building stream.

Due to pipe condition and capacity issues, staff have identified the need for a Stormwater Master Plan for the Old Town Area. A recent RFP generated proposals from Urban Systems and WSP with costs of \$235,000 and \$250,850 respectively. The scope of work presented in WSP's proposal is preferred by staff.



Root intrusion from multiple direction and loss of bottom due to corrosion

The project would include, but not be limited to:

- Survey of existing infrastructure;
- CCTV Camera inspection of 2500m of pipe;
- Identifying and assessing environmentally sensitive natural assets;
- Update rainfall data to include climate change predictions;
- Developing a stormwater computer model;
- Assessing future development potential on the system;
- Provide a list of 15 priority projects ranked according to risk, condition, cost, etc.; and
- Provide a final stormwater management report.

A stormwater master plan would allow the Town to:

- Improve the Town's asset management plan;
- Plan for future development;
- Protect natural assets;
- Assist Town staff with making real time decisions regarding operation and maintenance of the drainage system;
- Design storm drainage pipes with modern methods that anticipate climate change rainfall; and
- Identify key capital projects for inclusion in future budgets.

The project would span the 2022/2023 winter and finish some time around September 2023. The grant application is due June 30, 2022.

ALTERNATIVES:

Council can choose to:

1. Direct staff to not apply for the grant.

FINANCIAL IMPLICATIONS:

This grant funding is for 100% of the costs. It is estimated that the cost of the plan would be \$250,850. The Town would be required to fund any cost overruns.

A Town-wide Storm Water Master Plan for \$300,000 was included in the 2022-2026 Financial Plan with funding to come from Gas Tax. The scope of this proposed project is just a portion of the Town-wide Plan; the funds for the remaining portion of the project will still be required at a future time.

LEGAL IMPLICATIONS:

The Town would enter into a contract with the preferred consultant after the grant application has been made.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Services would be included in the future development component of the work.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director of Parks, Recreation and Culture
Reviewed By: Allison McCarrick
Meeting Date: June 21, 2022
File No:
Re: Machine Shop Arts, Heritage and Cultural Centre Project – UBCM Strategic Priorities Fund

RECOMMENDATION:

That Council:

1. Direct staff to apply for grant funding under the UBCM Strategic Priorities Fund – Capital Infrastructure Stream for \$5,487,210 to fund the Machine Shop Arts, Heritage and Cultural Centre Project; and
2. Commit to cover any unexpected ineligible costs and project overruns.

EXECUTIVE SUMMARY:

The Union of BC Municipalities (UBCM) has announced funding available under the [Strategic Priorities Fund](#). There are two streams to this grant program: (1) Capital Infrastructure Stream and (2) Capacity Building Stream. Municipalities can only apply for one project per funding stream with requests not to exceed a maximum of \$6 million. The deadline to apply for funding is June 30, 2022.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2020-290	2020-10-06	That Council: 1. Direct staff to submit an application for grant funding for the Machine Shop Rehabilitation Phase 2 for \$3,114,611 through the Investing in Canada Infrastructure Program – Community, Culture and Recreation; 2. Support the project and commit to its share (\$1,132,779) of the project with the funds to come from the Real Property Reserve and General Government Reserves; 3. Direct staff to amend the 2020-2024 Financial Plan accordingly.
CS 2017-140	2017-05-01	That Council direct staff to make a funding application to the Federal Gas Tax Fund Strategic Priorities Fund – Capital Infrastructure Project Stream for the Machine Shop Restoration for up to \$2.25 million dollars in grant funding, and support the Town administration with overseeing the management of this grant if successful.

INTRODUCTION/BACKGROUND:

The Town has committed to undertake a series of architectural, structural (including seismic upgrades), mechanical and electrical repairs (life/safety issues) and to seek funding to complete

the rehabilitation of the Machine Shop, a treasured building for the community.

To date the upgrades have included extensive repairs to the roofing assembly, partial insulation, flashings, drains, overhangs, and an extensive replacement and shoring up of foundations and seismic upgrades to the overall structure that were necessary due to the ground conditions.

Funding from the UBCM grant program will ensure that everything required to make this building public facing, including completion of the exterior siding, new windows and doors, the accessible boardwalk and interior public spaces will be addressed while incorporating universal design principles throughout. The building's envelope will be completed incorporating some of the historical defining characteristics such as the board walk along the front and large windows to the west. It will also focus on improvement to the energy efficiency through the installation of new energy efficient windows and doors. There is still extensive work to the electrical room that will be addressed in this phase. Overall, the building will be brought up to assembly code so returning tenants and others will have access to their former spaces and can work towards gathering and hosting events once again in a safe, hospitable space.

The scope of work for this phase of the project will be to focus on the access of the building, the exterior and interior public spaces - including the large boardwalk that runs the length of the building, the completion of a shared classroom, public boardroom, two stairwells and two universal accessible washrooms on each level (Attachment A). Completing this work will provide safe and direct access to the remaining components of the building where former tenants such as the Ladysmith and District Arts Council and the Ladysmith Maritime Society operated community programs and services.

ALTERNATIVES:

Council can choose to:

1. Apply for another project as directed by Council.
2. Not apply for funding at this time.

FINANCIAL IMPLICATIONS:

The grant funding is for 100% of the costs. It is estimated that the cost to complete the proposed phase is \$4,064,600 based on the Class D estimate by BTY (Attachment B). Utilizing a 35% contingency, the grant request will be for \$5,487,210 which is well within the contingency amount suggested by the funder. The Town would be required to fund any cost over runs.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Completing the proposed work on the Machine Shop will be a keystone phase to the reactivation of the building and access to spaces occupied by former tenants.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks, Recreation & Culture will lead the project with the assistance from Infrastructure Services and Financial Services.

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 type="checkbox"/> Innovative Infrastructure | <input type="checkbox"/> Local Food Systems |
| <input checked="" type="checkbox"/> Healthy Community | <input checked="" type="checkbox"/> Local, Diverse Economy |
| <input type="checkbox"/> Not Applicable | |

ALIGNMENT WITH STRATEGIC PRIORITIES:

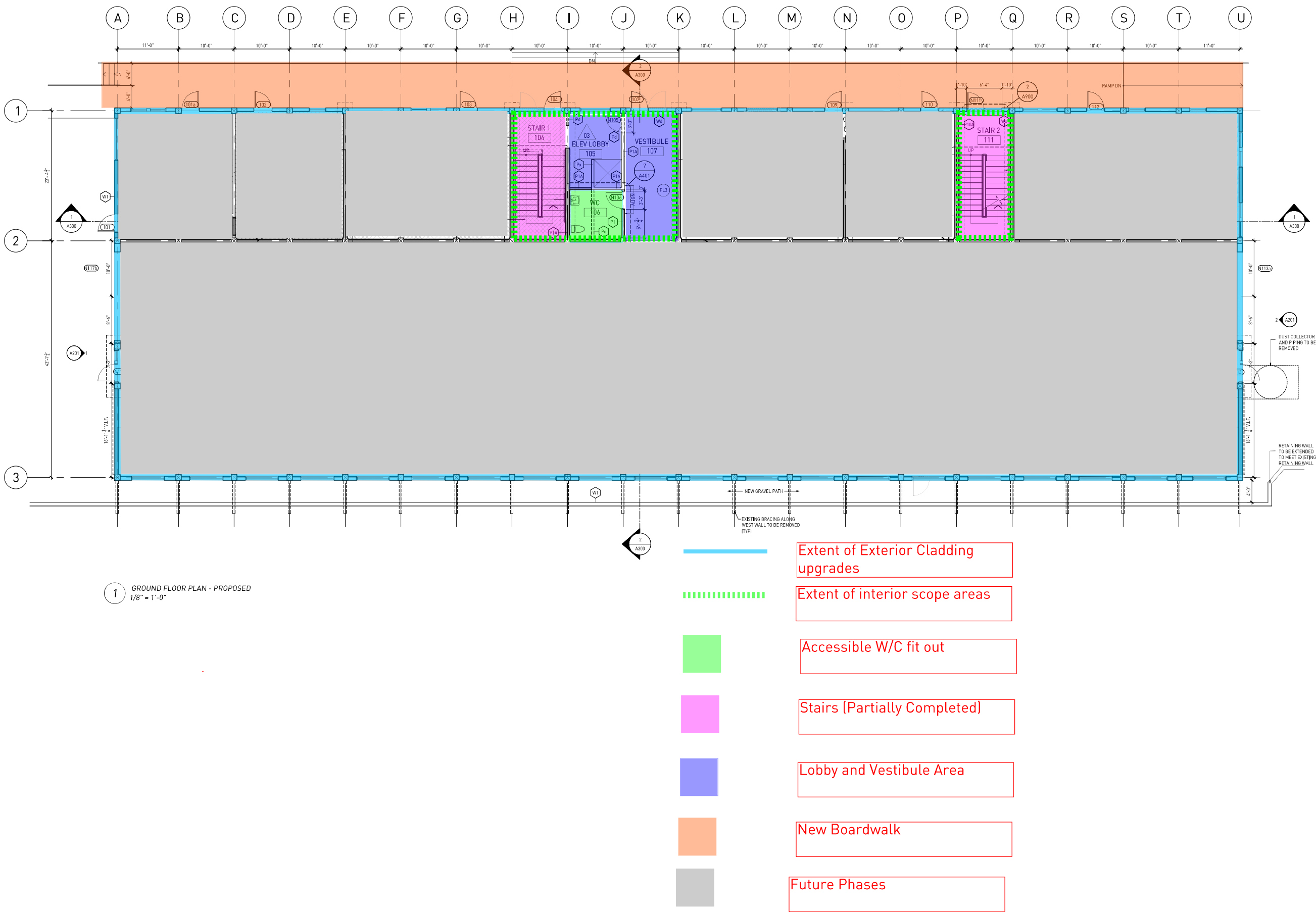
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|----------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Infrastructure | <input type="checkbox"/> Economy |
| <input checked="" type="checkbox"/> Community | <input type="checkbox"/>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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Machine Shop Floor with Scope of Proposed Work
- B. BTY Costing Report for Scope of Proposed Work



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This drawing is not to be used for construction until issued for that purpose by the designer.

Prior to commencement of the Work the Contractor shall verify all dimensions, datums and levels to identify any errors and omissions; ascertain any discrepancies between this drawing and the full Contract Document; and bring these items to the attention of the owner for clarification.

HOTSON

HOTSON Architecture Inc.
215-25 West 5th Avenue
Vancouver, BC V5Y 1H4
www.hotsone.ca
604 558 8756

Revisions and Issues:

REV	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	JULY 10, 2019
2	ISSUED FOR BUILDING PERMIT	JULY 18, 2019
3	ISSUED FOR SI #02	APRIL 17, 2020
4	ISSUED FOR SI #03	MAY 13, 2020
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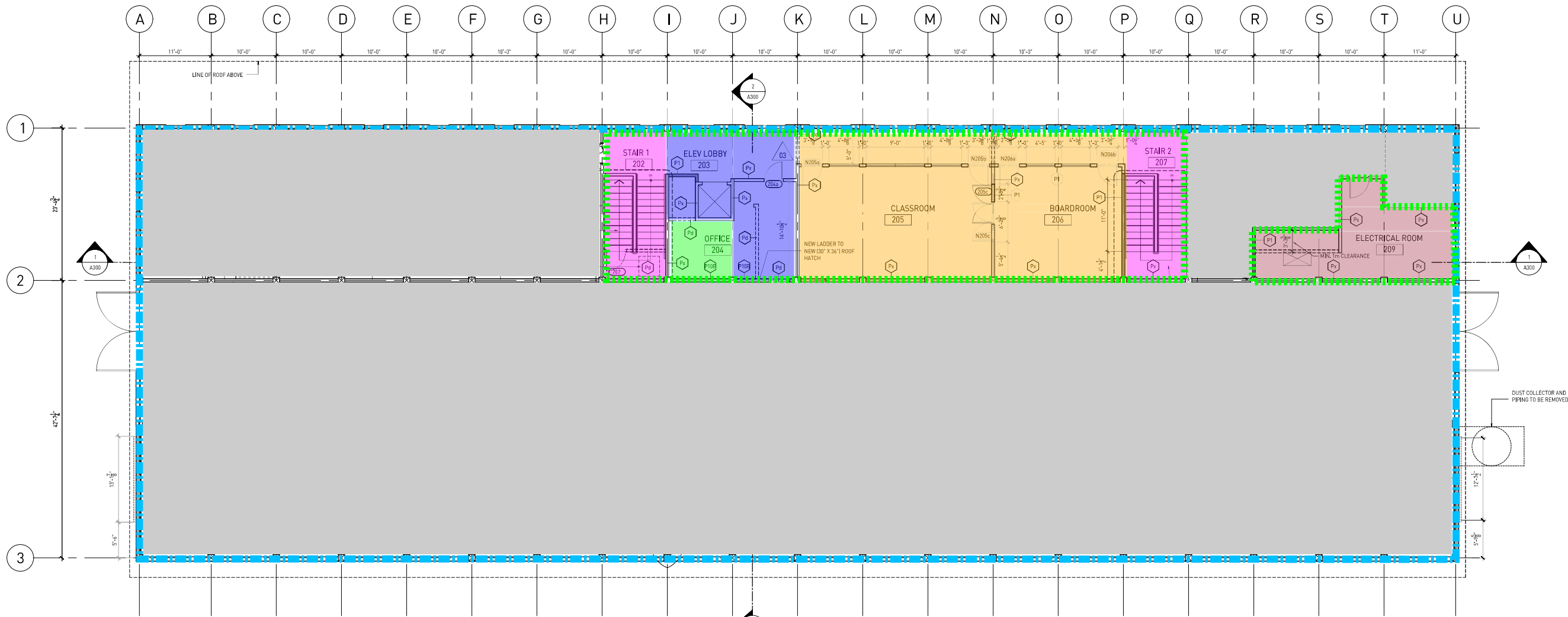
Ladysmith Machine Shop

610 Oyster Bay Drive
Ladysmith, BC

Client Town of Ladysmith
Address 410 Esplanade Avenue
Ladysmith, BC

GROUND FLOOR
PLAN

Project No. 1807
Scale 1/8"=1'-0"
Date July 10, 2020



1 SECOND FLOOR PLAN - PROPOSED
1/8" = 1'-0"

HATCH SHOWS AREAS AND ITEMS TO BE ADDRESSED IN FUTURE PHASE

- Extent of Exterior Cladding upgrades
- Extent of interior scope areas
- Accessible W/C fit out
- Stairs (Partially Completed)
- L2 Lobby
- Classroom + Boardroom
- Electrical Room
- Future Phases

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604 558 4756

Revisions and Issues:

REV	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	JULY 10, 2019
2	ISSUED FOR BUILDING PERMIT	JULY 18, 2019
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Ladysmith Machine Shop
610 Oyster Bay Drive
Ladysmith, BC

Client Town of Ladysmith
Address 410 Esplanade Avenue
Ladysmith, BC

SECOND FLOOR PLAN

Project No. 1807
Scale 1/8" = 1'-0"
Date August 22, 2019



COST MANAGEMENT REPORT

Ladysmith Machine Shop Class D Estimate

REPORT NUMBER 1.0
JUNE 13, 2022

PREPARED FOR:
HOTSON Architecture

Suite 300 – 30 East 6th Avenue, Vancouver, BC V5T 1J4
T 604 734 3126

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APPENDICES:

APPENDIX I	Elemental Summary	1 page
APPENDIX II	Cost Plan	8 pages

Prepared By	Reviewed By	Date
Joseph Chan	Eldon Lau	6/13/2022



1.0 Introduction

1.1 Instructions Received

This report has been prepared by BTY Group (“BTY”) at the request of HOTSON Architecture (the “Client”).

HOTSON Architecture has appointed BTY to provide a Class D estimate developed for the project at 610 Oyster Bay Drive, Ladysmith, B.C. (the “Project”). The Project delivery model is yet to be determined, therefore, BTY strongly recommends that estimates are prepared at each of the key design milestones. This report has been prepared in accordance with the scope of our Fee Proposal, dated May 3, 2022 and is subject to the terms of that appointment.

Information related to the Project for the purposes of this report was received by BTY on May 27, 2022. Please refer to Section 14.0 for a list of information received in producing this report.

1.2 Report Reliance

This Report is owned by BTY Group, and it is provided for the benefit and sole reliance of the Client. BTY Group, its directors, staff, or agents do not make any express or implied representation or warranty whatsoever as to the factual accuracy of the information provided to us on behalf the Client, its subcontractors or agents, upon which this Report is based. This Report contains confidential, proprietary information and related intellectual property rights of BTY Group which is licensed on a non-exclusive and limited basis to the Client and the Report may not be reproduced, transferred, copied, shared, or distributed, in whole or in part, to any party, without the express prior written permission of BTY Group.

1.3 Reporting Qualifications

This Report has been prepared based on information provided to us by the Client up to the date of issue of this Report. BTY Group does not accept any liability or accountability for information that has not been provided, or made available to us, at the time of preparing this Report. Any advice, opinions, or recommendations within this Report should be read and relied upon only in the context of the report as a whole. The contents do not provide legal, insurance or tax advice or opinion. Opinions in this report do not an advocate for any party and if called upon to give oral or written testimony it will be given on the same assumption.

1.4 Contacts

Should you have any queries regarding the content of this report, please do not hesitate to contact either of the following:

Joseph Chan
Senior Cost Consultant
Tel: 604-734-3126
Email: josephchan@bty.com

Eldon Lau
Partner
Tel: 604-734-3126
Email: eldonlau@bty.com

Suite 300 – 30 East 6th Avenue, Vancouver, BC V5T 1J4 | 604 734 3126

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2.0 Executive Summary

2.1 Report Purpose

The purpose of this report is to provide a realistic estimate of the Project cost based on the information available at the time of writing.

The opinion expressed in this report has been prepared without the benefit of detailed architectural, mechanical, electrical or processing system drawings and should, therefore, be considered a Schematic Design (Class C) estimate. Based on the documents reviewed, our estimate should be correct within a range of approximately +/- 15% to 20%.

To provide an accurate cost estimate for the Project, BTY Group strongly recommends that a professional Quantity Surveying organization, such as BTY Group, be retained to provide a detailed analysis of any design information produced on behalf of the Client during the remaining stages of design.

2.2 Project Background and Description

The proposed works consist of the following renovation to an existing 2-storey wood framed building:

Structural Scope:

- Add second layer of plywood to double sided shear wall locations

- Remove 2 angled brace beams and use these pieces to replace 2 angled brace beams that appear warped

Building Envelope:

- New cladding and backing wall assemblies

- Replace all exterior windows

- Replace all exterior doors (except overhead doors N117b & N113a)

Building Interior:

- Level 1 & 2 Accessible W/C

- Stairs #1 & #2 both floors

- Level 1 Lobby and Vestibule

- Level 2 Elevator Lobby

- Level 2 Classroom / Boardroom

- Level 2 Electrical Room

Mechanical and Electrical Works

Siteworks: Boardwalks along the building frontage

Ancillary Works: All related demolition works (excluding hazmat abatement)

The scope of renovation will include the public building areas and the Level 2 Electrical Room but excludes all tenant areas.

Works to the following public areas is kept separate in the estimate:

- Gird 1-2/H-K and 1-2/P-Q on 2/F

- Gird 1-2/H-Q on 2/F

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3.0 Development Cost Summary

The current estimated cost of the project may be summarized as follows:

	Item	Estimated Costs (\$)
A	Land Cost (Excluded)	0
B	Construction	3,165,200
C	Contingencies	664,700
D	Professional Fees	0
E	Municipal & Connection Fees	0
F	Management & Overhead	0
G	Project Contingency	0
H	Furnishing, Fittings & Equipment	0
I	Financing Costs	0
J	Goods & Services Tax	0
	Total Project Cost (Jun 2022 Dollars)	\$3,829,900
K	Escalation based on a start date in December 2022 (6.1%)	234,700
	Escalated Project Cost (April 2023 Dollars)	\$4,064,600

Please note that, where zero-dollar values are stated, BTY has excluded these costs and the values should be carried in a separate budget (if applicable).

4.0 Basis & Assumptions

The construction estimate is based on the following list of assumptions:

1. Addition of one layer of plywood to the unfinished side of double-sided shear walls SW 1, 2 and 6
2. Remove concrete pedestals down to existing slab at steel brace removal locations at grids 2/ B & 2/T
3. No new concrete pedestals are required at steel brace replacement locations
4. No works to the roofing of the existing building
5. Shear walls have not been drywalled. Partitions that are not shear walls have not been started by the previous contractor
6. Electrical room on Level 2 will need to be redo including new walls and door
7. Tile dado in washroom 3'-6" high. All other renovated areas will have painted finish
8. Painted exposed ceilings to interior rooms
9. No finish to tenant areas (shell space)
10. Rooms 115/116/210 are excluded
11. Extent of the outdoor boardwalk will be the same as the existing along the building frontage
12. Hazmat abatement is excluded
13. Cost escalation allowance for the base estimate is based on a start date in 4th Quarter 2022 as per Section 10 of this report. An alternate price is given in Section 7 for a start date in 2nd Quarter of 2023.
14. Please refer to Appendix II for other assumptions

Please note that BTY is not qualified to act as design consultant. The assumptions in our estimate should be reviewed and corrected by the design team.

5.0 Exclusions

The construction estimate includes all direct and indirect construction costs derived from the drawings and other information provided by the Consultants, except for the following:

1. Land costs
2. Professional fees and disbursements
3. Planning, administrative and financing costs
4. Legal fees and agreement costs / conditions
5. Building permits and development cost charges
6. Temporary facilities for user groups during construction
7. Removal of hazardous materials from existing site and building
8. Loose furnishings and equipment
9. Unforeseen ground conditions and associated extras
10. Environmental remediation outside building footprint
11. Servicing outside the project site boundary (Main hydro service)
12. Off-site works
13. General contractor bonding
14. Phasing of the works and accelerated schedule
15. Decanting & moving
16. Costs associated with "LEED" certification
17. Project commissioning by third parties
18. Erratic market conditions, such as lack of bidders, proprietary specifications
19. Seismic upgrade works
20. Unforeseen existing building conditions
21. Code upgrades (other than those shown on drawings or described in the specification)
22. Cost escalation past end-April 2023 (see Section 10)

6.0 Construction Cost Summary

A construction cost summary has been included in Appendix I at the end of the report.

7.0 Alternative Price

The following items have been priced as alternative prices:

Items		Amt (\$)
1	Additional cost escalation to the base estimate if the start date is in 2nd Quarter of 2023 instead of 4th Quarter of 2022	\$101,000

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This report has been prepared at the request of HOTSON Architecture and is the exclusive property of BTY Group. The information must be treated as confidential and not to be disclosed, reproduced or permitted to be disclosed to any party without the prior consent of BTY Group.

8.0 Areas

The gross floor area of the project, measured in accordance with the guidelines established by the Canadian Institute of Quantity Surveyors, is:

Location	Total
Ground Floor - Stairs, Lobby /Vestibule and Washroom	994 ft ²
Second Floor - Stairs, Lobby /Vestibule, Office, Classroom /Boardroom and Electrical Room	2,537 ft ²
Total Gross Floor Area	3,531 ft²

9.0 Taxes

The estimate includes the Provincial Sales Tax (P.S.T.) where applicable.

The estimate excludes the Goods & Services Tax (G.S.T.).

10.0 Project Schedule & Escalation

To identify and qualify the escalation allowance for this project, BTY has assumed the following schedule:

Activity	Start	Finish	Duration
Construction	Dec-01-2022	Apr-30-2023	5 months

Based on the above schedule, BTY has calculated the escalation for this project to be 6.1%.

Our current projected escalation rates are shown below. If there is slippage in the schedule, further escalation based on the projected escalation rate per annum should be included in the estimate.

Current BTY Group Forecast	2022	2023	2024 +
	8% - 10%	4% - 6%	2% - 4%

11.0 Pricing

This estimate has been priced at second quarter 2022 rates assuming a normal market. The unit rates utilized are considered appropriate for a project of this type, bid under a stipulated lump-sum form of tender in an open market, with a minimum of five (5) bids, supported by enough sub-contractors to ensure competitiveness.

The estimate does not take into account the extraordinary market conditions currently being experienced as a result of COVID-19 nor its potential impact on construction costs in the form of site closures, social distancing requirements, shortages of materials nor other issues that may be affecting productivity and capacity.

The estimate allows for labour, material, equipment and other input costs at current rates and levels of productivity. It does not consider extraordinary market conditions, where bidders may be few and may include in their tenders' disproportionate contingencies and profit margins.

12.0 Risk Mitigation

BTY Group recommends that the Owner, Project Manager and Design Team carefully review this document, including exclusions, inclusions and assumptions, contingencies, escalation and mark-ups. If the project is over budget, or if there are unresolved budgeting issues, alternative systems/schemes should be evaluated before proceeding into the next design phase.

Requests for modifications of any apparent errors or omissions to this document must be made to BTY Group within ten (10) days of receipt of this estimate. Otherwise, it will be understood that the contents have been concurred with and accepted.

It is recommended that BTY Group design and propose a cost management framework for implementation. This framework would require that a series of further estimates be undertaken at key design stage milestones and a final update estimate be produced which is representative of the completed tender documents, project delivery model and schedule. The final updated estimate will address changes and additions to the documents, as well as addenda issued during the bidding process. BTY Group is unable to reconcile bid results to any estimate not produced from bid documents including all addenda.

13.0 Contingencies

13.1 Design Contingency

A design contingency of Ten Percent (10%) has been included in the estimate to cover modifications to the program, drawings and specifications during the design.

13.2 Construction Contingency

An allowance of Ten Percent (10%) has been included in the estimate for changes occurring during the construction period of the project. This amount may be expended due to site conditions or if there are modifications to the drawings and specifications.

14.0 Documents Reviewed

The list below confirms the information reviewed in preparing our report:

Description		Revised Date
Drawings & Reports		
	Scope Summary and Drawings	in Ben Bosiak's email dated May 27, 2022
	LMS_CurrentDrawings	July 18, 2019
	LMS Structural Plans	May 20, 2020
	Mechanical Schematic Design Report	May 27, 2022
	Electrical Schematic Design Report	May 31, 2022

COST MANAGEMENT REPORT

Ladysmith Machine Shop

Appendices

APPENDIX I	Elemental Summary	1 page
APPENDIX II	Cost Plan	8 pages

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T 604 734 3126



APPENDIX I

Elemental Summary

1 PAGE



Construction Cost Summary

Description		Estimated Cost \$	Unit Cost \$/ft ²
A. Structural		31,600	8.95
B. Architectural		1,388,000	393.09
C. Mechanical		414,700	117.45
D. Electrical		529,500	149.96
E. Site Development		252,500	71.51
F. Ancillary Works (Demolition)		48,000	13.59
G1. General Requirements	10%	266,400	75.45
G2. Fees	8%	234,500	66.41
SUB-TOTAL CONSTRUCTION COST		\$3,165,200	\$896.40
H. Contingencies			
H1. Design Contingency	10%	316,500	89.63
H2. Construction Contingency	10%	348,200	98.61
J. Goods & Services Tax	0%	0	0.00
TOTAL CONSTRUCTION COST		\$3,829,900	\$1,084.65
K. Escalation Contingency	6.1%	234,700	66.47
ESCALATED CONSTRUCTION COST		\$4,064,600	\$1,151.12
<i>Gross Floor Area (renovated area)</i>		<i>3,531</i>	<i>ft²</i>
Unit Cost		\$1,151	/ft²



APPENDIX II

Cost Plan

8 PAGES

DRAFT

Description	Quantity	Unit	Rate	Amount
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A. Structural

Prep surface and add one layer of plywood to the unfinished side of double sided shear wall SW 1, 2 and 6

Public areas	554	ft2	7.70	4,300
Other areas	1,732	ft2	7.70	13,300

Remove angled brace beams on grid lines B and T at grid line 2 and use these pieces to replace 2 angled brace beam that appear warped.	1	sum	14,000.00	14,000
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New concrete pedestals at angled brace beam replacement location assume not required

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<u>Total Structural</u>	<u>\$31,600</u>			
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Description	Quantity	Unit	Rate	Amount
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B. Architectural

Building Envelope

Re&re building exterior/envelope to Public areas c/o:	1,703	ft2	74.00	126,000
Demolition and disposal				
New cladding (corrugated steel)				
New girts (or thermally broken clips) to support cladding and exterior insulation				
New plywood sheathing to exterior walls as req'd. to support cladding attachment				
New wood stud framing to support new sheathing				
New exterior membrane (vapour permeable; exterior side)				
New exterior continuous insulation min. 2" semi-rigid				
New insulation min. R22 batts in stud cavity				
New vapour barrier (interior side)				
Existing roof membrane and roof insulation (to remain)				
Replace all exterior windows	325	ft2	80.00	26,000
Replace all exterior doors (except overhead doors N117b & N113a)	3	lvs	2,400.00	7,200
Ditto to other areas				
Claddings and backing	10,234	ft2	74.00	757,300
Replace all exterior windows	2,285	ft2	80.00	182,800
Replace all exterior doors (except overhead doors N117b & N113a)	9	lvs	2,400.00	21,600
New exterior lighting around perimeter of building and at all entrance/exit doors		In Electrical		

Interior Renovation

Level 1 and Level 2 Accessible Washrooms c/o:	193	ft2	205.00	39,600
Demolition and disposal				
New walls and door				
New floor finishes				
New tiled wall dado				
New paint to walls and exposed ceiling				
New washroom accessories				
New fixtures (in Mechanical)				
New plumbing rough-ins (in Mechanical)				

Description	Quantity	Unit	Rate	Amount
B. Architectural				
Stairs 1 & 2 c/o: Demolition and disposal Existing shear walls (to remain) New drywalls New paint to walls and exposed ceiling Add caps onto the existing wooden guardrails New handrails Existing stringers and tread (to remain) New inlaid stair nosings (imbedded in the solid wood treads) New lighting (in Electrical)	996	ft2	68.00	67,700
Level 1 Lobby and Vestibule c/o: Demolition and disposal New drywall New floor finishes New rated wall/hoarding with door, to separate "southern" half of building New paint to walls and exposed ceiling New lighting and mechanical (in Electrical /Mechanical)	382	ft2	78.00	29,800
Level 2 Elevator Lobby c/o: Demolition and disposal New drywall New floor finishes New paint to walls and exposed ceiling New lighting and mechanical (in Electrical /Mechanical)	384	ft2	62.00	23,800
Level 2 Classroom / Boardroom c/o: Demolition and disposal New drywall New floor finishes New glazed partition wall to Corridor New wall separating room New paint to walls and exposed ceiling New lighting and mechanical (in Electrical /Mechanical)	1,210	ft2	73.00	88,300
Level 2 Electrical Room c/o: Demolition and disposal New partitions and door New floor finishes (not required) New paint to walls and exposed ceiling Electrical modifications (in Electrical)	365	ft2	49.00	17,900
Total Architectural				\$1,388,000

Description	Quantity	Unit	Rate	Amount
C. Mechanical				
Plumbing and drainage system				
Allowance for new plumbing fixtures to new washroom	1	sum	14,000.00	14,000
Allowance for plumbing equipment	1	sum	28,000.00	28,000
Point of use water heater				
Sump pump				
Oil interceptor				
Allowance for piping and ancillaries	1	sum	51,520.00	51,500
Fire protection system				
Allowance for new piping connection and new sprinkler heads to landlord/public areas	1	sum	25,200.00	25,200
Modification of fire sprinkler in tenant areas				
HVAC system				
Allowance for HVAC equipment to landlord areas/ public areas	1	sum	139,800.00	139,800
Allowance for air distribution and air terminals	1	sum	80,000.00	80,000
Allowance for refrigerant piping	1	sum	35,000.00	35,000
Controls				
Allowance for standalone control to HVAC equipment	1	sum	25,000.00	25,000
Miscellaneous works	1	sum	16,170.00	16,200
Testing and commissioning				
Air balancing				
Vibration isolation				
Total Mechanical				\$414,700

Description	Quantity	Unit	Rate	Amount
D. Electrical				
Service and distribution				
Allowance for new electrical distribution c/w new panelboards, meter centre and secondary transformers w/ cabling and conduit.	1	sum	180,000.00	180,000
Lighting and lighting control				
Allowance for new lighting and lighting control to public areas	1	sum	84,000.00	84,000
Allowance for exterior lighting (exterior area of the building)	1	sum	18,000.00	18,000
Branch devices				
Allowance for new duplex receptacles to public areas	1	sum	30,000.00	30,000
Heating				
Allowance for baseboard heater c/w wiring and conduit	1	sum	3,600.00	3,600
Mechanical equipment connection				
Allowance for power connection to mechanical equipment	1	sum	27,000.00	27,000
System and ancillaries				
Fire alarm system Landlord/Public space				
Allowance for new fire alarm system to landlord space	1	sum	33,712.00	33,700
Tenant space				
Allowance for new fire alarm system to tenant space	1	sum	57,204.00	57,200
Communication system Landlord/Public space				
Allowance for communication connection to elevator, fire alarm monitoring, Office 204, Classroom	1	sum	48,000.00	48,000

Description	Quantity	Unit	Rate	Amount
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D. Electrical

Empty conduit 2" empty conduit for communication service	1	sum	18,000.00	18,000
Access control system Allowance for security intrusion to landlord spaces	1	sum	30,000.00	30,000

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<i>Total Electrical</i>				<i>\$529,500</i>
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Description	Quantity	Unit	Rate	Amount
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E. Site Development

Re & re exisitng raised walkway in front of the building c/o: Demolition and disposal New concrete retaining walls New heavy timber boardwalk New concrete accessible ramp (1 no) and staircases (2 no) New stainless steel handrail along full length of boardwalk. and both sides of staircases and ramp	1,830	ft2	138.00	252,500
Electrical and mechanical site works		not required		

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Total Site Development				\$252,500
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Description	Quantity	Unit	Rate	Amount
F. Ancillary Works (Demolition)				
Hoarding, protection and cleaning	1	sum	10,000.00	10,000
Remove concrete pedestals down to existing slab at steel brace locations at grids 2/ B & 2/T	2	no	1,500.00	3,000
Allowance for mechanical and electrical demolition	1	sum	25,000.00	25,000
Allowance for miscellaneous repairs and making good	1	sum	10,000.00	10,000
Hazmat abatement of the building		Excluded		

DRAFT

<i>Total Ancillary Works (Demolition)</i>	<i>\$48,000</i>
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TOWN OF LADYSMITH

BYLAW NO. 2115

A bylaw to regulate, prohibit and impose requirements on the sale, possession and discharge of fireworks

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

1.0 Definitions

In this Bylaw:

“Corporate Officer” means the municipal officer appointed under section 148 of the *Community Charter*;

“Display Fireworks” means outdoor high hazard fireworks defined in Class 7, Division 2, Subdivision 2 of the Federal Regulations (generally described as large fireworks used for public fireworks displays) but excluding Firecrackers and Entertainment Industry Pyrotechnics;

“Enforcement Officer” means: (a) a member of Ladysmith Fire/Rescue holding the rank of Fire Chief or Assistant Fire Chief; (b) a Bylaw Compliance Officer; or (c) a member of the Royal Canadian Mounted Police;

“Entertainment Industry Pyrotechnics” means explosive articles and explosive substances used in the performing arts to create pyrotechnic special effects;

“Explosives Regulatory Division” means the Explosives Regulatory Division of the Explosives Branch of the Minerals and Metals Sector of Natural Resources Canada;

“Family Fireworks” means low hazard fireworks generally used for recreation but excluding Christmas crackers, sparklers and caps for toy guns;

“Federal Regulations” means the Explosives Regulations enacted under the *Explosives Act* [RSC, 1985, c. E-17];

“Fire Chief” means the person appointed under the Fire Department Bylaw;

“Fire Safety Plan” means a plan dealing with the procedures to follow to protect public safety when firing, setting off or exploding Entertainment Industry Pyrotechnics, approved by the Fire Chief;

“Firecracker” means a small pyrotechnic device, used primarily as a noisemaker, that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese firecrackers;

“Fireworks” means Display Fireworks and Family Fireworks;

“Fireworks Event” means the observance or celebration of a special event or festival where

Fireworks are desired to be fired, set off or exploded;

"Fireworks Permit" means a current and valid permit issued in the form attached as Schedule "A" and forming part of this Bylaw, authorizing a person to hold, possess, store, fire, discharge, set off, explode, or otherwise use Family Fireworks or Display Fireworks;

"Livestock" has the same meaning as prescribed under the *Livestock Act* [RSBC 1996] Chapter 270, as revised or replaced from time to time;

"Livestock Property" means land where Livestock is raised, reared or grazes;

"Low Hazard Fireworks" has the same meaning as prescribed under Class 7 – Firework Class, Subdivision 1 of Division 2 of the Federal Regulations;

"Pyrotechnic Event" means the observance or performance of a production where Entertainment Industry Pyrotechnics are desired to be fired, set off or exploded;

"Pyrotechnic Permit" means a current and valid permit issued in the form attached as Schedule "B" and forming part of this Bylaw authorizing a person to fire, set off or explode Entertainment Industry Pyrotechnics;

"Town" means the Town of Ladysmith.

2.0 Prohibitions

- 2.1 No person shall sell, offer to sell, give away, trade, or otherwise dispose of Fireworks, Entertainment Industry Pyrotechnics or Firecrackers to any other person.
- 2.2 No person shall buy, hold, possess, store, fire, discharge, set off, explode, or otherwise use Fireworks without a valid Fireworks Permit.
- 2.3 No person who holds a valid Fireworks Permit shall store, hold, possess, fire, set off, explode or otherwise use Fireworks in contravention of the Fireworks Permit.
- 2.4 No person shall store, hold, possess, fire, set off or explode Entertainment Industry Pyrotechnics without a valid Pyrotechnics Permit.
- 2.5 No person who holds a valid Entertainment Industry Pyrotechnics Permit shall store, hold, possess, fire, set off, explode or otherwise use Entertainment Industry Pyrotechnics in contravention of the Pyrotechnics Permit.
- 2.6 No person shall hold, possess, store, fire, discharge, set off, explode, or otherwise use Fireworks or Entertainment Industry Pyrotechnics in a manner that increases the risk of physical injury to any person or damage to any public or private property.
- 2.7 No person shall hold, possess, store, fire, discharge, set off or explode Firecrackers.
- 2.8 No person shall hold, possess, store, fire, discharge, set off, explode, or otherwise use Fireworks within 500 metres from a Livestock Property.

3.0 Exemptions

- 3.1 This Bylaw does not prohibit or regulate the use of torpedoes, flares, fuzzes, or similar pyrotechnic devices by motorists, mariners, police or other agencies for signaling purposes or illumination.

4.0 Permits

4.1 *Family or Display Fireworks Permits*

Any person eighteen (18) years of age or older shall apply for a Fireworks Permit to fire, discharge, set off or explode Family Fireworks or Display Fireworks by submitting to the Fire Chief, at least three (3) business days prior to the date upon which the Fireworks Event is to occur:

- a) A completed application in the form as prescribed in Schedule "A" of this bylaw;
- b) The applicable Fireworks Permit application fee as prescribed in Schedule "D" of this bylaw;
- c) Written authorization from the property owner if the Fireworks Event is to occur on property that is not owned by the applicant, including land that is owned or controlled by the Town;
- d) Written authorization from the person organizing or sponsoring the Fireworks Event if the Fireworks Event is being organized or sponsored by any person other than the applicant; and
- e) In the case of Display Fireworks, proof acceptable to the Fire Chief that the applicant is a Certification Card holder.

- 4.2 The Fire Chief shall consider each application and issue a Fireworks Permit to the applicant if:

- a) The property upon which the Fireworks Event is to occur is available for such use on the date and time set out in the application;
- b) The environmental or weather conditions are such that the use of Fireworks would not endanger or pose a risk to property or the safety of the public;
- c) The Fire Chief considers the Fireworks Event will not create a public safety risk or risk to the public or private property;
- d) The property upon which the Fireworks Event is to occur is at a distance of not less than 500 metres from a Livestock Property; and
- e) The applicant meets all the requirements of this Bylaw and all other applicable Bylaws of the Town.

4.3 *Entertainment Industry Pyrotechnics Permits*

Any person eighteen (18) years of age or older may apply for a Pyrotechnics Permit to fire, discharge, set off or explode Entertainment Industry Pyrotechnics by submitting to the Fire Chief, at least thirty (30) days prior to the date upon which the Pyrotechnics Event is to occur:

- a) A completed application in the form as prescribed in Schedule "B" of this bylaw;
- b) A written agreement from the property owner in the form as prescribed by the Corporate Officer, if the Pyrotechnics Event is to occur on property that is not owned by the applicant, including land that is owned or controlled by the Town;
- c) A written agreement from the person organizing or sponsoring the Pyrotechnics Event in the form as prescribed by the Corporate Officer, if the Pyrotechnics Event is being organized or sponsored by any person other than the applicant;
- d) A copy of the Explosives Regulatory Division's approval of the Pyrotechnic Event;
- e) A Fire Safety Plan approved by the Fire Chief after the Fire Chief has visited the location for the Pyrotechnics Event and determined the amount of fire protection required;
- f) A site plan drawn to scale with the direction of firing, separation distances, position of ramps and mortars, any significant ground features, right-of-ways, buildings or structures, overhead obstructions, parking areas or spectator viewing areas, fallout zone, north arrow, traffic control plans, and location of emergency vehicles;
- g) An event description which should include a time schedule of the event, attendance estimates, lists of fireworks or explosives or flammable and/or combustible products to be used, firing procedures, emergency response procedures, and a list of crew members, including contact information;
- h) A Fireworks Permit if Family Fireworks or Display Fireworks are used in the Pyrotechnic Event;
- i) Proof acceptable to the Fire Chief that the applicant holds either a valid Level 1 Certification Card or, for unconventional sites as defined by the Explosives Regulatory Division under the Federal Regulation, and a valid Level 2 Certification Card;

- j) Paid the Pyrotechnic Permit application fee as prescribed in Schedule "D" of this bylaw; and,
- k) Paid the Fire Safety Plan review fee as prescribed in Schedule "D" of this bylaw.

4.4 The Fire Chief shall consider each application and issue a Pyrotechnics Permit to the applicant if:

- a) The property upon which the Pyrotechnics Event is to occur is available for such use on the date and time set out in the application;
- b) The environmental or weather conditions are such that the use of Fireworks would not endanger or pose a risk to property or the safety of the public;
- c) The Fire Chief considers the Pyrotechnics Event will not create a public safety risk or risk to the public or private property;
- d) The property upon which the Fireworks Event is to occur is at a distance of not less than 500 metres from a Livestock Property; and,
- e) The applicant meets all the requirements of this Bylaw and all other applicable Bylaws of the Town.

4.5 *Fireworks Permit and Pyrotechnics Permit Conditions*

The Fire Chief in issuing a Fireworks Permit or Pyrotechnic Permit may impose one or more of the following terms and conditions that the Fire Chief considers reasonable:

- a) The days and the hours during which Fireworks or Entertainment Industry Pyrotechnics may be fired, discharged, set-off, exploded or otherwise used;
- b) The location to which Fireworks or Entertainment Industry Pyrotechnics may be fired, discharged, set off, exploded or otherwise used, including the minimum distance from the nearest building, public street or highway, utility, tree or overhead obstruction;
- c) The type of Fireworks or Entertainment Industry Pyrotechnics that may be fired, discharged, set off, exploded or otherwise used;
- d) Require the applicant to complete a fireworks safety and legal awareness course offered by the Explosives Regulatory Division, Natural Resources Canada;
- e) Special requirements to promote public safety, including the number of fire extinguishers that must be available on site during the Fireworks Event; and

- f) Proof that the Fireworks Permit and/or Pyrotechnics Permit holder has notified the adjacent properties.

At the time of issuance of the Display Fireworks Permit or the Pyrotechnics Permit, the Display Fireworks Permit or Pyrotechnics Permit Holder shall provide to the Fire Chief a certificate of insurance that meets the Insurance Requirements as set out in Schedule "C" of this bylaw.

4.6 *Permit Holder Requirements*

Every Fireworks Permit or Pyrotechnics Permit Holder shall:

- a) Fire, discharge, set off, explode or use only those Fireworks or Entertainment Industry Pyrotechnics specified in the Fireworks Permit or Pyrotechnics Permit;
- b) Fire, discharge, set off, explode or use Fireworks or Entertainment Industry Pyrotechnics only in accordance with the terms and conditions of the Fireworks Permit or Pyrotechnics Permit;
- c) Fire, discharge, set off, explode or use Entertainment Industry Pyrotechnics only in accordance with the Fire Safety Plan;
- d) Ensure that the Fireworks or Entertainment Industry Pyrotechnics are only fired, discharged, set off, exploded or used under the Fireworks Permit or Pyrotechnics Permit Holder's direct supervision and responsibility; and
- e) Ensure that the use, handling, discharge, possession, and storage of the Fireworks or Entertainment Industry Pyrotechnics conforms in every respect to the *Explosives Act* and regulations, the Display Fireworks manual as published by the Explosives Regulatory Division, and this Bylaw.

4.7 *Revocation of Permit*

- a) The Fire Chief may revoke a Fireworks Permit or Pyrotechnics Permit at any time if the Fireworks Permit or Pyrotechnics Permit Holder:
 - i. Fails to comply with any term or condition of the Fireworks Permit or Pyrotechnics Permit; or
 - ii. Violates or breaches any of the provisions of this Bylaw.
- b) The Fire Chief may revoke a Fireworks Permit or Pyrotechnics Permit at any time if:
 - i. The Provincial fire danger rating is high or extreme; or
 - ii. The weather conditions such as rain, fog or wind, make it impractical and/or unsafe to set off Fireworks, the Fire Chief may designate an alternate day and time.

5.0 Enforcement

- 5.1 No person shall obstruct an Enforcement Officer engaged in the administration or enforcement of the Bylaw.
- 5.2 Every person who contravenes a provision of this Bylaw commits an offence, and each day that the violation is caused or allowed to continue constitutes a separate offence.

6.0 Cost Recovery Fees

- 6.1 Every Pyrotechnics Permit Holder shall pay for any fire protection services provided by the Town for the Pyrotechnics Event. The fees shall be calculated in accordance with Schedule "D" of this bylaw.
- 6.2 Every Fireworks Permit or Pyrotechnics Permit Holder shall pay all costs and expenses of any fire protection services, materials or resources expended or incurred by the Town as a result of a fire caused by a Fireworks or Pyrotechnics Event. The fee shall be calculated in accordance with Schedule "D" of this bylaw.
- 6.3 Every Fireworks Permit or Pyrotechnics Permit Holder shall pay all costs and expenses to remove any litter and debris expended or incurred by the Town that is left on site at the conclusion of a Fireworks and/or Pyrotechnics Event. The fee shall be calculated in accordance with Schedule "D" of this bylaw.

7.0 Citation

This Bylaw may be cited for all purposes as "Fireworks Regulation Bylaw 2022, No. 2115".

READ A FIRST TIME on the 7th day of June, 2022

READ A SECOND TIME on the 7th day of June, 2022

READ A THIRD TIME on the 7th day of June, 2022

ADOPTED on the _____ day of _____, 2022

Mayor (A. Stone)

Corporate Officer (D. Smit)

SCHEDULE “A”



Celebrate our Present. Embrace our Future. Honour our Past.

FIREWORKS PERMIT – “FIREWORKS REGULATION BYLAW 2022, NO. 2115”

Name of Applicant: _____

Location: _____

Date: _____ Time: (Start) _____ (End) _____

PERMISSION IS GRANTED to the above Applicant to fire, discharge, set off or explode:

Family Fireworks | Display Fireworks
(circle one)

at the location and on the date and time(s) as set out above, subject to the Town of Ladysmith Fireworks Regulation Bylaw, as amended from time to time, and to the following conditions and restrictions:

- This permit is not transferable. Only the Applicant is authorized under this permit to fire, discharge, set off or explode fireworks;
- The Applicant may only fire, discharge, set off or explode the type and quantity of fireworks described in the application;
- The Applicant must ensure that all debris and litter related to the Fireworks Event, including any litter left by the spectators, is removed from the location at the conclusion of the Fireworks Event; and
- In accordance with requirements of the Fireworks Regulation Bylaw, the Applicant shall obtain a Comprehensive General Liability insurance policy with an inclusive limit of not less than \$5,000,000.00 per occurrence for bodily injury and property damage and provide evidence of the same to the Fire Chief at the time of issuance of this Permit. [Required for **Display Fireworks** only]

Other: _____

Fire Chief or authorized designate

Date of Issue

The personal information on this form is collected under the general authority of the *Community Charter* and *Freedom of Information & Protection of Privacy Act (FOIPPA)* and is protected in accordance with *FOIPPA*. Personal information will only be used by authorized staff to fulfill the purpose for which it was originally collected or for a use consistent with that purpose. If you have any questions about the use and collection of this information, contact the Corporate Officer at 250.245.6417 or foi@ladysmith.ca.

SCHEDULE “B”

TOWN OF LADYSMITH

Celebrate our Present. Embrace our Future. Honour our Past.

PYROTECHNIC PERMIT – “FIREWORKS REGULATION BYLAW 2022, NO. 2115”

Name of Applicant: _____

Location: _____

Date: _____ Time: (Start) _____ (End) _____

PERMISSION IS GRANTED to the above Applicant to fire, discharge, set off or explode **Entertainment Industry Pyrotechnics**, at the location and on the date and time(s) as set out above, subject to the Town of Ladysmith Fireworks Regulation Bylaw, as amended from time to time, and to the following conditions and restrictions:

- In accordance with requirements of the Fireworks Regulation Bylaw, the Applicant shall obtain a Comprehensive General Liability insurance policy with an inclusive limit of not less than \$5,000,000.00 per occurrence for bodily injury and property damage and provide evidence of the same to the Fire Chief at the time of issuance of this Permit;
- This permit is not transferable; only the Applicant is authorized under this permit to fire, set off, discharge or explode Entertainment Industry Pyrotechnics;
- The Applicant may only fire, discharge, set off or explode the type and quantity of Entertainment Industry Pyrotechnics described in the application; and
- The Applicant must ensure that all debris and litter related to a permitted event that occurs on Town property, including any litter left by the spectators, is removed from the location at the conclusion of the permitted event.

Other: _____

Fire Chief or authorized designate

Date of Issue

The personal information on this form is collected under the general authority of the *Community Charter* and *Freedom of Information & Protection of Privacy Act (FOIPPA)* and is protected in accordance with *FOIPPA*. Personal information will only be used by authorized staff to fulfill the purpose for which it was originally collected or for a use consistent with that purpose. If you have any questions about the use and collection of this information, contact the Corporate Officer at 250.245.6417 or foi@ladysmith.ca.

SCHEDULE "C"

Insurance Requirements

A **Display Fireworks Permit** or **Pyrotechnics Permit** Holder shall, at their own expense, for the duration of the Fireworks Event or Pyrotechnics Event, secure and maintain a Comprehensive General Liability insurance policy with an inclusive limit of not less than \$5,000,000.00 per occurrence for bodily injury and property damage. The Comprehensive General Liability insurance policy shall:

- 1) Include all premises and operations necessary or incidental to the Fireworks Event or Pyrotechnics Event;
- 2) Include "Broad Form" Property Damage coverage on an occurrence basis, including loss of use of property;
- 3) Include, but not necessarily limited to, the following coverage:
 - a) Contingent Employers Liability;
 - b) Owners and Contractors Protective Liability;
 - c) Contractual Liability assumed with respect to the event;
 - d) Non-Owned and Hired Auto; and,
 - e) Personal Injury Liability;
- 4) Include the Town, its elected officials, officers, agents and employees, and contractors acting on behalf of the Town as additional insured's;
- 5) Be primary and non-contributing with respect to any insurance carried by the Town of Ladysmith;
- 6) Not include a deductible greater than \$5,000.00 per occurrence (unless the Town of Ladysmith advises in writing that it has determined that a greater deductible is acceptable);
- 7) Include a Cross Liability clause;
- 8) Preclude subrogation claims by the insurer against any of the insured;
- 9) Include a provision requiring the insurer to give the Town of Ladysmith thirty (30) days' prior written notice before making any material change to the insurance coverage, or the termination or cancellation thereof;
- 10) Provide that the Town of Ladysmith, its elected officials, officers, agents and employees, and contractors acting on behalf of the Town of Ladysmith are protected notwithstanding any act, neglect or misrepresentation of the Display Fireworks Permit or Pyrotechnics Permit Holder which might otherwise result in the avoidance of a claim and that such policy is not affected or invalidated by any act, omission or negligence of any third party which is not within the knowledge or control of the insured;
- 11) Be underwritten by a responsible insurance company or companies licensed to do business in the Province of British Columbia and that meet with the reasonable approval of the Town of Ladysmith;
- 12) Maintenance of the insurance required herein and the performance by the Display Fireworks Permit or Pyrotechnics Permit Holder of their obligations under this clause shall not relieve the Display Fireworks Permit or Pyrotechnics Permit Holder from liability under any covenant to indemnify the Town of Ladysmith;
- 13) It shall be the sole responsibility of the Display Fireworks Permit or Pyrotechnics Permit Holder to determine their own additional insurance coverage, if any, including workers' compensation, that are necessary and advisable for their own protection or to fulfill their obligations with respect to the Fireworks Event or Pyrotechnics Event. Any such additional insurance shall be secured and maintained by the Display Fireworks Permit or Pyrotechnics Permit Holder at their own expense;
- 14) The foregoing insurance provisions shall not limit the insurance the Display Fireworks Permit or Pyrotechnics Permit Holder is required to secure and maintain by the provincial or federal law; and,
- 15) If the Display Fireworks Permit or Pyrotechnics Permit Holder fails to secure or maintain insurance as required herein, then the Town of Ladysmith shall have the right, but not the duty or obligation, to secure and maintain such insurance and give evidence thereof to the Display Fireworks Permit or Pyrotechnics Permit Holder. The Display Fireworks Permit or Pyrotechnics Permit Holder shall pay the cost thereof to the Town of Ladysmith on demand.

SCHEDULE "D"
Fees

Family Fireworks Permit Application	\$10
Display Fireworks Permit Application	\$100
Pyrotechnics Permits Application	\$200
Fire Safety Plan Review for Fireworks / Pyrotechnics	\$200
Fire Protection Cost Recovery Fee for Fireworks	\$550/hour
Clean up litter and debris left on Town property	Actual costs

TOWN OF LADYSMITH

BYLAW NO. 2116

A bylaw for the administration of the *Freedom of Information and Protection of Privacy Act*

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

Interpretation

1. In this bylaw:

“Act” means the *Freedom of Information and Protection of Privacy Act*, (RSBC 1996, c.165);

“Coordinator” means the person designated as the Information & Privacy Coordinator of the municipality under section 4 of this Bylaw; and

“Head” means the person designated as the Head of the municipality under section 3 of this Bylaw.

2. The definitions contained in Schedule 1 of the Act shall apply to this bylaw except where the context requires otherwise.

Designation and Powers

3. The Corporate Officer is designated as the Head for the purposes of the Act and shall perform the duties of the Head specified in the Act.
4. The Deputy Corporate Officer is designated as the Information & Privacy Coordinator for the purposes of the Act, and is authorized to perform the duties and functions of the Head.
5. For the purposes of the Act, the Head and Coordinator shall act in their respective capacities for all Council, Boards, Commissions and Committees of the Town of Ladysmith.

Fees

6. The Schedule of Maximum Fees as established by Freedom of Information and Protection of Privacy British Columbia Regulation 155/2012, shall be the maximum fees charged by the Town as permitted under the Act.

Repeal

7. "Town of Ladysmith Freedom of Information Bylaw 1994, No. 1138" is hereby repealed.

Citation

8. This Bylaw may be cited for all purposes as "Freedom of Information and Protection of Privacy Bylaw 2022, No. 2116".

READ A FIRST TIME on the 7th day of June, 2022

READ A SECOND TIME on the 7th day of June, 2022

READ A THIRD TIME on the 7th day of June, 2022

ADOPTED on the _____ day of _____, 2022

Mayor (A. Stone)

Corporate Officer (D. Smith)

BYLAW STATUS SHEET

June 21, 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.
2102	"Official Community Plan 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102" (to allow for a development including a mix of multiple-dwelling, single-detached dwellings and other uses at 1301 and 1391 Rocky Creek Road)	First and second readings, February 1, 2022. Third reading and Public Hearing June 14, 2022. Conditions to be met prior to adoption.
2103	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103" (to allow for a development including a mix of multiple-dwelling, single-detached dwellings and other uses at 1301 and 1391 Rocky Creek Road)	First and second readings, February 1, 2022. Third reading and Public Hearing June 14, 2022. MOTI required. Conditions to be met prior to adoption.
2106	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106" (to amend land use and Development Permit Areas at Lot 5, Holland Creek)	First and second readings, April 19, 2022. Public Hearing required prior to adoption.
2107	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.48) 2022, No. 2107" (to amend site specific regulations to include secondary suites, coach house dwellings and townhouse dwellings at Lot 5, Holland Creek)	First and second readings, April 19, 2022. Public Hearing required prior to adoption.
2114	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 50) 2022, No. 2114" (a site- specific zoning amendment bylaw that will allow single-family dwellings at 626 Farrell Road (The Gales) and 606 Farrell Road)	First, second and third readings, June 7, 2022. Public Hearing not required. MOTI required.
2115	"Fireworks Regulation Bylaw 2022, No. 2115" (to regulate, prohibit and impose requirements on	First, second and third readings, June 7, 2022.

BYLAW STATUS SHEET**June 21, 2022**

	the sale, possession and discharge of fireworks within the Town of Ladysmith)	
2116	"Freedom of Information and Protection of Privacy Bylaw 2022, No. 2116" (for the administration of the Freedom of Information and Protection of Privacy Act)	First, second and third readings, June 7, 2022.