

**A REGULAR MEETING  
OF THE TOWN OF LADYSMITH COUNCIL  
AGENDA  
6:30 P.M.**

**Tuesday, October 4, 2022  
Ladysmith Seniors Centre  
630 2nd Avenue**

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**Pages**

**1. CALL TO ORDER**

Call to Order 6:30 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
- (c) labour relations or other employee relations.

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

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

Members of the public may attend the meeting in person at the Ladysmith Seniors Centre 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 October 4, 2022.

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

**6. MINUTES**

- 6.1. Minutes of the Public Hearing and Regular Meeting of Council held September 20, 2022** 6

Recommendation

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held September 20, 2022.

**7. PROCLAMATIONS**

- 7.1. Foster Family Month** 17

Mayor Stone has proclaimed October 2022 as "Foster Family Month" in the Town of Ladysmith.

- 7.2. Community Inclusion Month** 18

Mayor Stone has proclaimed October 2022 as "Community Inclusion Month" in the Town of Ladysmith.

**8. COMMITTEE MINUTES**

- 8.1. Committee of the Whole Recommendations - September 27, 2022** 19

Recommendation

That Council refer the Community Banner Program Expansion to the next Council for review during its Strategic Planning process.

Recommendation

That Council:

1. Direct staff to consult with the local business community regarding the impact of the single-use plastic proposed regulations being introduced by senior levels of government; and
2. Report back to Council with the results and options for a single-use plastics bylaw incorporating best practices introduced by other municipalities.

**8.2. Poverty Reduction Task Group - August 22, 2022** 24

Recommendation

That Council receive the minutes of the Poverty Reduction Task Group meeting held August 22, 2022.

**8.3. Parks, Recreation & Culture Advisory Committee - September 21, 2022** 26

Recommendation

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held September 21, 2022.

**9. REPORTS**

**9.1. Colonia/Delcourt Active Transportation Project Tender** 28

Recommendation

That Council:

1. Amend the 2022-2026 Financial Plan to include the revised project budget of \$870,000 for the Colonia/Delcourt Active Transportation project, with the additional funds to come from:
  - cancelling the Blaire Place Ocean Access project (\$20,000);
  - delaying two storm main projects: Kitchener to Gatacre; and French to Kitchener (total of \$67,005);
  - delaying the 2021 and 2022 bollard installation projects (\$56,055);
  - using \$250,000 from the Canada Community-Building Fund; and
  - using \$53,097 from appropriated equity; and
2. Award Tender 2022-IS-12 Colonia Drive & Delcourt Avenue Sidewalk & Traffic Calming project to Stone Pacific Contracting in the amount of \$788,311.16, excluding GST.

## 10. BYLAWS

### 10.1. Bylaws for Adoption

- 10.1.1. **“Official Community Plan Bylaw 2003, No. 1488,Amendment Bylaw (No. 70) 2022, No. 2102”** 32

(to allow a mix of multiple-dwelling, single-detached dwellings and other uses at 1301 and 1391 Rocky Creek Road)

Recommendation

That Council adopt “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 70) 2022, No. 2102”.

- 10.1.2. **"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 47) 2022, No. 2103"** 35

(to allow a mix of multiple-dwelling, single-detached dwellings and other uses at 1301 and 1391 Rocky Creek Road)

Recommendation

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

- 10.1.3. **“2023 Permissive Tax Exemptions Bylaw 2022, No. 2122”** 42

(to exempt from taxation certain lands and buildings for the year 2023)

Recommendation

That Council adopt “2023 Permissive Tax Exemptions Bylaw 2022, No. 2122”.

- 10.1.4. **"10 Year Island Corridor Foundation Permissive Tax Exemptions Bylaw 2022, No. 2123”** 54

(to exempt from taxation certain Island Corridor Foundation lands and buildings for the years of 2023-2032)

Recommendation

That Council adopt "10 Year Island Corridor Foundation Permissive Tax Exemptions Bylaw 2022, No. 2123”.

- 10.2. **Bylaw Status Sheet** 56

**11. NEW BUSINESS**

**12. 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.
- 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.

**13. ADJOURNMENT**



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

**Tuesday, September 20, 2022**

**5:00 P.M.**

**Ladysmith Seniors Centre  
630 2nd Avenue**

**Council Members Present:**

Mayor Aaron Stone  
Councillor Amanda Jacobson  
Councillor Rob Johnson (via telephone)  
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  
Andrea Hainrich

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**1. CALL TO ORDER**

Mayor Stone called this Meeting of Council to order at 5:00 p.m., in order to retire immediately into Closed Session.

**2. CLOSED MEETING**

**CS 2022-219**

That, in accordance with section 90 of the *Community Charter*, Council retire into Closed Session in order to consider items related to the following:

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

*Motion Carried*

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

Mayor Stone called the Public Hearing and Regular Meeting of Council to order at 6:01 p.m., recognizing with gratitude that it was taking place on the traditional, unceded territory of the Stz'uminus First Nation. He also reminded the public that September 30<sup>th</sup> is the National Day for Truth and Reconciliation, a day to honour survivors of residential schools, and the memory of those who did not return from them. There will be an event at the Transfer Beach Amphitheatre on that day.

Mayor Stone thanked the Ladysmith Seniors Centre for sharing their space and helping the Town accommodate people more comfortably at Council meetings, Committee of the Whole meetings and Public Hearings.

### **4. AGENDA APPROVAL**

#### **CS 2022-220**

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for September 20, 2022.

*Motion Carried*

### **5. PUBLIC HEARING**

#### **5.1 “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106” (as amended) and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 48) 2022, No. 2107” (as amended)**

**Members of the public attending: 13**

##### **5.1.1 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. 2106 and 2107.

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.

### **5.1.2 Introduction of Bylaws and Statutory Requirements - Director, Development Services**

Jake Belobaba, Director of Development Services, introduced "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106" and "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 48) 2022, No. 2107" as the subjects of the Public Hearing.

Mr. Belobaba advised that if approved, Bylaw Nos. 2106 and 2107 would:

1. Remove policies related to estate residential lots in environmentally sensitive areas and steep slopes from the Holland Creek Area Plan;
2. Add portions of the subject property to Development Permit Area 4-Multi-Unit Residential, Development Permit Area 3-Commercial and Development Permit Area 10-Coach House Intensive Residential;
3. Expand Development Permit Area 11 – Arbutus Hump ESA, to cover a larger portion of the subject property and amend the corresponding Development Permit Area Guidelines to require environmental reports to be prepared in accordance with the Provincial publication, 'Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia';
4. Change and reconfigure the land use designations of the subject property from "Single-Family", "Estate Residential" and "Park and Open Space" to "Single-Family"; "Multi-Family"; "Neighbourhood Commercial"; and "Park and Open Space"
5. Change the zoning for the subject property from Single Dwelling Residential (R-1) to Medium-Density Residential (R-3), Single Dwelling Residential – Small Lot A Zone (R-1-A), Single Dwelling Residential – Small Lot C Zone (R-1-C), Nature Park (P-3), Park and Recreation (P-2) and Local Commercial (C-1);



6. Allow Secondary Suites as a permitted accessory use on R-1-C zoned portions of the subject property on parcels served by a lane;
7. Allow Coach House as a permitted accessory use on R-1-C zoned portions of the subject property on parcels that are 300 square metres or larger;
8. Allow Townhouse Dwelling as the only permitted use in the R-3 zoned portions of the subject property;
9. Prohibit residential use as a principal use on the C-1 zoned portions of the subject property and allow, subject to certain conditions, coach houses, secondary suites, single unit dwellings and second floor dwellings as permitted accessory uses on the C-1 zoned portions of the subject property;
10. Allow the R-1-C portion of the subject property to be developed in accordance with the provisions of the R-1-B zone, R-1-C zone, Low Density Residential (R-3-A) zone or a combination thereof; and
11. Apply a density benefit regulation pursuant to section 482 of the *Local Government Act* to the subject property to allow more units in the northern portion of the property, if the entire red-listed ecosystem occurrence on the subject property is dedicated as park.

Mr. Belobaba also confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was published in the Ladysmith Chronicle on September 15, 2022 and was posted on the Town's website and community notice boards. It was also mailed and delivered to all properties located within 60 metres of the subject property.

A copy of the Notice, the proposed bylaws, and background information were made available at the front counters of City Hall and Development Services and the bylaws were 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. He noted that as of noon on Tuesday, September 20 no submissions related to the proposed bylaws had been received.

### **5.1.3 Submissions**

Mayor Stone invited the applicant to make the first submission.

Paul Fenske, principal with Ekistics and representative for Lamont Land, provided an overview of the changes made to the Holland Heights plan.

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

Mayor Stone called for submissions from the public.

Mayor Stone called for submissions a second time.

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

No one wished to speak regarding “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 48) 2022, No. 2107”.

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

### **5.1.5 Declaration that the Public Hearing for Bylaw Nos. 2106 (as amended) and 2107 (as amended) is Closed - Mayor Stone**

Hearing no further comments and receiving no further submissions, Mayor Stone declared the Public Hearing for Bylaw Nos. 2106 and 2107 closed at 6:14 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

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

### **6.1 “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106”**

#### **CS 2022-221**

That Council give third reading to “Official Community Plan Bylaw 2003, No.1488, Amendment Bylaw (No. 71) 2022, No. 2106”.

*Motion Carried*

**6.2 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 48) 2022, No. 2107”**

**CS 2022-222**

That Council give third reading to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 48) 2022, No. 2107”.

*Motion Carried*

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

Council rose from Closed Session at 5:34 p.m. without report.

**8. MINUTES**

**8.1 Minutes of the Regular Meeting of Council held September 6, 2022**

**CS 2022-223**

That Council approve the minutes of the Regular Meeting of Council held September 6, 2022.

*Motion Carried*

**9. PROCLAMATIONS**

**9.1 Circular Economy Month - October 2022**

Mayor Stone proclaimed October 2022 as "Circular Economy Month" in the Town of Ladysmith.

**10. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING**

**10.1 “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068”**

**CS 2022-224**

That Council adopt “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 65) 2021, No. 2068”.

*Motion Carried*

OPPOSED: Councillors Johnson and Stevens

**10.2 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 37) 2021, No. 2069”**

**CS 2022-225**

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 37) 2021, No. 2069”.

*Motion Carried*

OPPOSED: Councillors Johnson and Stevens

**11. DEVELOPMENT APPLICATIONS**

**11.1 Development Variance Permit 3090-22-03 and Development Permit 3060-20-19 for a Commercial Plaza at 1130 Rocky Creek Road**

**CS 2022-226**

That Council:

1. Issue Development Variance Permit 3090-22-03 to vary section 5.19.c) of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” to allow for two retaining walls, each up to 4.0 m in height, at 1130 Rocky Creek Road; and
2. Issue Development Permit 3060-20-19 to allow for construction of a commercial plaza at 1130 Rocky Creek Road, subject to the applicant providing a landscape bond in the amount of \$104,750.75.

*Motion Carried*

OPPOSED: Councillor Stevens

**12. COMMITTEE MINUTES**

**12.1 Community Planning Advisory Committee - September 7, 2022**

**CS 2022-227**

That Council receive the minutes of the Community Planning Advisory Committee meeting held September 7, 2022.

*Motion Carried*

## 13. REPORTS

### 13.1 DL2016 Holdings Corporation Annual General Meeting

#### CS 2022-228

That Council, as the sole shareholder of the DL2016 Holdings Corporation entitled to vote at an annual general meeting resolve that:

1. The financial statements of the Company for the period ended December 31, 2021 are hereby approved;
2. All lawful acts, contracts, proceedings, appointments and payments of money by the directors of the Company since the last annual reference date of the Company, and which have previously been disclosed to the shareholders, are hereby adopted, ratified and confirmed;
3. The number of directors of the Company is hereby fixed at five;
4. The following persons, each of whom has consented to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:
  - Jake Belobaba
  - Rob Hutchins
  - Allison McCarrick
  - Alan Newell
  - Richard Wiefelspuett;
5. Grant Thornton, LLP, Certified Public Accountants are hereby appointed auditors for the Company until the next annual reference date of the Company or until a successor is appointed, at a remuneration to be fixed by the directors; and
6. July 31, 2022 is selected as the annual reference date for the Company for its current annual reference period.

These resolutions shall be deemed to be effective as at July 31, 2022.

*Motion Carried*

### 13.2 2023 Council Meeting Schedule

#### CS 2022-229

That Council confirm the schedule of regular Council and Committee of the Whole meetings for 2023, as attached to the September 20, 2022 staff report, and direct staff to advertise the schedule in accordance with Section 127 of the *Community Charter*.

*Motion Carried*

## 14. BYLAWS

### 14.1 Bylaws for Introduction

#### 14.1.1 "Official Community Plan Bylaw 2022, No. 2200"

##### **CS 2022-230**

That Council:

1. Give first reading to "Official Community Plan Bylaw 2022, No. 2200";
2. Consider Bylaw No. 2200 in conjunction with the Financial Plan, Housing Needs Report, Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to sections 473(2.1) and 477(3) of the *Local Government Act*;
3. Refer Bylaw No. 2200 to the Agricultural Land Commission, pursuant to section 477(3)(b) of the *Local Government Act*; and
4. Refer Bylaw No. 2200 to:
  - a. Stz'uminus First Nation;
  - b. Cowichan Valley Regional District;
  - c. Regional District of Nanaimo;
  - d. District of North Cowichan;
  - e. Hul'qumi'num Treaty Group;
  - f. Snuneymuxw First Nation;
  - g. Board of Education for School District 68;
  - h. BC Hydro; and
  - i. The Ministry of Transportation and Infrastructure.

*Motion Carried*

OPPOSED: Councillor Johnson

#### 14.1.2 "2023 Permissive Tax Exemptions Bylaw 2022, No. 2122"

##### **CS 2022-231**

That Council give first three readings to "2023 Permissive Tax Exemptions Bylaw 2022, No. 2122".

##### AMENDMENT

That Council amend Schedule B of "2023 Permissive Tax Exemptions Bylaw 2022, No. 2122" by changing the one-year Permissive Tax Exemption for the property at 314 Buller Street from 20% to 70%.

##### **CS 2022-232**

##### SECONDARY AMENDMENT

That Council amend the amendment motion on the floor by changing the one-year Permissive Tax Exemption for the property at 314 Buller Street from 70% to 100%.

##### **Resolution CS 2022-232 as amended, reads:**

That Council amend Schedule B of "2023 Permissive Tax Exemptions Bylaw 2022, No. 2122" by changing the one-year Permissive Tax Exemption for the property at 314 Buller Street from 20% to 100%.

*Amendment Carried*

OPPOSED: Councillor Stevens

##### **Resolution CS 2022-231 as amended, reads:**

That Council give first three readings to "2023 Permissive Tax Exemptions Bylaw 2022, No. 2122", as amended in Schedule B to allow a one-year 100% Permissive Tax Exemption for the property at 314 Buller Street.

*Main Motion, as amended, Carried*

OPPOSED: Councillor Stevens

Mayor Stone declared a conflict of interest with item 14.1.3 as he is Chair of the Island Corridor Foundation and vacated the Chair and the meeting at 7:26 p.m.

Deputy Mayor Stevens assumed the Chair.

**14.1.3 "10 Year Island Corridor Foundation Permissive Tax Exemptions Bylaw 2022, No. 2123"**

**CS 2022-233**

That Council give first three readings to "10 Year Island Corridor Foundation Permissive Tax Exemptions Bylaw 2022, No. 2123".

*Motion Carried*

Mayor Stone returned to the meeting at 7:27 p.m. and resumed the Chair.

**14.2 Bylaw Status Sheet**

**16. QUESTION PERIOD**

There were no questions submitted by the public.

**17. ADJOURNMENT**

**CS 2022-234**

That this Regular Meeting of Council be adjourned at 7:30 p.m.

*Motion Carried*

CERTIFIED CORRECT:

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Mayor (A. Stone)

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Corporate Officer (D. Smith)





TOWN OF LADYSMITH

PROCLAMATION

FOSTER FAMILY MONTH

- WHEREAS:** *The family is the very foundation of our community; and*
- WHEREAS** *Every child deserves to experience a safe, loving, supportive and stable home; and*
- WHEREAS:** *Foster families, who open their hearts and homes to children whose families are in crisis, play a vital role in helping children and families heal and reconnect; and*
- WHEREAS:** *Fostering is a community responsibility and provides opportunities for all community members to contribute to the support of children and youth; and*
- WHEREAS:** *We recognize the promise of children and youth in foster care, as well as former foster youth, and we celebrate the professionals and foster parents who demonstrate the depth and kindness of the human heart.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim the month of October 2022, as Foster Family Month in the Town of Ladysmith, British Columbia.*

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Mayor A. Stone

September 28, 2022



LADYSMITH

TOWN OF LADYSMITH

# PROCLAMATION

## COMMUNITY INCLUSION MONTH

- WHEREAS:** *Every October, British Columbians across the province recognize and celebrate the contributions and potential of people with developmental disabilities during Community Inclusion Month; and*
- WHEREAS:** *Canada ratified the United Nations' historic Convention on the Rights of Persons with Disabilities in 2010; and*
- WHEREAS:** *The inclusion of individuals with developmental disabilities in all aspects of community enables all people to contribute their gifts, talents and abilities, and to secure their rightful place at home, at school, at work, and in the community; and*
- WHEREAS:** *A thriving community requires the inclusion and participation of all its members; and*
- WHEREAS:** *The participation of persons with diverse abilities as valued members of the work force benefits the community as a whole and reflects the provisions of the Convention; and*
- WHEREAS:** *Community Living BC, a provincial Crown corporation, will be celebrating Community Inclusion Month to raise public awareness about inclusion, and to support people with diverse abilities to participate fully in their communities.*
- THEREFORE,** *I, Aaron Stone, Mayor of the Town of Ladysmith, do hereby proclaim October 2022 as "Community Inclusion Month" in the Town of Ladysmith, British Columbia.*

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Mayor A. Stone

Sept 9, 2022

## **Committee of the Whole Recommendations to Council October 4, 2022**

At its September 27, 2022 meeting, the Committee of the Whole recommended that Council:

1. Refer the Community Banner Program Expansion to the next Council for review during its Strategic Planning process.
2. Direct staff to:
  - a. Consult with the local business community regarding the impact of the single-use plastic proposed regulations being introduced by senior levels of government; and
  - b. Report back to Council with the results and options for a single-use plastics bylaw incorporating best practices introduced by other municipalities.



**COMMITTEE OF THE WHOLE MEETING  
MINUTES**

**Tuesday, September 27, 2022  
6:30 P.M.  
Ladysmith Seniors Centre  
630 2nd Avenue**

**Council Members Present:**

Councillor Marsh Stevens, Chair  
Mayor Aaron Stone  
Councillor Amanda Jacobson

Councillor Tricia McKay  
Councillor Duck Paterson  
Councillor Jeff Virtanen

**Council Members Absent:**

Councillor Rob Johnson

**Staff Present:**

Allison McCarrick  
Erin Anderson  
Chris Barfoot  
Jake Belobaba  
Ryan Bouma

Donna Smith  
Mike Gregory  
Sue Bouma  
Andrea Hainrich

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**1. CALL TO ORDER AND ACKNOWLEDGEMENT**

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

**2. AGENDA APPROVAL**

**CW 2022-035**

That the agenda for this September 27, 2022 Committee of the Whole meeting be approved.

*Motion Carried*

### **3. MINUTES**

#### **3.1 Minutes of the Committee of the Whole Meeting held July 12, 2022**

##### **CW 2022-036**

That the minutes of the Committee of the Whole meeting held July 12, 2022 be approved.

*Motion Carried*

### **4. REPORTS**

#### **4.1 Building Inspector's Report for May to August 2022**

##### **CW 2022-037**

That the Committee receive the Building Inspector's Report for the months May to August 2022.

*Motion Carried*

#### **4.2 Ladysmith Fire/Rescue Reports for May to August 2022**

##### **CW 2022-038**

That the Committee receive the Ladysmith Fire/Rescue Reports for the months May to August 2022.

*Motion Carried*

#### **4.3 Coastal Animal Control Services Reports for June and July 2022**

##### **CW 2022-039**

That the Committee receive the Coastal Animal Control Services Reports for the months June and July 2022.

*Motion Carried*

#### **4.4 RCMP Reports for April to June 2022**

##### **CW 2022-040**

That the Committee receive the RCMP Reports for the months April to June 2022.

*Motion Carried*

#### **4.5 2022 Q2 (April to June) Financial Update**

##### **CW 2022-041**

That the Committee receive the staff report dated September 27, 2022, regarding the 2022 Q2 (April to June) Financial Update.

*Motion Carried*

#### **4.6 Community Banner Program Expansion**

##### **CW 2022-042**

That the Committee receive the report dated September 27, 2022 regarding the Community Banner Program Expansion.

*Motion Carried*

##### **CW 2022-043**

That the Committee recommend that Council refer the Community Banner Program Expansion to the next Council for review during its Strategic Planning process.

*Motion Carried*

#### **4.7 Single Use Plastics**

##### **CW 2022-044**

That the Committee recommend that Council:

1. Direct staff to consult with the local business community regarding the impact of the single-use plastic proposed regulations being introduced by senior levels of government; and
2. Report back to Council with the results and options for a single-use plastics bylaw incorporating best practices introduced by other municipalities.

*Motion Carried*

### **5. ADJOURNMENT**

##### **CW 2022-045**

That this Committee of the Whole meeting adjourn at 7:09 p.m.

*Motion Carried*

CERTIFIED CORRECT:

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Chair (Councillor M. Stevens)

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Corporate Officer (D. Smith)

Subject to Adoption

**Minutes of the Poverty Reduction Task Group**  
August 22, 2022, 1:30pm  
Frank Jameson Community Centre Program Room & Zoom

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**COMMITTEE MEMBERS PRESENT:**

Jessica Chomyn  
Carmen Hildebrand  
Jacqueline Neligan  
Myf Plecas  
Johanne Lord  
Jennifer Jones  
Sandra Thomson  
Rosalie Sawrie

**STAFF/COUNCIL PRESENT:**

Shannon Wilson  
Councillor Tricia McKay

**REGRETS:**

Lydia Neubauer  
Gerry Busch  
Cheryl Sampson  
Millie Stirling

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**CALL TO ORDER AND  
ACKNOWLEDGEMENT**

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

**AGENDA**

That the Poverty Reduction Task Group approve the agenda for the meeting as presented.  
***Motion carried.***

**MINUTES**

That the Poverty Reduction Task Group approve the Minutes from July 26, 2022 as presented.  
***Motion carried.***

**CURRENT BUSINESS**

Welcome & Introductions

- Members of the PRTG each introduced themselves to the group with a little background about themselves

Project Updates & Discussions

- Updates were shared about each section of the project:
- Food delivery from the LRCA food bank is being delivered to Stz'uminus Health Centre while a driver is still being recruited
- Coordinator team has been hired for the gleaning project through the LRCA
- A separate meeting will be held with volunteer members from the PRTG to develop an evaluation framework for the project and will report back with questions to the larger group.
- Planning discussion began for designing a Fall Food Fair with a decision for volunteer members to meet separately and report back to the larger group.



- It was decided that a restorative justice model would be used to facilitate discussions at the two community dialogue events to be planned.

**Wrap up & Next steps**

- Discussion of next meeting times/venue and review of action items.

**Meeting adjourned at 2:45pm**

**Next Meeting is to be scheduled.**

---

Facilitator (Rosalie Sawrie)

RECEIVED:

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Corporate Officer (D. Smith)

**Minutes of the Parks, Recreation & Culture Advisory Committee  
Wednesday, September 21, 2022 at 7:00pm  
Frank Jameson Community Centre**

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**COMMITTEE MEMBERS PRESENT:**

Colleen Butcher  
Geoff Dean  
Gordon Filewych  
Bruce Mason  
Terri Merritt-Worden

**STAFF PRESENT:**

Chris Barfoot, Lead/Chair  
Kim Cheang, Minute Taker

**REGRETS:**

Lynda Baker  
Kelly Daniels  
Jacqueline Huard  
Lucy Partington  
Councillor Duck Paterson

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**CALL TO ORDER AND  
ACKNOWLEDGEMENT**

In the absence of an appointed Chair, C. Barfoot called the meeting to order at 7:04pm and acknowledged with gratitude that this meeting takes place on the traditional, unceded territory of the Stz'uminus First Nation.

**AGENDA**

2022-19:  
That the Parks, Recreation & Culture Advisory Committee approve the agenda for the meeting as presented.  
*Motion Carried.*

**MINUTES**

2022-20:  
That the Parks, Recreation & Culture Advisory Committee approve the minutes of the May 18, 2022 meeting as presented.  
*Motion Carried*

**NEW BUSINESS**

New Member Welcome

Introductions of new members and returning members.

Elect Chair and Co-Chair

2022-21

That the Parks, Recreation & Culture Advisory Committee defer election of a Chair and Co-Chair to the next meeting scheduled for October 19.

*Motion Carried*

Civic Recognition Program

*Council Resolution CS 2022-073*

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

*Motion Carried*

The Committee discussed civic recognition programs, consideration of a tier basis, high level excellence only when earned, establishing guidelines and intent of the program.

2022-22:

That the Parks, Recreation & Culture Advisory Committee review/brainstorm types of civic recognition program options and bring back for further refinement to the next meeting scheduled for October 19.

*Motion Carried*

Community Banner Program PATG Report

2022-23:

That the Parks, Recreation & Culture Advisory Committee endorse the recommendation of the Public Art Task Group and recommend that Council approve the theme “Connecting Ladysmith Through the Arts” for the 2023 Community – Public Art Banner program.

*Motion Carried*

Ladysmith Skatepark

2022-24:

That the Parks, Recreation & Culture Advisory Committee request that staff provide a letter of support for the Ladysmith Skatepark Collective RDS Granite Mission Program.

*Motion Carried*

Invitation for Public Art Task Group (PATG) Representative

2022-25:

That the Parks, Recreation & Culture Advisory Committee appoint G. Filewych as its representative to the Public Art Task Group.

*Motion Carried*

**OLD BUSINESS**

Items Postponed until October

- Park Implementation Plan – Review engagement/capture improvements

**NEXT MEETING**

7:00pm on Wednesday, October 19, 2022 at FJCC

**ADJOURNMENT**

2022-26:

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

*Motion Carried*

**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Ryan Bouma, Director of Infrastructure Services  
**Reviewed By:** Allison McCarrick, CAO  
**Meeting Date:** October 4, 2022  
**File No:**  
**Re:** **Colonia/Delcourt Active Transportation Project Tender**

**RECOMMENDATION:**

That Council:

1. Amend the 2022-2026 Financial Plan to include the revised project budget of \$870,000 for the Colonia/Delcourt Active Transportation project, with the additional funds to come from:
  - cancelling the Blaire Place Ocean Access project (\$20,000);
  - delaying two storm main projects: Kitchener to Gatacre; and French to Kitchener (total of \$67,005);
  - delaying the 2021 and 2022 bollard installation projects (\$56,055);
  - using \$250,000 from the Canada Community-Building Fund; and
  - using \$53,097 from appropriated equity; and
2. Award Tender 2022-IS-12 Colonia Drive & Delcourt Avenue Sidewalk & Traffic Calming project to Stone Pacific Contracting in the amount of \$788,311.16, excluding GST.

**EXECUTIVE SUMMARY:**

The Town tendered the Colonia/Delcourt Active Transportation project in May 2022 and received just one bid in the amount of \$1,197,004 plus GST. Since the bid was significantly over budget, the tender was cancelled. Staff requested an extension to the grant for this project and received a revised deadline of March 2024.

The project was retendered in August and received three bids, including a low bid of \$788,311 plus GST. Although this is still well over the budgeted amount of \$423,843, staff recommend awarding the project and covering the additional costs by delaying some capital projects as well as using reserves.

**PREVIOUS COUNCIL DIRECTION:**

CS	07-	That Council direct staff to amend the 2021-2025 Financial Plan to include the Colonia/Delcourt Active Transportation Project at a cost of \$425,000 with the Town’s portion of \$127,500 to come from the Appropriated Equity Reserve, and submit an application to the BC Active Transportation Infrastructure Grant Program for funding to:
2021-	20-	
250	2021	
		a. Construct sidewalks, crosswalks, and bike sharing road markings for a priority project along Colonia Drive from Brown Drive Park to Malone Road and along Delcourt Avenue;



	<p>b. Purchase two pedestrian/cyclist counters to monitor the success of newly installed sidewalk and road markings;</p> <p>c. Purchase three e-bike charging stations and bike racks, to be installed in the Downtown, Brown Drive Park and Transfer Beach; and</p> <p>d. Complete the works identified in (a), (b) and (c) prior to March 2023</p>
--	--

**INTRODUCTION/BACKGROUND:**

The Colonia/Delcourt Active Transportation project includes installing sidewalks along Delcourt and Colonia connecting Davidson to Malone, in addition to providing intersection and parking improvements in front of Kinsmen Park. The project was originally contemplated for the purposes of applying for an Active Transportation grant, which the Town was awarded. The initial budget of \$423,843 was proposed based on a preliminary design using historical construction costs, as is common when preparing preliminary budgets.

Staff then worked with a consultant to complete a detailed design and to tender the project. The first tender closed with one bid in the amount of \$1,197,004. In discussions with the Town’s consultant, staff believed the lack of competitive bids was due to the post-Covid construction demands and that additional time for completion would attract additional bidders and lower cost. Staff requested an extension to the grant deadline, which was provided until March 2024. The tender was then revised to reflect the extended completion date and reissued in August.

The revised tender attracted three bidders with prices and schedules as shown below:

<b>Submission</b>	<b>Base Price</b>	<b>Start Date</b>	<b>Completion Date</b>
Stone Pacific Contracting	\$788,311.16	March 15, 2023	November 15, 2023
Copcan Civil Limited	\$1,016,180.00	April 3, 2023	August 25, 2023
David Stalker Excavating Ltd.	\$1,197,262.90	May 8, 2023	March 1, 2024

The Town’s consultant reviewed the bids for compliance and qualifications and recommended awarding the tender to Stone Pacific Contracting.

Although the project is considerably over budget, staff believe Stone Pacific’s price is competitive and reasonable in the current market forces. Some scope creep during the detailed design impacted the original estimate, as -did the challenging construction market most of our projects have experienced lately. Other than a significant reduction in scope, staff do not believe further revisions to the tender would appreciably reduce the price.

The additional costs may be covered by cancelling the following capital projects in addition to accessing reserves:

- 1<sup>st</sup> Avenue Bollards (\$56,055)  
The project has not yet commenced and, in light of the downtown refresh grant, should not be completed in 2022.
- Storm Mains: French to Kitchener (\$27,005) and Kitchener to Gatacre (\$40,000)  
The Town is in the middle of a Stormwater Master Plan and the consultant has advised the Town to wait on both of these projects.
- Blaire Place Ocean Access (\$20,000)  
Completing this project is a low priority as there is not a safety or service issue.

An additional \$250,000 would come from Gas Tax (Canada Community-Building Fund) and the remaining \$53,097 would come from appropriated equity (reserves).

**ALTERNATIVES:**

1. Council can choose to cancel the tender and project, which would forfeit the grant funding.
2. Council could choose to continue with the above-listed capital projects and allocate \$143,060 to this project in the 2023 budget.

**FINANCIAL IMPLICATIONS:**

Funding for this project is as follows:

	<b>Original</b>	<b>Revised</b>
Grant (Provincial)	\$ 296,343	\$ 296,343
Reserves	\$ 127,500	\$ 180,597
Funding from cancelled/delayed Capital projects		\$ 143,060
Gas Tax (Canada Community-Building Fund)		\$ 250,000
<b>Total</b>	<b>\$ 423,843</b>	<b>\$ 870,000</b>

To date, \$33,663 has been spent in engineering design and tendering plus BC Hydro pole re-anchoring.

**LEGAL IMPLICATIONS:**

Bids are valid for sixty (60) days from the close of tender, which was September 13, 2022. Delaying the tender award will invalidate the tender; therefore, the Town is required to provide an expedient response to bidders.

The tender may only be canceled for specific reasons, of which being over budget is an acceptable reason.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Feedback received by staff from residents regarding this project has been very positive. Some property owners will be affected in terms of driveway changes, available street parking, landscape removal, and construction impacts. Many of the residents have been in contact with staff, and further communication would be carried out as the project proceeds.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Director of Parks, Recreation & Culture has been consulted on the proposal and is supportive of the changes forthcoming in front of Kinsmen Park.

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

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Infrastructure | <input checked="" 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**

**TOWN OF LADYSMITH**

**BYLAW NO. 2102**

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

---

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

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

“(m) construction of, addition to, or alteration of a single family or two family dwelling in Commercial (DPA 3), or Multi-Unit Residential (DPA 4);”

- 2. Map 1 – Land Use, by changing the "Single Family Residential" designation to "Multi-Family Residential" for Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 1, which is attached to and forms part of this Bylaw;

- 3. Map 2 – Development Permit Areas, by adding:
  - a. Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) as shown in Schedule 1 to "DPA 3 – Commercial" (Development Permit Area 3 – Commercial) and "DPA 4 – Commercial" (Development Permit Area 4 – Multi-Unit Residential); and
  - b. The easternmost portion of Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265 (PID: 030-801-460) to "DPA 7 – Hazard Lands" (Development Permit Area 7 - Hazard Lands), as shown in Schedule 2 which is attached to and forms a part of this Bylaw.

**Citation**

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

**READ A FIRST TIME** on the 1<sup>st</sup> day of February, 2022

**READ A SECOND TIME** on the 1<sup>st</sup> day of February, 2022

**PUBLIC HEARING HELD** on the 14<sup>th</sup> day of June, 2022

**READ A THIRD TIME** on the 14<sup>th</sup> day of June, 2022

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

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

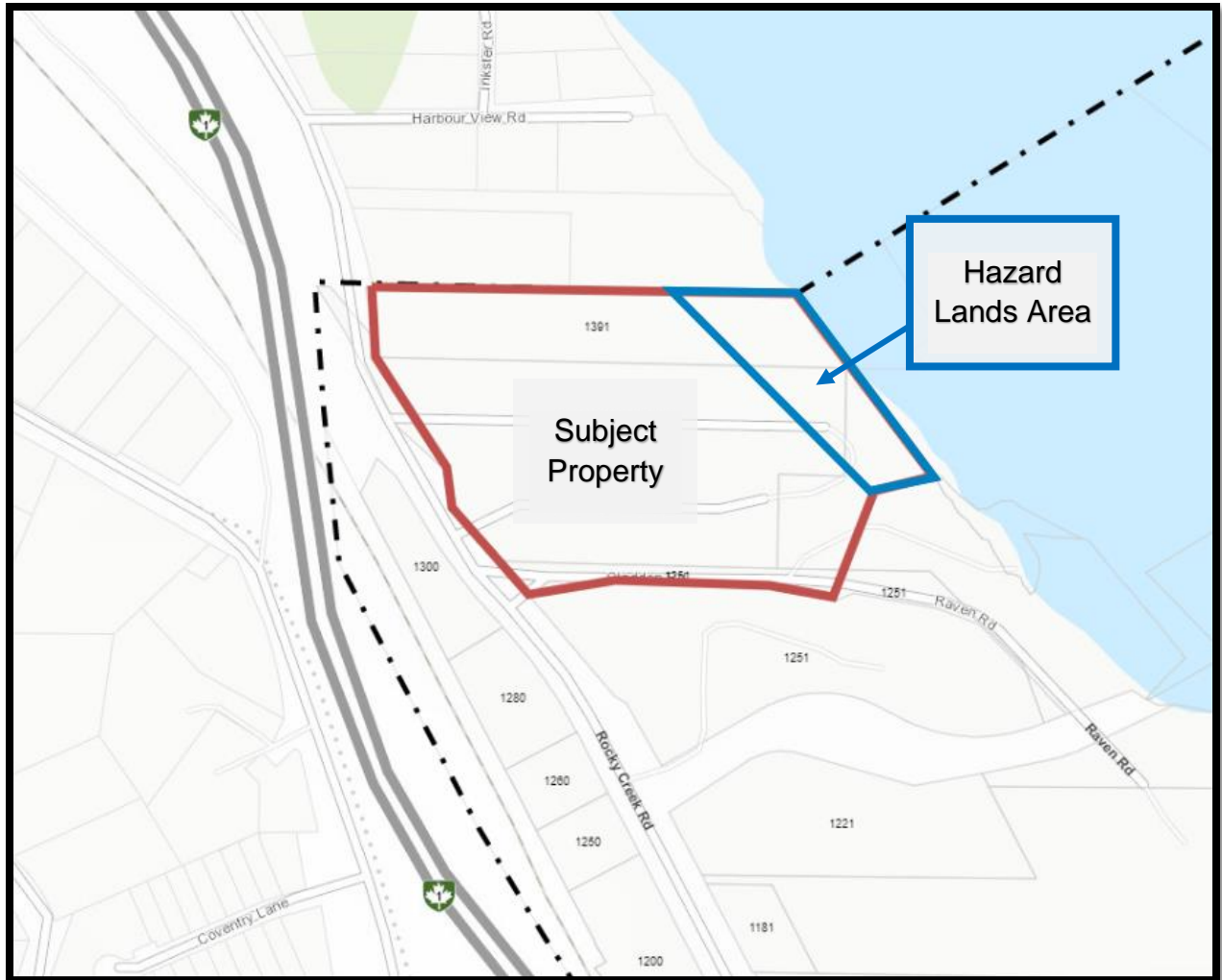
\_\_\_\_\_  
Corporate Officer (D. Smith)



**Schedule 1**



**Schedule 2**



**TOWN OF LADYSMITH**

**BYLAW NO. 2103**

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

---

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

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

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

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

**Citation**

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

**READ A FIRST TIME** on the 1<sup>st</sup> day of February, 2022  
**READ A SECOND TIME** on the 1<sup>st</sup> day of February, 2022  
**PUBLIC HEARING HELD** on the 14<sup>th</sup> day of June, 2022  
**READ A THIRD TIME** on the 14<sup>th</sup> day of June, 2022  
**APPROVED BY MINISTRY OF TRANSPORTATION**  
on the 30<sup>th</sup> day of June, 2022  
**ADOPTED** on the \_\_\_\_ day of \_\_\_\_, 2022

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Mayor (A. Stone)

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Corporate Officer (D. Smith)

## Schedule 1

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

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

#### 1. Principal Uses

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

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

## **2. Accessory Uses**

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

## **3. Sizing and Dimensions of Parcels**

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

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

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

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

- a) For a *Single Unit Dwelling* section 10.4.4. “Size and Density of the Use of Land, Buildings and Structures” of Section 10.4 “Single Dwelling Residential – Small Lot B Zone (R-1-B)” shall apply.

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

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

- a) For a *Single Unit Dwelling* section 10.4.5. “Siting, Sizing and Dimension of Uses, Buildings and Structures” of Section 10.4 “Single Dwelling Residential – Small Lot B Zone (R-1-B)” shall apply.
- b) For a *Two Unit Dwelling* section 10.6.5 “Siting, Sizing and Dimension of Uses, Buildings and Structures” of Section 10.6 “Old Town Residential (R-2)” shall apply.
- c) For a *Multiple-Unit Dwelling* or a *Townhouse Dwelling* section 10.10.5 “Siting, Sizing and Dimension of Uses, Buildings and Structures” of Section 10.10 “Medium Density Residential (R-3)” shall apply.
- d) Despite section 10.10.5.(a) a *Multiple-Unit Dwelling Building* shall not exceed a *Height* of 21.0 metres.

- e) Despite section 10.10.5.(d) no *Multiple-Unit Dwelling Building* shall be located closer than 6.0 metres from any *Parcel Line* that abuts a *Parcel* that contains a *Single Unit Dwelling* or a *Two Unit Dwelling*.

### 7. Landscaping and Screening

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

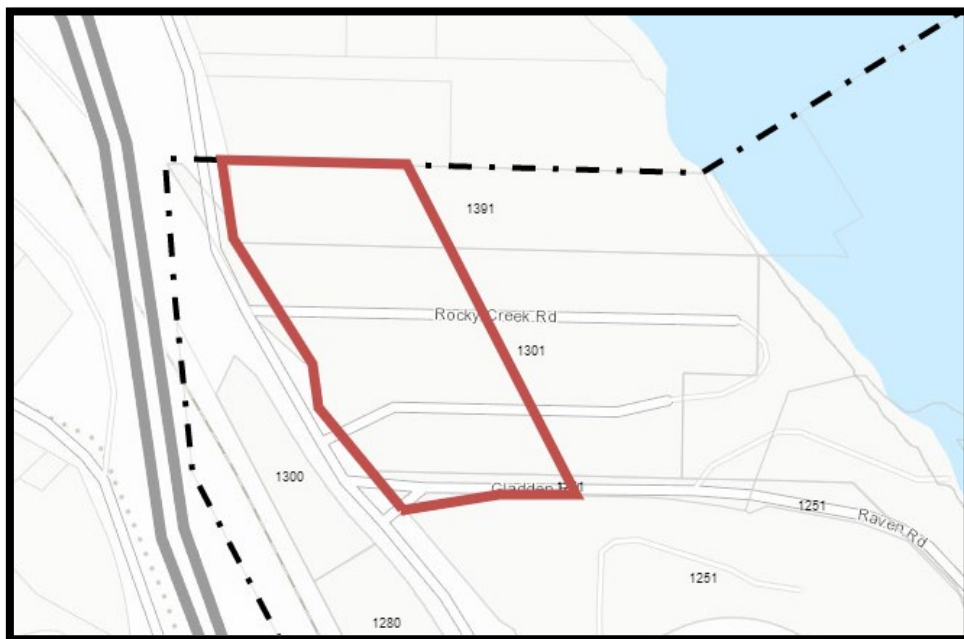
### 8. Parking and Loading

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

### 9. Additional Option for Live-Work Industrial Development

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

Figure 17.7



### Schedule 2





**TOWN OF LADYSMITH**

**BYLAW NO. 2103**

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

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

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

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

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

**Citation**

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

**READ A FIRST TIME** on the 1<sup>st</sup> day of February, 2022  
**READ A SECOND TIME** on the 1<sup>st</sup> day of February, 2022  
**PUBLIC HEARING HELD** on the 14<sup>th</sup> day of June, 2022  
**READ A THIRD TIME** on the 14<sup>th</sup> day of June, 2022  
**APPROVED BY MINISTRY OF TRANSPORTATION**  
on the \_\_\_\_ day of \_\_\_\_\_, 2022  
**ADOPTED** on the \_\_\_\_ day of \_\_\_\_\_, 2022

Approved pursuant to section 52(3)(a) of  
the *Transportation Act*

this 30 day of June 2022  
Ministry of Transportation and Infrastructure

  
\_\_\_\_\_

Schedule 1

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

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

**TOWN OF LADYSMITH**

**BYLAW NO. 2122**

**A Bylaw to exempt from taxation certain lands and buildings for the year 2023**

---

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

1. The following land and improvements within the legal boundaries of those properties listed below and to the extent described under Schedule “A” and Schedule “B” attached to and forming part of this bylaw, that are owned or held by a charitable, philanthropic or other not-for-profit corporation, and which the Council considers are used for a purpose that is directly related to the purposes of the corporation, are hereby exempted from taxation under section 224 of the *Community Charter* for the year 2023:

Count	Organization	Address	Legal Description
1	Canadian Legion Branch #171	621 1st Avenue	Lot A, Block 8, Plan VIP703, District Lot 56, Oyster Land District, Portion (DD 65840N), Except Plan SLY 64 FT (Except The Section Outline In Bold On Schedule “A”)
2	Ladysmith Health Care Auxiliary	910 1st Avenue	Block 30, Plan 703A, District Lot 24 (Being a consolidation of lots 1 and 2, see CA7428266), Oyster Land District.
3	Ladysmith Resources Centre Association	314 Buller Street	Lot A, Block 76, Plan VIP703a, District Lot 56, Oyster Land District, Portion (DD B92367) (Shown in Schedule “B”)

2. The following land and improvements within the legal boundaries of those properties listed below and to the extent described under Schedule “C”, Schedule “D” and Schedule “E” attached to and forming part of this bylaw, that are owned or held by the municipality and which the Council considers are used for a purpose that is directly related to the purposes of the corporation, are hereby exempted from taxation under section 224 of the *Community Charter* for the year 2023:

Count	Organization	Address	Legal Description
1	Ladysmith & District Historical Society	721 1st Avenue	Lot 11, Block 7, Plan VIP703, Oyster Land District
2	Ladysmith Golf Club Society	380 Davis Road	District Lot 43, Oyster Land District, Except Plan 2478 4670 5873 7527 8922 12027 14051 15693 835r 34197 48247 & VIP57353, Exc E&N Rly R/W Pcl A (DD 24403N) Pcl C (DD 34443I), VIP65242
3	Ladysmith & District Historical Society	614 Oyster Bay Drive	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131 (PARENT FOLIO 445-1109-300) (Shown in Schedule "C")
4	Ladysmith Maritime Society	616 Oyster Bay Drive	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131, that part included in lease from Town of Ladysmith - Car Shop (Parent Folio 445-1109-300)
5	Ladysmith Maritime Society	Unit C, I & M - 610 Oyster Bay Drive	Lot 4, Plan VIP45800, District Lot 85, 11G, 24, 56, Oyster Land District, Except Plan VIP64405 VIP71943, that part included in lease from Town of Ladysmith Unit C, I & M Ladysmith Maritime Society
6	Ladysmith & District Historical Society	612 Oyster Bay Drive	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131, that part included in lease from Town of Ladysmith
7	Arts Council of Ladysmith & District	Units J, K & L - 610 Oyster Bay Road	Lot 4, Plan VIP45800, District Lot 8G,11G,24,56, Oyster Land District, Except Plan VIP64405 VIP71943 VIP72131, that part included in lease from Town of Ladysmith Unit J & K
8	Eco-Tourism Building	200 Captain Tristan De Koninck Way	Plan VIP66352, District Lot 56, Oyster Land District (Specifically the Area Of Land And Buildings Outline In Bold On Schedule "D")
9	Ladysmith & District Historical Society	1115A - 1st Avenue	Strata Lot 1, Plan VIS5873, District Lot 118, Oyster Land District, Together with an interest in the Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form 1 Or V, As Appropriate

Count	Organization	Address	Legal Description
10	Ladysmith Festival of Lights	1163 4th Avenue	Lot A, Plan VIP34438, District Lot 146, Oyster Land District, Portion Part Of Fourth Ave
11	Ladysmith Maritime Society	611 Oyster Bay Drive	Block C, District Lot 2016, Cowichan Land District, Foreshore Lease For Commercial Marina Purposes; that part included in area leased from Town of Ladysmith, Lease/Permit/Licence # 106431 (Shown in bold on Schedule "E", Including The Insert For The Visitors Centre)

3. The following land and improvements within the legal boundaries of those properties listed below and to the extent described under Schedule "F" and Schedule "G" attached to and forming part of this bylaw, in relation to property that is exempt under section 220 (1)(h) [*buildings for public worship*], an area of land surrounding the exempt building, a hall that the Council considers is necessary to the exempt building and the land on which the hall stands, and an area of land surrounding a hall that is exempt are hereby exempted from taxation under section 224 of the *Community Charter* for the year 2023:

Count	Organization	Address	Legal Description
1	United Church of Canada	232 High Street	Lot A, Plan VIP63119, District Lot 56, Oyster Land District
2	Ladysmith Fellowship Baptist Church	381 Davis Road	Lot 1, Plan VIP43316, District Lot 43, Oyster Land District, Except Plan VIP66137
3	St. Mary's Catholic Church	1135 4th Avenue	District Lot 145, Oyster Land District, Except Plan 33231 & VIP72186 (Specifically the area of land and buildings outlined in bold on Schedule "F")
4	Pentecostal Assemblies of Canada	1149 4th Avenue	Lot A, Plan VIP46331, District Lot 146, Oyster Land District (Specifically the area of land and buildings outlined in red on Schedule "G")

4. The following land and improvements within the legal boundaries of those properties listed below and to the extent described under Schedule "H" attached to and forming part of this bylaw, in relation to property that is exempt under section 220 (1)(i) [*senior's homes*], any area of land surrounding the exempt building is hereby exempted from taxation under section 224 of the *Community Charter* for the year 2023:

Count	Organization	Address	Legal Description
1	Ladysmith Senior Citizens Housing Society	207 Jamison Road	Lot 1, Plan VIP21490, District Lot 56, Oyster Land District (Specifically The Area Of Land Surrounding The Building Footprint As Shown On Schedule "H")

5. The following land and improvements within the legal boundaries of those properties listed below for which a grant has been made, after March 31, 1974, under the *Housing Construction (Elderly Citizens) Act* before its repeal, is hereby exempted from taxation under section 224 of the *Community Charter* for the year 2023:

Count	Organization	Address	Legal Description
1	Ladysmith Senior Citizens Housing Society	101 1st Avenue	Lot 1, Plan VIP31443, District Lot 56, Oyster Land District

**6. Citation**

This bylaw may be cited as "2023 Permissive Tax Exemptions Bylaw 2022, No. 2122".

**READ A FIRST TIME** on the 20<sup>th</sup> day of September, 2022

**READ A SECOND TIME** on the 20<sup>th</sup> day of September, 2022

**READ A THIRD TIME** on the 20<sup>th</sup> day of September, 2022

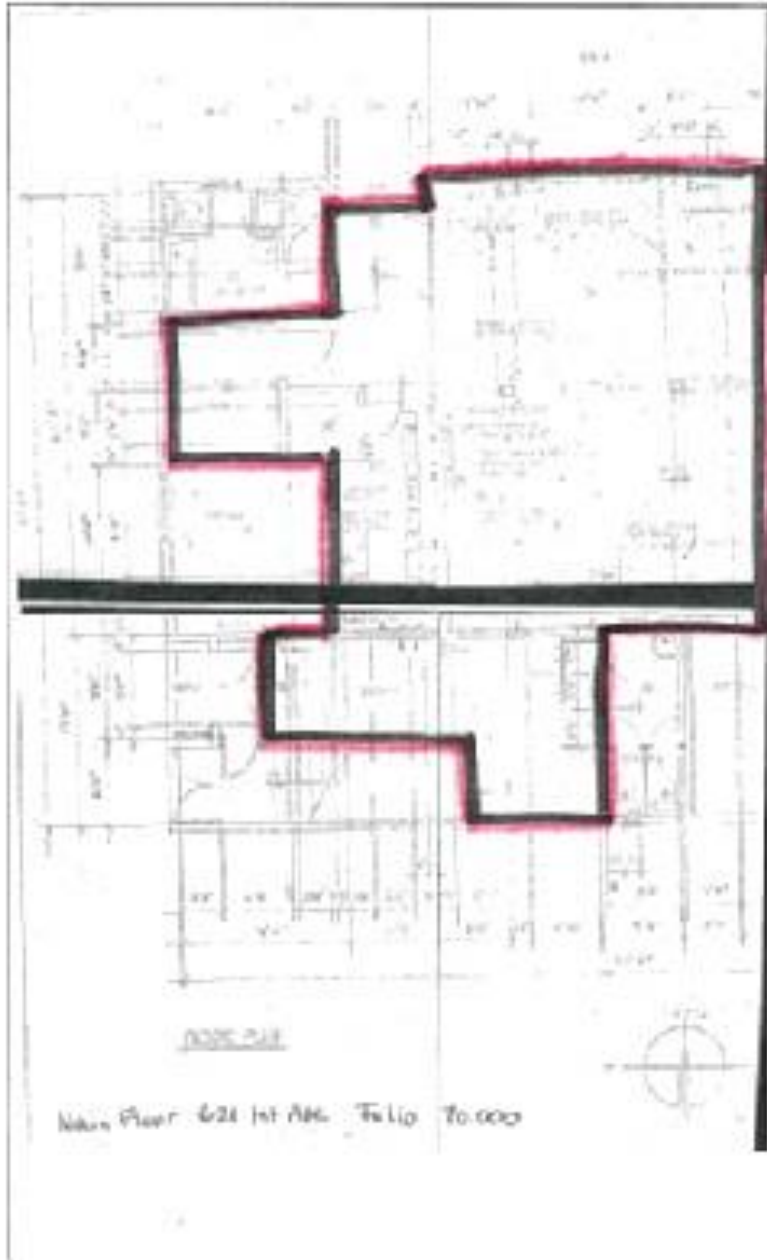
**NOTICE OF INTENTION** to proceed with this bylaw was published on the 22<sup>nd</sup> day of September, 2022 on the Town of Ladysmith website and on the 29<sup>th</sup> day of September, 2022 in the Ladysmith Chronicle newspaper, circulating in the Town of Ladysmith, pursuant to section 227 of the *Community Charter*.

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

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

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

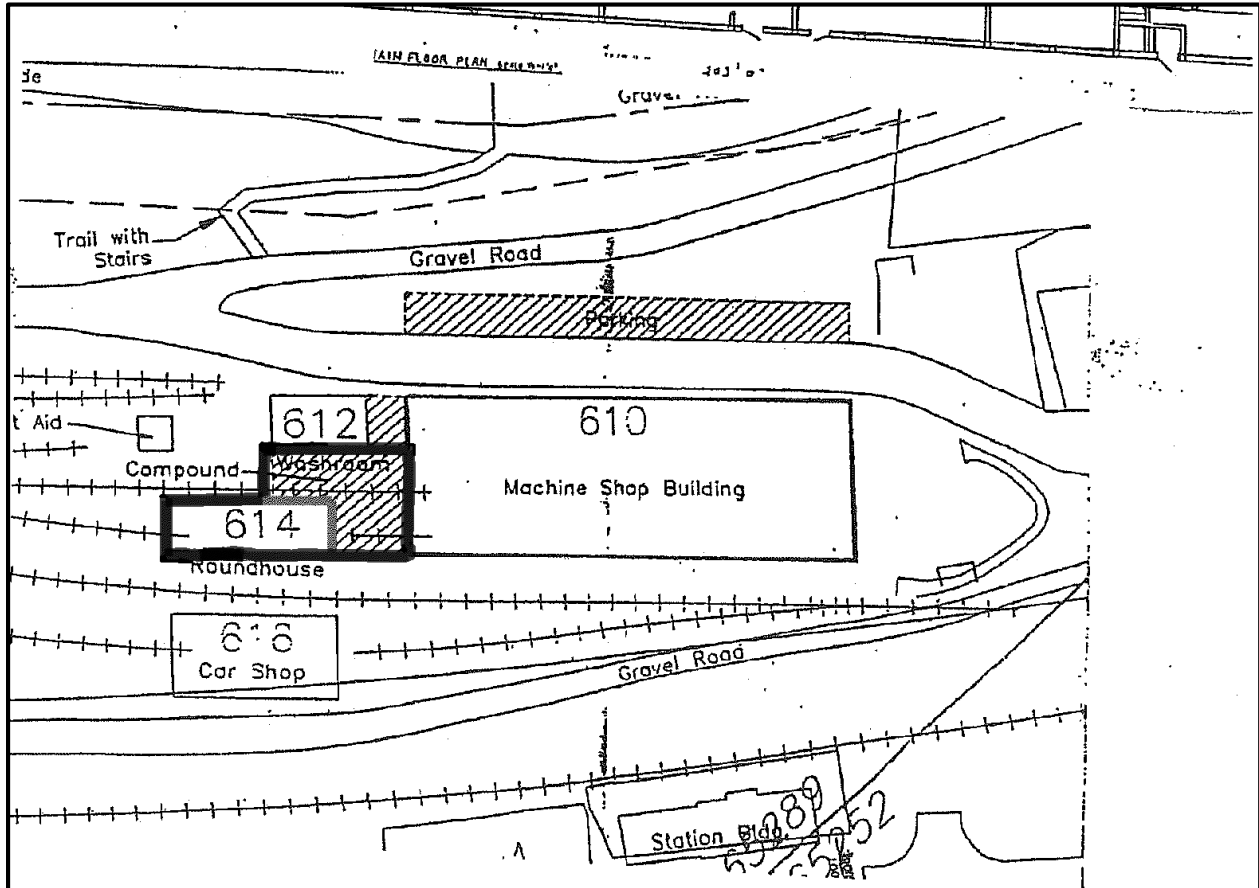
**Schedule "A"**



**Schedule "B"**

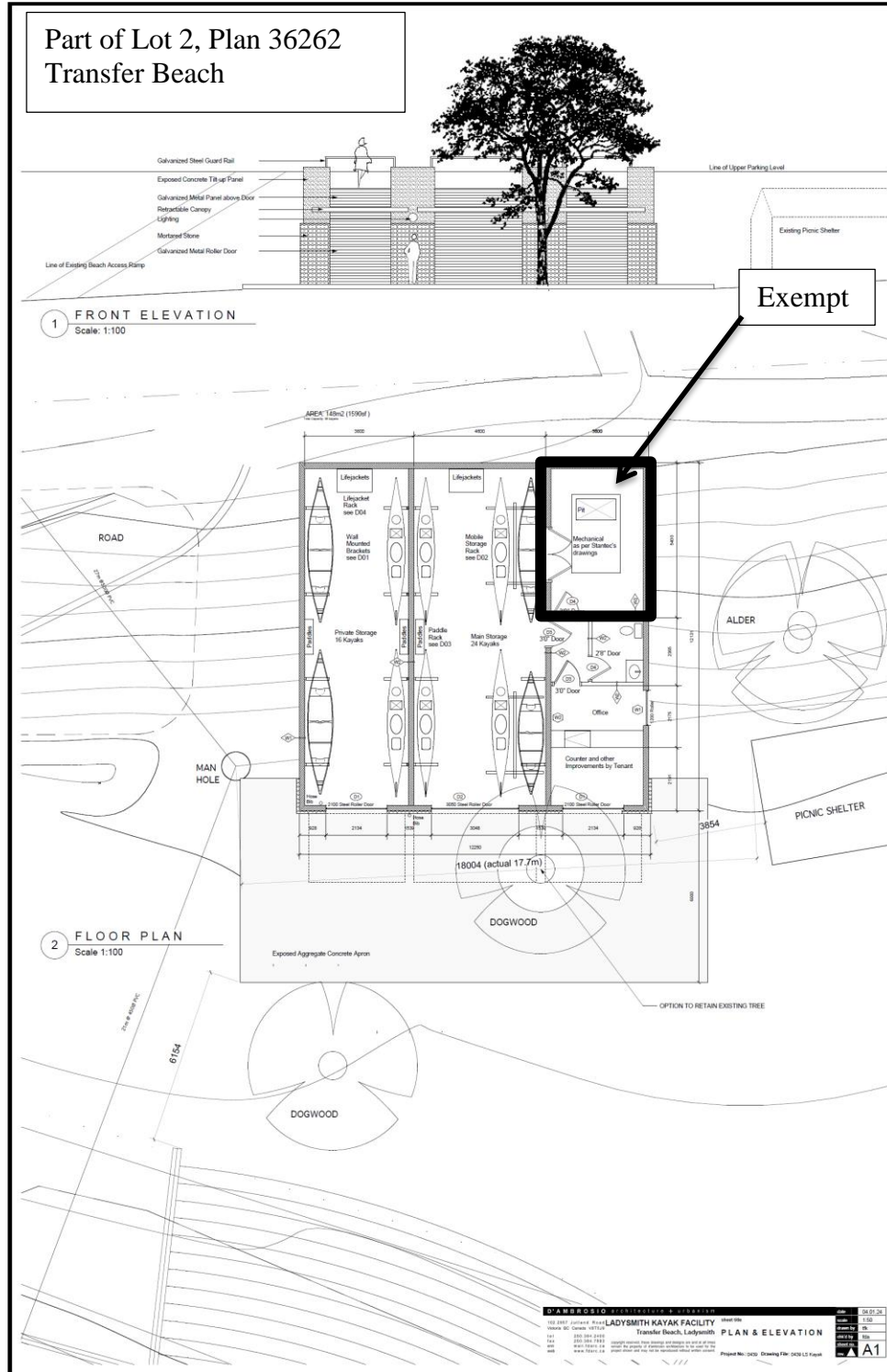
Exemption for 100% of the total land and improvement value of the property at 314 Buller Street,  
also known as Lot A, Block 76, Plan VIP703a, District Lot 56, Oyster Land District, Portion (DD  
B92367)

Schedule "C"

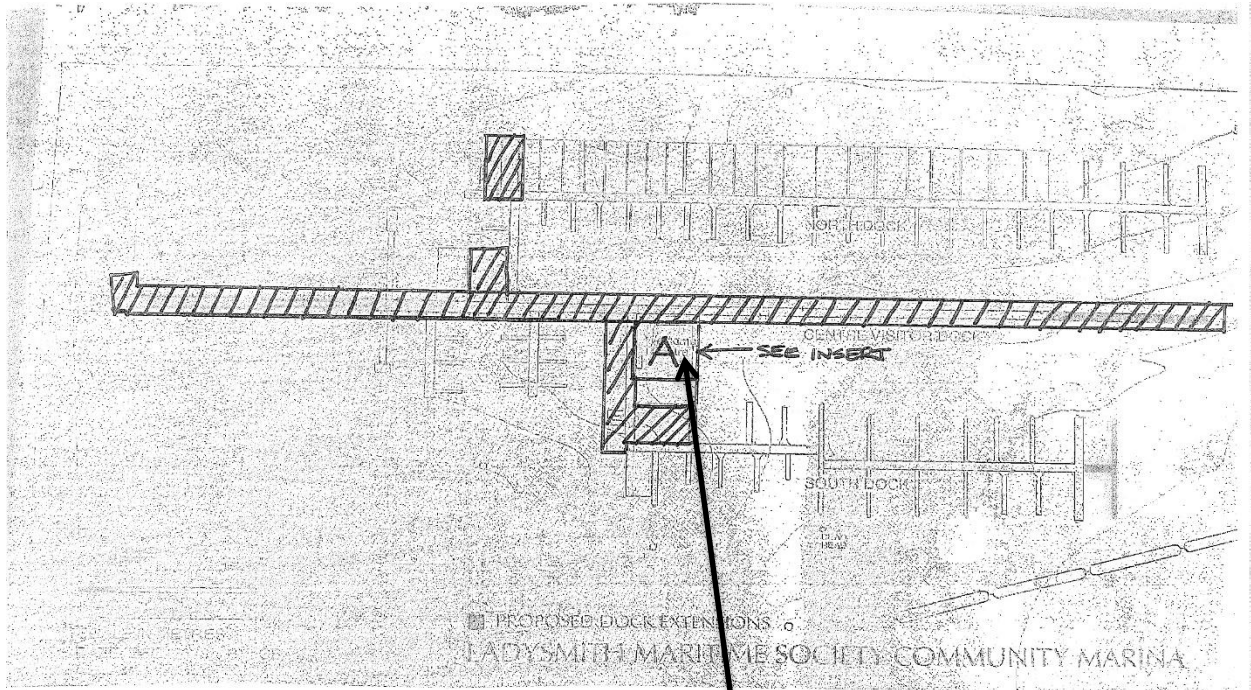




### Schedule "D"

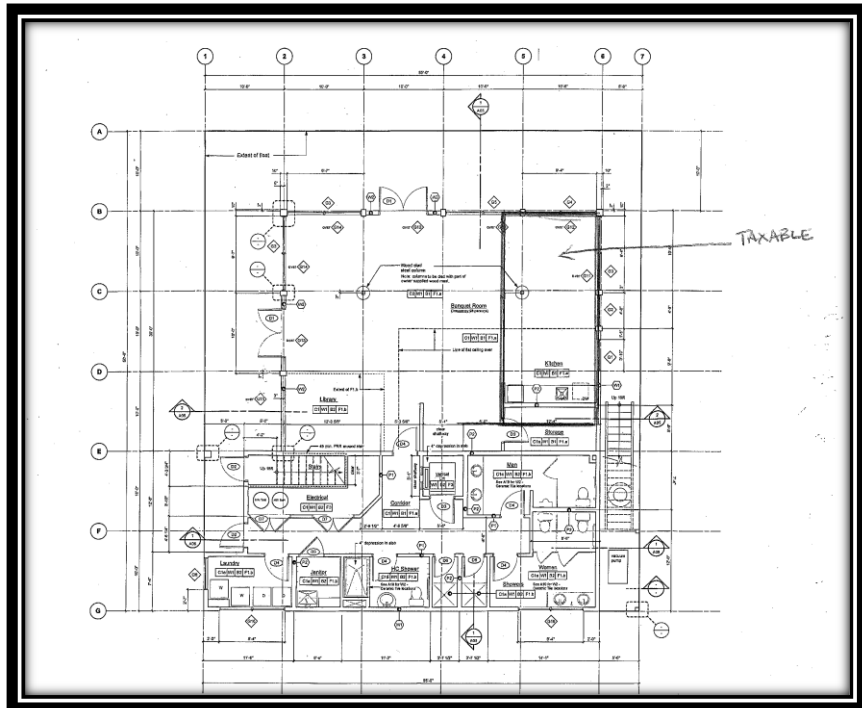


### Schedule "E"

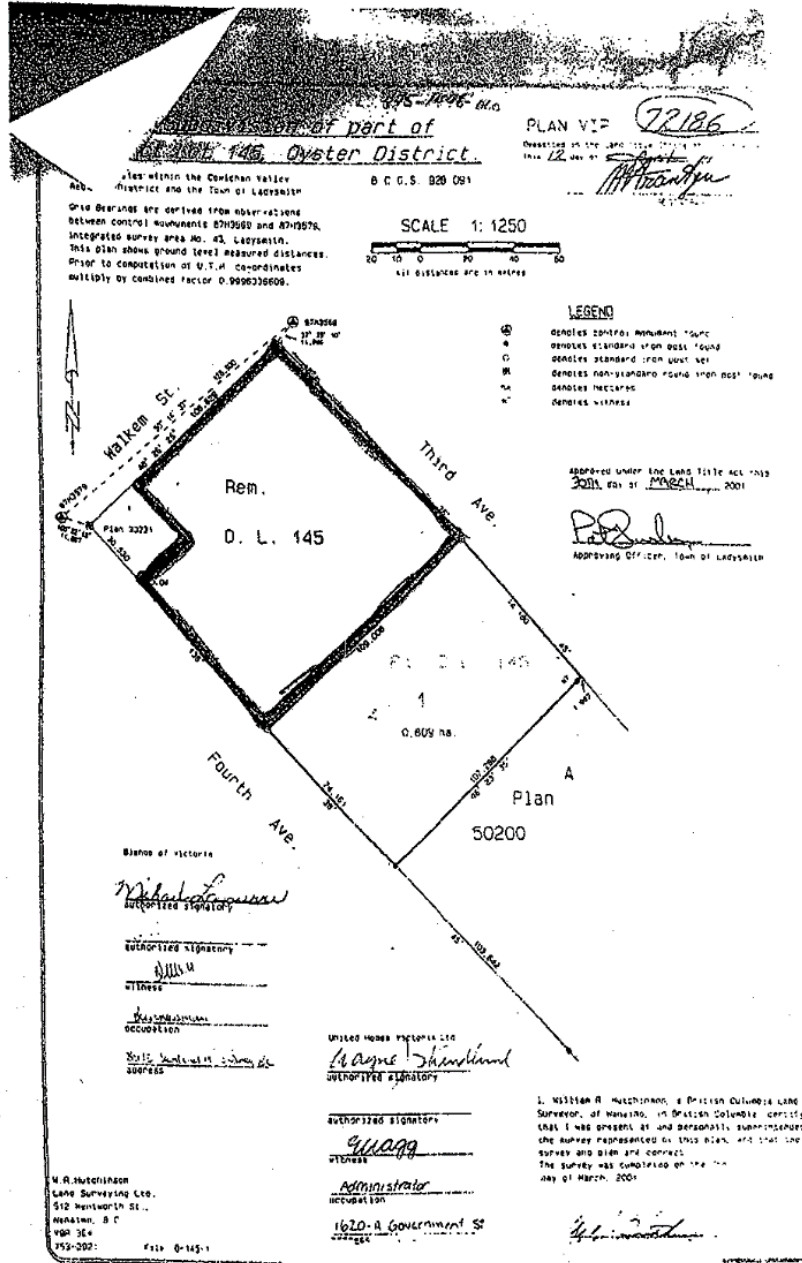


See insert below

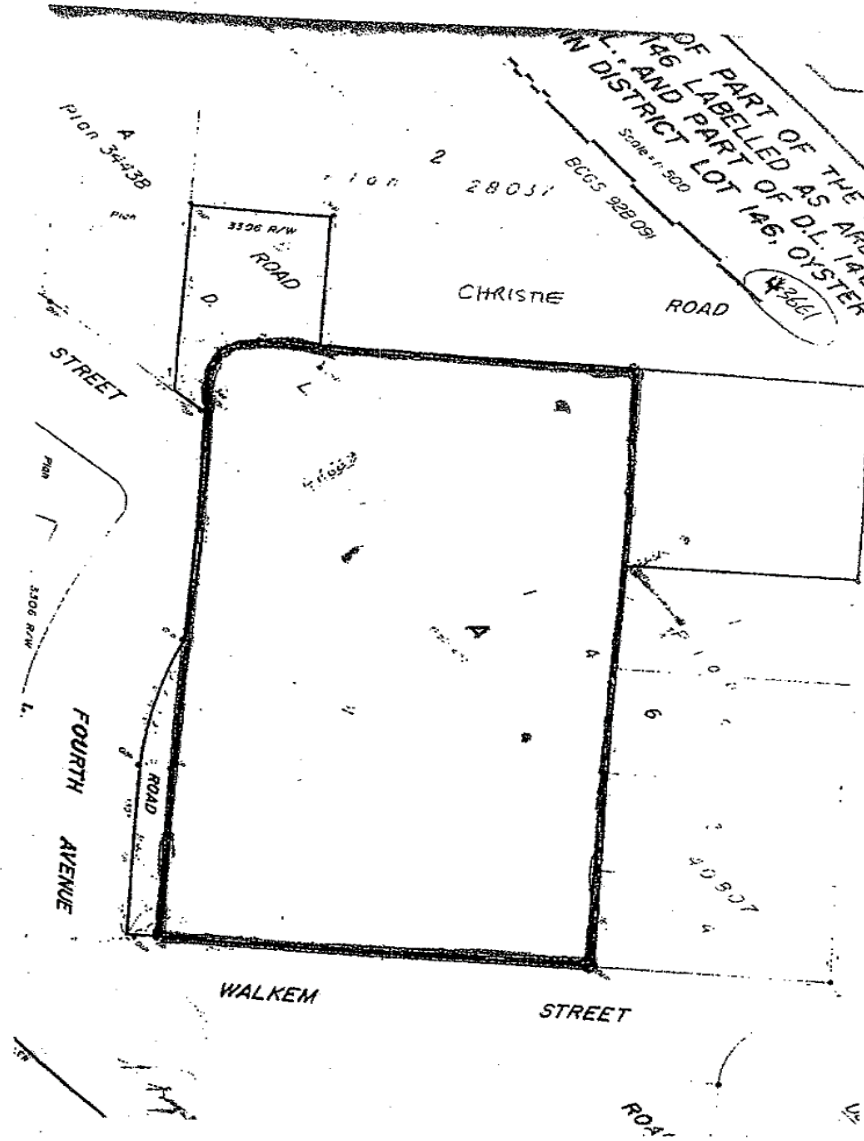
**Insert:**



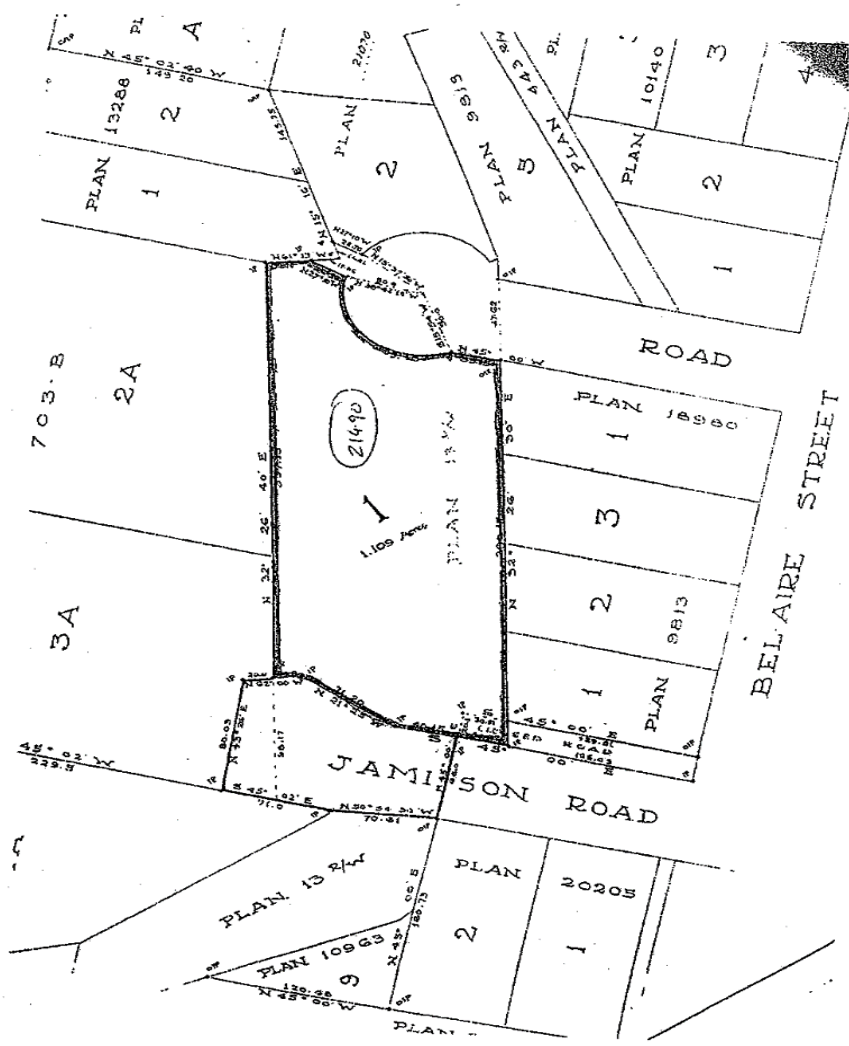
Schedule "F"



Schedule "G"



### Schedule "H"



**TOWN OF LADYSMITH**

**BYLAW NO. 2123**

**A Bylaw to exempt from taxation certain Island Corridor Foundation lands and buildings for the years of 2023-2032**

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

**1. Charitable, Not-for Profit and Recreational Tax Exemption**

The Island Corridor Foundation Nonprofit lands and buildings listed on attached Schedule "A" and forming part of this bylaw shall be exempt from taxation for the calendar years 2023 to 2032, inclusive.

**2. Citation**

This Bylaw may be cited for all purposes as "10 Year Island Corridor Foundation Permissive Tax Exemptions Bylaw 2022, No. 2123".

**READ A FIRST TIME** on the 20<sup>th</sup> day of September, 2022

**READ A SECOND TIME** on the 20<sup>th</sup> day of September, 2022

**READ A THIRD TIME** on the 20<sup>th</sup> day of September, 2022

**NOTICE OF INTENTION** to proceed with this bylaw was published on the 22<sup>nd</sup> day of September, 2022 on the Town of Ladysmith website and on the 29<sup>th</sup> day of September, 2022 in the Ladysmith Chronicle newspaper, circulating in the Town of Ladysmith, pursuant to section 227 of the *Community Charter*.

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

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Mayor (A. Stone)

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Corporate Officer (D. Smith)

**SCHEDULE "A"**

<b>FOLIO</b>	<b>LEGAL DESCRIPTION</b>
0910.005	Plan VIP2030 DL38 LD 43
1052.008	Plan VIP61840 DL PT52 LD43
1052.009	Lot A Plan VIP65252 DL56 LD43
1475.000	LD43 4.796 km Main & Branch Line & .386 of other track on comm rly r/w within The Town of Ladysmith
1476.001	LD43 Railway RW Land & Impts except leases situated therein within The Town of Ladysmith part leased to VIA Rail
1477.000	Lot A Sec 6 Plan VIP65288 DL 18&38 LD43
1477.010	Lot A Plan VIP65289 DL24 LD43
1477.020	Lot 1Plan VIP60263 DL42 LD43
1477.030	Lot 1Plan VIP60264 DL43 LD43

## BYLAW STATUS SHEET October 4, 2022

Bylaw #	Description	Status
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 received June 30, 2022. 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 held August 2, 2022. Second reading rescinded, September 6, 2022. Second public hearing and third reading September 20, 2022. Conditions to be met 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 held August 2, 2022. Second reading rescinded, September 6, 2022. Second public hearing and third reading September 20, 2022. Conditions to be met prior to adoption.
2120	"Road Closure and Dedication Removal Bylaw 2022, No. 2120" ( allow the closure of the lane separating 621 & 631 1st Avenue to vehicle traffic)	First, second and third readings September 6, 2022. MOTI approval and public notice required.
2122	"2023 Permissive Tax Exemptions Bylaw 2022, No. 2122" (exempt from taxation certain lands and buildings for the year 2023)	First, second and third readings September 20, 2022. Public notice given September 22 & 29, 2022.
2123	"10 Year Island Corridor Foundation Permissive Tax Exemptions Bylaw 2022, No. 2123" (exempt from taxation certain Island Corridor Foundation lands and buildings for the years of 2023-2032)	First, second and third readings September 20, 2022. Public notice given September 22 & 29, 2022.
2200	"Official Community Plan Bylaw 2022, No. 2200" (a new Official Community Plan for the Town)	First reading September 20, 2022. Referring to various agencies as per resolution CS 2022-230.