

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

Tuesday, July 5, 2022  
City Hall Council Chambers  
410 Esplanade

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**Pages**

**1. OPEN MEETING AND ACKNOWLEDGEMENT**

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

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

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

**2. AGENDA APPROVAL**

Recommendation

That Council approve the agenda for this Regular Meeting of Council for July 5, 2022.

**3. MINUTES**

**3.1. Minutes of the Regular Meeting of Council held June 21, 2022**

**4**

Recommendation

That Council approve the minutes of the Regular Meeting of Council held June 21, 2022.

**4. DELEGATIONS**

**4.1. John Elzinga, CVRD General Manager of Community Services**

**10**

Update regarding the recent facility use study and CVRD Board approved funding formula to guide a new Regional Recreation Service Establishment Bylaw for the upcoming Assent Voting to be held in conjunction with the 2022 General Local Election

## **5. COMMITTEE MINUTES**

### **5.1. Official Community Plan Steering Committee - June 14, 2022 38**

#### Recommendation

That Council receive the minutes of the Official Community Plan Steering Committee meeting held June 14, 2022.

## **6. REPORTS**

### **6.1. Agricultural Land Reserve Non-Farm Use Application 3015-20 (Saltair Water System Upgrade) 40**

#### Recommendation

That Council recommend that the Agricultural Land Commission approve Agricultural Land Reserve Non-Farm Use application 3015-20 (Saltair Water System Upgrade).

### **6.2. Ladysmith Traffic Study Options 54**

#### Recommendation

That Council direct staff to include an area-specific traffic study as outlined in Option 2 of the staff report dated July 5, 2022, to be included in the 2023 - 2027 Financial Plan.

## **7. BYLAWS**

### **7.1. "Public Notice Bylaw 2022, No. 2119" 62**

#### Recommendation

That Council give first three readings to "Public Notice Bylaw 2022, No. 2119".

### **7.2. Bylaw Status Sheet 68**

## **8. CORRESPONDENCE**

### **8.1. CVRD Request for Letter of Support for Stocking Lake Dam Grant Application 69**

#### Recommendation

That Council direct the Mayor, on behalf of Council, to provide a letter of support endorsing the Cowichan Valley Regional District as the lead applicant for grant funding through the SPF Federal/Provincial Community Building Fund - Capital Infrastructure for the Stocking Lake Dam which is jointly owned by the Town of Ladysmith and the CVRD.

**9. NEW BUSINESS**

**10. QUESTION PERIOD**

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

**11. ADJOURNMENT**



## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, June 21, 2022

7:00 P.M.

City Hall Council Chambers

410 Esplanade

### Council Members Present:

Mayor Aaron Stone

Councillor Amanda Jacobson (arrived 6:14pm)

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

Christina Hovey

Mike Gregory

Sue Bouma

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### 1. CALL TO ORDER

Mayor Stone called this Regular Meeting of Council to order at 5:30 p.m., in order to retire immediately into Closed Session.

### 2. CLOSED SESSION

#### CS 2022-151

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.

*Motion Carried*

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

Mayor Stone called this Regular Meeting of Council to order at 7:00 p.m., recognizing with gratitude that it was taking place on the traditional unceded territory of the Stz'uminus First Nation. Mayor Stone expressed his appreciation for the Indigenous Peoples Day event celebrated earlier in the day at Transfer Beach, describing it as a day to reflect, but also to celebrate the Stz'uminus culture and their willingness to forge a new and better future together.

Mayor Stone then shared his admiration for the work of the Ladysmith Healthcare Auxiliary, who recently hosted their volunteer appreciation celebration, and thanked them for their generous contributions to healthcare in the Town and surrounding area.

**4. AGENDA APPROVAL**

**CS 2022-152**

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

*Motion Carried*

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

Council rose from Closed Session at 6:46 p.m. with report on the following:

- **CE 2022-039**

That Council task the 2022-2026 Council with the review of the Grants-In-Aid Policy and service agreement procedures and that Council rise and report on this recommendation immediately.

**6. MINUTES**

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

**CS 2022-153**

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

*Motion Carried*

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

**CS 2022-154**

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

*Motion Carried*

**7. DELEGATIONS**

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

Quentin Goodbody, President of the Ladysmith & District Historical Society provided an operational update to Council, summarizing the achievements of the archives, the museum and the industrial heritage site. He also noted that the society has a significant online presence.

Mr. Goodbody responded to Council's questions. Council expressed their appreciation for the presentation, and thanked him and all the volunteers for their work in the community.

**8. DEVELOPMENT APPLICATIONS**

**8.1 740 4<sup>th</sup> Avenue - Development Permit 3060-22-12**

**CS 2022-155**

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

*Motion Carried*

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

**CS 2022-156**

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 as amended as follows:

- Add a condition requesting re-vegetation to be completed no later than April 1, 2023; and
- Issuance of the Permit is subject to the applicant providing a bond in the amount of \$30,000.

*Motion Carried*

## **9. COMMITTEE MINUTES**

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

#### **CS 2022-157**

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

*Motion Carried*

## **10. REPORTS**

### **10.1 Poverty Reduction Task Group Terms of Reference**

#### **CS 2022-158**

That Council approve the Poverty Reduction Task Group Terms of Reference.

*Motion Carried*

#### **CS 2022-159**

That Council appoint Councillor McKay and Councillor Jacobson as the alternate to the Poverty Reduction Task Group.

*Motion Carried*

### **10.2 Stormwater Master Plan – UBCM Strategic Priorities Fund**

#### **CS 2022-160**

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.

*Motion Carried*

#### **CS 2022-161**

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.

*Motion Carried*

**10.3 Machine Shop Arts, Heritage and Cultural Centre Project – UBCM Strategic Priorities Fund**

**CS 2022-162**

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.

*Motion Carried*

**11. BYLAWS**

**11.1 Bylaw No. 2115**

**CS 2022-163**

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

*Motion Carried*

**11.2 Bylaw No. 2116**

**CS 2022-164**

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

*Motion Carried*

**11.3 Bylaw Status Sheet**

**12. NEW BUSINESS**

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

**CS 2022-165**

That Council appoint Councillor McKay as the voting delegate and Councillors Paterson and Stevens as the 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.

*Motion Carried*

**13. QUESTION PERIOD**

There were no questions submitted by the public.

**14. ADJOURNMENT**

**CS 2022-166**

That this Regular Meeting of Council be adjourned at 8:27 p.m.

*Motion Carried*

CERTIFIED CORRECT

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Mayor (A. Stone)

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Corporate Officer (D. Smith)

# Regional Recreation

## Usage-Based Facility Funding Model



Town of Ladysmith Council Meeting

July 5, 2022



# BACKGROUND

**Fuller Lake  
Arena**  
(late 1960's)

**7 Other  
Recreation  
Facilities**

**Cowichan  
Aquatic Centre**  
(2008)

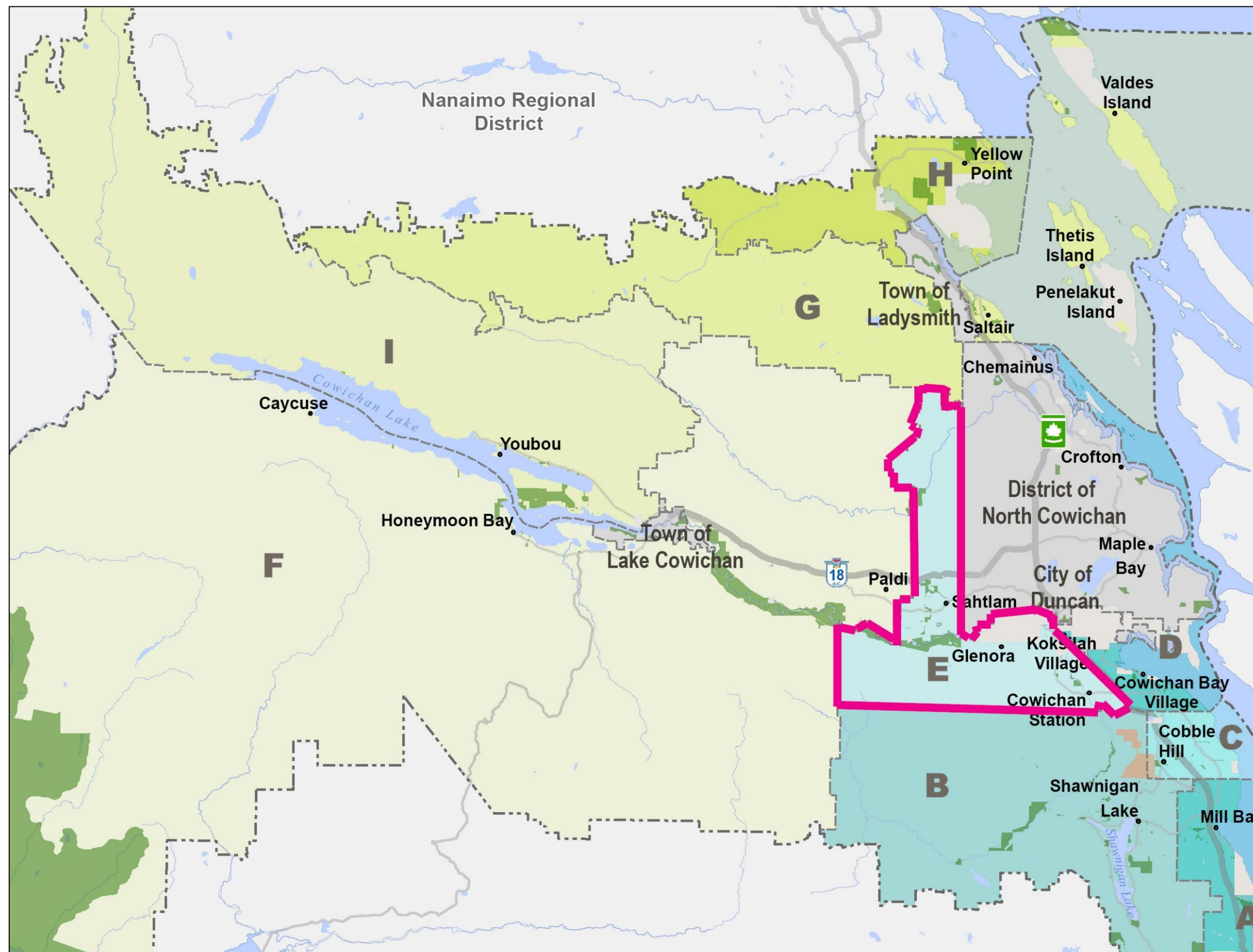
# BACKGROUND

## Cowichan Aquatic Centre



# BACKGROUND

## Electoral Area E Cowichan Station / Sahtlam / Glenora



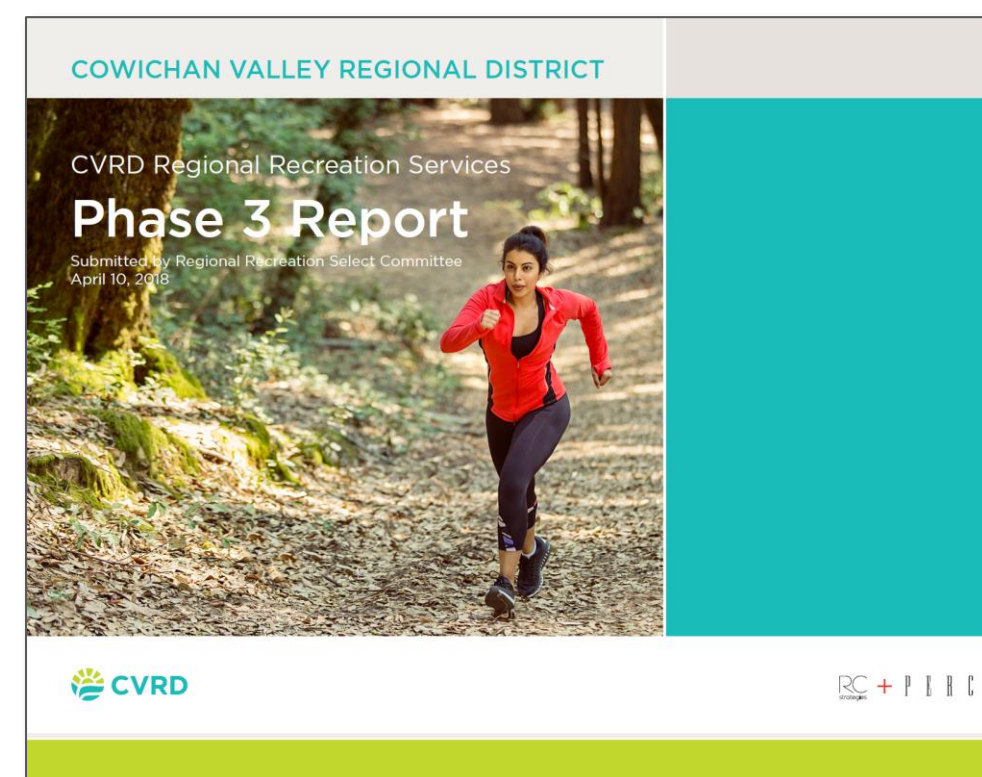
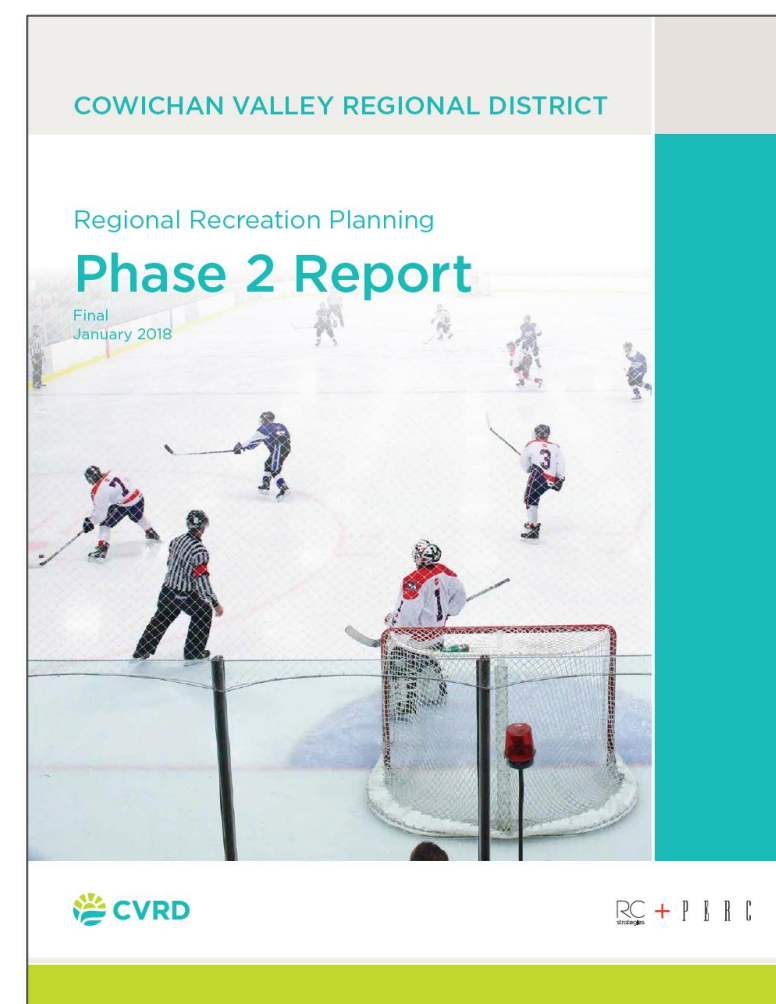
# BACKGROUND

- The CVRD Board directed that a review of funding for Recreation across the region be conducted.
- North Cowichan and Duncan chose not to re-impose two-tiered fees until that review had been concluded.
- Since October 2015, the CVRD has undertaken a Regional Recreation planning initiative.

# BACKGROUND

This Regional Recreation initiative included the following four phases:

- **Phase 1:** Initial Public Engagement to Identify Gaps
- **Phase 2:** Determine Geographic Residency of Major Facility Users
- **Phase 3:** Identify Potential Regional Funding Models
- **Phase 4:** Regional Recreation Strategic Plan

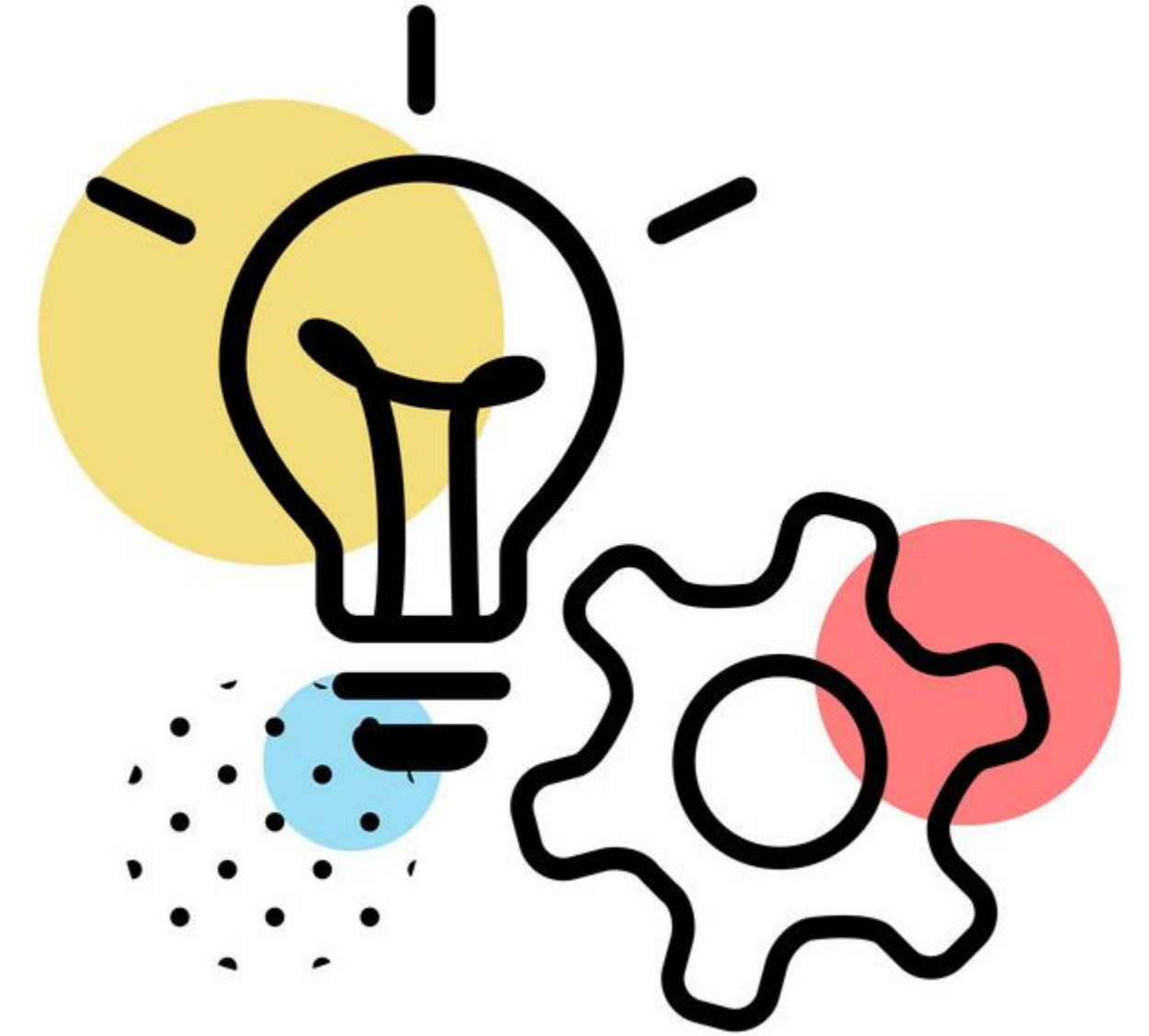


**In August of 2019, the Board passed a resolution to approve, in principle, funding nine regionally significant recreation facilities on the basis of the residency of uses.**



# ASSUMPTIONS & PRINICIPLES

- Zero Sum Result
- Governance Linked to Funding
- Debt
- Funding Now vs. Funding in Future
- Participation
- Current Capital
- Changes to Ownership or Operating Entity



## Zero Sum Result

- Shift who pays in the current funding model for regionally significant recreation facilities
- No intent to change the overall level of funding

## Governance Linked to Funding

- You Pay = you are involved in the governance
- A need to ensure all contributing jurisdictions are represented

## Debt

- Taxpayers in the jurisdictions that authorize debt for regionally significant recreation infrastructure, need to assume it
- Taxpayers will only participate in funding of debt service charges associated with that function, if they agreed to the debt initially

## Funding Now vs. Funding in Future

- New debts in future will require new authorization

# ASSUMPTIONS & PRINICIPLES

## Participation

- All jurisdictions need to participate in the function for the new funding formula to work effectively



## Current Capital

- Operating budgets and short-term capital budgets are both required to maintain a current level of service
- Significant additions to a facility and/or incurring long term debt to develop a new facility need to be treated separately

## Changes to Ownership or Operating Entity

- No changes to the ownership or operating entity of facilities are required
- Current collaboration / cooperation is sufficient

# REFERENDUM

**On October 28, 2020, the CVRD Board approved a referendum to seek elector approval to implement usage-based funding of the nine regionally significant recreation facilities be held in conjunction with local government elections in October 2022.**

# ADOPTING NEW FUNDING FORMULA

- 1) 2021 / 2022 Facility Use Analysis
- 2) Presentation to Board of Financial Implications to Jurisdictions
- 3) Provincial approval of a proposed service bylaw
- 4) Voter Approval
- 5) Creation of New Region-Wide Recreation Function
- 6) Phasing-In the New Funding Formula
- 7) Updating the Usage Data
- 8) Mandated Review



## Creation of New Region-Wide Recreation Function

- Would set a limit of total funding which allows some variance and emergency capital funding
- Intended to replace current funding through existing functions

## Implementing the Funding Process

- Each facility operator would prepare their budget, clearly identifying the requisition amount
- CVRD Finance would allocate requisitions based on usage

## Phasing-In the New Funding Formula

- New funding model would be phased-in over three years
  - **1<sup>st</sup> year:** 1/3 of funding allocated on the basis of usage (new model) and 2/3 based on existing
  - **2<sup>nd</sup> year:** 2/3 of funding allocated on the basis of usage (new model) and 1/3 based on existing
  - **3<sup>rd</sup> year:** All net costs apportioned on basis of usage

## Updating the Usage Data

- 5 year data collection cycle would be adopted
- Rolling average of past 3 data collection cycles moving forward



## Review of Governance & Funding for New Function

- New funding model would have built-in review period
- This will potentially improve the funding model and governance system

## 3 Examples for Town of Ladysmith (TOL)

### EXAMPLE #1: Frank Jameson Community Centre

- In 2019, total tax requisition from all jurisdictions: **\$1,445,261**
- In 2019, total tax requisition from TOL: **\$1,294,443**
- TOL usage of Frank Jameson Community Centre: **63.50%**
- What TOL would pay under usage-based model (2019): **\$917,741**
- A **decrease** of: **\$376,702**

## EXAMPLE #2: Cowichan Community Centre

- In 2019, total tax requisition from all jurisdictions: **\$3,679,733**
- In 2019, total tax requisition from TOL: **\$0**
- TOL usage of Cowichan Community Centre: **3.35%**
- What TOL would pay under usage-based model (2019): **\$123,271**
- An **increase** of: **\$123,271**

## EXAMPLE #3: Fuller Lake Arena

- In 2019, total tax requisition from all jurisdictions: **\$694,280**
- In 2019, total tax requisition from TOL: **\$0**
- TOL usage Fuller Lake Arena: **23.40%**
- What TOL would pay under usage-based model (2019): **\$162,462**
- An **increase** of: **\$162,462**

## TOTALS FOR THE TOWN OF LADYSMITH

- In 2019, total tax requisition from all jurisdictions: **\$15,790,267**
- In 2019, total tax requisition from TOL: **\$1,352,798**
- What TOL would pay under usage-based model (2019): **\$1,396,267**
- An **increase** of: **\$43,469**

# Questions?



Regional Recreation - Usage Based Funding MASTER

Regionally Significant Facility		CVRD Jurisdictions														Total	Maximum Requisition***
		Electoral Area A	Electoral Area B	Electoral Area C	Electoral Area D	Electoral Area E	Electoral Area F	Electoral Area G - Gulf Islands	Electoral Area G - Saltair	Electoral Area H	Electoral Area I	City of Duncan	Town of Lake Cowichan	Town of Ladysmith	Muni of North Cowichan		
Cowichan Aquatic Centre (MNC)	Currently Pay (\$)*	28,010	45,474	26,515	0	26,988	4,913	0	0	0	4,917	360,740	12,200	0	2,371,950	\$2,881,707	\$4,400,000
	% of Use**	5.40%	9.60%	6.45%	6.70%	7.55%	0.70%	0.08%	0.22%	0.55%	0.50%	8.80%	2.25%	1.05%	50.15%	100.00%	
	Proposed \$ of Current Req	155,612	276,644	185,870	193,074	217,569	20,172	2,305	6,340	15,849	14,409	253,590	64,838	30,258	1,445,176	\$2,881,707	
	Increase / Decrease	127,602	231,170	159,355	193,074	190,581	15,259	2,305	6,340	15,849	9,492	-107,150	52,638	30,258	-926,774	N/A	
Cowichan Community Centre (CVRD)	Currently Pay (\$)*	0	0	0	321,167	505,849	0	0	0	0	0	523,033	0	0	2,329,684	\$3,679,733	\$10,226,948
	% of Use**	4.30%	7.20%	5.45%	6.50%	8.75%	1.25%	0.00%	0.70%	0.35%	0.55%	7.00%	0.85%	3.35%	53.75%	100.00%	
	Proposed \$ of Current Req	158,229	264,941	200,545	239,183	321,977	45,997	0	25,758	12,879	20,239	257,581	31,278	123,271	1,977,856	\$3,679,733	
	Increase / Decrease	158,229	264,941	200,545	-81,984	-183,872	45,997	0	25,758	12,879	20,239	-265,452	31,278	123,271	-351,828	N/A	
Cowichan Lake Sports Arena (CVRD)	Currently Pay (\$)*	0	0	0	0	0	659,070	0	0	0	663,905	0	404,796	0	0	\$1,727,771	\$4,311,991
	% of Use**	3.10%	3.15%	2.30%	0.55%	3.40%	9.15%	0.00%	0.55%	0.25%	14.10%	3.60%	30.55%	5.50%	23.80%	100.00%	
	Proposed \$ of Current Req	53,561	54,425	39,739	9,503	58,744	158,091	0	9,503	4,319	243,616	62,200	527,834	95,027	411,209	\$1,727,771	
	Increase / Decrease	53,561	54,425	39,739	9,503	58,744	-500,979	0	9,503	4,319	-420,289	62,200	123,038	95,027	411,209	N/A	
Cowichan Performing Arts Centre (CVRD)	Currently Pay (\$)*	46,129	72,757	86,139	110,430	131,297	0	0	0	0	0	135,757	0	58,355	747,605	\$1,388,469	\$2,636,176
	% of Use**	5.55%	7.60%	7.10%	6.65%	7.70%	1.30%	0.18%	1.42%	0.65%	0.80%	7.80%	1.85%	3.55%	47.85%	100.00%	
	Proposed \$ of Current Req	77,060	105,524	98,581	92,333	106,912	18,050	2,499	19,716	9,025	11,108	108,301	25,687	49,291	664,382	\$1,388,469	
	Increase / Decrease	30,931	32,767	12,442	-18,097	-24,385	18,050	2,499	19,716	9,025	11,108	-27,456	25,687	-9,064	-83,223	N/A	
Cowichan Sportsplex	Currently Pay (\$)*	17,609	0	16,559	10,467	12,542	0	0	0	0	0	38,500	0	0	205,380	\$301,057	\$543,227
	% of Use**	3.80%	7.80%	3.35%	4.10%	7.05%	1.10%	0.00%	0.70%	0.50%	0.95%	4.00%	2.85%	4.10%	59.70%	100.00%	
	Proposed \$ of Current Req	11,440	23,482	10,085	12,343	21,225	3,312	0	2,107	1,505	2,860	12,042	8,580	12,343	179,731	\$301,057	
	Increase / Decrease	-6,169	23,482	-6,474	1,876	8,683	3,312	0	2,107	1,505	2,860	-26,458	8,580	12,343	-25,649	N/A	
Frank Jameson Community Centre (TOL)	Currently Pay (\$)*	0	0	0	0	0	0	0	39,216	111,602	0	0	0	1,294,443	0	\$1,445,261	\$3,000,000
	% of Use**	0.35%	0.85%	0.25%	0.65%	0.55%	0.35%	0.00%	6.95%	11.55%	0.15%	0.50%	0.65%	63.50%	13.70%	100.00%	
	Proposed \$ of Current Req	5,058	12,285	3,613	9,394	7,949	5,058	0	100,446	166,928	2,168	7,226	9,394	917,741	198,001	\$1,445,261	
	Increase / Decrease	5,058	12,285	3,613	9,394	7,949	5,058	0	61,230	55,326	2,168	7,226	9,394	-376,702	198,001	N/A	
Fuller Lake Arena (MNC)	Currently Pay (\$)*	0	0	0	0	0	0	0	0	0	0	0	0	0	694,280	\$694,280	\$1,300,000
	% of Use**	0.95%	0.75%	0.35%	1.60%	8.60%	1.15%	0.00%	4.50%	1.35%	0.45%	2.75%	1.65%	23.40%	52.50%	100.00%	
	Proposed \$ of Current Req	6,596	5,207	2,430	11,108	59,708	7,984	0	31,243	9,373	3,124	19,093	11,456	162,462	364,497	\$694,280	
	Increase / Decrease	6,596	5,207	2,430	11,108	59,708	7,984	0	31,243	9,373	3,124	19,093	11,456	162,462	-329,783	N/A	
Kerry Park Recreation Centre (CVRD)	Currently Pay (\$)*	705,613	1,145,511	667,931	418,107	0	0	0	0	0	0	0	0	0	0	\$2,937,162	\$6,687,641
	% of Use**	19.45%	37.50%	15.70%	9.65%	3.25%	0.25%	0.00%	0.00%	0.05%	0.10%	1.70%	0.05%	0.20%	12.10%	100.00%	
	Proposed \$ of Current Req	571,278	1,101,436	461,134	283,436	95,458	7,343	0	0	1,469	2,937	49,932	1,469	5,874	355,397	\$2,937,162	
	Increase / Decrease	-134,335	-44,075	-206,797	-134,671	95,458	7,343	0	0	1,469	2,937	49,932	1,469	5,874	355,397	N/A	
Shawnigan Lake Community Centre (CVRD)	Currently Pay (\$)*	0	734,827	0	0	0	0	0	0	0	0	0	0	0	0	\$734,827	\$1,773,902
	% of Use**	11.35%	69.85%	8.65%	2.45%	0.75%	0.10%	0.00%	0.30%	0.00%	0.10%	1.10%	0.10%	0.00%	5.25%	100.00%	
	Proposed \$ of Current Req	83,403	513,277	63,563	18,003	5,511	735	0	2,204	0	735	8,083	735	0	38,578	\$734,827	
	Increase / Decrease	83,403	-221,550	63,563	18,003	5,511	735	0	2,204	0	735	8,083	735	0	38,578	N/A	
Total of All Regional Facilities	Currently Pay (\$)*	797,361	1,998,569	797,144	860,171	676,676	663,983	0	39,216	111,602	668,822	1,058,030	416,996	1,352,798	6,348,899	15,790,267	\$34,879,885
	Proposed \$ of Current Req	1,122,237	2,357,220	1,065,561	868,378	895,052	266,742	4,805	197,317	221,347	301,195	778,048	681,270	1,396,267	5,634,828	15,790,267	
	Increase / Decrease	324,876	358,651	268,417	8,207	218,376	-397,241	4,805	158,101	109,745	-367,627	-279,982	264,274	43,469	-714,071	N/A	

\* **Current Pay** is based on 2019 budget amounts

\*\* **% of Use** is based on the average between 2017 and 2022 facility use data

\*\*\* **Maximum Requisition** is based on revised assessment roll 2022



## Notes from the Official Community Plan Steering Committee Meeting Held on June 14, 2022 at 5:00pm by Zoom

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### Attendees:

Quentin Goodbody	Geoff Dean	Tricia McKay	Isabel Anderson	Gale Lawrence
Tamara Hutchinson	Abbas Farabakhsh	Allison McCarrick	Jake Belobaba	Jennifer Fix
Tierney (recorder)				Julie

### Regrets:

Martin Byrne	Ray Gauthier	Tara Pollock	David Grimstead	Brian Childs
Emily Weeks	Cyndi Beaulieu	Jason Harrison	Jennifer Sibbald	

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### Acknowledgement

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

### Draft OCP

J. Fix presented an overview of the draft plan and provided detailed descriptions of the following four parts:

- A. Foundations: Sets the base for the plan, outlining Ladysmith's vision and goals, greenhouse gas emission reduction targets, and community context. These elements were used to shape the policies and actions in Parts B and C. Part A also presents the process by which the Plan was developed.
- B. Growth Management & Land Use: Sets direction for growth management and land use.
- C. Policies: Sets direction for other planning elements, including nature and ecological services, housing, streets and transportation, parks and recreation, social infrastructure, food systems, municipal infrastructure, green buildings, economy, and arts, culture, and heritage. It also includes direction for the Waterfront Area, which is drawn directly from the Waterfront Area Plan that was adopted in 2018.
- D. Implementation: Identifies the ways in which the actions and policies in Parts B and C will be effectively realized.

J. Fix added that the OCP will be a legally binding bylaw, prepared and adopted in compliance with the Provincial Local Government Act. This long-range plan will guide the Town's decision making in regards to growth and development until 2049.

Committee Members provided comments and questions concerning parks and trails, protecting the watershed, and preserving the heritage of Ladysmith. J. Fix requested that members review the draft and send comments and questions to J. Tierney who will compile and forward to the team.

RECEIVED:

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Corporate Officer (D. Smith)

DRAFT

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Julie Thompson, Planner  
**Reviewed By:** Jake Belobaba, RPP, MCIP, Director of Development Services  
**Meeting Date:** July 5, 2022  
**File No:** 3015-20  
**Re:** Agricultural Land Reserve Non-Farm Use Application 3015-20  
(Saltair Water System Upgrade)

**RECOMMENDATION:**

That Council recommend that the Agricultural Land Commission approve Agricultural Land Reserve Non-Farm Use application 3015-20 (Saltair Water System Upgrade).

**EXECUTIVE SUMMARY:**

The Cowichan Valley Regional District (CVRD) has applied for an Agricultural Land Reserve (ALR) non-farm use application for the purpose of upgrading and expanding the Saltair water system, which is located within the ALR. Staff recommend that Council forward the application to the Agricultural Land Commission (ALC) with a recommendation to approve the application based on an analysis of the impacts.

**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:**

An Agricultural Land Reserve (ALR) application for non-farm use has been received for the expansion and upgrades to the Saltair community water system, and authorization of the existing infrastructure within the ALR.

Existing infrastructure includes:

- a water treatment plant plus a reservoir;
- two groundwater wells;
- a water supply line that run from Stocking Lake to the end of South Watts Road and connects to the treatment plant; and



- a gravel parking area.

*Figure 1 - Portion of subject property within the ALR and the Town boundary.*

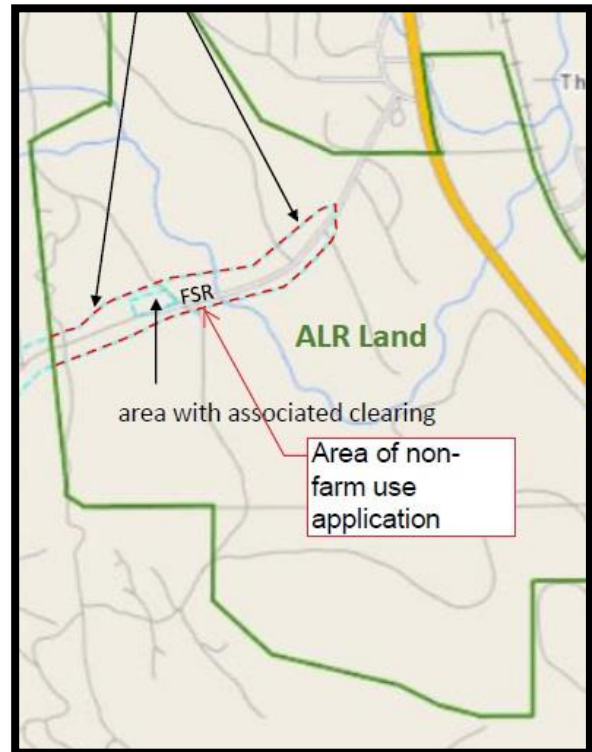
Proposed infrastructure includes:

- a new water treatment facility with a footprint of approximately 495m<sup>2</sup>, to be built on the existing gravel parking area and requiring approximately 200m<sup>2</sup> of fill; and
- a new supply line connecting the new treatment facility to two existing groundwater wells.

The applicant (the CVRD) has stated that the purpose of the water system expansion is to build a filtration system that is required by Island Health to meet its surface water treatment objectives. The applicant's ALR application (Attachment A) is attached with further details.

The subject area containing the existing and proposed infrastructure is located on a 1,726ha parcel of Crown land of which approximately 56ha lies within the Town's municipal boundary and the ALR (see Figure 1). The surrounding area is treed and is not used for farming purposes at this time.

The applicant has also applied to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD) for a statutory right-of-way (ROW) over the subject area, pursuant to section 218 of the *Land Title Act*. The area proposed for non-farm use overlaps the proposed ROW area, shown in Figure 2.



*Figure 2 - Area of proposed non-farm use and ROW.*

## **DISCUSSION:**

### **Land Use Regulations & Policies:**

The subject area is zoned Primary Agriculture (A-1) in "Town of Ladysmith Zoning Bylaw 2014, No. 1860". While the A-1 zone is intended primarily for agricultural uses, the Saltair community water system constitutes a public utility use, which is permitted within all zones pursuant to section 6.1 of the Zoning Bylaw.

The subject area is located in the South Ladysmith Area Plan (Schedule D of the Official Community Plan). The existing and proposed treatment facility works are located in the Agricultural land use designation, while the existing supply line that follows South Watts Road is located in both the Agricultural and Open Space land use designations. The South Ladysmith

Area Plan “contemplates continued agricultural use and rural levels of servicing for the Agricultural designation in the medium term. Longer-term use may see demand for other land uses to accommodate the growth and employment needs of the community” (s. 2.5 of the South Ladysmith Area Plan).

According to the applicant’s submission (Attachment A), the Saltair water system is intended to serve domestic, rather than agricultural, land uses. The existing treatment facility and water supply line are shown on Map 4 – Servicing Plan in the South Ladysmith Area Plan. Section 4 of the South Ladysmith Area Plan has the following policy with respect to the Saltair water system:

- The existing municipal water supply will be upgraded to ensure adequate capacity is available to service development in the local area. Interim use of the Saltair water system will be reviewed.

The South Ladysmith Area Plan was drafted in 2002 and the Saltair water system is still in use by local Ladysmith residents and businesses. There are a number of properties in South Ladysmith, including those in industrial zones along South Watts Road, that would like to connect to the Saltair water system through the Town’s mains but cannot because Island Health is not issuing permits for new connections until the Saltair system is brought into compliance with Island Health’s surface water treatment objectives. Once the upgrades are complete and the water system is in compliance with Island Health’s requirements, it is expected that these properties will be able to then connect to the Saltair community water system.

#### **ANALYSIS:**

The proposed upgrades to the Saltair water system are not expected to have any negative impacts to Town infrastructure and will allow some properties in South Ladysmith to eventually connect to a community water system. The subject area exists as a community water treatment facility already and the proposed new structures will be located adjacent to the existing structures, limiting the fragmentation of future agricultural land. Based on this analysis of the impacts, staff recommend that Council forward the application to the ALC with a recommendation for approval.

#### **ALTERNATIVES:**

Council can choose to refuse the application. If the application is refused, it will not be forwarded to the ALC and the applicant will be notified of this decision.

#### **FINANCIAL IMPLICATIONS:**

N/A

#### **LEGAL IMPLICATIONS:**

According to section 34.1 of the *Agricultural Land Commission Act* and section 8 of the *Agricultural Land Reserve General Regulation*, a local government that receives an application for non-farm use must review the application and either forward the application to the ALC with comments and recommendations, or notify the applicant that the application will not be

forwarded to the ALC if the application is refused. The decision to forward an application to the ALC or to refuse the application must be made through Council resolution.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

N/A

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The application was forwarded to Engineering in the Infrastructure Services Department for comment as the proposal concerns infrastructure within the Town. Engineering is supportive of the proposed upgrades to the Saltair water system and has no concerns that the proposal will affect the Town's water system negatively. Engineering notes that the Town's water system shares the Stocking Lake watershed with the Saltair water system.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

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

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

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENT:**

- A. Applicant ALR non-farm use application submission



# Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 64769

**Application Status:** Under LG Review

**Applicant:** Provincial Crown Land

**Agent:** Cowichan Valley Regional District

**Local Government:** Town of Ladysmith

**Local Government Date of Receipt:** 03/01/2022

**ALC Date of Receipt:** This application has not been submitted to ALC yet.

**Proposal Type:** Non-Farm Use

**Proposal:** An application has been submitted to the Ministry of Forests, Land, Natural Resource Operations and Rural Development to secure a tenure over Crown Land for existing waterworks infrastructure for the Saltair water system. A portion of the infrastructure is located on a parcel of land within the ALR land designation therefore this application is required to allow the infrastructure for non-farm purposes. The Saltair water system is a small system located approximately 1.5 km south of the Town of Ladysmith and services approximately 800 customers. The source of the water is Stocking Lake located approximately 4km up South Watts road on Crown Land. The waterline to Stocking Lake was installed several decades ago but a Crown Land Right-of-Way was not applied for at the time of installation. In addition, the CVRD is working to add a surface water treatment facility to the existing water treatment plant as the existing treatment facility does not meet the treatment requirements for surface water. A Right-of-Way currently exists for the treatment site (File No. 1403892) however the plan does not cover the existing works therefore a right of way is needed for the existing works and the expansion of the treatment facility. Conceptual layout for the surface water treatment estimates a new building footprint of 495 square meters. It is anticipated that this building can be placed in an area that is currently used for parking therefore disturbances from construction will be minimal. A License of Occupation (1414977) is in place for well exploration near the treatment facility. A successful well drilling program was completed and the groundwater well will be tied-into the treatment facility to supplement the surface water supply. The CVRD would like to extend the Crown Right-of-Way for the treatment facility to include the groundwater well. Approximately 25% of the infrastructure is located in the ALR including the treatment facility and groundwater wells.

## Agent Information

**Agent:** Cowichan Valley Regional District

**Mailing Address:**

175 Ingram Street

Duncan, BC

V9L 1N8

Canada

**Primary Phone:** (250) 746-2541

**Mobile Phone:**

**Email:** lisa.daugenet@cvrld.bc.ca

## Parcel Information

## Parcel(s) Under Application

### 1. Ownership Type: Crown Lands

**Parcel Identifier:**

**Legal Description:** 024-078-379

**Parcel Area:** 1726 ha

**Civic Address:**

**Date of Purchase:**

**Farm Classification:** No

#### Owners

##### 1. **Name:** Provincial Crown Land

**Address:**

suite 142-2080 Labieux Road

Nanaimo, BC

V9T 6J9

Canada

**Phone:**

**Email:** jeff.hallworth@gov.bc.ca

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## Current Use of Parcels Under Application

### 1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

*There is currently no agriculture taking place on the land. The subject land is currently forested with little/no soil bound agriculture potential. The application is made by the Cowichan Valley Regional District (CVRD) on behalf of the Saltair Water System.*

### 2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

*There have been no agricultural improvements made to the parcel.*

### 3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

*The source water (Stocking Lake), supply line and treatment works are all located on provincial crown land. The saltair water system has operated for many decades and the majority of the infrastructure has also been in place for many decades but a tenure over the Crown land was never secured. A crown land tenure application has been submitted to secure a tenure over the land for the existing infrastructure comprised of a supply line from Stocking Lake to the end of South Watts road and a water treatment facility located next to South Watts Road. A portion, approximately 25%, of the infrastructure is located within the ALR land designation. Two groundwater wells also exist next to the water treatment facility with plans to tie the wells into the treatment works. The CVRD has received \$3.9 in grant funding to expand the treatment facility to include a filtration system required to comply with the Surface Water Treatment Objective. The Saltair water system is currently out of compliance with its Operating Permit and a Contravention Order has been issued by Island Health Authority due to failure to comply with the Surface Water Treatment Objectives. The successful grant application is providing the funding to construct the required system upgrades and meet compliance with the Operating Permit. The upgrades will require an expansion of the treatment facility but soil disturbance will be minimized. The area planned for the expansion is currently a gravel parking area.*

## Adjacent Land Uses

### North

**Land Use Type:** Other  
**Specify Activity:** Forestry

## **East**

**Land Use Type:** Other  
**Specify Activity:** Forestry

## **South**

**Land Use Type:** Other  
**Specify Activity:** Forestry

## **West**

**Land Use Type:** Other  
**Specify Activity:** Forestry

## **Proposal**

### **1. How many hectares are proposed for non-farm use?**

2.7 ha

### **2. What is the purpose of the proposal?**

*An application has been submitted to the Ministry of Forests, Land, Natural Resource Operations and Rural Development to secure a tenure over Crown Land for existing waterworks infrastructure for the Saltair water system. A portion of the infrastructure is located on a parcel of land within the ALR land designation therefore this application is required to allow the infrastructure for non-farm purposes. The Saltair water system is a small system located approximately 1.5 km south of the Town of Ladysmith and services approximately 800 customers. The source of the water is Stocking Lake located approximately 4km up South Watts road on Crown Land. The waterline to Stocking Lake was installed several decades ago but a Crown Land Right-of-Way was not applied for at the time of installation. In addition, the CVRD is working to add a surface water treatment facility to the existing water treatment plant as the existing treatment facility does not meet the treatment requirements for surface water. A Right-of-Way currently exists for the treatment site (File No. 1403892) however the plan does not cover the existing works therefore a right of way is needed for the existing works and the expansion of the treatment facility. Conceptual layout for the surface water treatment estimates a new building footprint of 495 square meters. It is anticipated that this building can be placed in an area that is currently used for parking therefore disturbances from construction will be minimal. A License of Occupation (1414977) is in place for well exploration near the treatment facility. A successful well drilling program was completed and the groundwater well will be tied-into the treatment facility to supplement the surface water supply. The CVRD would like to extend the Crown Right-of-Way for the treatment facility to include the groundwater well. Approximately 25% of the infrastructure is located in the ALR including the treatment facility and groundwater wells.*

### **3. Could this proposal be accommodated on lands outside of the ALR? Please justify why the proposal cannot be carried out on lands outside the ALR.**

*The majority of the infrastructure is existing and has been installed for decades. The upgrades to the water treatment facility is required to bring the Saltair water system into compliance with its Operating Permit. The upgrades are not possible without the grant funding and the completion date of the project is February 2023 as per the grant application agreement. Further Island Health has put increasing pressure on the CVRD to comply with the Surface Water Treatment Objectives and issued a Contravention Order in 2020 for failing to*

*comply. CVRD staff worked to explore options to meet compliance but the cost for the required upgrades was cost prohibitive for such a small system and customer base until the success grant application was announced in 2021. Re-alignment of the waterline is not an option as it is an existing system and the cost to relocate the treatment works and supply line would be cost prohibitive.*

**4. Does the proposal support agriculture in the short or long term? Please explain.**

*The application is for an already existing water system utility located in forestry lands. The area of the treatment building is located on a rocky outcrop where the potential for future agriculture is low. The proposal does not support agriculture as the Saltair water system provides water for domestic purposes only but the footprint of the infrastructure is not significant relative to the entire parcel.*

**5. Do you need to import any fill to construct or conduct the proposed Non-farm use?**

*Yes*

**Proposal dimensions**

**Total fill placement area (0.01 ha is 100 m<sup>2</sup>)** *2 ha*

**Maximum depth of material to be placed as fill** *1 m*

**Volume of material to be placed as fill** *200 m<sup>3</sup>*

**Estimated duration of the project.** *1 Years*

**Describe the type and amount of fill proposed to be placed.**

*The proposed type of fill is structural fill that would be sourced locally. It is estimated that approximately 200m<sup>2</sup> of fill will be required.*

**Briefly describe the origin and quality of fill.**

*The fill will be sourced locally. Structural fill will be used to provide a good base for the expansion of the treatment building.*

**Applicant Attachments**

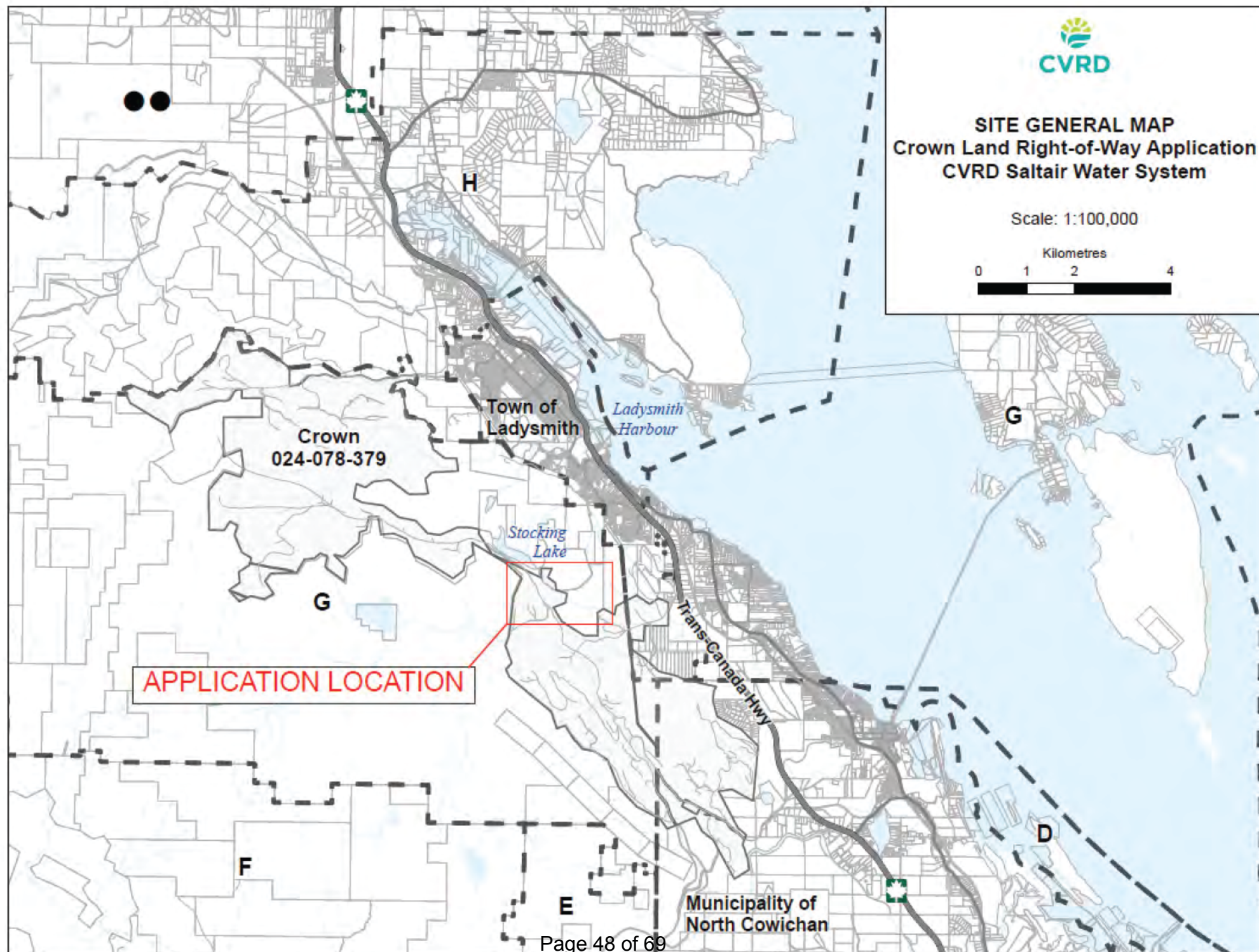
- Agent Agreement-Cowichan Valley Regional District
- Proposal Sketch-64769
- Other correspondence or file information-Existing/New Infrastructure map

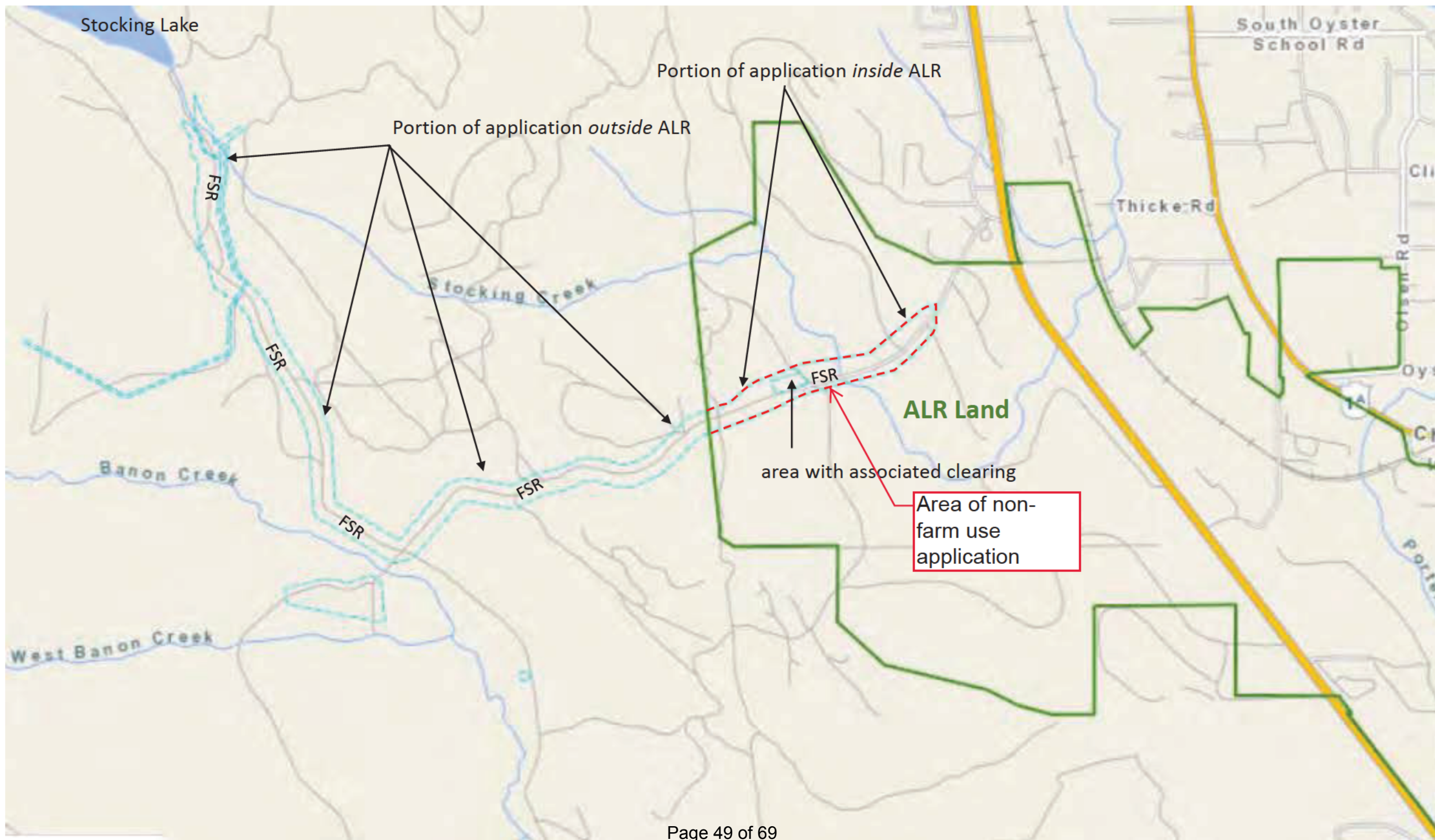
**ALC Attachments**

None.

**Decisions**

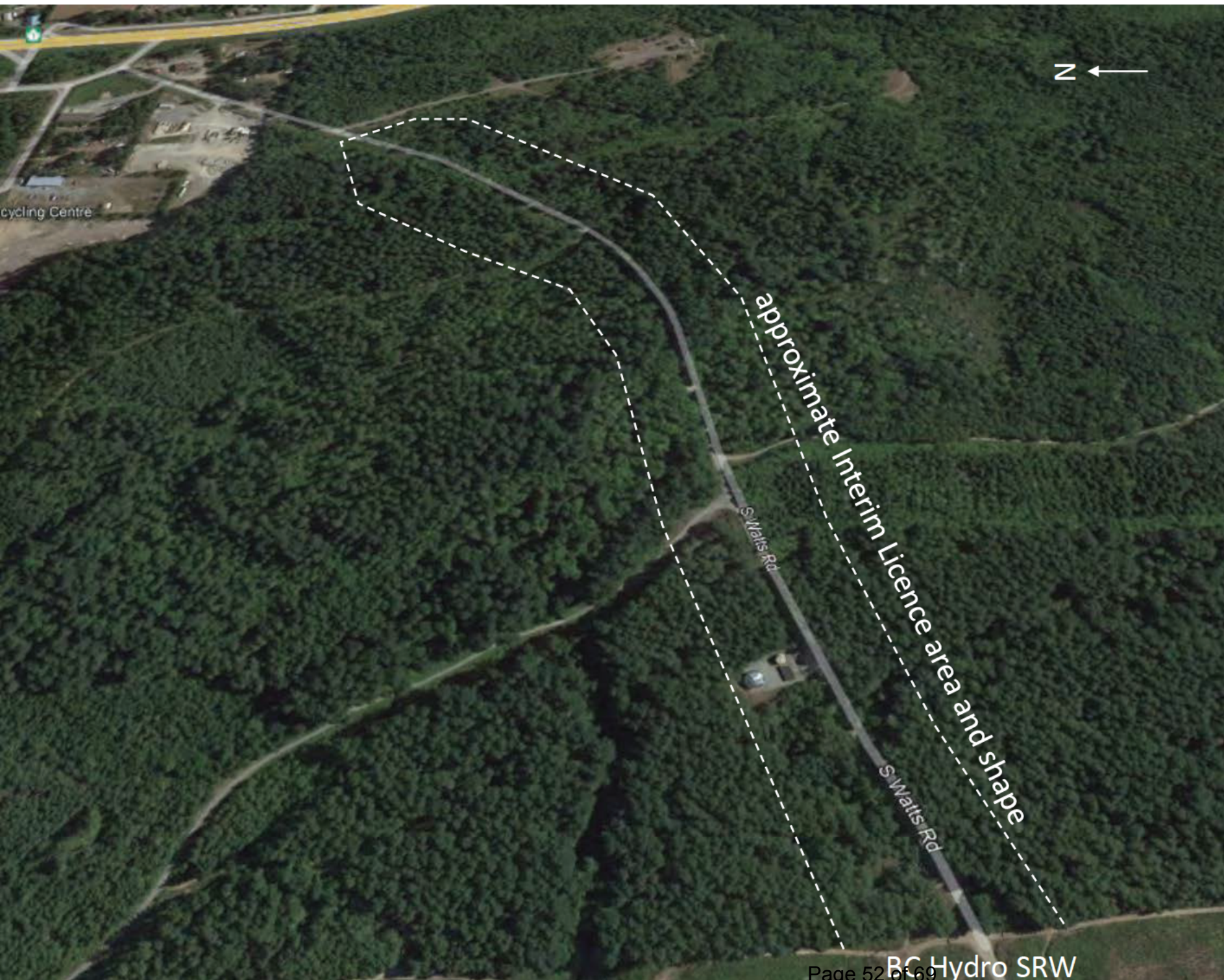
None.

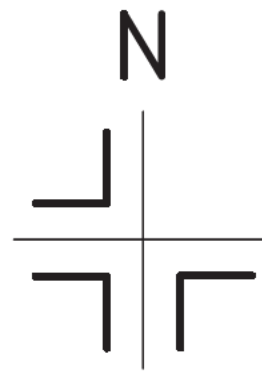












REMAINDER  
PARCEL F (DD 137599-I)  
BLOCK 1 PLAN 691

SRW  
Plan VP53138  
(Land Title Records)

PRV STATION  
& RESERVOIR SITE

Existing  
Treatment  
Building

Proposed New  
Treatment Building  
(currently gravel  
parking lot)

Well 1

Well 2

Supply Line

BRIDGE

WATER MAIN

CENTERLINE GRAVEL ROAD

South Watts Road

Plan							1219
							5
11	10	9	8	7	6		

0 20 40 80

SCALE 1:1000

- DENOTES WATERMAIN LOCATION DERIVED FROM SUBSURFACE LOCATES
- DENOTES WATERMAIN LOCATION DERIVED FROM CVRD WATERMAIN AS-BUILT SURVEY PLAN (DATED OCTOBER 1986)
- DENOTES CENTERLINE OF GRAVEL ROAD
- DENOTES CENTERLINE OF ASPHALT ROAD
- DENOTES BOUNDARY OF SUBJECT PARCEL (BASED ON EXISTING LAND TITLE RECORDS)
- DENOTES PROPOSED PROJECT WORKS
- DENOTES FENCELINE
- WM □ DENOTES WATER METER
- UP ○ DENOTES UTILITY POLE
- WV ▼ DENOTES WATER VALVE
- PM × DENOTES PIPE MARKER
- PM × DENOTES UTILITY MARKER
- UM × DENOTES WELL
- WELL □ DENOTES MANHOLE
- MH ○ DENOTES MANHOLE

**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Ryan Bouma, Director of Infrastructure Services  
**Reviewed By:** Allison McCarrick, Chief Administrative Officer  
**Meeting Date:** July 5, 2022  
**File No:**  
**Re:** Ladysmith Traffic Study Options

**RECOMMENDATION:**

That Council direct staff to include an area-specific traffic study as outlined in Option 2 of the staff report dated July 5, 2022, to be included in the 2023 - 2027 Financial Plan.

**EXECUTIVE SUMMARY:**

Council directed staff to provide background information and options for potentially completing a traffic study. Staff have reviewed traffic monitoring data, developer-obtained studies, ICBC statistics, and resident complaints to provide the following report. Staff are recommending that Council proceed with an area-specific traffic study as outlined in Option 2 of this report.

**PREVIOUS COUNCIL DIRECTION:**

CS 2022-047	2022-02-15	That staff be directed to prepare a report providing options including costs for conducting a traffic study which would: <ol style="list-style-type: none"> <li>1. Determine community needs based on existing traffic flow for the whole of Ladysmith.</li> <li>2. Project traffic requirements in conjunction with the Official Community Plan review; and</li> <li>3. Consider known development projects under construction and projected to begin in the next 15 years.</li> </ol>
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**INTRODUCTION/BACKGROUND:**

During Council's term there have been a relatively high number of development proposals presented. Traffic concerns have been an integral part of the discussion as increased traffic may be a burden to existing transportation nodes. Developers are often asked to provide a transportation report for the specific development, but these reports do not give the broader view of the traffic flow for the whole of Ladysmith, nor can they provide an understanding of the Town's overall traffic needs.

As Ladysmith grows, traffic has been an increasing concern among residents and Council, particularly when contemplating development proposals that involve increasing density. Development-specific traffic studies are often limited to the general vicinity of the development and don't necessarily consider traffic impacts beyond one or two intersections past the

development. Staff have reviewed background information and present three options to complete a suitable traffic study which are discussed further in this report. An understanding of traffic counts and speeds, site-specific traffic studies, ICBC data, and review of resident complaints assisted in the preparation of the three options, outlined below.

### Traffic Counts

Staff reviewed historical traffic counts and speed data collected by staff. The table below presents peak vehicle counts and time of day as well as average and 95 percentile speeds. The data is generally taken from worst case scenarios as speeds were measured at varying rates depending on the location along a route.

Road Name	Peak Vehicles per Hour	Speed Average/95 percentile (km/hr)
1 <sup>st</sup> Avenue	165 @ 12:15pm	33.7 / 45.5
Dogwood Drive	329 @ 2:00pm	49.2 / 60.4
4 <sup>th</sup> Avenue	153 @ 2:45pm	51.2 / 68.7
Malone Road	130 @ 3:15pm	38.5 / 53.3
Colonia Dr/Walkem Rd	58 @ 4:45pm	41.4 / 53.2
Davis Road	112 @ 3:30pm	44.1 / 60.8
Rocky Creek Road	115 @ 1:00pm	51.8 / 69.6
Chemainus Road	295 @ 3:15pm	66.6 / 83.3

In general, Dogwood Drive and Chemainus Road experience the most traffic volumes. The highest rates of speeds seem to be on Rocky Creek Road, Chemainus Road, and the north end of 4<sup>th</sup> Avenue.

### Previous Traffic Studies

Traffic studies obtained from developers were reviewed for service levels and how they correspond to anecdotal impressions of service levels. These included studies from the Waterfront Area Plan, Rocky Creek Road, Farrell Road, Dogwood Drive, Belaire Street, Holland Creek developments, and Christie Road. These studies evaluate existing conditions and predict future traffic to determine several factors including Level of Service (LOS) of intersections. The LOS is ranked A through F based on the delay a driver experiences to get through an intersection. Reduced level of service (below D) tends to increase driver frustration leading to risk taking movements and increased speed between intersections. LOS criteria for intersections that are not signalized is shown in the table below.

LOS	Average Delay (seconds)	Comments
A	< 10	A common finding throughout the reports is that a LOS A or B is common in Ladysmith.
B	10-15	
C	15-25	Very few movements were predicted to be LOS C.
D	25-35	Few intersections have a LOS of D or E and only several movements were predicted to be a LOS F in 2038 or
E	35-50	

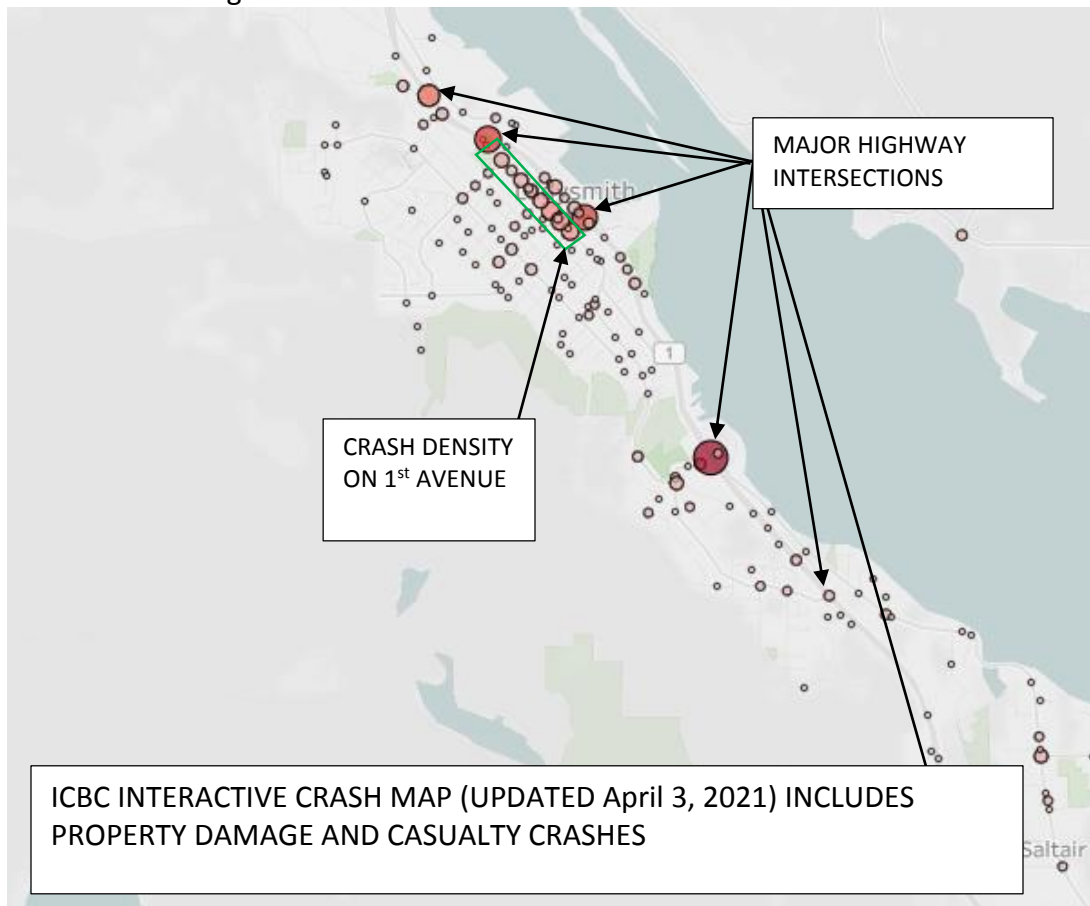
F	>50	later. The long delays were identified at intersections with Hwy 1, controlled by the Ministry of Transportation and Infrastructure (MOTI).
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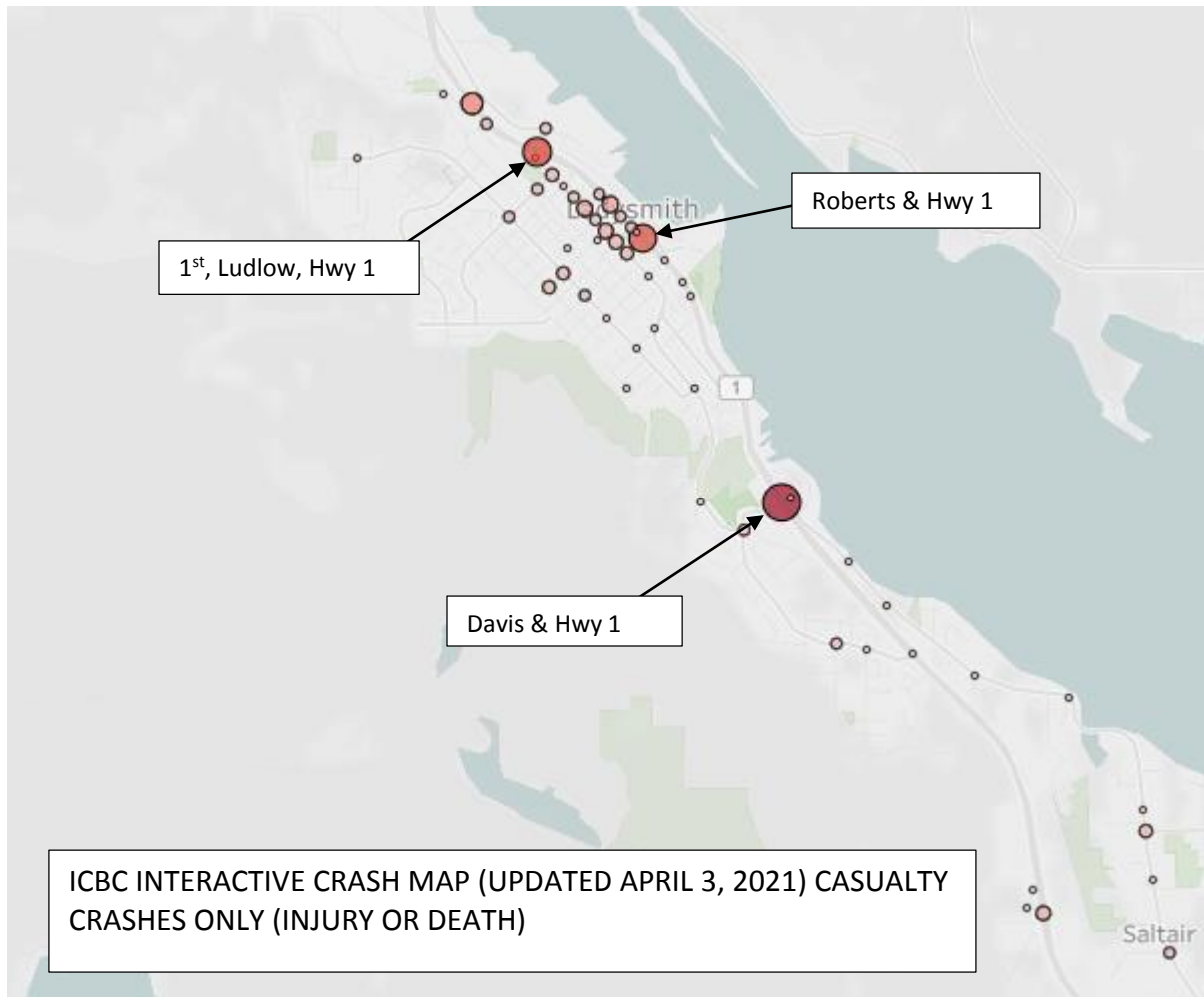
### ICBC Data

Public ICBC data was explored and the following information obtained:

- There were 7,375 vehicles registered in Ladysmith in 2020. This may include surrounding area.
- There were 529 reported crashes per year in Ladysmith from 2016 to 2020.
  - 118 on Hwy 1
  - 54 on 1<sup>st</sup> Avenue
  - 5 on Dogwood Drive
  - 15 on Davis Road
  - 11 on 4<sup>th</sup> Avenue
  - 3 on Rocky Creek Road

The following images are from the ICBC online dataset and illustrate collision hot spots. The annotations and green outline of 1<sup>st</sup> Avenue are added.





ICBC does have contributing factors and other data, but it is not Ladysmith-specific and therefore has not been included.

#### Resident Feedback

Staff commonly receive feedback from the public about traffic-related issues which are generally related to speed and safety. Seldom do staff hear from residents that wait times or congestion at intersections are a concern. Residents seem to mostly request RCMP enforcement, traffic calming, improved safety at pedestrian crossings, and lower speed limits.

#### Conclusion of Background Information

Based on the review of background information available, some general conclusions can be made regarding traffic concerns within Ladysmith that can guide how to proceed with future traffic studies.

The first is that a high LOS indicated a lack of congestion on Ladysmith roads. There are some delays at highway intersections where Ladysmith roads meet the MOTI operated Hwy 1. This

generally matches staff expectations when the road network is evaluated against the population and number of vehicles.

Collisions are concentrated on Hwy 1, 1<sup>st</sup> Avenue, and key intersections in Town. An area of particular concern is at Davis Road and Hwy 1 where Coronation Mall is accessed. Also of note is the high number of collisions along 1<sup>st</sup> Avenue relative to the low speed and traffic volumes. Collisions are common at driveways, parking, crosswalks, and other distracting street features and likely a contributing factor on 1<sup>st</sup> Avenue. Although difficult to distinguish, staff assume that collisions at Hwy 1 intersections involve much more serious casualties than those occurring on Ladysmith roads where speeds are much lower.

Although speeds have not been measured to significantly exceed the 50km/hr local speed limit, staff do hear from residents that lower speeds would be more suitable on Ladysmith roads. Reduced speeds would presumably reduce collisions and casualties. Some neighbouring municipalities have tested reducing the community speed limit to 30 or 40km/hr; however, feedback from those municipalities is that it has not worked.

In summary, collisions and speed should be the focus of any traffic study, rather than LOS or congestion. Intersections with Hwy 1 are of most importance due to the high collision and casualty rates, although this would require coordination with the MOTI.

#### Proposed Options

Staff propose the following options for a Transportation Study in order of greatest to least cost and effort.

#### **Option 1 – Transportation Master Plan**

Many communities, especially large cities, have a Transportation Master Plan (TMP) that identifies arterials and collectors, considers future development, identifies locations needing improvement, considers public input, integrates bicycle and pedestrian uses, and identifies important connections (ie. downtown or Coronation Mall). Ladysmith does not have a TMP, but does have several documents that can guide staff when making planning and engineering decisions such as the OCP and the Ladysmith Bicycle Plan.

A TMP would provide a complete understanding of the Town's existing transportation network, deficiencies, and how to improve. It would include all areas of Town including local roads and active transportation uses, but remain high level in nature.

#### **Cost and Effort**

The cost and effort to complete a TMP would generally include:

- \$150,000 to \$250,000
- 12 to 18 months
- Significant staff time
- Further detailed engineering would be required for specific projects

If Option 1 is selected, staff would propose a TMP as a capital project in the 2023 budget. Staff are not recommending this option as it would be an investment in high level information that would not address Council's specific concerns along with the fact that general guidance for transportation already exists within the OCP and other documents.

### **Option 2 – Area-Specific Studies (*recommended*)**

Area-specific studies could be completed where issues and complaints are known or significant transportation links exist. Staff would identify areas of interest, generally based on the above information, and hire transportation engineering consultants to study the specific areas and provide recommendations. Studies could be tailored to target known issues rather than a high level overview. An example would be the Dogwood Drive corridor. Dogwood is important to Ladysmith for all uses of transportation including bus, bike, and walking, and is the only connection of north and south Ladysmith other than Hwy 1. Speeds are relatively high and a park and several crosswalks are located in precarious locations. Additionally, there has been recent development interest in the north area of Dogwood. A specific study of the Dogwood corridor could provide the details needed for staff to make improvements.

### **Cost and Effort**

The cost and effort to complete each improvement study would generally include:

- \$25,000 to \$75,000/study
- 3 months
- Moderate staff time
- Outcome may include recommendations that require action and therefore additional costs.

It is anticipated that 3 to 5 study areas would be identified by staff and selected by Council. As the 2022 budget has already been created, the first study would be proposed in the 2023 budget.

Staff recommend Option 2 because specific transportation concerns could be targeted and then recommendations immediately implemented or budgeted.

### **Option 3 – Townwide Transportation Plan**

A Townwide transportation plan could be created that targets the specific requirements of the Council resolution, which were:

1. Determine community needs based on existing traffic flow for the whole of Ladysmith.
2. Project traffic requirements in conjunction with the Official Community Plan review; and
3. Consider known development projects under construction and projected to begin in the next 15 years.

### **Cost and Effort**

The cost and effort to complete this type of study would generally include:

- \$100,000 to \$150,000
- 9 to 12 months
- Significant staff time

This option would give staff the “nuts and bolts” to prioritize capital plans and identify development constraints, but would miss other needs such as active transportation, speed reduction, collision reduction, etc. As noted above in the background findings, traffic flow and LOS are generally not an issue relative to other transportation needs. Staff do not recommend Option 3 because if a Town wide plan is desired by Council, a complete TMP would be preferred to capture active transportation requirements and other important information.

#### Grant Opportunities

Staff have not identified a grant opportunity that matches any of the above options, although ICBC does sometimes assist with costs to complete safety improvement studies that match Option 2. ICBC previously contributed to the costs of the Ludlow round-about engineering. Their decision to contribute generally depends on an anticipated reduction of collisions. Staff would continue to seek grant opportunities and make a request to ICBC if a suitable study was selected.

#### **ALTERNATIVES:**

Council can choose to:

1. Not proceed with any of the presented options and continue to require developers to complete traffic studies when appropriate; or
2. Choose another option as presented in the staff report dated July 5, 2022.

#### **FINANCIAL IMPLICATIONS:**

Depending on the option selected, the amount will be included in the 2023-2027 Financial Plan for work to begin in 2023.

#### **LEGAL IMPLICATIONS:**

N/A

#### **CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

A Transportation Master Plan (Option 1) would include one or more public engagement sessions.

#### **INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

N/A

#### **ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

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

- ☒ Innovative Infrastructure
- ☐ Healthy Community
- ☐ Not Applicable

- ☐ Local Food Systems
- ☐ Local, Diverse Economy

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- ☒ Infrastructure
- ☒ Community
- ☐ Waterfront

- ☐ Economy
- ☐ Not Applicable

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

**Allison McCarrick, Chief Administrative Officer**

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Donna Smith, Manager of Corporate Services  
**Reviewed By:** Allison McCarrick, Chief Administrative Officer  
**Meeting Date:** July 5, 2022  
**File No:** 3900-20  
**Re:** "Public Notice Bylaw 2022, No. 2119"

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**RECOMMENDATION:**

That Council give first three readings to "Public Notice Bylaw 2022, No. 2119".

**EXECUTIVE SUMMARY:**

Staff recommend that Council, in accordance with section 94.2 of the *Community Charter* proceed with "Public Notice Bylaw 2022, No. 2119" which would require that statutory notices be published once in a newspaper and on the Town's website.

**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:**

In February 2022, the Province adopted legislation which allows local governments to pass a public notice bylaw to provide for alternative means of publishing a statutory notice. The *Community Charter* and *Local Government Act* require local governments to provide advance public (statutory) notice for matters of public interest (e.g., public meetings, disposition of land, elections, public hearings). Without a public notice bylaw, notices are required to be placed in a newspaper once each week for two consecutive weeks, which has been the Town's practice.

Local governments who decide to adopt a public notice bylaw must specify at least two ways that they will publish notices. This does not include posting in the public notice posting place (designated in Council's Procedure Bylaw as the bulletin board at the front steps of City Hall). A public notice bylaw must use all the methods specified in the bylaw for publishing all statutorily required public notices. This ensures the public knows consistently where to find notices that may be of interest.

The period specified in some legislation (e.g., at least 3 and not more than 10 days) only applies to one of the methods of notice specified in a public notice bylaw. The other method would just be subject to the minimum 7 days in advance required by the *Community Charter*, s.94(5)(b). Bylaw No. 2119 would require notices be placed once in the newspaper and on the Town's website: the newspaper ad would meet the "between 3 and 10 day" rule and the

website would meet the “minimum 7 day” rule. This also provides the Town with the opportunity to reduce the turnaround time by 1 week for development applications. By only requiring one notice to be published in the newspaper, the risk for delays to applications or processes would also be avoided. There have been occasions where delays have occurred due to a second publication being missed by the newspaper.

Reducing the newspaper ads is supported by the results of a short survey which was conducted June 16-28 to find out how residents connect with the Town. The electronic survey was available via the Town’s website and included in the Town’s e-newsletter. Hard copies were provided at: City Hall front counter, FJCC and Development Services. Social media platforms were also used to raise awareness and having a short survey made it quick and simple for people to respond. A summary of responses is included in Attachment B and the results show that residents seek out information from the Town using a variety of methods and no one source dominates.

Prior to Council considering giving readings to Bylaw No. 2119, the following principles must be considered:

Principle	Explanation	Methods
<b>Reliable</b>	<p>The publication methods are dependable and trustworthy:</p> <ul style="list-style-type: none"> <li>✓ Trusted by the community to provide factual information (e.g. not solely opinions);</li> <li>✓ A source that isn’t likely to abruptly stop operating and has been part of the community for some time (e.g., is a well established source of information); and</li> <li>✓ Tested and able to reliably display the required information.</li> </ul>	<p><b>Acceptable:</b></p> <ul style="list-style-type: none"> <li>✓ <b>Print (or online) newspaper (<i>staff recommended</i>)</b></li> <li>✓ <b>Local government website (<i>staff recommended</i>)</b></li> <li>✓ Local government subscription service</li> <li>✓ Community website or newsletter</li> <li>✓ Local government Facebook page</li> <li>✓ Direct email or mail out</li> <li>✓ Posting at recreation centres</li> </ul> <p><b>Not acceptable:</b></p> <ul style="list-style-type: none"> <li>✗ Non-government Facebook or webpage: a source containing mostly opinions and not facts would not meet the principle of reliability (could be used as a supplemental method).</li> </ul>

Principle	Explanation	Methods
<b>Suitable</b>	<p>The publication methods work for the purpose for which the public notice is intended:</p> <ul style="list-style-type: none"> <li>✓ Display all of the legislatively required notice information in a legible manner;</li> <li>✓ Meet specific timing requirements outlined in the legislation (e.g., publishing by at least one of the means between 3 and 10 days before the matter is to be considered);</li> <li>✓ Be revisited during the publication period (e.g., won't be published once and then disappear); and</li> <li>✓ Allow for the local government to keep a record of the date and period of time that the notice was published.</li> </ul>	<p><b>Acceptable:</b></p> <ul style="list-style-type: none"> <li>✓ Same list as above.</li> </ul> <p><b>Not acceptable:</b></p> <ul style="list-style-type: none"> <li>✗ Twitter: the character limit means it is not suitable for displaying all the required information for a statutory public notice (could be used as a supplemental method).</li> </ul>
<b>Accessible</b>	<p>The publication methods are easy to access and have broad reach:</p> <ul style="list-style-type: none"> <li>✓ Are accessible to a broad spectrum of the local population (e.g., age location);</li> <li>✓ Provide an easy way for people to find and read the public notice information (considering also persons with disabilities, community demographics, and language needs);</li> <li>✓ Provide different ways for the public to be informed (e.g., in print and online);</li> <li>✓ Have limited barriers to access (e.g., one is free if the other is a paid subscription); and</li> <li>✓ Take into consideration local circumstances (e.g., lack of reliable internet or a local newspaper).</li> </ul>	<p><b>Acceptable:</b></p> <ul style="list-style-type: none"> <li>✓ Same list as above.</li> </ul> <p><b>Not acceptable:</b></p> <ul style="list-style-type: none"> <li>✗ Radio/TV: because the information is only quickly displayed/read – it limits access to the information. (could be used as a supplemental method).</li> </ul>

#### **ALTERNATIVES:**

Council can choose to:

1. Not give any readings to “Public Notice Bylaw 2022, No. 2119” and maintain the status quo for public notification.

**FINANCIAL IMPLICATIONS:**

Advertising costs for statutory notices other than Public Hearings (paid for by the developer) would be reduced by half.

**LEGAL IMPLICATIONS:**

The *Community Charter* permits local governments to adopt public notice bylaws for alternative means of publishing a statutory notice.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Bylaw No. 2119 will clearly state where the public can consistently find statutory notices. A recent survey noted that a majority of Ladysmith residents connect with the Town via the Town’s e-newsletter. However, no one source of information dominates and residents seek out information in both print and digital platforms. Some development timelines will be reduced as a result of the proposed bylaw and also result in some cost savings to applicants.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Development Services and Corporate Services are the departments that regularly post statutory notices and are strongly in favour of the proposed notification method for the reasons outlined in the report.

**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. “Public Notice Bylaw 2022, No. 2119”
- B. Staying Connected to the Town of Ladysmith - Survey Results

# ATTACHMENT A

## TOWN OF LADYSMITH

### BYLAW NO. 2119

#### A Bylaw to provide for alternative means of publication

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

1. Any notice required to be advertised under section 94 of the *Community Charter* of a bylaw, resolution, meeting, public hearing or other matter may be given by using the following methods to advertise statutory notices, not including posting in the public notice posting places:
  - (a) Newspaper; and
  - (b) Town of Ladysmith website.

#### **Citation**

2. This Bylaw may be cited for all purposes as “Public Notice Bylaw 2022, No. 2119”.

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

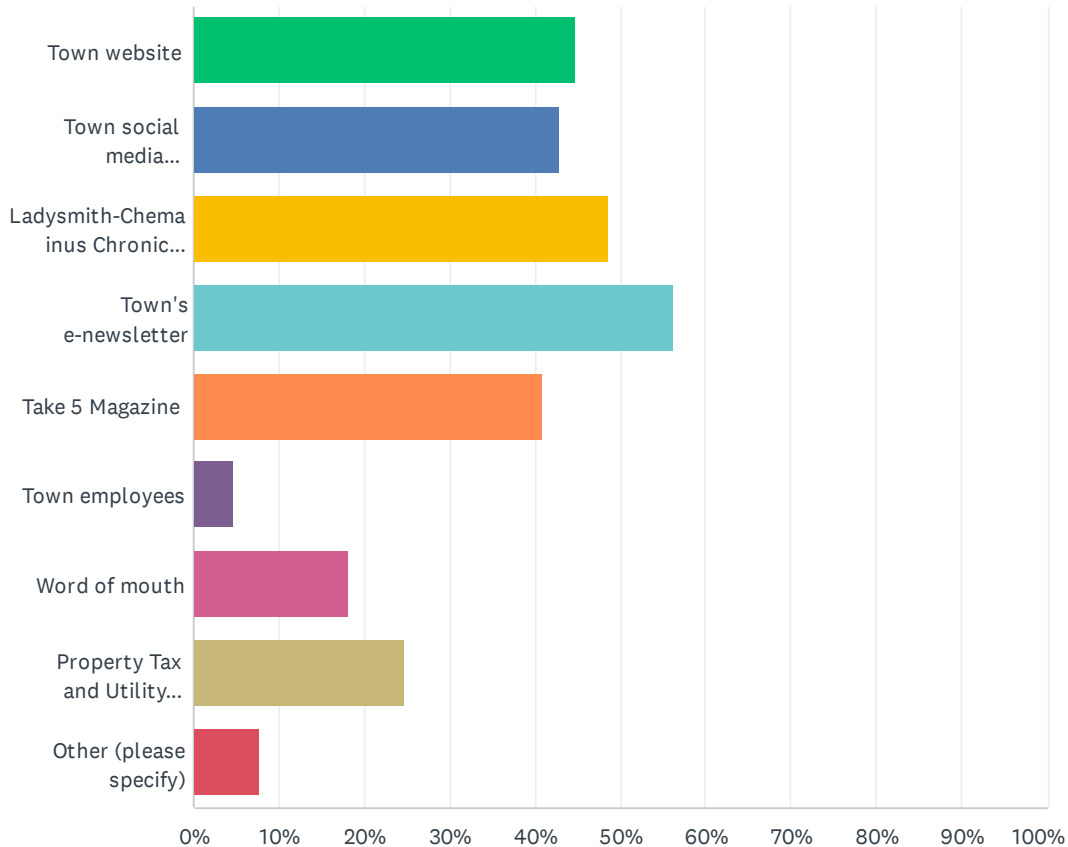
\_\_\_\_\_  
Mayor (A. Stone)

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

## ATTACHMENT B

### Q1 How do you stay informed on news and updates from the Town of Ladysmith?

Answered: 105 Skipped: 1



ANSWER CHOICES	RESPONSES	
Town website	44.76%	47
Town social media (Facebook, Twitter, Instagram)	42.86%	45
Ladysmith-Chemainus Chronicle newspaper	48.57%	51
Town's e-newsletter	56.19%	59
Take 5 Magazine	40.95%	43
Town employees	4.76%	5
Word of mouth	18.10%	19
Property Tax and Utility Bill newsletter	24.76%	26
Other (please specify)	7.62%	8
Total Respondents: 105		

## BYLAW STATUS SHEET July 5, 2022

Bylaw #	Description	Status
2068	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068" (permit a commercial plaza with drive-through coffee shop at 1130 Rocky Creek Road)	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" (permit a commercial plaza with drive-through coffee shop at 1130 Rocky Creek Road)	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" (allow 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. Public Hearing and third reading 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" (allow 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. Public Hearing and third reading June 14, 2022. MOTI approval required. Conditions to be met prior to adoption.
2106	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106" (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" (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" (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 approval required.



175 Ingram Street  
Duncan, BC V9L 1N8  
www.cvr.bc.ca

Office: 250.746.2500  
Fax: 250.746.2513  
Toll Free: 1.800.665.3955

2022-06-28

File No.: 1855-50

Town of Ladysmith  
410 Esplanade Avenue  
PO Box 220  
LADYSMITH BC V9G 1A2

Via email: [towncouncil@ladysmith.ca](mailto:towncouncil@ladysmith.ca)

**Attention:** Ryan Bouma, Director of Infrastructure Services

**Re: CVRD Grant Application for SPF Federal / Provincial Community Building Fund –  
Capital Infrastructure – Stocking Lake Dam**

At the June 22, 2022, Cowichan Valley Regional District Board meeting the following motion was carried:

*That an application for grant funding through the Strategic Priorities Fund (SPF) Grant application through Federal/Provincial Community Building Fund – Capital Infrastructure, for the Stocking Lake Dam, (Electoral Area G Saltair / Gulf Islands) in the amount up to \$5,300,000 be submitted and that subject to grant approval, cost overruns and ineligible expenses be funded by capital and operating reserve funds, as well as connection fees from new customers.*

As joint owners of the Stocking Lake Dam, our Staff have worked in partnership to assess the condition of the dam and review the options to address this aging infrastructure. The CVRD is pleased to be the lead applicant on this grant opportunity and requests that the Town of Ladysmith Council provides a letter in support of this grant application.

Please contact Lisa Daugenet, Senior Engineering Technologist, at [lisa.daugenet@cvrd.bc.ca](mailto:lisa.daugenet@cvrd.bc.ca) for further information.

Best regards,

Mark Boysen  
General Manager  
Operations

pc: Vanessa Thomson, Manager, Utilities  
Lisa Daugenet, Engineering Technologist III  
Donna Smith, Manager of Corporate Services, Town of Ladysmith