

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

**Tuesday, January 24, 2023
Ladysmith Seniors Centre
630 2nd Avenue**

Pages

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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

1.1 INFORMATION ON HOW TO VIEW / ATTEND THE MEETING

Members of the public may attend meetings in person at the Ladysmith Seniors Centre or view the livestream on YouTube:

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

2. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for January 24, 2023.

3. PUBLIC HEARING

3.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53), 2022, No. 2129” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132”

Subject Properties:

- 1152 Rocky Creek Road (Lot 1 District Lot 38 Oyster District Plan VIP86027 Except Part in Strata Plan VIS6726 (Phases 1 and 2) and Plan EPP23810) (PID: 027-764-893)
- 1144 Rocky Creek Road (Lot D District Lot 38 Oyster District Plan EPP36585) (PID: 029-272-769)

3.1.1	Outline of Public Hearing Process - Mayor Stone	
3.1.2	Introduction of Bylaws and Statutory Requirements - Planner, Development Services	
3.1.3	Submissions	
3.1.4	Call for Submissions to Council (Three Times) - Mayor Stone	
3.1.5	Declaration that the Public Hearing for Bylaw Nos. 2129 and 2132 is Closed - Mayor Stone	
4.	BYLAWS- OFFICIAL COMMUNITY PLANNING AND ZONING (SUBJECT OF PUBLIC HEARING)	
4.1	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53), 2022, No. 2129"	6
	<u>Recommendation</u> That, subject to any additional matters raised at the Public Hearing, Council give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53), 2022, No. 2129".	
4.2	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.55) 2022, No. 2132"	9
	<u>Recommendation</u> That, subject to any additional matters raised at the Public Hearing, Council give third reading to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.55) 2022, No. 2132".	
5.	MINUTES	
5.1	Minutes of the Regular Meeting of Council held January 10, 2023	10
	<u>Recommendation</u> That Council approve the minutes of the Regular Meeting of Council held January 10, 2023.	
6.	DELEGATIONS	
6.1	Nanaimo Airport Commission	15
	Nanaimo Airport Commission CEO, Dave Devana	

Kathy Holmes, President, Arts Council of Ladysmith and District

7. BYLAWS - OFFICIAL COMMUNITY PLANNING AND ZONING

7.1 Bylaw Amendments for Two-Storey Coach Houses and Minimum Dwelling Unit Sizes

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Recommendation

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099”;
2. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100”;
3. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw Nos. 2099 and 2100 in accordance with section 466 of the *Local Government Act*;
4. Direct staff to refer Bylaw Nos. 2099 and 2100 to the Ministry of Transportation & Infrastructure for approval following third reading of the bylaw in accordance with the *Transportation Act*; and
5. Give first, second, and third readings to “Ladysmith Officers and Delegation of Authority Bylaw (No. 3), 2023, No. 2101”.

8. COMMITTEE MINUTES

8.1 Committee of the Whole Recommendations - January 17, 2023

86

Recommendation

That Council:

1. Direct staff to prepare an amendment to “Noise Suppression Bylaw 2003, No. 1478”, Section 12 – Exempt Noise, as presented in the staff report dated January 17, 2023.
1. Direct staff to consider the eligibility of the parcel around the cemetery lands, comprised of Town-owned and Crown-owned lands, for inclusion in a future Parks Master Plan.
1. Refer consideration of backyard chickens to a future meeting after the adoption of the Official Community Plan (OCP), when it can be considered as an OCP Implementation Policy.
1. Approve the following questions and direct staff to forward them

to Our Cowichan Communities Health Network for consideration and possible inclusion in the "Our Health, Our Community" Health and Wellness survey:

- Do you live within five minutes of green space (park) or blue space (body of water) and how often do you use these assets?
- Do you have access to your own personal doctor?
- How often do you need to take advantage of the services at Urgent Care?
- Have you had an asthma diagnosis?

9. REPORTS

9.1 Conditional Management Plan for Wastewater Treatment

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Recommendation

That Council approve the October 31, 2022 Conditional Management Plan agreement between the Canadian Food Inspection Agency, Fisheries and Oceans Canada, Environment and Climate Change Canada, British Columbia Ministry of Environment and Climate Change Strategy, Environmental Protection Division, and The Town of Ladysmith.

10. BYLAWS

10.1 Bylaw Status Sheet

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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

TOWN OF LADYSMITH

BYLAW NO. 2129

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

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

1. Schedule A – Zoning Bylaw Text is amended by adding a new subsection in section 9 "Site Specific Regulations" in section 12.2 "Light Industrial (I-1)" to follow existing subsections and alphabetized accordingly, as follows:
 - x) For the *Parcel* legally described as Lot 1 District Lot 38 Oyster District Plan VIP86027 Except Part in Strata Plan VIS6726 (Phases 1 and 2) and Plan EPP23810 (1152 Rocky Creek Road), *Cannabis Cultivation* and *Cannabis Processing* are permitted principal uses, subject to being contained entirely within an enclosed *Building*.
2. Schedule B – Zoning Bylaw Map is amended by changing the zone for the subject property, Lot 1 District Lot 38 Oyster District Plan VIP86027 Except Part in Strata Plan VIS6726 (Phases 1 and 2) and Plan EPP23810, as shown in Schedule 1, attached to and forming part of this Bylaw, from Live/Work Industrial (I-1A) to Light Industrial (I-1).

Citation

3. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53), 2022, No. 2129".

READ A FIRST TIME on the 20th day of December, 2022

READ A SECOND TIME on the 20th day of December, 2022

PUBLIC HEARING HELD on the _____ day of _____, 2022

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

APPROVED BY MINISTRY OF TRANSPORTATION & INFRASTRUCTURE

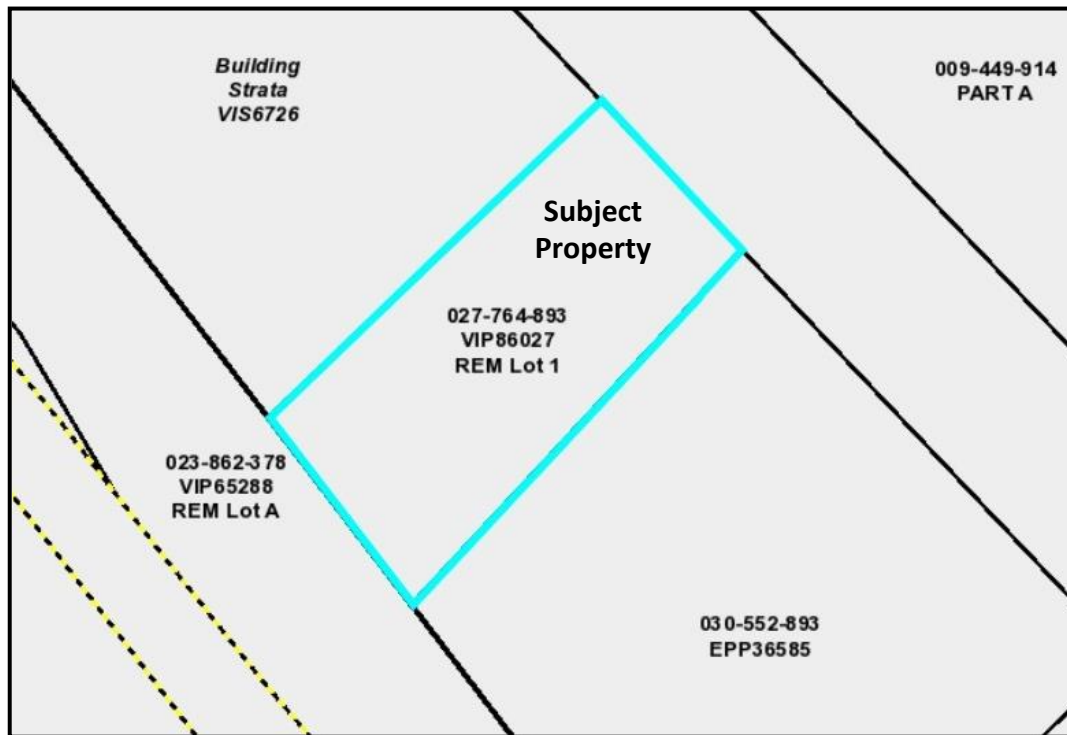
on the _____ day of _____, 2022

ADOPTED on the _____ day of _____, 2022

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

Schedule 1



TOWN OF LADYSMITH

BYLAW NO. 2132

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

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

1. Schedule A – Zoning Bylaw Text is amended by adding a new subsection in section 9 "Site Specific Regulations" in section 12.2 "Light Industrial (I-1)" to follow existing subsections and alphabetized accordingly, as follows:
 - x) For the *Parcel* legally described as Lot D District Lot 38 Oyster District Plan EPP36585 (1144 Rocky Creek Road), *Cannabis Cultivation* and *Cannabis Processing* are permitted principal uses, subject to being contained entirely within an enclosed *Building*.

Citation

- xi) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55), 2022, No. 2132".

READ A FIRST TIME on the 20th day of December, 2022

READ A SECOND TIME on the 20th day of December, 2022

PUBLIC HEARING HELD on the _____ day of _____, 2022

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

APPROVED BY MINISTRY OF TRANSPORTATION & INFRASTRUCTURE

on the _____ day of _____, 2022

ADOPTED on the _____ day of _____, 2022

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, January 10, 2023

7:00 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Mayor Aaron Stone

Councillor Ray Gourlay

Councillor Amanda Jacobson

Councillor Tricia McKay

Councillor Duck Paterson

Councillor Jeff Virtanen

Council Members Absent:

Councillor Marsh Stevens

Staff Present:

Allison McCarrick

Jake Belobaba

Matt O'Halloran

Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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.

2. AGENDA APPROVAL

CS 2023-001

That Council approve the agenda for this Regular Meeting of Council for January 10, 2023.

Motion Carried

3. RISE AND REPORT- Items from Closed Session

The following item from the Closed Meeting of Council held December 6, 2022 was reported:

CE 2022-078

That Council:

1. Refuse the request by Rogers Communications Inc. to enter into a License Agreement for the purposes of installing and operating a communications tower on a portion of the Town of Ladysmith Public Works yard at 330 6th Avenue (That Part of District Lot 110, Oyster District, Shown outlined in Red on Plan 1424R, Except Part in Plan 26565; PID: 009-472-738); and
2. Rise and report on Recommendation No. 1 once Rogers Communications Inc. has been notified.

4. MINUTES

4.1 Minutes of the Regular Meeting of Council held December 20, 2022

CS 2023-002

That Council approve the minutes of the Regular Meeting of Council held December 20, 2022.

Motion Carried

5. DEVELOPMENT APPLICATIONS

5.1 Rezoning Application 1132-1142 Rocky Creek Road

CS 2023-003

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 56) 2023, No. 2133”;
2. Hold a public hearing for Zoning Amendment Bylaw No. 2133 in accordance with the *Local Government Act*;
3. Direct staff to defer scheduling a public hearing and further consideration of Bylaw No. 2133 until:
 - a. the applicant has submitted a development permit application for the proposed development; and

- b. the development permit application has been reviewed by the Community Planning Advisory Committee;
- 4. Require the subject properties to be consolidated as a condition of approval of Bylaw No. 2133; and
- 5. Direct that Bylaw No. 2133 be referred to the Ministry of Transportation and Infrastructure, following third reading, in accordance with section 52 of the *Transportation Act*.

Motion Carried

6. COMMITTEE MINUTES

6.1 Community Planning Advisory Committee - December 7, 2022

CS 2023-004

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

Motion Carried

7. BYLAWS

7.1 Bylaws for Adoption

7.1.1 “Road Closure and Dedication Removal Bylaw 2022, No. 2120”

CS 2023-005

That Council adopt “Road Closure and Dedication Removal Bylaw 2022, No. 2120”.

Motion Carried

8. CORRESPONDENCE

8.1 Local Government Leadership Academy (LGLA)

CS 2023-006

That Council appoint Mayor Stone and Councillors Gourlay, Paterson and Stevens to attend the LGLA Elected Officials Seminar Series, to be held February 15-17, 2023, with funding for registrations to be allocated from prior year surplus.

Motion Carried

9. NEW BUSINESS

9.1 2023 Conference Attendance

9.1.1 Association of Vancouver Island Coastal Communities

CS 2023-007

That Council appoint Councillors Gourlay, McKay, Paterson and Stevens (and Councillor Jacobson as alternate) to join Mayor Stone at the Association of Vancouver Island and Coastal Communities annual convention to be held April 14-16, 2023 in Nanaimo.

Motion Carried

9.1.2 Union of British Columbia Municipalities

CS 2023-008

That Council:

1. Appoint Councillors Gourlay, McKay, Paterson and Virtanen to join Mayor Stone at the Union of British Columbia Municipalities annual convention to be held September 18-22, 2023 in Vancouver; and
2. Waive the Council Remuneration policy, budget permitting, to allow Councillor Stevens to attend.

Motion Carried

9.1.3 Federation of Canadian Municipalities

CS 2023-009

That Council appoint Councillor Paterson to join Mayor Stone at the Federation of Canadian Municipalities 2023 Convention to be held May 25-28, 2023 in Toronto.

Motion Carried

9.1.4 Vancouver Island Economic Alliance

CS 2023-010

That Council appoint Councillors Gourlay, McKay, Paterson and Virtanen to join Mayor Stone at the Vancouver Island Economic Alliance to be held October 25-26, 2023.

Motion Carried

10. QUESTION PERIOD

There were no questions from the public.

11. ADJOURNMENT

CS 2023-011

That this Regular Meeting of Council be adjourned at 7:26 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

Nanaimo Airport (YCD)

Your Island Gateway to the World

Ladysmith Council Meeting

Tuesday, January 24, 2023



The Airport Lands

- ✈️ 522 acres located in Cassidy BC
- ✈️ Located on the traditional lands of:
 - ✈️ Stz'uminus First Nation
 - ✈️ Snuneymuxw First Nation
- ✈️ Vancouver Island's most centrally located airport



Governance of YCD

Incorporated as a not-for-profit authority under the Canada Corporations Act
Part II – August 1990

Mission Statement

To provide safe, financially sustainable, friendly, high quality airport services and facilities that enhance economic prosperity and meet the needs of the communities we serve.

Vision Statement

Your Island Gateway to the World!

Governance of YCD

✈ Board of directors comprises of 9 persons

✈ 5 entities members

✈ City of Nanaimo

✈ Regional District of Nanaimo

✈ Town of Ladysmith

✈ Cowichan Valley Regional District

✈ Nanaimo Chamber of Commerce

✈ 4 members at large

Mike Brown

Mark Taylor

Garth Busch

Vacant

Janna Gillick

Harpreet Minhas


Alex Stuart

Colleen Johel

Dave Witty

History of YCD

- ✈️ 1942 – Department of National Defence purchased the 522-acre site from Thomas Cassidy for \$20,000
- ✈️ The original airstrip was constructed and used as a Royal Canadian Air Force pilot training facility and war-time emergency airfield
- ✈️ Post war, the City of Nanaimo leased the airfield for \$1 per annum from the federal government and assumed responsibility
- ✈️ 1969 - the federal government offered the City of Nanaimo an opportunity to purchase the airport for \$16,000. The City declined along with the Regional District of Nanaimo

WESTERN FLIGHT'S AIRPORT ALBUM		
Cassidy (NANAIMO) B. C. <small>Operated by City of Nanaimo</small>		
<small>Cassidy Airport Looking North</small>		
LOCATION 7 Miles S. of Nanaimo. 30 Miles W. of Vancouver. 49° 04' N. 123° 52' W.	HANGARS None at field.	PILOT'S NOTES
ALTITUDE 80' A.S.L.	GAS AND OIL Limited supplies from Nanaimo Flying Club.	
VARIATION 24° E.	ACCOMMODATION Hotels in Nanaimo. Resort at Yellow Pt., 3 miles East.	
RADIO RANGE On S.E. leg of Comox. No Range or Tower at Cassidy.	OPERATORS Queen Charlotte Airlines daily service to Vancouver. Nanaimo Flying Club based at field.	
RUNWAY 16-34 Asphalt 5000' x 200'.	SEASONS Open year round.	
WEATHER Prevailing winds N.W. in sum- mer, S.E. in winter. Precipitation 40" per year. No record of visibility or tem- perature.	TRANSPORTATION Bus Line to Nanaimo or Vic- toria stops at field. Also taxi service from Nanaimo.	
WEATHER BROADCAST Nil.		
<small>(Save This Page — It Is One of a Series on B.C. Airports)</small>		
<small>10 • WESTERN FLIGHT FOR JULY, 1948</small>		

History of YCD

- ✈️ 1985 – Flight Service Station was added
- ✈️ 1990 – New air terminal building was constructed
- ✈️ 1990 - Federal government offered to sell the airport to the City of Nanaimo of which they declined
- ✈️ August 1990 – the Nanaimo Airport Commission was incorporated as a not-for-profit authority



History of YCD

- ✈️ 1992 – The Commission assumed management and operation of the Airport under a 30-year lease from the federal government
- ✈️ 1994 - The Commission purchased the airport campus for \$1 and was granted fee simple title through the National Airports Policy Transfer Initiative in December 1996
- ✈️ 1999 – Terminal Building was named in honor of World War I flying ace Raymond Collishaw who was born in Nanaimo

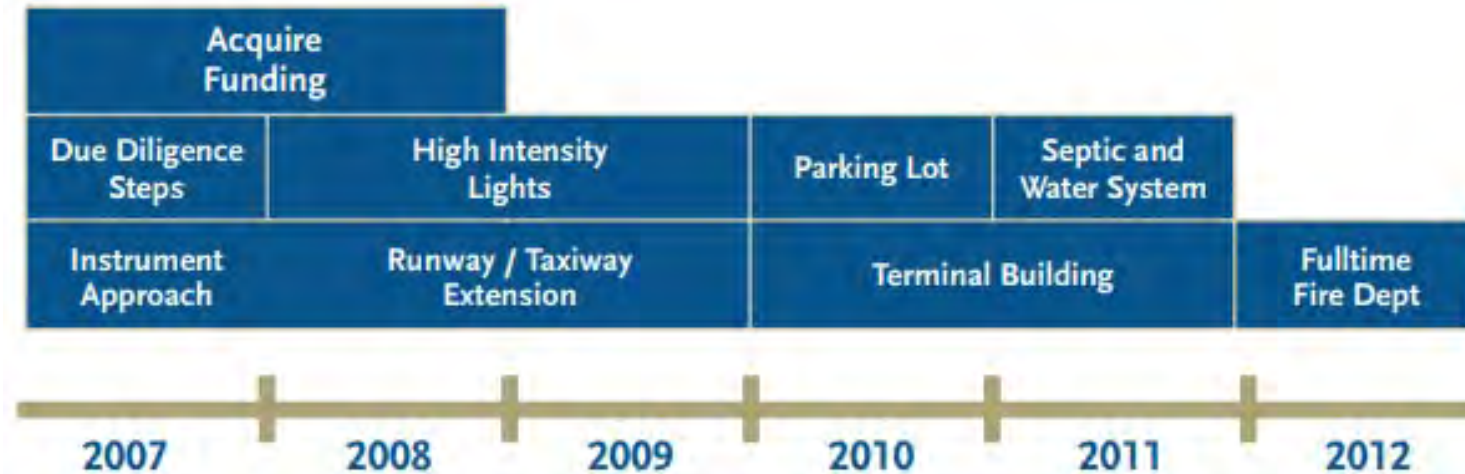


Runway – Pre 2009

- ✈️ 1970's – the runway had to be shut down for a year as it had fallen into disrepair
- ✈️ Wood drainage pipes installed under the runway in the 1940's for construction had collapsed
- ✈️ The runway was repaired, resurfaced and runway lighting was added



2007 – 2012 Improvements



Phase 1 - \$16.4M

- ✈ Extend runway 1,600 feet
- ✈ Taxiway/apron improvement
- ✈ High intensity runway lighting
- ✈ Instrumental system approaches
- ✈ Flight path protection and studies

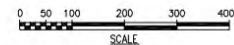
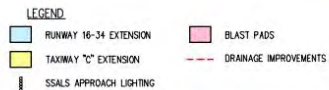
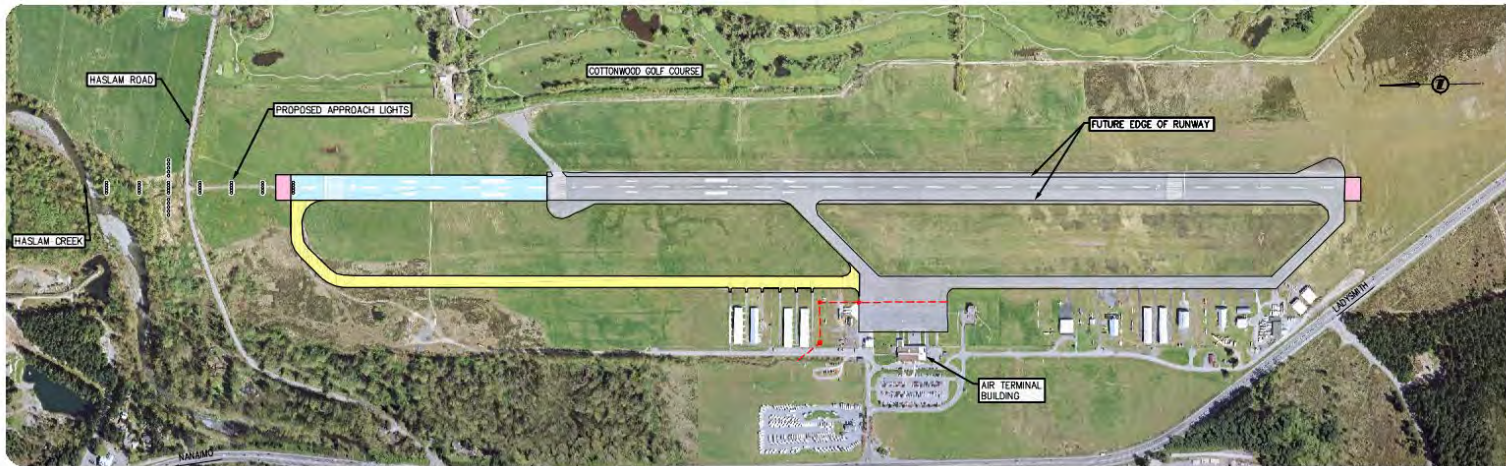
Phase 2 - \$7.7M

- ✈ Terminal building expansion
- ✈ Road & parking expansion
- ✈ Relocation of combined service building
- ✈ Installation of water & sewer treatment facilities
- ✈ Emergency Response Service Vehicle enhancements

Runway & Taxiway Extension



NANAIMO AIRPORT (YCD) IMPROVEMENT PROJECT PHASE 1 RUNWAY AND RELATED AIRSIDE WORKS

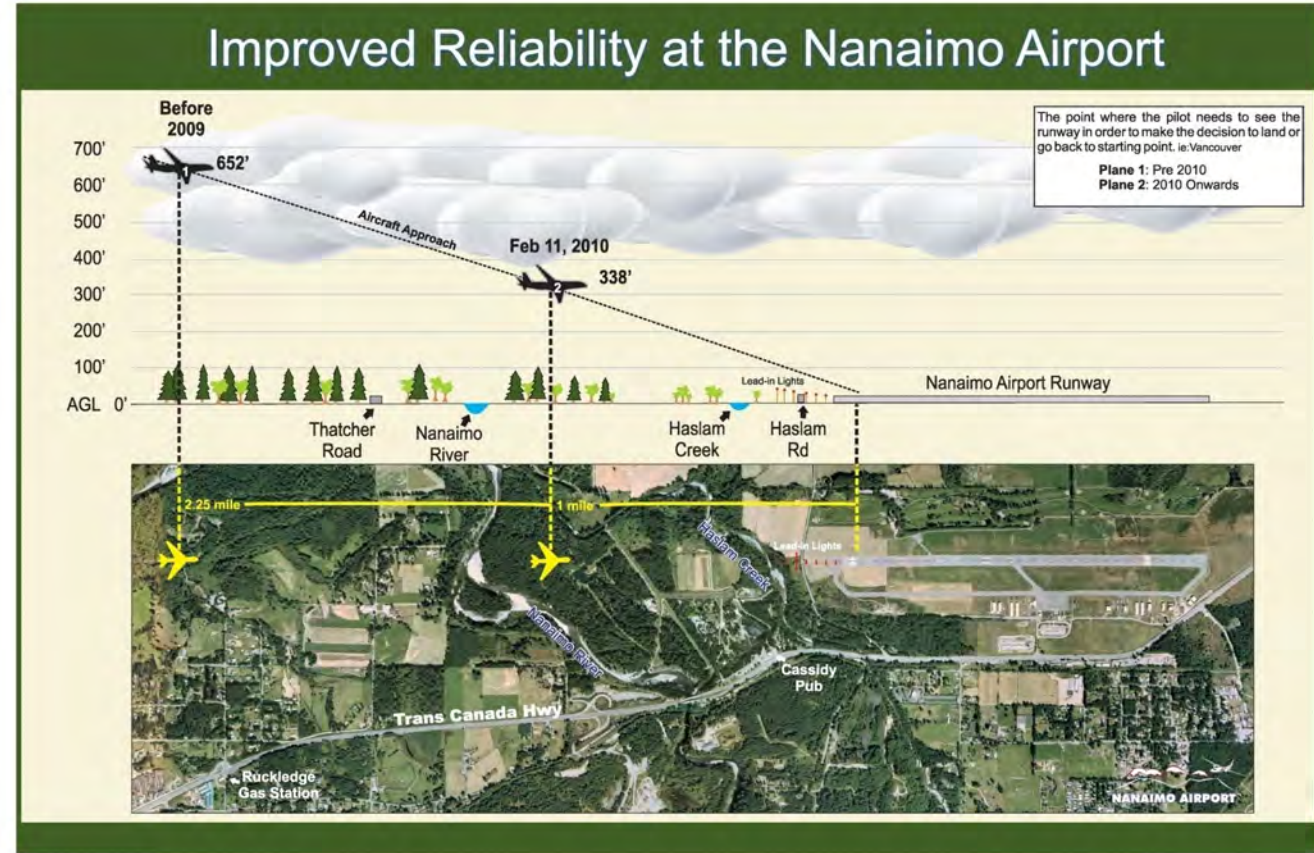


✈ Runway Length – 6,602 ft (2,012.5 m) *1,600 ft added 2009*

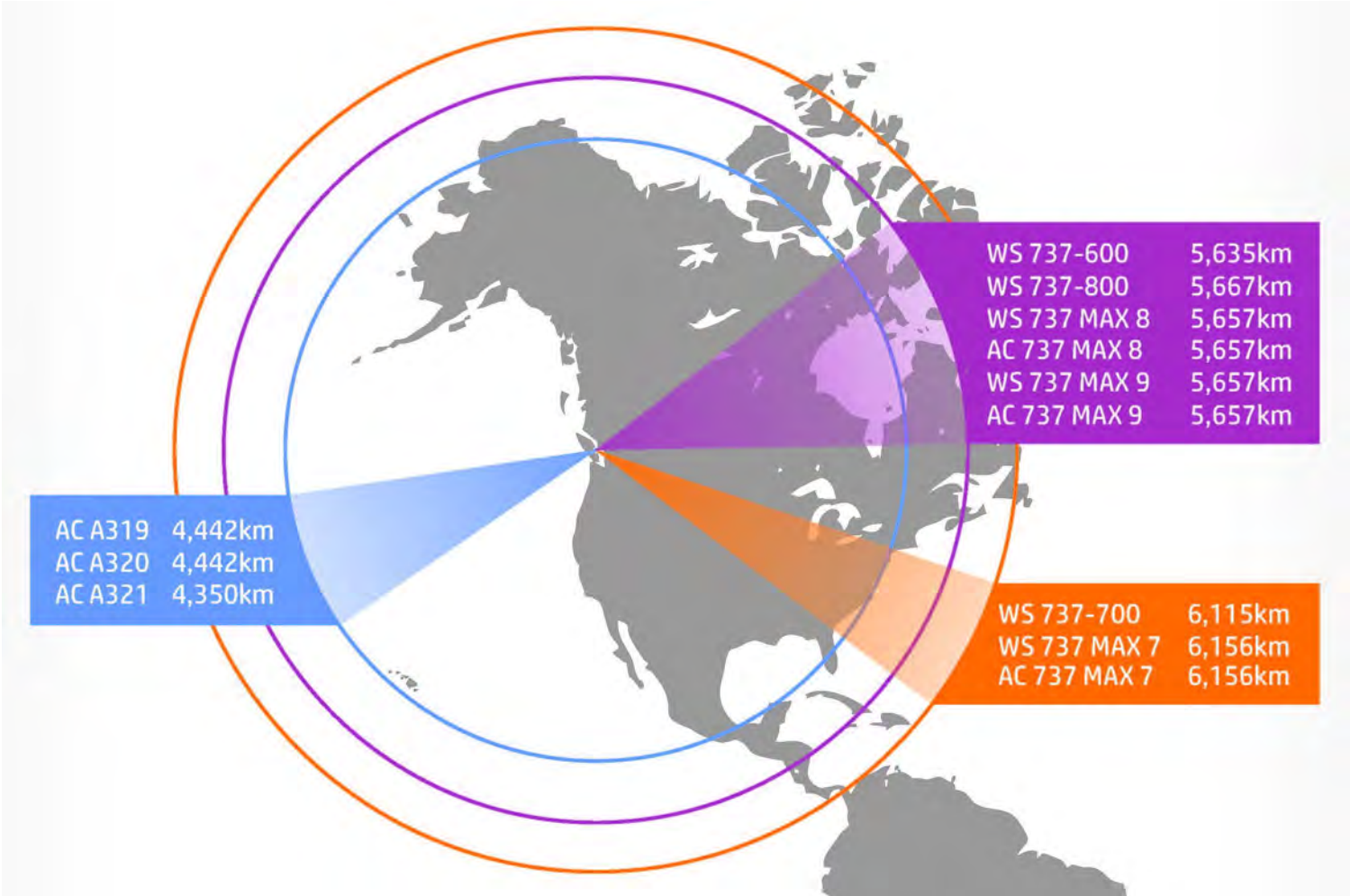
✈ Runway width 150 ft (45.7 m)

2009 – Instrument Landing System (ILS) & Lighting Improvements

High Intensity Lead in Lights, Runway Edge Lights and the ILS created a highly visible runway for aircraft landing during inclement weather in increased YCD's reliability



Benefits of Runway Extension & ILS



Route Development

Existing Routes

- ✈ Vancouver
- ✈ Calgary
- ✈ Edmonton
- ✈ Toronto (Seasonal)

Route Expansion

- ✈ Kelowna
- ✈ Prince George
- ✈ Vancouver (South Terminal)
- ✈ Abbotsford



YCD Catchment Area



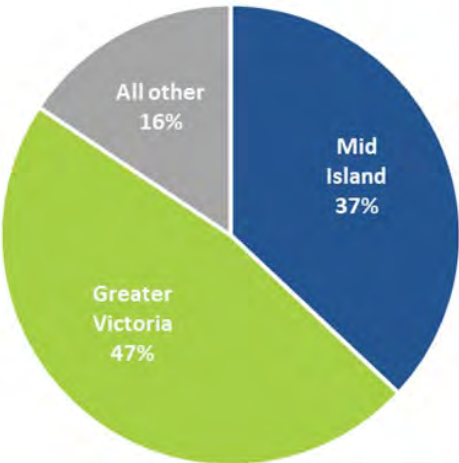
CATCHMENT AREA POPULATION

Name	2022			
	Population Allocation	Catchment Increase (Decrease)		
		Amount	%	
Primary Catchment				
Nanaimo	170,367	54.8%	14,669	9.4%
Cowichan Valley	89,013	28.7%	5,274	6.3%
Alberni-Clayoquot	33,521	10.8%	2,540	8.2%
Gulf Islands	17,736	5.7%	2,447	16.0%
Total Primary Population	310,637	37.0%	24,930	8.7%
Secondary Catchment				
Strathcona	48,150		3,479	7.8%
Comox Valley	72,445		5,918	8.9%
North Island	10,839		(196)	-1.8%
Greater Victoria	397,715		29,644	8.1%
Total Secondary Population	529,149	63.0%	38,845	7.9%
Total Catchment Population	839,786		63,775	8.2%

Source: Statistics Canada



Population by Area



YCD Growth & Economic Impact (Pre COVID-19)

- ✈️ 2007 – 2019 Improvements created significant growth for YCD
- ✈️ Social economic being updated in 2023

Economic Impact (Direct & Indirect)		
	2019	2031
Total Jobs	2,755	3,510
Total \$M	\$486	\$614

Passengers			
Airport	2010	2019	Growth
Kelowna	1.36M	2.03M	49%
Victoria	1.5M	1.92M	28%
Prince George	390K	497K	27%
Comox	297K	413K	39%
Nanaimo	164K	491K	199%

ARFF – Aircraft Rescue Fire Fighting

- ✈️ YCD is a CAT6 Airport requiring staffing of 2 ARFF Trucks
- ✈️ 2017/2018 – ARFF Shelter Constructed
- ✈️ 2021 – ARFF Shelter 2nd bay expansion

Apparatus

- ✈️ 2004 – Sterling
- ✈️ 2015 - Oshkosh Striker
- ✈️ 2019 – Oshkosh Striker



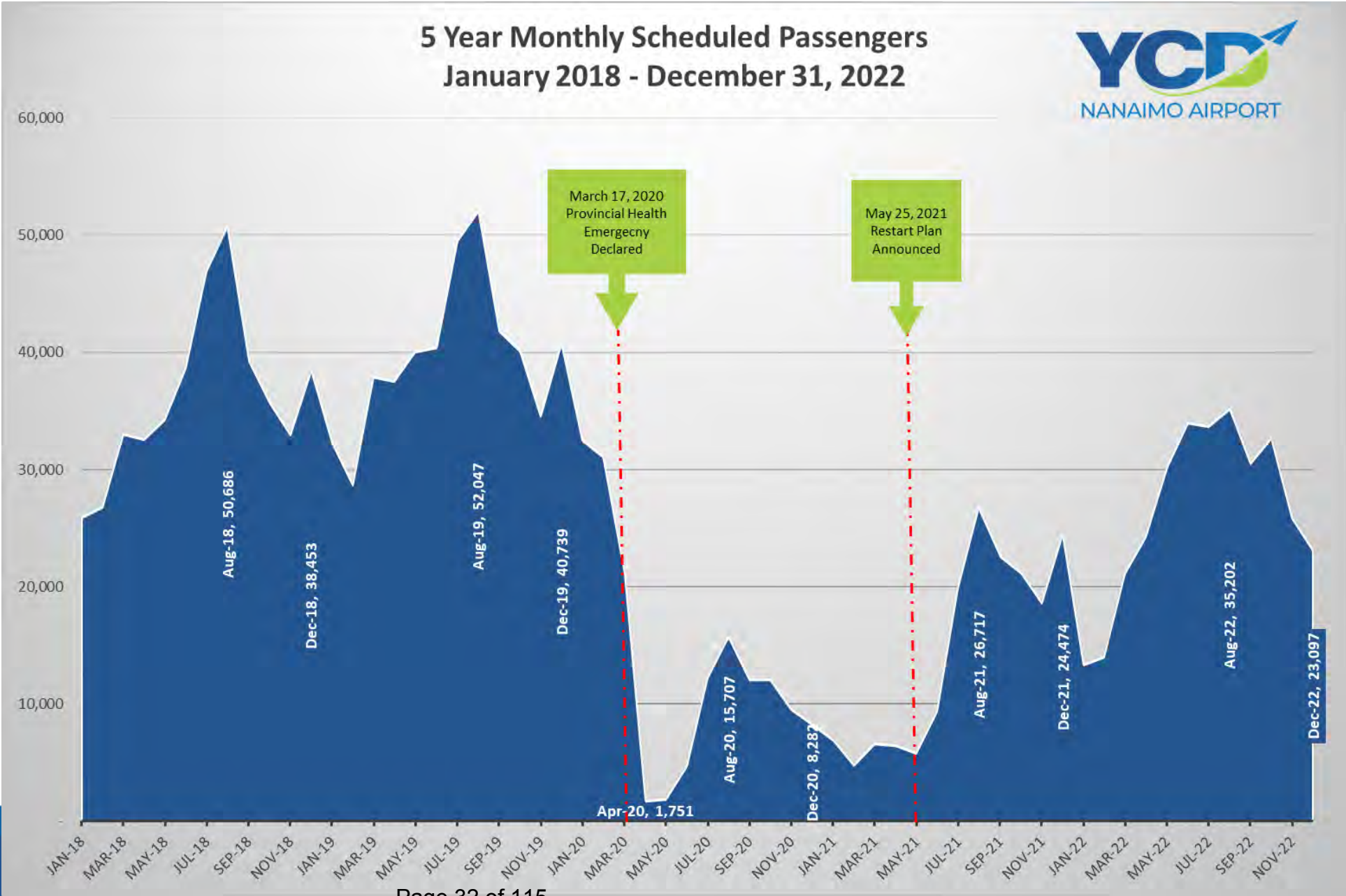
2019/2020 Terminal Expansion

- ✈ 13,625 sqft added increasing terminal building to 39,267 sqft
- ✈ Enlarge departure lounge from 140 to 320 seats
- ✈ Enlarge security screening area – capacity to process 1,000 passengers per hour
- ✈ Opened February 2020



Effects of COVID-19 on Passenger Numbers

Passengers	
2019	491,499
2022	340,436
Net diff	(151,063)
Variance	(30.7%)



Effects of COVID-19

Passengers

2022 Forecast	340,436
2022 Budget	325,000
Net diff	15,436

- ✈ Similar passenger numbers to 2016
- ✈ Passenger numbers set back about 6 years
- ✈ Remain turmoil in Air Travel industry



YCD Annual Passengers 1990 - 2022



YCD COVID-19 Response

Focus on Safety

- ✈ Enhanced Safety Measures

Financial

- ✈ Canadian Emergency Wage Subsidy
- ✈ BC COVID Airport Relief
- ✈ Regional Air Transportation Initiative
- ✈ Defer all new hiring
- ✈ Defer non-essential maintenance
- ✈ Defer route development marketing
- ✈ Reduce contracted services



YCD COVID-19 – Financial Impacts

2020 – 2024 Financial Operating Plan (*Approved Nov 2019*)

	2020	2021	2022	2023	2024
Passengers					
Budgeted	510,500	551,000	595,000	643,000	694,000
Actual	174,287	193,425	340,436		
Revised				440,000	500,000
% of Budget	34%	35%	57%	68%	72%
Net (Loss) Income					
Budgeted*	\$2.5M	\$3.5M	\$3.8M	\$4.3M	\$4.7M
Actual	(\$1.5M)	(\$22K)	\$607K		
Revised				\$984K	\$1.8M

***Surplus directed to Capital Improvement Program**

\$16.9M infrastructure improvement funding lost

The Future Is Bright at YCD

2020 - 2022 - \$14.2M airside infrastructure improve

- ✈️ Apron Mill & Fill
- ✈️ Apron Concrete Infill Panels
- ✈️ Runway & Taxiway Overlay
- ✈️ Runway Extension Safety Areas (RESA)
- ✈️ Line of Site Cameras (pushback environment)

2022 – 2027 Planned Improvements

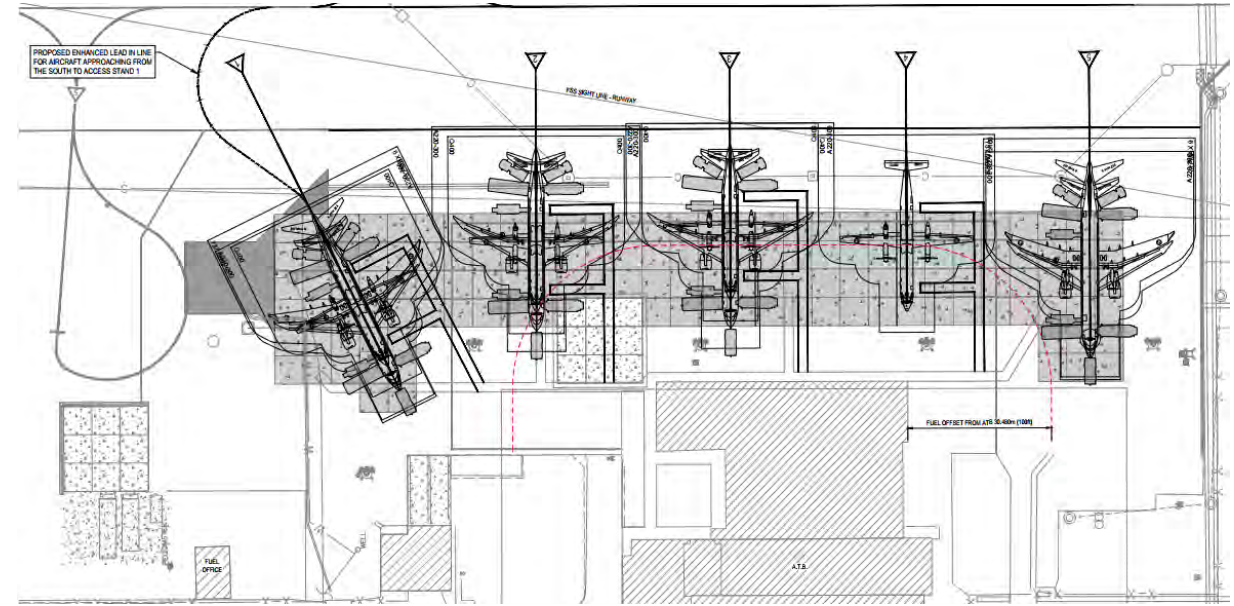
- ✈️ Parking lot improvements
- ✈️ Improved Approach Lighting (SSALR)
- ✈️ South Apron Expansion
- ✈️ Terminal upgrades (HVAC & ATPDR)
- ✈️ Terminal Building Expansion – Baggage Makeup and Check-in and Expanded Passenger Lounge



Concrete Infill Panels

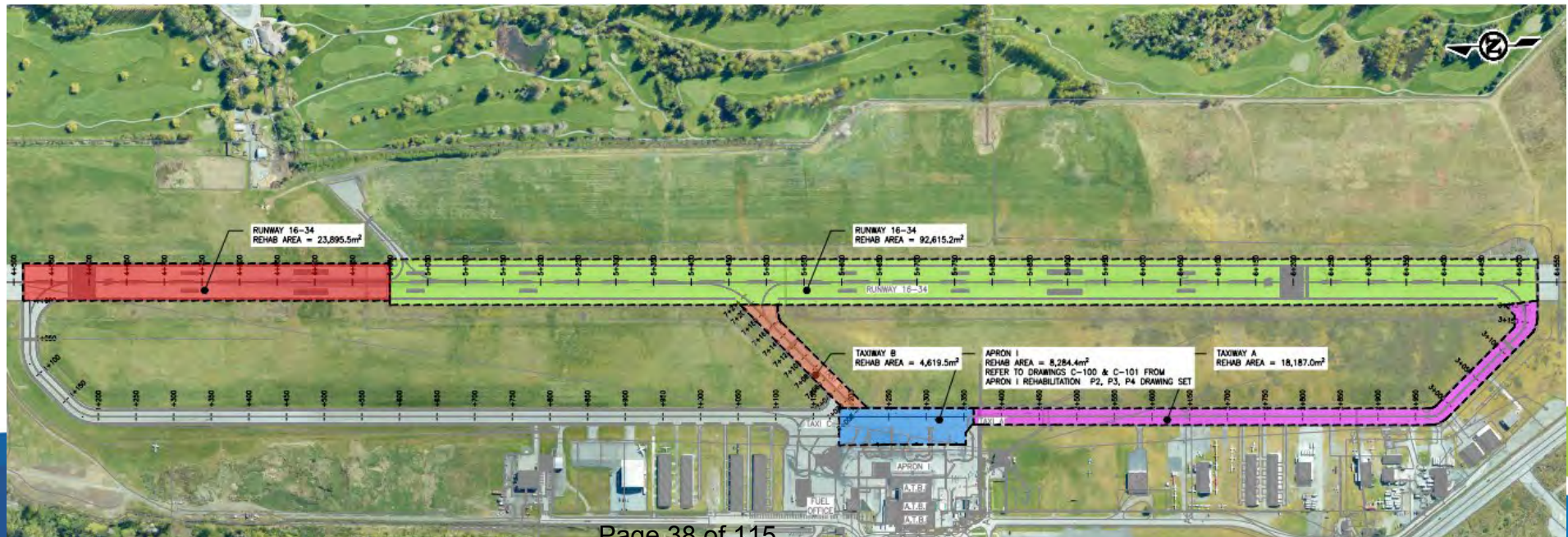


- ✈ Increased to 5 parking positions
- ✈ No increase in footprint
- ✈ \$3.8M – Completed in 2021

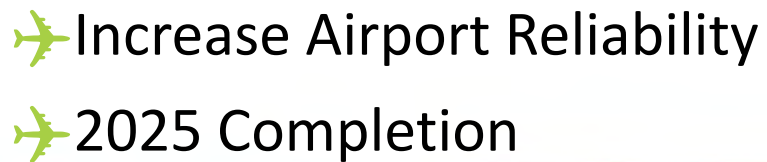


Runway & Taxiway Rehab

- ✈️ Resurface Runway & Taxiway
- ✈️ Runway End Safety Areas
- ✈️ Runway grooving – to be completed 2023
- ✈️ \$7.5M project



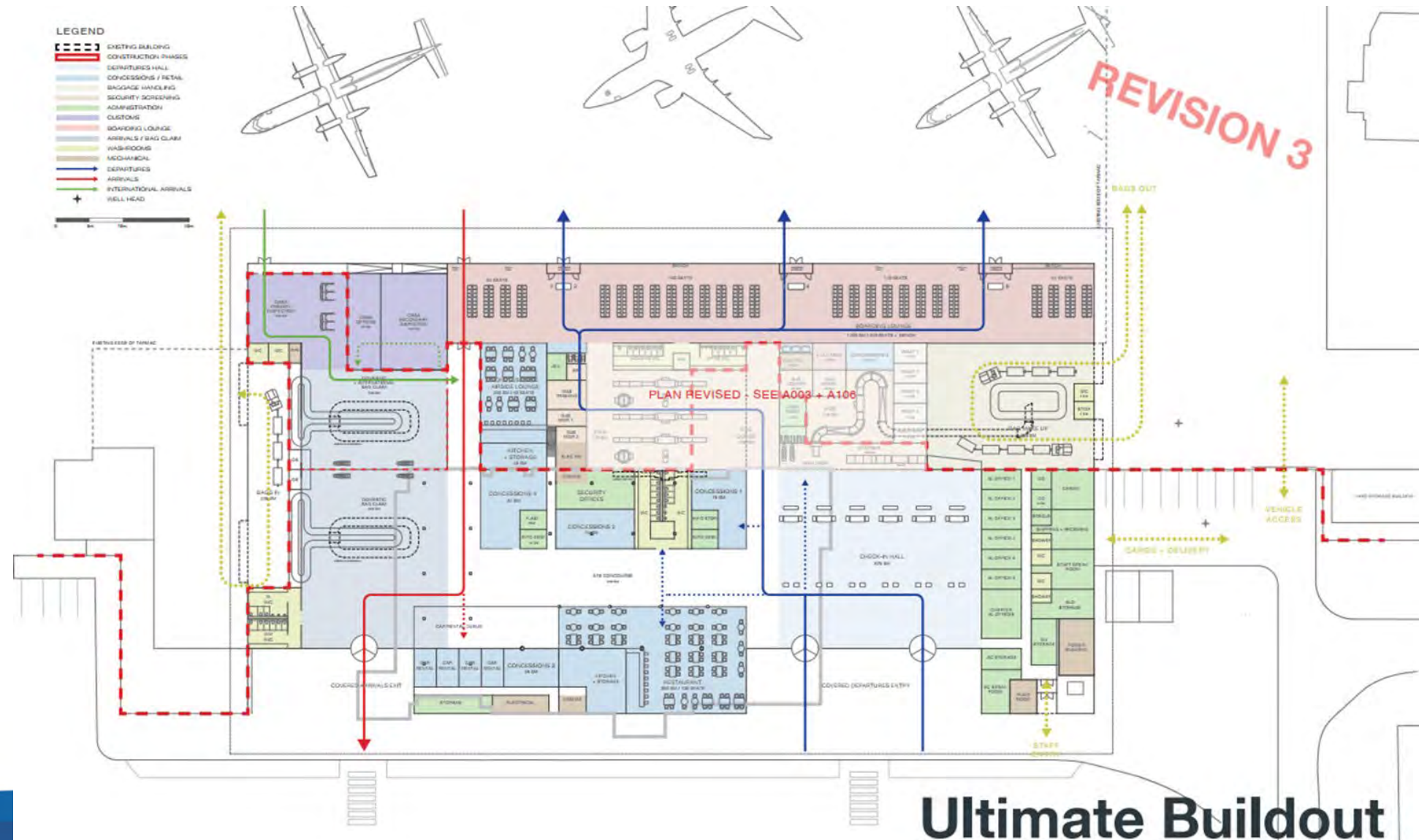
SSALR – Approach Lighting



Future Infrastructure Initiatives

Airport Terminal Expansion

- ✈ Baggage makeup
- ✈ Expanded Check-in Hall
- ✈ Expanded Departure Lounge
- ✈ Car Rental Improvements

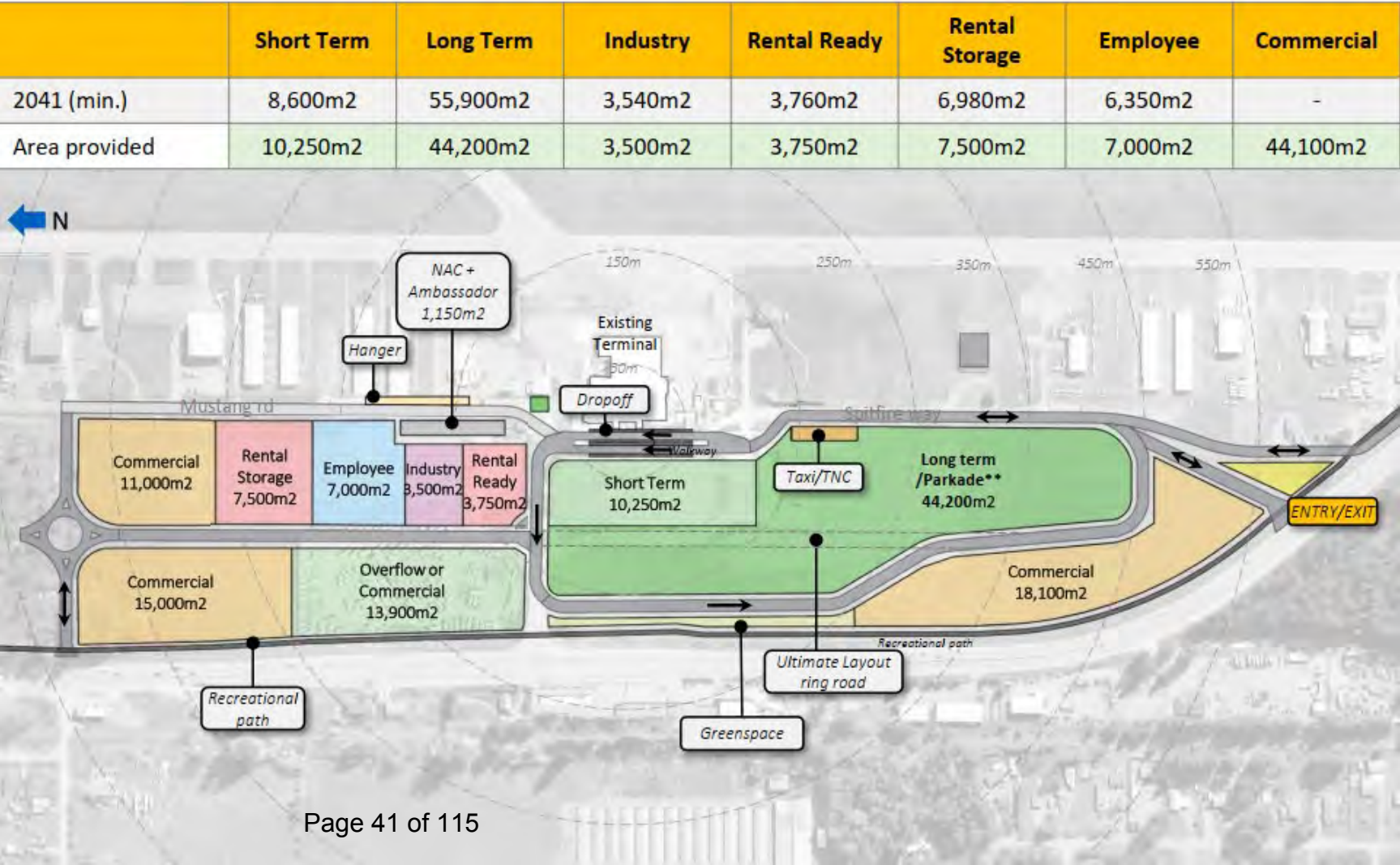


Future Infrastructure Initiatives

Parking Lot Improvements

- ✈️ Phased plan to move to a controlled parking network
- ✈️ Improvements to lighting
- ✈️ Paved parking lots
- ✈️ Improved road network

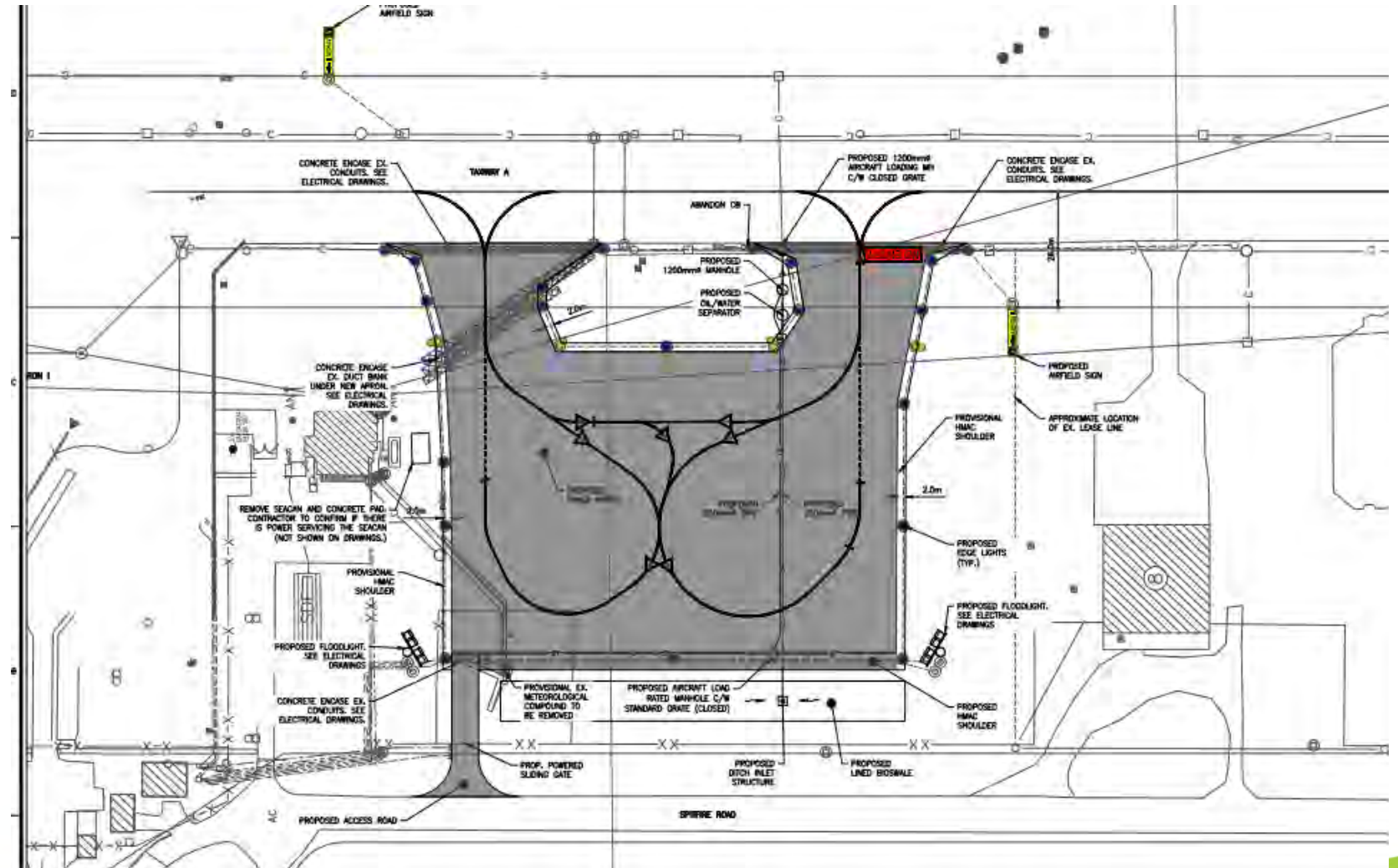
Option 7 | 20+ Year Layout



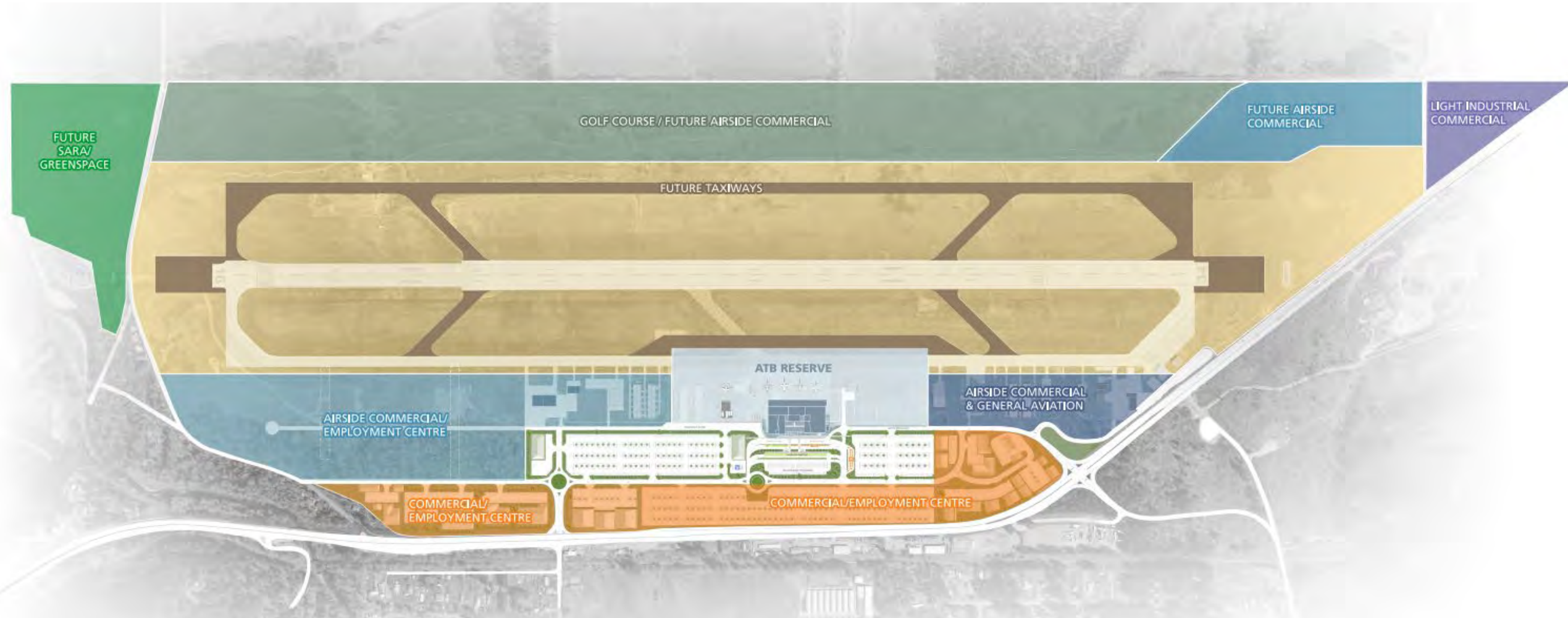
Future Infrastructure Initiatives

South Apron Expansion

- ✈️ Alleviate Apron Congestion
- ✈️ Allow for Fixed Base Operator (FBO)



YCD Land Use



YCD Decarbonization & Climate Initiative

Airport Carbon Accreditation

- ✈ Started process in 2019
- ✈ Level 1 – 2022 (2019 data verification)
- ✈ Level 2 – 2023 (2021 data verification)
- ✈ Level 3 – 2024 (2022 data verification)
- ✈ Level 4 – Net Zero by 2030 (Board Goal)

Other Initiatives

- ✈ Climate Action Plan
 - ✈ Decarbonization initiatives
 - ✈ Alternative energy capture initiatives



YCD Decarbonization & Climate Initiative

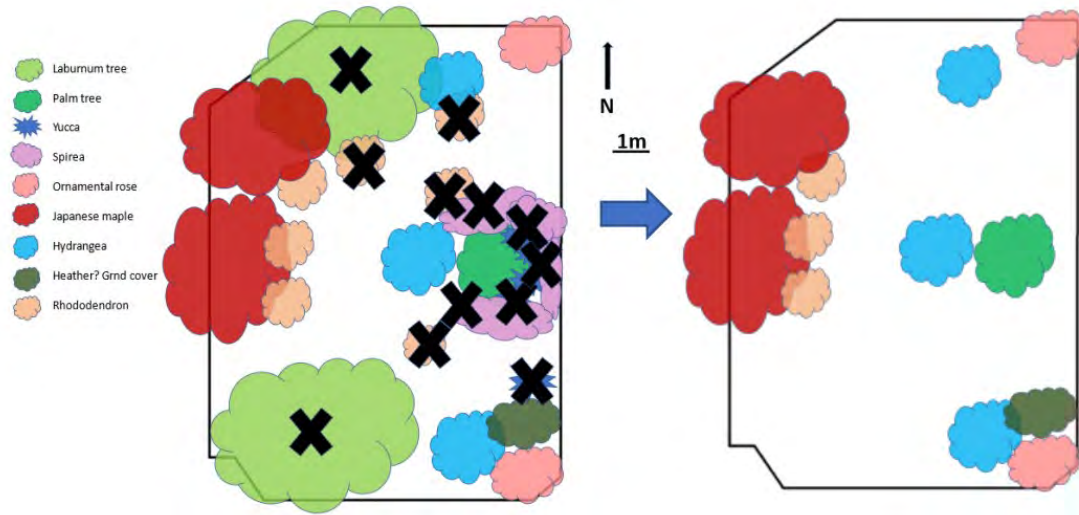
Carbon Equivalents	CO2e
2019 (Verified)	142
2020 (Non-Verified)	162
2021 (Non-Verified)	171
2022 (Estimated)	180
4-year total	655
Offsets & Credits	(724)
Net Climate Positive	(69)



GREAT BEAR CARBON CREDIT CORPORATION
GREAT BEAR CARBON CREDIT LIMITED PARTNERSHIP



Pollinator Partnership



**POLLINATOR
PARTNERSHIP**
C A N A D A

Saanich
NATIVE PLANTS
NURSERY & CONSULTING

- ✈ First Airport in Canada to work with Pollinator Partnership Canada
- ✈ Evasive plant species removed from front garden
- ✈ Encourage native pollinators (not honeybees and wasps)





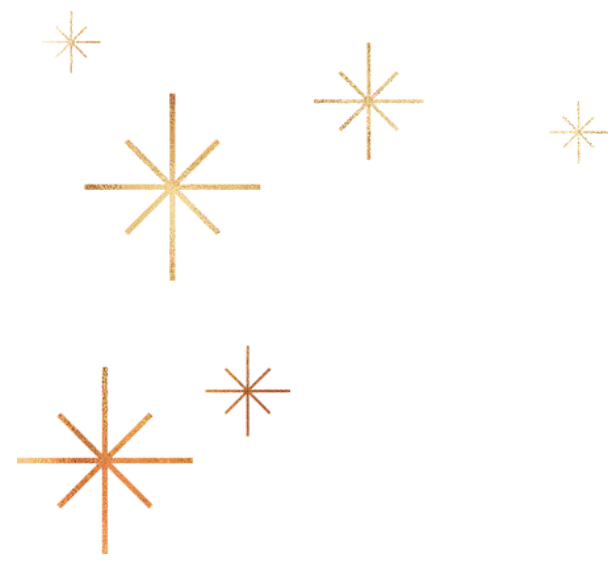
THANK YOU

Dave Devana, CPA, CA

President | CEO

Dave.devana@ycd.ca

(250) 245-4191



happy new year

2023

**THANK YOU
TOWN OF LADYSMITH
FOR YOUR SUPPORT!**



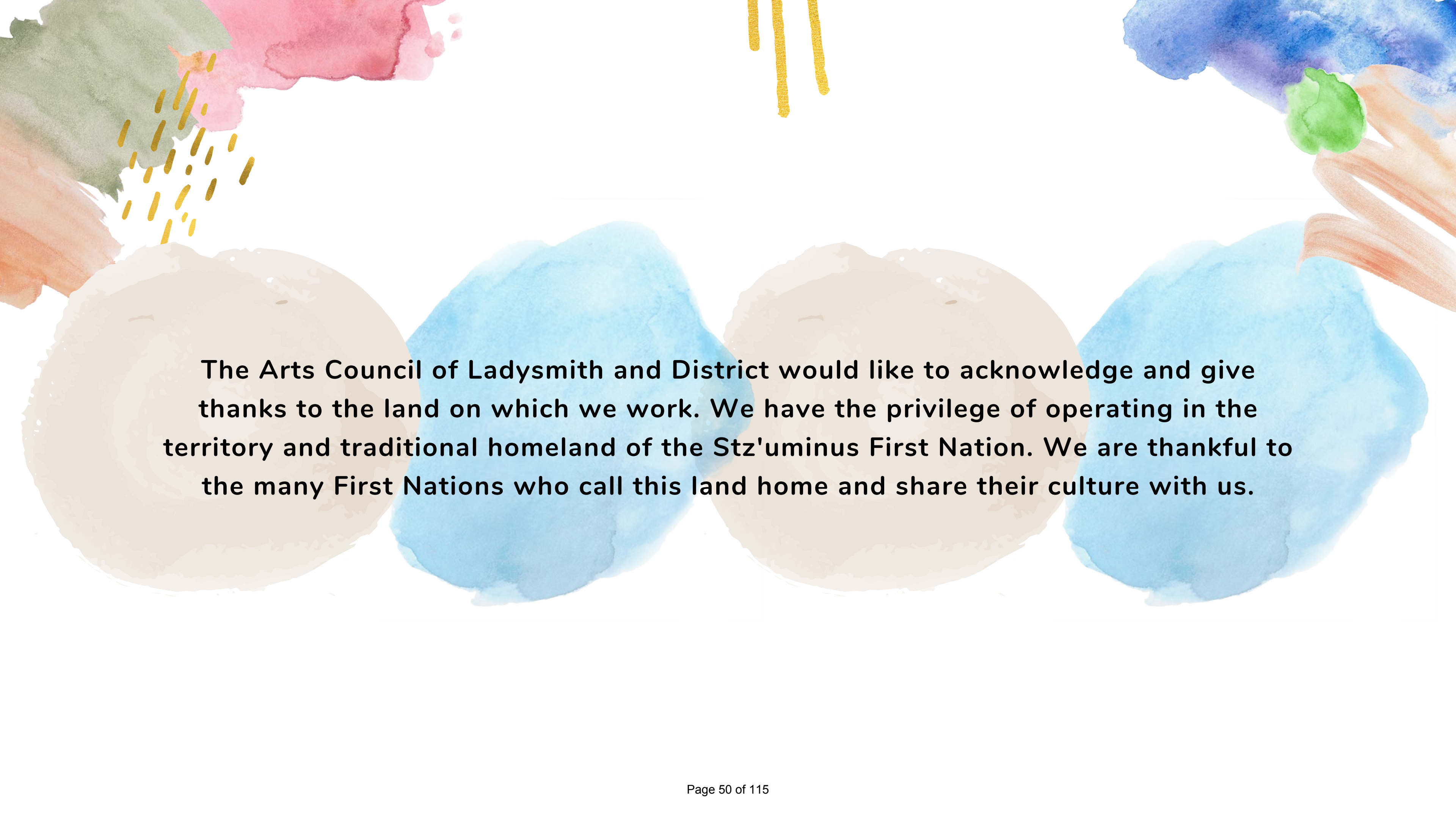


WWW.LADYSMITHARTS.CA



ARTS COUNCIL
of LADYSMITH
and DISTRICT





The Arts Council of Ladysmith and District would like to acknowledge and give thanks to the land on which we work. We have the privilege of operating in the territory and traditional homeland of the Stz'uminus First Nation. We are thankful to the many First Nations who call this land home and share their culture with us.

**WE ARE CELEBRATING
2023!**





IN 2023, LADYSMITH ARTS CELEBRATES:

20 YEARS FOR THE ARTS COUNCIL OF LADYSMITH

10 YEARS OF FINE ART SHOWS

5 YEARS OF LOVE -- A LITERACY PROJECT

**25 YEARS OF ARTS ON THE AVE -- ONE OF THE LARGEST ARTS
FESTIVALS ON THE ISLAND**

2022

WE LEARNED WE ARE FLEXIBLE

We didn't close down, we hunkered down! 2022 was a pivoting year for us.

GETTING CREATIVE!

The past 3 1/2 years weren't easy, but we showed determination and resilience, fueled by the love of art, our community and our members. We got creative!

MEET ART!



**ART NEEDS YOUR HELP
(AND A CHEW TOY. BUT MOSTLY YOUR HELP.)**

FUN FACTS!

DIG ARTS!

We completed our groundbreaking
arts impact study!

Three years of research for the arts united 25 arts
councils on Vancouver Island and the Gulf Islands.

We presented our findings at the VI Economic
Summit and VI Tourism and were recognized by Art
Councils throughout Canada.

Led by Ora Steyn of the Arts Council of Ladysmith,
we partnered with Cowichan Valley Arts Council,
Salt Spring Arts Council, Hornby Arts, Comox Valley
Arts, The Old School House Arts Centre.

www.DigArts.ca

HIRING STAFF

Covid Relief funding
allowed us to hire staff
and extend our
organization's digital
presence.

DIGITAL LITERACY

We furthered digital
literacy in the arts,
teaching 400 artists and
other arts councils about
digital innovation. We
are recognized for being
generous with our
knowledge.

EXPANDING OUR EDUCATIONAL PROGRAMMING



OR IS THIS ART!

EDUCATION





Art needs your help.
(And maybe some catnip.)

- And while we were engaged with DIG, we were also working on our future...
- Classes have increased four-fold with increasing participating at all ages.
- Our summer program supports kids who may not be able to attend because of financial need and offers a magical summer experience of art and theatre.
- Workshops with well-known artists are selling out.
- We engage the Stz'uminus schools and had 155 students participate in an art bomb.
- 1215 School kids participated in Art Bombing downtown Ladysmith. This provides students an opportunity to contribute to their town and participate in Ladysmith's uniqueness.
- September 2023: stay tuned for a secret project for all students in the Ladysmith area.
- We continue to offer our membership digital learning opportunities.
- Art Splash: for 10 years this amazing class has been meeting every Tuesday afternoon.



MEDIA

- Between 28,000 and 21,000 Facebook post reach/month
 - 5,000 Facebook followers
 - 1,000 Instagram followers
 - 800 weekly newsletters subscribers with new content each week.
 - Three times a year we publish *Art Magazine*, now in its 10th year. Still relevant, still read and still connecting artists.
 - We love to connect with our membership and art supporters.
- 
- 



COMMUNITY ENGAGEMENT

Community is important to the Arts Council.

We love to work with other Not-For-Profits and local businesses to create a community filled with art.



ART IS A BIG DEAL



- Held our first biennial Fine Craft Show in 2022 and the First juried Craft show on Vancouver Island

- Regular exhibitions are back, and our Winter Market was such a success!

- Arts on the Ave - 6000 people were happy to see us on the street, and boy did they shop. The average artist sold about \$1,000 in one day

- We started a Capital Campaign and have already exceeding our goal.

- We'll get to renew our lease at the Ecole Davis Rd School. Thank you Town of Ladysmith!

- Updating Policies and Procedures - very important as we grow

- Updating our strategic plan - this creates focus and direction

- We added concerts - we are supporting musical artists

- We helped put on an original play with the Yellow Point Drama Group

- Our staff presented two workshops at ARTS BC conference for the province. That's a BIG DEAL.

CAPITAL CAMPAIGN



We have a brilliant idea and are waiting to make the BIG announcement!

Do we have your attention now?
Hang on, we are excited!



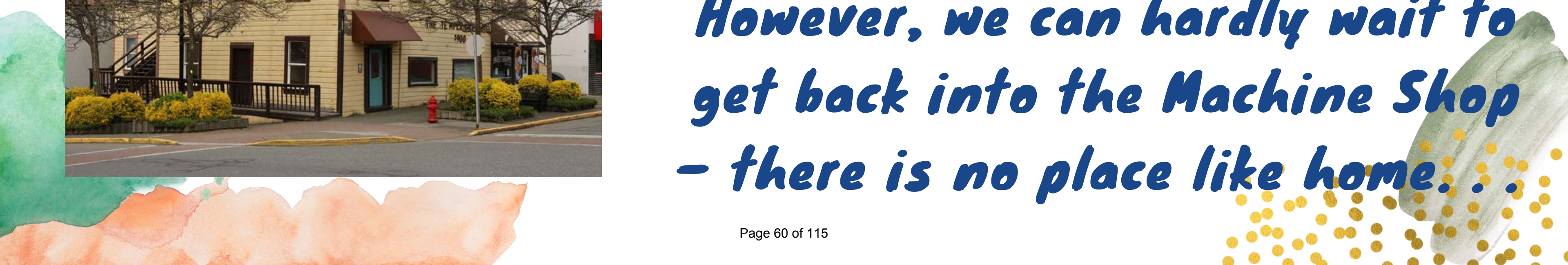
THE BIG ANNOUNCEMENT

We just signed a lease for space in the Temperance Hotel. We will be moving the gallery out of the Ecole Davis Rd School gym this spring. All this is made possible by our donors and a grant from the BC Arts Council!



YES we are excited!

***However, we can hardly wait to
get back into the Machine Shop
– there is no place like home. . .***



Town of Ladysmith, CVRD, Canada Council of the Arts, BC Arts, the Province of BC, Arts BC, Mid Island Co-Op, Ladysmith Credit Union, Active Solutions, LDBA, Budget Blinds, IronWorks Café, John Surtees, Layman Group, Left Coast Fashions, Lohmann Boat Sales, Mactier Real Estate Group, Palmer Leslie, Red's Emporium, Festival of Lights, Roberts Street Pizza, Robson, O'Connor Law Office, Sawmill Direct. Little Valley Restorations, 49th Parallel Grocery, David Stocker, Ladysmith Kinsmen, Ladysmith Rotary, In the Beantime, Howard Davis, FMC Holdings, Lions Club of Ladysmith, McNab's Corn Maze, Pharmasave, Bayview Brewing, Fox and Hounds, Randal Taylor, Ladysmith Eagles, Ladysmith Resources Centre, Peebles Family-patron, Kim Perry-patron, Holmes Family-patron, and our 300 members, the arts community, our volunteers, our clients and our staff and board.

These are just a few of the people who contribute, and all those who show up to encourage and help.

Really, we can't do it without you.

***WE CAN'T DO IT
WITHOUT YOU.***

***WE ARE TRULY GRATEFUL!
ART SAYS THANKS***

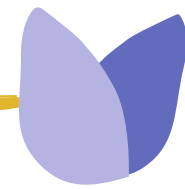
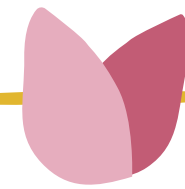
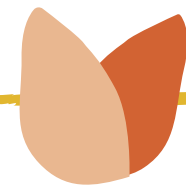
Art wants...



to hear from YOU!

***GOT AN IDEA, WANT TO VOLUNTEER, OR JUST SAY SOMETHING
NICE. EMAIL US AT INFO@LADYSMITHARTS.CA***

WHAT OTHERS ARE SAYING



**"Art is an
economic
driver."**

**Andrea
Rosato-Taylor**

**President of the
Ladysmith Downtown
Business Association**



**"Art is the
gateway
drug to
everything
that matters
to me."**

**~ Sheila Norgate ~
Artist**



**"Through Art
we are more
fully alive and
engaged."**

**~ David Goatley ~
World-renowned
portrait artist**





STAFF REPORT TO COUNCIL

Report Prepared By: Christina Hovey, RPP, MCIP
Reviewed By: Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date: January 24, 2023
File No: 3360-21-06
Re: **Bylaw Amendments for Two-Storey Coach Houses and Minimum Dwelling Unit Sizes**

RECOMMENDATION:

That Council:

1. Give first and second readings to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099";
2. Give first and second readings to "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100";
3. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw Nos. 2099 and 2100 in accordance with section 466 of the *Local Government Act*;
4. Direct staff to refer Bylaw Nos. 2099 and 2100 to the Ministry of Transportation & Infrastructure for approval following third reading of the bylaw in accordance with the *Transportation Act*; and
5. Give first, second, and third readings to "Ladysmith Officers and Delegation of Authority Bylaw (No. 3), 2023, No. 2101".

EXECUTIVE SUMMARY:

In accordance with Council direction from October 2021 (see Attachment D, resolution CS 2021-313), staff have prepared bylaw amendments to the Zoning Bylaw (Bylaw No. 2100), and the Delegation of Authority Bylaw (Bylaw No. 2101). The bylaws are intended to incentivize one-storey coach houses and secondary suites and to reduce the impact of two-storey coach houses.

Staff have also prepared a separate bylaw (Bylaw No. 2099) to remove the minimum sizes for dwelling units from the Zoning Bylaw. Bylaw No. 2099 is intended to remove a barrier to the construction of smaller dwellings, allowing for a lower cumulative building footprint and massing including on parcels with coach houses. In addition, smaller dwellings are potentially more affordable and energy efficient. This change is presented in a separate bylaw to allow Council to consider these changes separately from the changes brought forward in response to Council's direction in October 2021.

PREVIOUS COUNCIL DIRECTION:

See Attachment D.

INTRODUCTION/BACKGROUND:

Proposed Changes to coach house, secondary suite and delegation regulations (Bylaws 2100 and 2101):

In September 2021, staff presented a list of recommended amendments to the Town's coach house regulations based on the following goals:

- Incentivize one-storey coach houses;
- Incentivize secondary suites as an alternative to coach houses; and
- Mitigate the impacts of two-storey coach houses.

The following bylaws have been prepared to implement the recommendations:

- "Town of Ladysmith Zoning Bylaw 2014, No 1860, Amendment Bylaw (No. 46) Bylaw 2022, No. 2100" changes the zoning regulations.
- "Ladysmith Officers and Delegation of Authority Bylaw (No. 3) 2022, No. 2101" delegates authority to the Director of Development Services to approve Development Permits for coach houses that are less than 5.0m tall.
- The 2022 Official Community Plan update (Bylaw No. 2200) incorporates changes to the guidelines for Development Permit Area 10 - Coach House Intensive Residential (DPA 10).¹

Attachment E provides details of how the recommendations from the September 28, 2021 staff report are addressed through the proposed changes in Bylaws 2099 and 2100 and DPA 10 in the new OCP.

Proposed Changes to Minimum Unit Sizes (Bylaw No. 2099):

The topic of minimum dwelling unit sizes was also discussed in 2021 when Council was considering changes to coach house regulations. However, a formal resolution related to minimum unit sizes was never tabled.

Proposed Bylaw No. 2099 would eliminate minimum unit sizes from all zones and from the caretaker unit regulations. Table 1 lists all zones that permit a residential use and specifies whether there is a minimum unit size regulation.

¹ The September 2022 Draft Official Community Plan is available here: https://www.ladysmith.ca/docs/default-source/reports-2021/draft-ladysmith-official-community-plan_reduced.pdf?sfvrsn=11d5f4db_10

Table 1: Zones with Minimum Dwelling Unit Regulations

Zone	Short Form	Minimum Dwelling Unit Size
Rural Residential	RU-1	Yes, 83.0 m ² Finished Floor Area (FFA).
Single Dwelling Residential	R-1	Yes, 83.0 m ² FFA.
Single Dwelling Residential – Small Lot A	R-1-A	Yes, 83.0 m ² FFA.
Single Dwelling Residential – Small Lot B	R-1-B	No.
Single Dwelling Residential – Small Lot C	R-1-C	No.
Old Town Residential	R-2	Yes, 83.0 m ² FFA.
Bayview Residential	R-2-A	Yes, 83.0 m ² FFA.
Oyster Cove Residential	R-2-B	Yes, 83.0 m ² FFA.
Live/Work Residential	R-2-LW	Yes, 83.0 m ² FFA.
Medium Density Residential	R-3	Yes, 32.0 – 85 m ² FFA.
Low Density Residential	R-3-A	Yes, 32.0 – 85 m ² FFA.
Manufactured Home Park	MHP-1	No.
Single Dwelling Residential – Holland Creek Area	R-1-HCA	Yes, 83.0 m ² FFA.
Multi-Family Mixed-Use	R-4	No.
Local Commercial	C-1	No.
Downtown Commercial	C-2	Yes, 32.0 – 85 m ² FFA.
Live/Work Industrial	I-1A	Yes, 32.0 – 85 m ² FFA.
Primary Agriculture	A-1	Yes, 83.0 m ² FFA.
Agriculture and Resort Recreation	A-RR	Yes, 83.0 m ² FFA.
Forestry	F-1	No.
Cluster Residential	CD-2	No.
Malone Residential	CD-3	Yes/No, 83.0 m ² FFA for Single Dwelling Units. No minimums for Multi-Unit Dwellings.
Community Housing Zone	CD-5	Yes, 32.0 – 85 m ² FFA.
Belaire Mixed-Use	CD-6	No.
Rocky Creek Road Mixed-Use Residential	CD-7	No.

Note that the minimum dwelling unit sizes in Table 1 apply only to single-family and multi-family dwellings; they do not apply to secondary suites or coach houses.

ANALYSIS:

Proposed changes to coach house, secondary suite and delegation regulations (Bylaws 2100 and 2101):

Coach houses are generally considered to be part of the affordable housing “mix”, supporting key housing objectives such as rental housing for singles or small families, “mortgage helpers”, aging in place (e.g. “granny suite”), or supporting family members with disabilities. Since coach houses simply add small, detached dwellings to existing suburban neighbourhoods, they are a relatively low impact way to increase density while preserving existing neighbourhood character. Concerns about coach houses occasionally include noise, traffic, form and character, parking and privacy. Subsequently, land use regulations for coach houses are carefully designed to minimize these impacts.

Earlier public engagement suggested strong community support for two-storey coach houses. To date, the majority of constructed coach houses have been two-storey designs which shows they are the preferred option for providing this form of affordable housing under the current regulations. No matter what changes are made to coach house regulations, terrain, economics, housing and family needs will always make a two-storey coach house the only viable option for some homeowners.

The proposed changes to the coach house and secondary suite regulations provide a broader range of options for homeowners looking to create additional housing. The changes work together to encourage one-storey coach houses and secondary suites as an alternative to two-storey coach houses. At the same time the amendments will mitigate the impact of two-storey coach houses and will allow Council to deny or require modifications to coach houses that have an undue impact on neighbouring properties. In the opinion of staff, the proposed amendments will make adding an additional dwelling feasible for more properties/homeowners and will make a secondary suite or a one-storey coach house more likely to be the preferred option.

Proposed Changes to Minimum Unit Sizes (Bylaw No. 2099):

Proposed Bylaw No. 2099 removes a barrier to developing smaller dwellings. Minimum dwelling unit sizes can be a barrier to the construction of smaller, less obtrusive homes that are often more energy efficient and affordable. Many of the single dwelling zones require a minimum “finished floor area” of 83 square metres. 83 square metres is not a large dwelling, however, the minimum applies to the main storey. Garage floor area is also excluded from the finished

floor area calculation.² Under these parameters, a reasonably sized two-storey, three-bedroom home can easily fall below the minimum requirement, depending on the distribution of space between the storeys³. Even larger homes could fall below the minimum on parcels with steep slopes where three or more storeys can be practical (e.g. Oyster Cove Road, Thetis Drive). In the case of vacant sites, the planning department has received enquiries about whether it is possible to build a small house as the principal dwelling, then live in it while a larger house is built. Once both homes are complete the original smaller house becomes the coach house, and the newer larger house becomes the principal residence. However, because the coach house must initially meet the requirements of a principal dwelling, the minimum finished floor area requirement prevents this.

An additional benefit to removing this bylaw provision is that it would reduce the number of legal nonconforming homes in the Old Town neighbourhood, where many of the older homes are relatively small.

In the context of multi-unit developments, the multi-unit zones that have been more recently developed and adopted have not included minimum dwelling unit sizes.⁴ The lack of minimums has not emerged as a concern from either members of Council or from the public.

Currently, there are nine zones that allow residential uses but that do not have a minimum dwelling unit size and there is no minimum size for a secondary suite or coach house. Despite this, proliferation of unusably small units has not emerged as a problem.

The Town's new "Business Regulations and Licensing (Rental Units) Bylaw 2021, No. 2093" has a minimum size of 18 square metres for rental dwelling units. The purpose of this regulation is to ensure rental housing is safe and dignified, rather than regulating form and character and mitigating land use impacts. Similarly, the BC Building Code establishes standards for health and safety of buildings and applies to all new dwelling units. These regulations, which are unaffected by the proposed amendments, provide the necessary safeguards against unsafe or undignified housing.

Overall, removing the minimum unit size regulations is complementary to the proposed changes to coach house regulations, hence staff's recommendation to make these changes concurrently.

² Zoning Bylaw Definition: "Finished Floor Area" means the floor area of any *Storey* of the *Principal Building* on a *Parcel*.

³ A search for two-storey house floor plans yielded numerous examples, the largest home identified that would not meet the minimum unit size requirement was over 148m² (1600 square feet) not including the garage.

⁴ Examples include the R-4 zone developed for 201-203 Dogwood (old Dalby's property), the CD-6 Zone – Belaire Mixed-Use (old RCMP property).

Proposed Zoning Amendment Bylaws 2099 and 2100 both allow for increasing variety in housing in accordance with the OCP:

Both of the proposed zoning bylaw amendments increase options and flexibility for adding new housing that is sensitive to existing neighbourhoods. Both bylaws are consistent with the existing and the proposed Official Community Plans (OCP). The existing OCP identifies housing affordability as an important consideration for managing growth and includes the following relevant policies:

- 3.2.3.(9) – The Town will encourage neighbourhoods that contain a variety of living accommodation, including residential units for a variety of ages including an aging population.
- 3.1.4(9) – To reduce land consumption, increased residential densities, such as compact lots, will be promoted in appropriate locations.
- 3.2.3(21) – Secondary suites will be permitted within any single family dwelling, subject to the conditions and requirements or regulations adopted by Council. The Town will explore other forms of secondary housing, including carriage house suites and ground-oriented cottage suites.

The new OCP, which received first reading in September 2022, emphasizes providing many housing choices with diverse residential types, tenures and densities. The proposed OCP calls for enabling and encouraging intensification in areas including Old Town, which is identified as a “Strategic Infill Area”.

ALTERNATIVES:

Council can choose to:

1. Amend Bylaw Nos. 2099, 2100, and/or 2101 and give them readings as amended.
2. Direct that a public hearing not be held for Bylaw Nos. 2099 and 2100 pursuant to section 464 of the *Local Government Act* and direct staff to proceed with notification for a public hearing not held.
3. Give readings to Bylaws No. 2100 and 2101 but not Bylaw No. 2099.
4. Refer the Bylaws back to staff for further review as directed by Council.
5. Refer the proposed amendments to the Community Planning Advisory Committee.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

In accordance with the *Transportation Act*, Bylaw Nos. 2099 and 2100 must be approved by the Ministry of Transportation and Infrastructure prior to adoption.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A public hearing is recommended. Council can choose not to hold a public hearing pursuant to section 464 of the *Local Government Act*.

The September 28, 2021, staff report to Committee of the Whole describes previous public engagement related to coach houses.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposed bylaws have been referred to the Infrastructure Services Department (Engineering, Building, Bylaw, Fire, Wastewater), and the Finance Department for comment. No concerns have been raised.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Bylaw No. 2099
- B. Bylaw No. 2100
- C. Bylaw No. 2101
- D. Previous Council Direction
- E. September 28, 2021 Recommendations

TOWN OF LADYSMITH

BYLAW NO. 2099

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. Replace subclause 6.6.a)iv) from Section 6.6. "Caretaker Dwelling Regulations" with the following:
"iv) Shall not exceed a floor area of 90 square metres, and shall not exceed 40% of the total *Gross Floor Area* of the *Principal Building*."
2. Delete the minimum finished floor areas for dwelling units from all zones by deleting the following clauses and renumbering accordingly:

10.1.4.a)
10.2.4.a)
10.3.4.a)
10.6.4.a)
10.6.4.c)
10.6.10.a)
10.7.4.a)
10.7.4.d)
10.8.4.a)
10.8.4.c)
10.9.4.a)
10.9.4.d)
10.10.4.a)
10.11.4.a)
10.13.4.a)
11.2.4.a)
12.1.4.a)
14.1.4.a)
14.2.7.a)
17.3.9.a)
17.5.4.a)

Citation

3. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099".

READ A FIRST TIME on the _____ day of _____, 2023

READ A SECOND TIME on the _____ day of _____, 2023

PUBLIC HEARING HELD on the _____ day of _____, 2023

READ A THIRD TIME on the _____ day of _____, 2023

APPROVED BY MINISTRY OF TRANSPORTATION on the _____ day of _____, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M.O'Halloran)

TOWN OF LADYSMITH

BYLAW NO. 2100

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 "Schedule A – Zoning Bylaw Text" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860":

1. Amend clause 4.1.a) "Definitions" replacing the definition of Dwelling, Coach House with the following:

"DWELLING, COACH HOUSE: means a self-contained *Accessory Dwelling Unit* located within a detached *Building*."

2. Amend subsection 5.8 "Setback Exemptions" by:

- a. renaming the subsection "Setback and Parcel Coverage Exemptions"
- b. adding a new clause b) as follows

"b) For a *Parcel* containing a *Coach House Dwelling* that is not more than 5.0 metres in *Height*, any portion of a *Building* used for parking purposes shall be excluded from the calculation of *Parcel Coverage*, to a maximum exclusion of 45 square metres per *Parcel*."

3. Amend subsection 5.9 "Accessory Buildings, Structures and Uses" by:

- a. replacing clause b) with the following:

"b) Section 5.9 and its clauses do not apply to a *Coach House Dwelling* except that when a two *Storey Coach House Dwelling* contains a self-contained *Accessory* space on the *First Storey*, the *Coach House Dwelling* shall be counted as one *Accessory Building* for the purposes of calculating the number of *Accessory Buildings* on a *Parcel* in Section 5.9(a)"

- b. replacing clause c) with the following:

"c) An *Accessory Building* or *Structure* shall have a maximum *Gross Floor Area* of 60 square metres."

- c. replacing clause f) with the following:

"f) An *Accessory Building* or *Structure* shall not be used as a *Dwelling Unit*, except as otherwise provided for in this Bylaw."

- d. replacing clause i) with the following:

"i) No *Accessory Building* or *Structure* shall include *Kitchen Facilities*."

4. Amend subsection 5.14 “Floor Area and Exemptions” by:
 - a. renaming the subsection “Floor Area Calculations and Exemptions”
 - b. adding a new clause d) as follows:

“d) For a *Coach House Dwelling*, the *Gross Floor Area* shall be measured to the exterior surface of the exterior walls, excluding:

 - i) interior staircases to a maximum exclusion of 9.0 square metres.
 - ii) self-contained *Accessory* space on the *First Storey* to a maximum exclusion of 60.0 square metres.”
5. Replace subclause 6.4.a)ii) in Section 6.4 “Secondary Suite Regulations” with the following:

“ii) Shall not exceed a floor area of 90 square metres, except in the following zones: R-2; R-2-A; and R-2-LW.”
6. Replace subsection 6.5. “Coach House Regulations”, in its entirety, with the following:

“6.5 Coach House Regulations

 - a) A *Coach House Dwelling*, where permitted in this Bylaw, is only permitted when the *Parcel* meets the following conditions:
 - i) When a *Parcel* is located on a *Lane*, a *Coach House Dwelling* is permitted when the *Parcel Area* is 550 square metres or greater.
 - ii) When a *Parcel* is a *Corner Parcel* a *Coach House Dwelling* is permitted when the *Parcel Area* is 550 square metres or greater.
 - iii) For all other *Parcels*, a *Coach House Dwelling* is permitted when the *Parcel Area* is 668 square metres or greater.
 - b) A *Coach House Dwelling*, where permitted in this Bylaw, shall satisfy all of the following conditions:
 - i) Shall be limited to one such *Use* per *Parcel*.
 - ii) Shall be located on a *Parcel* where the *Principal Use* is a *Single Unit Dwelling* or a *Live/Work Unit*.
 - iii) Shall not exceed a *Gross Floor Area* of 60 square metres.
 - iv) Shall not exceed a *Height* of:

- 1) 6.6 metres for a two *Storey Coach House Dwelling*; except where the roof pitch is less than 4:12, in which case the *Height* shall not exceed 5.7 metres; or
 - 2) 5.0 metres for a one *Storey Coach House Dwelling*.
- v) Shall be located in the *Rear Yard* or a *Side Yard*.
- vi) Notwithstanding any *Setback* provisions of this Bylaw, no *Coach House Dwelling*, with a *Height* as shown in the Table below, shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	HEIGHT not more than 5.0 M	HEIGHT more than 5.0 M
<i>Front</i>	6.0 metres	6.0 metres
<i>Interior Side Parcel Line</i>	1.5 metres	2.0 metres
<i>Exterior Side Parcel Line</i>	1.5 metres	1.5 metres
<i>Rear Parcel Line</i>	1.5 metres	2.0 metres

- vii) Shall not be located closer than 6.0 metres to the *Single Unit Dwelling* on the *Parcel*, as measured between the foundations of each.
- viii) Shall be prohibited on a *Parcel* where a *Secondary Suite Use* or *Caretaker Dwelling* is located.
- ix) Shall accommodate any required parking on the *Parcel*.
- x) The maximum permitted size for upper level balconies and decks is 2.9 square metres.
- xi) Flat roofs shall not be used for deck areas.

Citation

7. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100".

READ A FIRST TIME on the _____ day of _____, 2023

READ A SECOND TIME on the _____ day of _____, 2023

PUBLIC HEARING HELD on the _____ day of _____, 2023

READ A THIRD TIME on the _____ day of _____, 2023

APPROVED BY MINISTRY OF TRANSPORTATION on the _____ day of _____, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M.O'Halloran)

TOWN OF LADYSMITH

BYLAW NO. 2101

A Bylaw to amend “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905”

The Council of the Town of Ladysmith in open meeting assembled enacts the following amendment to “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905”:

1. Replace Section 19 “Powers and Duties of the Director of Development Services” with the following:

“ 19. Council hereby delegates to the Director of Development Services the powers, duties, and functions to issue:
 - a. development permits for signage and façade improvements;
 - b. riparian development permits;
 - c. hazard land development permits;
 - d. development permits for Coach House Dwellings that are not more than 5.0 metres in height; and
 - e. amendments to development permits.”

Citation

2. This Bylaw may be cited for all purposes as “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2101”.

READ A FIRST TIME on the _____ day of _____, 2023
READ A SECOND TIME on the _____ day of _____, 2023
READ A THIRD TIME on the _____ day of _____, 2023
ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O’Halloran)

Attachment D

Resolution	Meeting Date	Resolution Details
CS 2021-313	5-Oct-21	That Council direct staff to: 3.a) Bring forward amendments to: <ul style="list-style-type: none"> ○ “Official Community Plan Bylaw 2003, No. 1488”; ○ “Town of Ladysmith Zoning Bylaw 2014, No. 1860”; and ○ “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905”; related to coach houses as outlined in the September 28, 2021 staff report; and b) Develop a design preauthorization program for coach houses as outlined in the September 28, 2021 staff report to Committee of the Whole.
CS 2021-092	16-Mar-21	That Council direct staff to bring forward amendments to the Zoning Bylaw related to two-storey coach houses as identified by the Committee of the Whole
CS 2019-038	24-Jan-19	That Council direct staff not to proceed with consultation on coach houses.
CS 2018-340	17-Sep-18	That Council refer the matter of two-storey coach houses to the incoming Council for consideration.
CS 2018-248	09-Jul-18	That Council: <ol style="list-style-type: none"> 1. Receive the staff report dated July 9, 2018 summarizing the coach house consultation 2018 results 2. Direct staff to amend the ‘Fees and Charges’ bylaw such that a reduced application fee of \$1,000 is applied for coach house rezoning applications on an R-1 zoned lot.
CS 2018-249	09-Jul-18	That Council direct staff to prepare a report to Council with recommendations for conducting further community consultation on coachhouses in the R-1 zone, focusing specifically on R-1 zone residents as they are directly impacted by the proposal to permit coach houses in the R-1 zone.
CS 2018-064	05-Mar-18	That Council receive the recommendation from the Advisory Planning Commission supporting the review of permitting coach houses outside the downtown area in the Single Dwelling Residential (R-1) zones, utilizing the existing coach house regulation framework and considering each local neighbourhood.
CS 2018-026	13-Feb-18	That Council request staff to review the Zoning Bylaw in order to determine means for appropriate discretion with respect the original intent of the coach house bylaw as it applies to lot sizes in Old Town that do not quite meet the minimum lot size of 668 square metres.

CS 2017-397	04-Dec-17	<p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to s.475 of the Local Government Act, direct early and ongoing consultation for the consideration of extending Development Permit Area 10 "Coach House Intensive Residential" to new areas where a coach house is permitted. 2. Direct that the project to allow coach houses outside of the Downtown area focus on properties in the R-1 Zone, as well as form and character considerations. 3. Confirm that this project will be included in the 2018-2022 Financial Plan, if Council wishes to pursue this project.
CS 2017-255	21-Aug-17	<p>That Council direct staff to bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.</p>
MS 2017-042	13-Jun-17	<p>That the Committee recommend that Council direct staff to bring back a report outlining recommendations for possible amendments to the zoning bylaw to permit coach houses outside the downtown area.</p>

CS 2014-312	15-Sep-14	That the proposed amendments to Zoning Bylaw 1860 be referred to staff for development of recommendations for alternatives to an owner occupancy requirement for coach house dwellings.
CS 2013-443	16-Dec-13	<p>It was moved, seconded and carried that the Zoning Bylaw update include amendments to permit coach houses in phases with coach houses first permitted in and around the downtown in the current R-2 and R-2-A zones as follows:</p> <ul style="list-style-type: none"> • With a minimum parcel size of 668 sq. m. where a lane or other secondary access exists (e.g. corner lot) • With a minimum parcel size of 780 sq. m. where a lane does not exist; <p>And that coach houses also be permitted on larger rural parcels (proposed RU-1, A-1, A-RR zones);</p> <p>And that the maximum floor space of a coach house be 60 sq. m. to support Official Community Plan policy</p>
CS 2011-270	20-Jun-11	<p>It was moved, seconded and carried that the phased implementation of secondary suite policy and regulation be supported, through the creation of:</p> <p>Phase I</p> <p>...</p> <p>d) land use (Official Community Plan) policy to support detached secondary suites (coach houses and ground-oriented cottage suites); and</p> <p>Phase 2</p> <p>e) new regulations and design standards for detached secondary suites within the scope of work for the Zoning Bylaw project</p>

ATTACHMENT E – September 28, 2021 Recommendations

The following table provides a summary of the recommendations for amendments to the regulations for coach houses from the September 28, 2021 staff report to Committee of the Whole and notes on how these recommendations are proposed to be implemented through:

- “Town of Ladysmith Zoning Bylaw 2014, No 1860, Amendment Bylaw (No. 46) Bylaw 2022, No. 2100”,
- “Ladysmith Officers and Delegation of Authority Bylaw (No. 3) 2022, No. 2101”, and
- “Ladysmith Unparalleled”, “Official Community Plan Bylaw 2022, No. 2200”.

Recommendation	Notes on Implementation
<p>1. <i>OCP change: New development permit guideline: Nearby two-storey buildings.</i></p> <p>Encourage two storey coach houses to be constructed only where there are other two storey buildings nearby.</p>	<p>New OCP includes a DPA guideline to restrict two storey houses where only one storey buildings are nearby.</p>
<p>2. <i>Zoning change: Remove second storey living area requirement.</i></p> <p>This separation of space does not reduce the massing of coach houses. In fact, it likely increases massing in some cases.</p>	<p>Bylaw No. 2100 amends the definition of “coach house dwelling” in the Zoning Bylaw to allow a coach house to be located on both storeys.</p>
<p>3. <i>Amendment to Officers and Delegation of Authority Bylaw: Staff-issuable single-storey coach houses</i></p> <p>This will incentivize one-storey coach houses by reducing application processing times by a minimum of 2-3 weeks.</p>	<p>Bylaw No. 2101 amends the Delegation of Authority Bylaw to allow the Director of Development Services to approve coach houses that are 5.0m or less in height.</p>
<p>4. <i>Zoning change: Create floor area credit for interior staircases in two storey coach houses</i></p> <p>Interior staircases are more aesthetically pleasing, more comfortable for occupants, and safer in poor weather, compared to exterior staircases.</p>	<p>New OCP includes a DPA guideline discouraging exterior staircases.</p> <p>Bylaw No. 2100 allows for a floor area credit of up to 9.0 square metres for an interior staircase.</p>
<p>5. <i>Zoning and OCP change: Replace zoning requirement for 6m separation from principal dwelling with DP guideline.</i></p> <p>Section 6.5(b(v) of the Zoning Bylaw requires coach houses to be located at least 6 metres from the principal building. The clause was</p>	<p>New OCP includes a DPA guideline to allow a Development Permit to vary the minimum distance between a Single Detached Dwelling and a Coach House.</p>

Recommendation	Notes on Implementation
intended to encourage “respectful” siting of coach houses near single family dwellings. But the separation distance doesn’t apply to neighbouring dwellings or properties.	
<p>6. <i>Zoning change: Different side yard setbacks for one and two storey coach houses</i></p> <p>Increase the side yard setback by 0.5m for two-storey coach houses.</p>	<p>Bylaw No. 2100 increases the side and rear yard setbacks from 1.5m to 2.0m for coach houses that are over 5.0m tall.</p>
<p>7. <i>Zoning change: Allow more siting options for coach houses, particularly on corner lots</i></p> <p>In some cases (particularly for corner lots) it makes sense for coach houses to be located in side yards.</p>	<p>New OCP includes a guideline requiring that coach houses be oriented towards the lane or an exterior lot line.</p> <p>Bylaw No. 2100 allows coach houses in the side yard as well as rear yard.</p>
<p>8. <i>Zoning change: Exclude 45m² of covered parking area from site coverage calculations for one storey coach houses.</i></p> <p>Many homes in Old Town do not have garages and staff have found multiple examples where owners wishing to have both a covered garage/parking area and coach house have no choice under the Zoning Bylaw but to build a two-storey coach house to provide both a dwelling unit and covered parking.</p>	<p>Bylaw No. 2100 adds an exemption for a maximum of 45m² of covered parking to be excluded from the calculation of parcel coverage.</p> <p>Note that the existing maximum parcel coverage is 33% in all zones that permit a coach house. For a standard parcel in Old Town (668m²) 45m² is slightly less than 7% of the parcel.</p>
<p>9. <i>Zoning change: Change accessory building regulations to incentivize one storey coach houses.</i></p> <p>A coach house is considered an accessory building and only two accessory buildings are allowed per parcel. This encourages owners to avoid losing indoor accessory building space by relocating it into the lower floor of a two storey coach house.</p>	<p>Bylaw No. 2100 excludes a one-storey coach house from the calculation of accessory buildings, meaning that you can have two accessory buildings in addition to the one-storey coach house.</p>
<p>10. <i>Zoning change: Remove floor area maximum for secondary suites in certain zones</i></p> <p>The Zoning Bylaw limits secondary suites to 40% of the single-unit dwelling or 90 m², whichever is less. This rule was originally</p>	<p>Bylaw No. 2100 removes the requirement that secondary suites be limited to 40% of the principal dwelling for all zones.</p> <p>Staff are recommending that the requirement that secondary suites be less than 40% of the</p>

Recommendation	Notes on Implementation
<p>aligned with a BC Building Code restriction on the size of suites. However, in 2019 the Building Code was changed to eliminate the maximum size requirements for suites as a way to remove barriers to the creation of more affordable housing including secondary suites. Many two storey houses in Ladysmith have upper and lower floors of equal size making it more economical for a suite to be one entire floor (50% of the dwelling).</p>	<p>principal dwelling be deleted for all zones rather than only for Old Town. This will remove a zoning barrier that could prevent people from building smaller, more modest homes.</p> <p>The overall size of the principal building in all cases is still controlled by other zoning regulations including parcel coverage.</p> <p>Bylaw No. 2100 removes the 90m² maximum size for secondary suites in the R-2, R-2-A and R-2-LW zones which are the zones that allow coach houses. The maximum size of the suites would still be limited to 90m² in all other zones.</p>
<p><i>11. New development permit guideline: Supplemental variance</i> Staff are proposing that a development permit guideline be added specifying that the Town may require that a proposed two-storey coach house be lowered to one-storey in cases where the reduction in height is necessary to achieve the intent of the guidelines.</p>	<p>Bylaw No. 2099 amends the OCP adding guideline as described.</p>
<p><i>12. Zoning change: Correct the minimum parcel size for coach houses on corner lots</i> The minimum parcel size for coach houses for parcels on a lane is 660 m², but for parcels on a corner parcel, the minimum parcel size is 668m² which excludes some corner parcels in Old Town.</p>	<p>Bylaw No. 2100 allows coach houses on parcels larger than 550m² (with lane access or corner parcels and in zones where coach houses are permitted).</p> <p>Note the recommended change from 660m² to 550m² as the minimum parcel size for allowing a coach house in the R-2 Zone. This is to accommodate the existing houses on High Street. The existing narrow properties on High Street are approximately 277m² and some of the existing houses are on two parcels. The lower minimum parcel size would allow these property owners to construct a coach house if they consolidate their two properties. This modification from the original recommendation was prompted by enquiries from property owners on High Street asking if it would be possible for them to construct coach houses.</p>

Recommendation	Notes on Implementation
	<p>Note also the recommended change to a minimum of 668m² for all other parcels, the existing requirement is for 780m². The main impact of this change will open the option of a coach house to the areas of the R-2 zone without lane access (e.g. Root Street, 4th Avenue extension). 668m² is the largest minimum parcel size for residential parcels in our Zoning Bylaw.</p>
<p>13. <i>Design preauthorization program</i></p>	<p>An update will be provided when available.</p> <p>The revised regulations should be implemented before a preauthorization program is initiated.</p>

Committee of the Whole Recommendations to Council January 24, 2023

At its January 17, 2023 meeting, the Committee of the Whole recommended that Council:

1. Direct staff to prepare an amendment to “Noise Suppression Bylaw 2003, No. 1478”, Section 12 – Exempt Noise, as presented in the staff report dated January 17, 2023.
2. Direct staff to consider the eligibility of the parcel around the cemetery lands, comprised of Town-owned and Crown-owned lands, for inclusion in a future Parks Master Plan.
3. Refer consideration of backyard chickens to a future meeting after the adoption of the Official Community Plan (OCP), when it can be considered as an OCP Implementation Policy.
4. Approve the following questions and direct staff to forward them to Our Cowichan Communities Health Network for consideration and possible inclusion in the "Our Health, Our Community" Health and Wellness survey:
 - a) Do you live within five minutes of green space (park) or blue space (body of water) and how often do you use these assets?
 - b) Do you have access to your own personal doctor?
 - c) How often do you need to take advantage of the services at Urgent Care?
 - d) Have you had an asthma diagnosis?



COMMITTEE OF THE WHOLE MEETING MINUTES

**Tuesday, January 17, 2023
6:30 P.M.
Ladysmith Seniors Centre
630 2nd Avenue**

Council Members Present:

Councillor Amanda Jacobson, Chair
Mayor Aaron Stone
Councillor Ray Gourlay
Councillor Tricia McKay

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Jake Belobaba

Ryan Bouma
Matt O'Halloran
Sue Bouma

Guests:

S/Sgt. Wes Olsen

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Councillor Jacobson, 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 2023-001

That the agenda for this January 17, 2023 Committee of the Whole meeting be approved.

Motion Carried

3. MINUTES

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

CW 2023-002

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

Motion Carried

4. REPORTS

4.1 Building Inspector's Report to December 31, 2022

CW 2023-003

That the Committee receive the Building Inspector's Report for the months September to December 2022.

Motion Carried

4.2 Ladysmith Fire/Rescue Reports for September to December 2022

CW 2023-004

That the Committee receive the Ladysmith Fire/Rescue Reports for the months September to December 2022.

Motion Carried

4.3 Coastal Animal Control Services Reports for August to October 2022

CW 2023-005

That the Committee receive the Coastal Animal Control Services Reports for the months August to October 2022.

Motion Carried

4.4 RCMP Reports for July to September 2022

CW 2023-006

That the Committee receive the RCMP Reports for the months July to September 2022.

Motion Carried

4.5 “Noise Suppression Bylaw 2003, No. 1478”

CW 2023-007

That the Committee recommend that Council direct staff to prepare an amendment to “Noise Suppression Bylaw 2003, No. 1478”, Section 12 – Exempt Noise, as presented in the staff report dated January 17, 2023.

Motion Carried

5. COUNCIL SUBMISSIONS

5.1 Cemetery Lands

CW 2023-008

That the Committee recommend that Council direct staff to consider the eligibility of the parcel around the cemetery lands, comprised of Town-owned and Crown-owned lands, for inclusion in a future Parks Master Plan.

Motion Carried

5.2 Backyard Chickens

CW 2023-009

That the Committee recommend that Council refer consideration of backyard chickens to a future meeting after the adoption of the Official Community Plan (OCP), when it can be considered as an OCP Implementation Policy.

Motion Carried

6. UNFINISHED BUSINESS

6.1 “Our Health, Our Community” Health and Wellness Survey

CW 2023-010

That the Committee recommend that Council approve the following questions and direct staff to forward them to Our Cowichan Communities Health Network for consideration and possible inclusion in the "Our Health, Our Community" Health and Wellness survey:

1. Do you live within five minutes of green space (park) or blue space (body of water) and how often do you use these assets?
2. Do you have access to your own personal doctor?
3. How often do you need to take advantage of the services at Urgent Care?
4. Have you had an asthma diagnosis?

Motion Carried

7. ADJOURNMENT

CW 2023-011

That this Committee of the Whole meeting adjourn at 7:42 p.m.

Motion Carried

CERTIFIED CORRECT

Chair (Councillor A. Jacobson)

Corporate Officer (M. O'Halloran)

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Matt O'Halloran, Corporate Officer
Meeting Date: January 24, 2023
File No:
Re: Conditional Management Plan for Wastewater Treatment

RECOMMENDATION:

That Council approve the October 31, 2022 Conditional Management Plan agreement between the Canadian Food Inspection Agency, Fisheries and Oceans Canada, Environment and Climate Change Canada, British Columbia Ministry of Environment and Climate Change Strategy, Environmental Protection Division, and The Town of Ladysmith.

EXECUTIVE SUMMARY:

The attached Conditional Management Plan (CMP), for the management of shellfish harvesting in conditionally classified harvest areas adjacent to the Town's wastewater treatment plant, is being proposed as a replacement for the existing CMP the Town currently operates under. In general, the CMP is the framework used by staff and regulators to detect, report, and respond to bypass events at the wastewater treatment plant. Bypass events can have adverse effects on marine life and the nearby shellfish harvest.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2009-254	05/04/2009	That the Mayor and Director of Corporate Services be authorized to sign the Conditional Management Plan between the Canadian Food Inspection Agency, Fisheries and Oceans Canada, Environment Canada, British Columbia Ministry of Environment and the Town of Ladysmith.

INTRODUCTION/BACKGROUND:

As part of the Town's liquid waste management plan, Operational Certificate, and duty of care, the Conditional Management Plan outlines roles and responsibilities as well as direction in the event of a bypass. Section 3 of the plan details the Town's obligations to the agreement which generally include:

- Annual reporting;

- Continuous monitoring of the system for detection of bypass events;
- Proper notification in the event of a bypass; and
- Maintain records of testing and bypass events.

Operation of the wastewater treatment facility is already being carried out in compliance with the requirements of the proposed CMP; hence, the update will not have an operational or financial impact.

The CMP does not apply to routine operation and discharge of treated wastewater to the Ladysmith harbour.

ALTERNATIVES:

Council can choose to:

1. Request staff to work with regulators to make revisions.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|--|---|
| <input 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. Draft Conditional Management Plan

CONDITIONAL MANAGEMENT PLAN (CMP)

BETWEEN THE:

Canadian Food Inspection Agency (CFIA),
Fisheries and Oceans Canada (DFO),
Environment and Climate Change Canada (ECCC)
British Columbia Ministry of Environment and Climate Change Strategy, Environmental
Protection Division (ENV), and
The Town of Ladysmith

(the “Participants”)

FOR THE MANAGEMENT OF SHELLFISH HARVESTING IN CONDITIONALLY CLASSIFIED HARVEST AREAS ADJACENT TO THE WASTEWATER TREATMENT PLANT LOCATED AT:

245A Oyster Cove, Town of Ladysmith, BC
(the “Ladysmith WWTP”)

INTRODUCTION

The Canadian Shellfish Sanitation Program (CSSP) is delivered by three federal institutions, Fisheries and Oceans Canada (DFO), Environment and Climate Change Canada (ECCC) and the Canadian Food Inspection Agency (CFIA) (hereinafter collectively referred to as the “CSSP partners”). The CSSP provides reasonable assurance that bivalve molluscan shellfish are safe for consumption, thus supporting the industry and providing confidence for Canadians and export markets. This Conditional Management Plan (CMP) between the CSSP partners, the Province of British Columbia Ministry of Environment and Climate Change Strategy, Environmental Protection Division (ENV) and, the Municipality/Wastewater Treatment Plant (WWTP) Operators outlines the roles and responsibilities of the Participants in the event of a trigger event (described in Appendix E of this CMP) at the Ladysmith WWTP.

The present CMP does not affect legal requirements existing under Federal or Provincial statutes. For greater certainty, where there occurs a deposit of a deleterious substance out of the normal course of events in water frequented by fish, or a serious and imminent danger thereof, the person that causes or contributes to the deposit (or danger thereof) has a legal obligation to report such occurrences to an inspector designated pursuant to subsection 38(1) of the *Fisheries Act* (R.S.C., 1985, c. F-14), to a fishery officer, or to any authority as is prescribed by regulation under subsection 38(4) of the *Fisheries Act* (R.S.C., 1985, c. F-14).

This CMP does not affect the legal rights and responsibilities of the Municipality, as a local government under the *Community Charter [SBC 2003] CHAPTER 26* and the *Local Government Act [RSBC 2015] CHAPTER 1*, or as a WWTP operator subject to all applicable regulatory licences and permits, but reflects the Municipality’s commitment to assist the CSSP partners in

providing reasonable assurance that bivalve shellfish harvested adjacent to the Ladysmith WWTP area are safe for human consumption.

DURATION OF THE CONDITIONAL MANAGEMENT PLAN

This CMP shall be renewed on the date of signing by each of the Participants and expires on January 31, 2026 and is subject to each participant signing this CMP prior to coming into force.

1 PURPOSE AND SCOPE

Full cooperation of the Participants is required to achieve timely detection and notification of WWTP trigger events, along with the necessary response actions to ensure continued food safety of harvested bivalves. This initiative stems from the CSSP and the requirements related to Conditional Area Management (refer to CSSP Manual, a copy of which is located at <http://www.inspection.gc.ca/food/sfcr/food-specific-requirements-and-guidance/fish/canadian-shellfish-sanitation-program/eng/1527251566006/1527251566942>). Conditional Area Management will be supplemented by Preventive Control Plans implemented by Safe Food for Canadians licensed operators.

This CMP provides enhanced management of the bivalve molluscan shellfish harvest waters adjacent to the Ladysmith WWTP as described in Section 4.

The area described in Section 4 of this CMP has been classified based upon the area hydrographical data and the performance characteristics of the Ladysmith WWTP. Any such discharges outside the normal operations of the Ladysmith WWTP, including rare events such as catastrophic failures at the WWTP or ruptures in the collection system that result in wastewater discharges to the marine environment that are not specifically listed under the trigger event definition in this CMP, remain subject to reporting under subsection 38(4) of the *Fisheries Act* (*R.S.C., 1985, c. F-14*), with any subsequent closures of shellfish harvesting areas addressed under Section B, 6.2 of the CSSP Manual. A classification map of the harvest area is provided in Appendix A.

2 BACKGROUND

2.1 Conditional Area Management

The CSSP Manual outlines the authorities (statutes and regulations), policies, procedures, and activities governing the control of shellfish growing areas, and the harvesting, processing and distribution of shellfish.

Shellfish harvest areas outlined in this CMP that are subject to intermittent microbiological contamination may be classified as conditionally restricted areas. If the conditions set out in this CMP cannot be met, the CSSP partners will determine whether the area will be reclassified as prohibited.

2.2 WWTP description

The Ladysmith WWTP operated under provincial authorization (PE-00120) issued by the ENV until April 4, 2022. A Liquid Waste Management Plan (LWMP) for the Town of Ladysmith was approved on April 2, 2013, and Operational Certificate 110161 was issued by the provincial authority on April 4, 2022 to replace permit PE 00120. The authorized discharges are described in Section 5.1.2.

The authorized works are influent screening, primary treatment using the Salsness Filter process; secondary (biological) treatment using the moving bed bioreactor (MBBR) process; dissolved air floatation (DAF) for separation of biological solids; disinfection using sodium hypochlorite followed by the dechlorination using calcium thiosulphate); 710 mm diameter outfall extending 850 m (48°59.00' north latitude and 123°47.46' west longitude) from the mean low water to a depth of 17.9 m below low water; and sludge handling and dewatering facilities located on site.

The system is designed with four potential overflow points described as follows:

- Salsness filter failure: Effluent would be diverted to the old spirogester with a 700 m³ capacity, and then be directed to the chlorine contact chamber then dechlorinated. If the failure results in flows that are less than that of the capacity of the spirogester, this effluent will be pumped back into the head of the treatment facility when capacity exists. This would result in no trigger event. If the chlorine contact chamber is full it will be directed (manually) into the outflow line. The contact chamber will have a SCADA alarm for high level, if this system fails the chlorine contact chamber could overflow into the harbour which will impact shellfish resources in Ladysmith Harbour.
- MBBR failure (overflow): Effluent would be diverted to the chlorine contact chamber then dechlorinated. This effluent would have passed through the Salsness filters so has received primary treatment. If the chlorine contact chamber is full it will be directed (manually) into the outflow line. The chlorine contact chamber will have a SCADA alarm for high level, if this system fails the chlorine contact chamber could overflow into the harbour which will impact shellfish resources in Ladysmith Harbour.
- Spirogestor overflow: If the spirogestor is full, the system will back up into the overflow weir and into the outfall. A bypass flow of 50 m³/day will impact shellfish resources in Ladysmith Harbour.
- Wet Well pump failures and/or over capacity (overflow): Effluent would be diverted to the spirogester with a 700 m³ capacity, and then be directed to the Chlorine contact chamber then dechlorinated. If the failure results in flows that are less than that of the capacity of the spirogester, this effluent will be pumped back into the head of the treatment facility when capacity exists. This would result in no trigger event. If the chlorine contact chamber is full it will be directed (manually) into the outflow line. The chlorine contact chamber will have a SCADA alarm for high level, if this system fails the chlorine contact chamber could overflow into the harbour which will impact shellfish resources in Ladysmith Harbour.

Collection system lift stations are not designed with a bypass discharge.

2.3 Description of the Shellfish Fisheries (including aquaculture) within the CMP Area

Significant bivalve shellfish harvest takes place near the Ladysmith WWTP within conditionally restricted classification areas. For all types of potential use, fisheries and aquaculture licence conditions prohibit harvest where notice is given of biotoxin or other contamination such as trigger events from the Ladysmith WWTP. Where not closed by Prohibition Order, Variation Orders open commercial bivalve fisheries in non-contaminated areas for specified areas and times.

Within the conditionally restricted area, where appropriately licensed, wild and aquaculture harvest may occur. In this area, there are six shellfish aquaculture tenures issued by the Province and licensed by DFO.

Pacific Oyster and clam relay and commercial intertidal clam depuration, may occur in marginally contaminated areas that are closed by Prohibition Order; these activities must be reviewed by ECCC and CFIA and authorized by licences issued by DFO under the *Management of Contaminated Fisheries Regulations (SOR/90-351)*.

3 ROLES AND RESPONSIBILITIES

The roles and responsibilities of each of the Participants are specified in Sections 3 and Sections 5 to 8 of this CMP. Additional responsibilities for the CSSP partners can be found in Section E, 13 of the CSSP Manual.

The roles and responsibilities of the ENV and the Town of Ladysmith are as follows:

The ENV is responsible for regulating municipal WWTP's. The ENV will:

- a) verify through annual report reviews, and any other communications with the Ladysmith WWTP Chief Operator or designate that trigger events, are reported by the methods described in this CMP, as they occur.
- b) provide an annual summary report of the results of compliance with provincial authorization requirements and confirmed trigger event reporting as defined in Sections 5.1 and 5.2 of this CMP by February 15th for the previous calendar year, including recommendations for changes to this CMP.

The WWTP Chief Operator or designate of the Town of Ladysmith is responsible for the operation of the Ladysmith WWTP located at 245A Oyster Cove, Ladysmith, BC. The WWTP Chief Operator or designate of the Town of Ladysmith will:

- a) where feasible, maintain a continuous monitoring system by which trigger events described in Section 5.1 can be detected in a timely manner, and improve upon that monitoring system;
- b) immediately notify the DFO Radio Room and Emergency Management BC (EMBC) verbally by telephone of any planned or unplanned changes in operations of the municipality's wastewater collection and treatment facility which may or has resulted in a trigger event as per Section 5.1;

- c) advise CFIA, ECCC and DFO in writing by email using the online Wastewater Treatment Plant Reporting Tool when the trigger event has occurred or has ceased. Alternatively, advise the DFO Radio Room and EMBC by telephone as per Section 5.2. This notification is the initial step in the re-opening criteria process;
- d) in the event that a trigger event is detected as described in 5.1, WWTP Chief Operator or designate will implement the Notification procedures as described in section 5.2 of this CMP. This includes an initial call to EMBC and the DFO Radio Room, and then using the web-based “Wastewater Treatment Plant Reporting Tool” to submit a record of the trigger event for CMP purposes;
- e) maintain up-to-date records of the operations and maintenance of the wastewater collection and treatment facilities as per the requirements of the operating certificate 110161 issued by ENV;
- f) provide a copy of the results of routine final effluent analysis to ENV and ECCC, described in the operating permit issued by ENV;
- g) update the record of the discharge event using the “Wastewater Treatment Plant Reporting Tool” when the trigger event has terminated, which will implement Notification procedures that will advise the Participants that the trigger event has ceased (“END of Discharge Event” email);
- h) provide an annual report of the results of activities listed above to the ENV and ECCC for the 12 month period starting January 1st and finishing December 31st of each year. The report must contain at minimum the occurrence trigger events including dates, estimates of discharges and records of the notifications given to DFO and EMBC, and notifications given to DFO when the event ceased. The report must be submitted by January 15th of the following year and may contain recommendations for changes to this CMP if any are necessary.
- i) as of April 1, 2022 in the event that a trigger event occurs outside of regular business hours (Monday-Friday between the hours of 08:00-16:30 and statutory holidays) the DFO standby officer on duty is to be immediately notified, in replacement of the DFO Radio Room. A standby calendar containing the name and contact information for the officer on standby has been provided in the event of any after-hours emergencies.

4 DESCRIPTION OF THE SANITARY CLOSURES, CONDITIONALLY RESTRICTED CLASSIFIED AREA(S)

This CMP deals specifically with the harvesting of shellfish in the conditionally restricted area(s) described below.

4.1 Sanitary Closure 17.1, including:
The waters and intertidal foreshore of Ladysmith Harbour lying inside a line drawn from Sharpe Point at 48°58.88’ north latitude and 123°46.10’ west longitude, thence southeasterly to a point on land southeast of Boulder Point at the foot of South Oyster

School Road at 48°57.49' north latitude and 123°45.35' west longitude. [Sanitary Closure Map 17.1] [NAD 83]
4.2 Conditionally Restricted Areas within Sanitary Closure 17.1, including:
<p>That portion of Ladysmith Harbour inside a line that starts at an unnamed point of land at 48°58.97' north latitude and 123°46.37' west longitude northwest of Sharpe Point, thence westerly to a point in water at 48°59.02' north latitude and 123°47.03' west longitude, thence northerly to a point on land in Sibell Bay at 48°59.57' north latitude and 123°46.88' west longitude, thence following the shoreline along the high water mark to the point of commencement. [NAD 83]</p> <p>And:</p> <p>That portion of Ladysmith Harbour inside a line that starts at a point of land at Hunter Point at 48°59.51' north latitude and 123°47.18' west longitude, thence southwesterly to a point on land on the islet off the westernmost end of the easternmost Dunsmuir Island at 48°59.45' north latitude and 123°47.28' west longitude, thence following the northern shoreline high water mark of the westernmost Dunsmuir Island to the westernmost point at 48°59.59' north latitude and 123°47.73' west longitude, thence easterly to a point in water at 48°59.61' north latitude and 123°47.51' west longitude, thence northerly to an unnamed point of land at 48°59.80' north latitude and 123°47.78' west longitude, thence following the shoreline along the high water mark to the point of commencement. [NAD 83]</p> <p>And:</p> <p>That portion of Ladysmith Harbour inside a line that starts at a point of land at 48°58.71' north latitude and 123°47.92' west longitude, thence northerly to a point in water at 48°58.94' north latitude and 123°47.77' west longitude, thence northwesterly to a point in water at 48°59.12' north latitude and 123°48.04' west longitude thence westerly to a point on land at 48°59.13' north latitude and 123°48.38' west longitude, thence following the shoreline along the high water mark to the point of commencement. [NAD 83]</p>
4.3 Boundaries and Orders may Change
Classification boundaries and Prohibition Orders may be amended during the term of this CMP as required according to on-going sampling data and advice from ECCC and/or CFIA and are also subject to any overlapping prohibited areas such as 125 m radius around floating living accommodations and 300 m around outfalls, as per the MCFR. See Appendix A.

5 DETECTION / NOTIFICATION / RESPONSE TO A TRIGGER EVENT

As defined in the CSSP Manual, an effective regime for the detection, notification, and response to disruptions in the normal operation of a WWTP is a prerequisite to the harvest of shellfish in the conditionally restricted areas described in Section 4 of this CMP.

5.1 Detection

The Town of Ladysmith WWTP Chief Operator or designate will maintain a continuous monitoring system by which trigger events set forth in this CMP can be detected in a timely manner. The importance of continuous monitoring systems is recognized by the Town of Ladysmith and they will continue to evaluate and upgrade systems as part of their capital planning process.

The conditionally restricted areas described in Section 4 of this CMP will be closed to the harvesting of molluscan shellfish in response to any trigger event that results in a discharge to the marine environment that has the potential to pose a contamination risk to shellfish beyond the existing Sanitary Closure 17.1 boundary, as defined in further detail in Section 5.1.3.

The Town of Ladysmith WWTP Chief Operator or designate must be able to detect such discharges, and to make the appropriate notifications.

Trigger events include, but are not limited to, the following conditions:

- Daily effluent discharge volume exceeding the WWTP plant design capacity of 14,400 m³/day
- WWTP disruptions that result in more than 50 m³/day of untreated effluent being discharged via the bypass outfall
- WWTP disruptions that result in untreated or partially treated effluent discharge that fails to meet ENV authorized effluent disinfection characteristics
- Bypasses identified but not limited to those identified in Section 5.1.3 that result in effluent discharges not in receipt of secondary treatment
- Collection system failures that result in an untreated wastewater discharge to the marine environment

Rare events, such as catastrophic failures or collection system ruptures, that result in sewage discharges to the marine environment and are not specifically listed under the trigger event definition in this CMP, remain subject to reporting under subsection 38(4) of the *Fisheries Act* (R.S.C., 1985, c. F-14), as well as the CSSP Emergency Events Section B, 6.2 of the CSSP Manual.

5.1.1 Description of the normal operating requirements (performance standards or values permitted by provincial regulators)

The plant operated under ENV authorization (PE-00120) issued by the ENV until April 4, 2022. A LWMP for the Town of Ladysmith was approved on April 2, 2013, and Operational Certificate 110161 issued by the provincial authority, replaced permit PE-00120. The characteristics of the authorized discharges pertaining to the CMP are as follows:

The maximum rate at which effluent may be discharged through the Ladysmith WWTP is 15,500 m³/day, 365 days per year. Flow in excess of the treatment plant capacity is screened and discharged to the outfall. The characteristics of the discharge must be equivalent to or better than: Carbonaceous 5-day Biochemical Oxygen Demand,

Maximum: 45 mg/L; Total Suspended Solids, Maximum: 45 mg/L; Fecal Coliforms, Maximum: 14 CFU/100mL or MPN/100 mL at the Initial Dilution Zone boundary.

The effluent shall be dechlorinated prior to discharge to reduce the total chlorine residual below 0.02 mg/l.

5.1.2 Description of scenarios that are reasonably likely to occur resulting in a trigger event (lack of disinfection, bypass, power failure, overflow of lift stations that could impact the area, presence of a hazardous substance such as oil or gas, others)

Bypass: The system is designed with an overflow bypass as follows:

- Salsness filter failure: Effluent would be diverted to the old spirogester with a 700 m³ capacity, and then be directed to the chlorine contact chamber for dechlorination. If the failure results in flows that are less than that of the capacity of the spirogester, this effluent will be pumped back into the head of the treatment facility when capacity exists. This would result in no trigger event. If the chlorine contact chamber is full it will be directed (manually) into the outflow line. The chlorine contact chamber will have a SCADA alarm for high level, if this system fails the chlorine contact chamber could overflow into the harbour which will impact shellfish resources in Ladysmith Harbour.
- MBBR failure (overflow): Effluent would be diverted to the chlorine contact chamber then dechlorinated. This effluent would have passed through the Salsness filters so has received primary treatment. The chlorine contact chamber will have a SCADA alarm for high level, if this system fails the chlorine contact chamber could overflow into the harbour which will impact shellfish resources in Ladysmith Harbour.
- Wet Well pump failures and/or over capacity (overflow): Effluent would be diverted to the old spirogester with a 700 m³ capacity, and then be directed to the chlorine contact chamber then dechlorinated. If the failure results in flows that are less than that of the capacity of the spirogester, this effluent will be pumped back into the head of the treatment facility when capacity exists. This would result in no trigger event. If the chlorine contact chamber is full it will be directed (manually) into the outflow line. The chlorine contact chamber will have a SCADA alarm for high level, if this system fails the chlorine contact chamber could overflow into the harbour which will impact shellfish resources in Ladysmith Harbour.
- Spirogestor overflow: If the spirogester is full the system will back up into the overflow weir and into the outfall. A bypass flow of 50 m³/day will impact shellfish resources in Ladysmith Harbour.

Power Failure: WWTP function will continue in the case of a power failure due to a dedicated permanent generator.

Disinfection: Disinfection levels are maintained during power failures due to a dedicated permanent generator.

Lift stations: Lift stations have been designed with a 10 hour holding capacity and high level alarms. The town has 7 lift stations, in the event of a power failure the following will occur:

- Swettenham Pl. and Parks Pl. have onsite standby generators
- Ludlow and Dogwood Dr. would be connected to portable generators.
- Transfer Beach would be shut down.
- Sandy Beach and Gill Rd. have no standby generators or ability to be hooked to a portable generator, so would rely on pumper trucks.

5.1.3 Description of how each of the trigger event types noted above are detected (Supervisory Control and Data Acquisition (SCADA), visual, others).

Detection of trigger events during and after normal work hours, as they currently exist include the following:

- a) Power failure and other process failures are connected to a SCADA system that notifies the operator on-call. Response time is 0.25 hours. This capability is available 24 hours a day 7 days a week.
- b) Sodium hypochlorite is metered into the contact chamber. If a power failure occurs the system operates as normal due to the backup generator. The Town conducts daily tests to confirm residual levels.
- c) Backup generators power two lift stations and the WWTP including the disinfection system.

Lift station wells are alarmed with an auto dialer and have enough capacity for 10 hours of volume. All are accessible by pumper truck if required.

5.1.4 Time lines for detection of each trigger event type, in hours, taking into account best and worst case scenarios (during and after working hours including weekends)

1. Detection of a trigger event (Section 5.1) is 0.25 hours in normal working hours and up to 4 hours after normal working hours.

5.2 Notification

Any trigger event described in Section 5.1 requires a notification of the event by the Ladysmith WWTP Chief Operator or designate as follows:

2. The Ladysmith WWTP Chief Operator or designate immediately notifies both the EMBC and the DFO Radio Room verbally at the phone numbers noted in Appendix D when trigger events are detected as per Section 5.1, noting the event type, the estimated start time and name of the caller as well as when the event has ceased. As of April 1, 2022 in the event that a trigger event occurs outside of regular business hours (Monday-Friday between the hours of 08:00-16:30 and statutory holidays) the DFO standby officer on duty is to be immediately notified, in replacement of the DFO Radio Room. A standby calendar containing the name and contact information for the officer on standby has been provided in the event of any after-hours emergencies (Appendix D). (0.50 hours)

Note: A notification under the current CMP does not replace or otherwise affect the requirements, pursuant to subsection 38(4) of the *Fisheries Act* (R.S.C., 1985, c. F-14), to report to a *Fisheries Act* (R.S.C., 1985, c. F-14), inspector or to any other person or authority as is prescribed by regulations, when there occurs a deposit of a deleterious substance out of the normal course of events in water frequented by fish, or a serious and imminent danger thereof. A notification does not replace the emergency procedures and bypass requirements as defined under operational certificate 110161.

3. The Ladysmith WWTP Chief Operator or designate enters all information into the WWTP Reporting Tool, when a trigger event is detected or has ceased. (0.50 hours)

Also notify of any planned or unplanned changes in operations at the Ladysmith WWTP (e.g. untreated sewage discharge, proposed maintenance work, etc.) which are likely to alter the normal effluent loading or location of discharge in or in proximity of the conditionally classified areas herein described.

Upon submitting the event record into the WWTP Reporting Tool, a “WWTP Event Report” (Appendix C) will automatically be distributed via email (subject title “NOTICE: WWTP Start of Event”) to the Participants listed in this CMP (Appendix D).

4. When the trigger event has been terminated and the operation of the Ladysmith WWTP has returned to normal, the WWTP Chief Operator or designate will update the event record in the WWTP Reporting Tool, which will automatically distribute an updated “WWTP Event Report” via email (subject title “NOTICE: WWTP End of Event”) to each Participant listed in this CMP (Appendix D).

If the WWTP Reporting Tool is not working as expected, the WWTP Chief Operator or designate should report the problem to the DFO CSSP Coordinator (Appendix D) as soon as possible, providing the source location and start time of the discharge.

The WWTP Chief Operator or designate will follow the instructions described in section “7.3 The WWTP Reporting Tool is Offline or Malfunctioning” for an alternate means of notifying the Participants of a trigger event. These instructions are found in section “7. Trouble Shooting” in the “User Manual – Wastewater Treatment Plant Reporting Tool” document (Appendix C).

5.2.1 Description of how notification is provided to all CSSP partners and other Participants (phone/fax/email)

5. The EMBC completes and sends a Dangerous Goods Incident Report (DGIR) immediately and notifies other agencies including ECCC, ENV and DFO/CCG Marine Communications and Traffic Services (MCTS) by sending the incident report by email (Appendix C). (0.25 hours)
6. The DFO/CCG MCTS notifies the DFO Radio Room, or standby officer after business hours, by also sending the DGIR report (built in redundancy). (0.25 hours)

7. The DFO Radio Room notifies the CSSP Coordinator and/or DFO Conservation and Protection during business hours. The DFO standby officer will be contacted directly after business hours. (0.25 hours)

5.3 Response

Upon receiving notification as outlined in Section 5.2, each Participant will respond in accordance with their respective authorities as follows:

8. The DFO CSSP Coordinator and/or C&P, contact the CFIA Pacific Shellfish Desk by email at pacificshellfish@inspection.gc.ca with the subject line: **URGENT - WWTP OVERFLOW EMERGENCY NOTIFICATION**. Outside of business hours the DFO standby officer will contact CFIA directly by phoning the Pacific Shellfish Desk and/or Timothy Delange at the numbers listed in this CMP (Appendix D). (0.25 hours)¹
9. Once the DFO CSSP Coordinator or standby officer reaches the Pacific Shellfish Desk or Timothy Delange outside of business hours, the CFIA will email all registered molluscan shellfish processing plants immediately. (0.25 hours)¹
10. DFO (CSSP Coordinator or C&P) are responsible for (1.0 hours);
 - a. DFO will initiate their internal procedures regarding the activation of a change in area status through SHELLI (Shellfish Harvest Extent, Latitude, Longitude Information) which will invoke a Prohibition Order to place the area in Closed status under the *Management of Contaminated Fisheries Regulations (SOR/90-351)* (notification that provides DFO Regional Director General with reason to believe that fish of any species are contaminated), C&P Regs will accept the recommendation and a Prohibition Order will be sent to the RDG to be signed.
 - b. Inform affected harvesters (First Nations, commercial harvesters and stakeholders) (Appendix D) via email,
 - c. Inform CSSP partners of overflow or termination of an overflow,
 - d. Post Fishery Notice via Automatic Fishery Notice System,
 - e. Update public communication material (<http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.html>) with a map and the legal description of the area affected through FRIS,
 - f. Initiate patrols of affected area.

¹ Steps 8-9 occur simultaneously. The maximum time allotted to each step is 0.25 hour and are not additive.

The total detection, notification and response time is **7.0 hours**¹.

¹ **Note:** The total detection, notification and response time is calculated by adding together the total time allotted for steps 1 to 10 (7.0 hours).

11. Upon submission of an event report into the WWTP Reporting Tool, a notification will automatically be distributed via email on behalf of DFO (subject title "NOTICE: WWTP

Discharge”) to the Participants stating the area has been affected by a trigger event and the issuance of a prohibition order and notice of the order will be published no later than the next business day to inform harvesters to cease harvesting immediately in the area subject to the order. This notification will be distributed within one hour of detection of the discharge.

12. Upon submission of an event report into the WWTP Reporting Tool, a notification will automatically be distributed via email on behalf of CFIA (subject title “NOTICE: WWTP Discharge”) stating the area has been affected by a trigger event and that the conditionally classified area(s) have been closed or are about to be closed to harvesting. This notification will be distributed within one hour of detection of the discharge.

6 RE-OPENING CRITERIA

The harvest areas described in this CMP will remain in closed status to harvesting until the re-opening criteria are met. Commencement of re-opening criteria does not begin until after the Town of Ladysmith has provided notification that the trigger event(s) have ceased as outlined in Section 3 and Section 5.

Areas will be returned to their classification status when conditions outlined in Section B, 4 of the CSSP Manual have been met as advised by ECCC and CFIA.

The sampling methodology must comply with the established procedures outlined in Section B, 7 of the CSSP Manual and the Sampling Policy and Procedures found in the CFIA’s Fish Products Standards and Methods Manual. The sample locations are identified on a map in Appendix A.

All laboratories performing CSSP testing for regulatory purposes must be accredited to the international standard ISO/IEC 17025 “General Requirements for the Competence of Testing and Calibration Laboratories” by a recognized Canadian accrediting body. All samples taken in support of the CMP area are submitted to an ISO/IEC 17025 accredited laboratory.

6.1 **In addition to the conditions above, the following arrangement has been reached between the signatories to this CMP as to the process and responsibilities for collecting samples, sample locations, and where they are analyzed.**

- The area must remain in closed status for a minimum of 7 days after the latest trigger event has ceased.
- In order to re-open sooner than 21 days after the latest trigger event or once a sewage bypass over 50 m³/day has ceased, ECCC and CFIA trained samplers may collect water and shellstock samples from established verification stations outlined in Appendix A. Water and shellstock should be collected no earlier than 5 days after the most recent trigger event has ceased.
- The sampling methodology must comply with the established procedures outlined in Section B, 7 of the CSSP Manual and Sampling Policy Procedures found on the CFIA’s website at <http://inspection.gc.ca/food/requirements-and-guidance/preventive-controls-food-businesses/sampling-procedures/eng/1518033335104/1528203403149>. The sample locations are identified on a map in Appendix A.

- Only those samplers operating under a current and valid sampler agreement with ECCC may perform water verification sampling.

ECCC and CFIA will make a recommendation to DFO to revoke the closure and the harvesting prohibition:

- When a minimum of 21 days have elapsed following the termination of the most recent trigger event, or
- When marine water and shellstock samples from the conditional areas are confirmed to meet the standards for harvest set forth in the CSSP, and a minimum of 7 days have elapsed following the termination of the most recent trigger event.

7 ANNUAL REPORTING

The Participants will provide input into an annual report on the management of the area. The report will then be provided to the Pacific Region Interdepartmental Shellfish Committee (PRISC) each spring for review. This report shall include, as a minimum, the information outlined in Appendix B.

7.1 Procedures to be followed at the local level in order to complete the report:

DFO will lead the development of an Annual Report for Ladysmith.

Summary of activities will include detailed information about each failure detection, notification and response, including timelines, action and delays during the chain of events leading to closure and notification to First Nations, stakeholders and the public and subsequent openings together with all supporting documentation. DFO will provide details on the timelines from detection to closure; as well as a summary of surveillance, enforcement, and control activities: number of patrols, number of incidents, violations.

The CMP annual report shall be completed for review and accepted by a PRISC working group by May 1st of the following year.

CFIA and ECCC will provide input to the Annual Report with water and shellstock microbiological data used to re-open the area (dates, results). Summary data is required by Feb 1st of the following year.

ENV will provide an annual report of the results of activities listed under the ENV in Section 3 in relationship to the CMP by Feb 15th of the following year including but not limited to any recommendations for changes to the CMP.

A report from the Town of Ladysmith /WWTP Chief Operator or designate will include a summary of the occurrence trigger events including, dates, estimates of discharges and records of the notifications made during the duration of this management plan. The report shall be submitted to ENV by January 15th of the following year.

Concerns and recommendations may be provided by all Participants and included in the Ladysmith CMP Annual Report.

8 AMENDMENT AND TERMINATION

Any Participant may, upon providing written notice to the other Participants, withdraw from this voluntary CMP.

If at any time any Participant to the CMP fails to fulfill the requirements as set forth in the CMP or gives notice of withdrawal, the Pacific Region Interdepartmental Shellfish Committee (PRISC) will determine whether the area classification or status will be changed.

This CMP may be amended at any time subject to the written approval of all the Participants.

9 APPENDICES

The Appendices herein form part of this CMP.

Appendix A – Maps:

Figure 1. Ladysmith WWTP Area Classification and Classification Boundaries;

Figure 2. Water and shellstock sample collection locations

Appendix B – Sample Annual Report – Information for the Report

Appendix C – Wastewater Treatment Plant Event Report and Discharge of Wastewater
Notice - WWTP Event Report

Appendix D – Contact List

Appendix E – CSSP and Conditional Management Plan Definitions

Approved at _____, this _____ day of _____, 2022.

Rebecca Reid
Regional Director General
Fisheries and Oceans Canada
Pacific Region

Kelvin Mathuik
Director General
Western Operations
Canadian Food Inspection Agency

Arash Shahsavarani
Executive Director, Water Quality Monitoring and Surveillance Division
Environment and Climate Change Canada

Laurel Nash
Assistant Deputy Minister, the Province of British Columbia Ministry of Environment and
Climate Change Strategy, Environmental Protection Division (ENV)

Director of Corporate Services (or designate)
Town of Ladysmith

Appendix A –Maps

Shellfish harvesting will become prohibited in conditionally restricted area (Figure 1) when an effluent discharge meeting the criteria of a trigger event is reported. Further guidance of how licensed shellfish processing establishments maintain control of shellfish harvested from areas situated between the prohibited area and the response line is contained in CFIA policy documents found at <http://www.inspection.gc.ca/food/sfcr/general-food-requirements-and-guidance/preventive-controls-food-businesses/fish/live-shellfish/eng/1515437226516/1515437308440>.

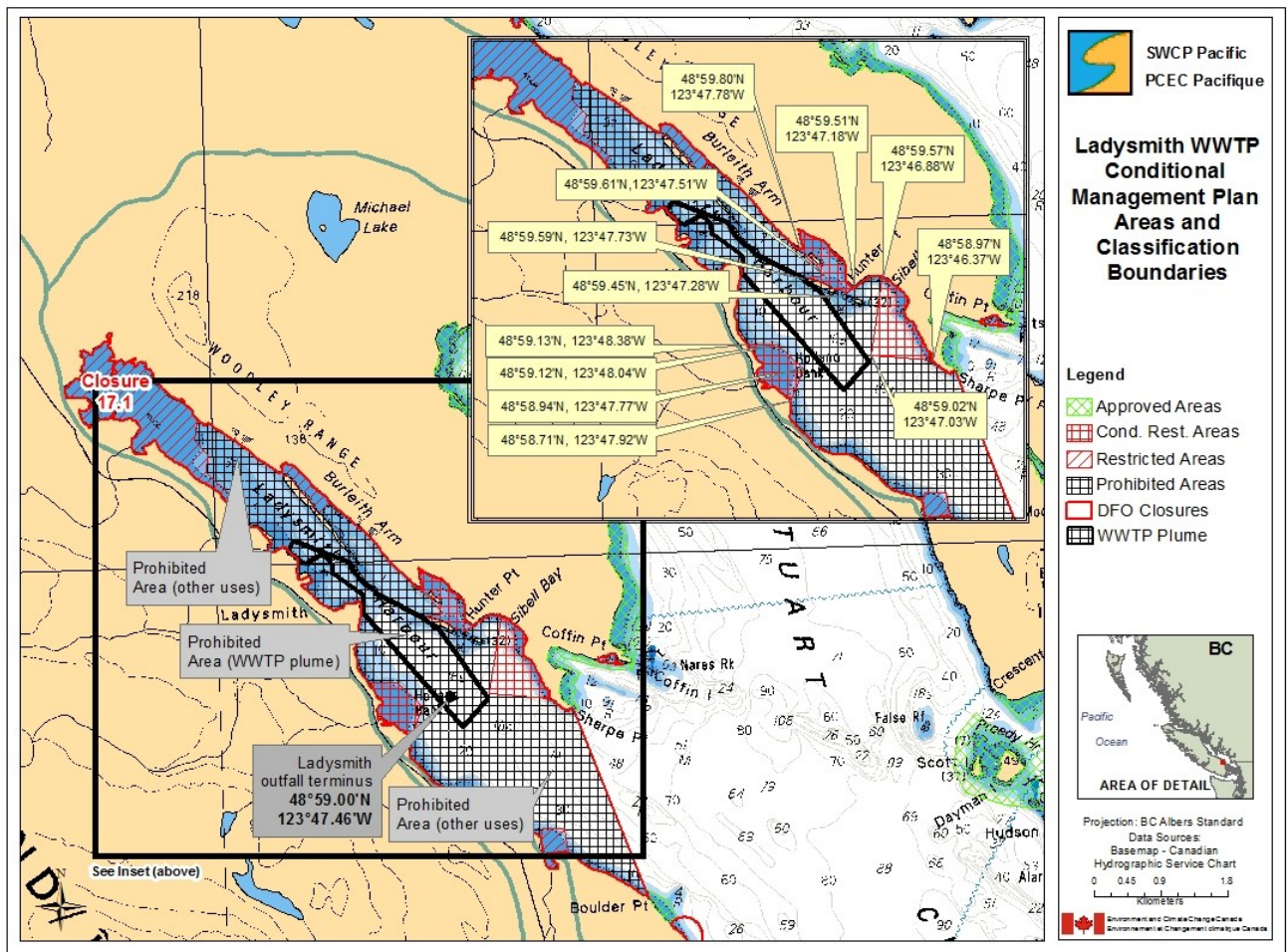


Figure 1. Ladysmith WWTP Area Classification and Classification Boundaries.

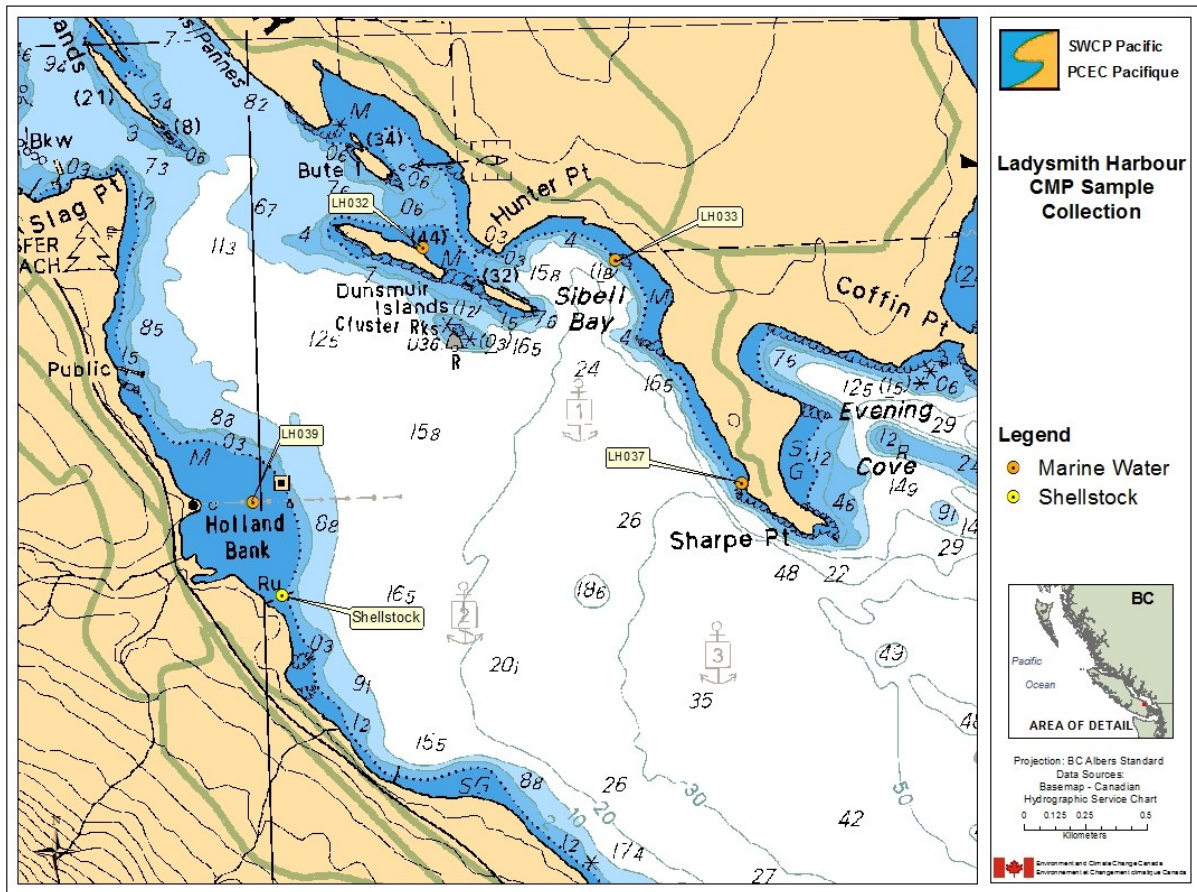


Figure 2. Water and shellstock sample collection locations.

Appendix B – Sample Annual Report – Information for the Report

Name of Area
Conditional Shellfish Area Annual Report for (insert year)

Area

Description/location with boundaries

Map (with classification and sampling sites for water quality and shellstock)

Closure criteria

Potential time period for opening (if applicable)

Species managed and harvesting restrictions/season (if applicable)

Summary of Activities

Number of openings/closures during the year

Prohibition order numbers and dates

Supporting documentation used to make decision about closing

Notices from WWTP Chief Operator or designate (Event, dates, duration)

Supporting documentation used to make decision about opening

Water and shellstock microbiological data to re-open the area (dates, results)

Surveillance, enforcement, control activities: number of patrols, number of incidents, violations

Reference to Management Plan

<http://www.pac.dfo-mpo.gc.ca/fm-gp/ifmp-eng.html>

Report from Province

Comments on the WWTP annual report, as a compliance review to confirm that trigger events were detected and responded to as described in the CMP.

Report from Municipality/WWTP Chief Operator or designate

Summary report of discharges and notifications

Concerns/ Recommendations (all Participants)

Appendix C – WWTP Reporting Tool Event Report Procedures

https://docs.google.com/document/d/1G6Sq6cg26Ll_jkeLQJSMhWh5g28KSxt1/edit?usp=sharing&ouid=115899308216834663229&rtpof=true&sd=true

Example of a “Discharge of Wastewater Notice WWTP Event Report”

SECTION 1: LOCATION & REPORTING			
Facility Name:		Initial Reporting Operator:	
Address:		DGIR No.	
Permit No.		Date of Initial Report:	
		Time of Initial Report:	

Initial Contact/Reporting:

☐ EMBC (Emergency Management BC)

☐ DFO Radio Room

☐ Limberis Seafood Processing

Follow-up Report Submission

☐ ECCC

☐ CFIA

☐ DFO

☐ ENV

☐ Ladysmith Manager of Operations

SECTION 2: DESCRIPTION OF EVENT	
<input type="checkbox"/> WWTP disruption that results in more than 50m ³ /d of untreated effluent being discharged via the bypass outfall <input type="checkbox"/> WWTP disruption that results in untreated or partially treated effluent discharge that fails to meet provincial authorized disinfection requirements <input type="checkbox"/> Daily effluent discharge exceeding 14,400m ³ /day <input type="checkbox"/> Collection system failures that result in an untreated effluent discharge to the marine environment <input type="checkbox"/> Spirogestor or MBBR overflow (primary treated, in receipt of disinfection) greater than 50m ³ /day	<input type="checkbox"/> non-planned Emergency <input type="checkbox"/> Planned Maintenance <input type="checkbox"/> non-planned Emergency <input type="checkbox"/> Planned Maintenance <input type="checkbox"/> non-planned Emergency <input type="checkbox"/> Planned Maintenance <input type="checkbox"/> non-planned Emergency <input type="checkbox"/> Planned Maintenance <input type="checkbox"/> non-planned Emergency <input type="checkbox"/> Planned Maintenance
Specific Description/Comments:	

SECTION 3: BY-PASS DETAILS			
Date By-passing Started:		Date By-passing Stopped:	
Time By-passing Started (50m ³):		Time By-passing Stopped:	
Volume (m ³):	<input type="checkbox"/> Estimated <input type="checkbox"/> Measured	Duration of By-pass:	

SECTION 4: ACTIONS TAKEN TO CONTROL OR REMEDIATE EVENT	

Report Prepared By/Position:	
Supervisor Review By/Position:	
Submitted By:	

Date:	
Time:	

Appendix D –Contact List

DEPARTMENT/ AGENCY	NAME	POSITION	TELEPHONE/ FAX	EMAIL
Fisheries and Oceans Canada	Erin Milligan	Resource Management CSSP Coordinator	Cell: (250) 327-4606	erin.milligan@dfo-mpo.gc.ca
	Greg Plummer	Conservation and Protection	Tel: (250) 286-5815 Cell: (250) 830-4478	greg.plummer@dfo-mpo.gc.ca
	Carla Neumann (1 st alternate)	Conservation and Protection	Cell: (250) 286-5820	carla.neumann@dfo-mpo.gc.ca
Canadian Food Inspection Agency	Timothy Delange	Supervisor, Inspection and Advisory Services	Cell: (250) 951-8154	timothy.delange@inspection.gc.ca
	Gerry Morello (1 st alternate)	Senior Inspector	Tel: (250)213-2519 Fax: (250) 363-0144	gerry.morello@inspection.gc.ca
	Pacific Shellfish Desk	Inspection Advisors	Cell: (236) 330-2967 Cell: (604) 418-4363	pacificshellfish@inspection.gc.ca
Environment and Climate Change Canada	Elizabeth Graca	Regional Head, Shellfish Water Classification Program- Pacific	Tel: (604) 903-4475 Cell: (604) 209-5810	elizabeth.graca@ec.gc.ca
	Paul Moccia	Area Coordinator	Tel: (604) 903-4425 Fax: (604) 903-4423	paul.moccia@ec.gc.ca
BC Ministry of Environment and Climate Change Strategy	Stephanie Little	Section Head Compliance	Tel: (250) 490-8258 Cell: (778) 622-6908	stephanie.little@gov.bc.ca
	Cassandra Caunce	Regional Director, South Authorizations	Tel: (604) 930-7119 Cell: (236) 468-2227	cassandra.caunce@gov.bc.ca
Town of Ladysmith, Director of Infrastructure Services	Ryan Bouma	Director of Infrastructure Services	Tel: (250) 245-6440 Cell: (250) 714-9235	rbouma@ladysmith.ca
Town of Ladysmith WWTP Chief Operator	Mike Brown	Supervisor, Treatment and Supply	Tel: (250) 924-1302 Cell: (250) 713-3165	mbrown@ladysmith.ca
Stz'uminus First Nation	Roxanne Harris	Chief and Acting Director of Administration	Tel: (250) 245-7155 Fax: (250) 245-3012	chief@stzuminus.com
Stz'uminus First Nation	Teoni Jameson	Acting Senior Community Manager	Tel: (250) 245-7155 Ext: 282 Fax: (250) 245-3012	teoni.jameson@stzuminus.com
Stz'uminus First Nation	Krista Perrault	Emergency Coordinator	Cell: (250) 739-1468 or (250) 618-4257	krista.perrault@stzuminus.com
Limberis Seafood Processing Ltd.	Leo Limberis	Depuration/relay licence holder	Tel: (250) 245-3021 Fax: (250) 245-3606	kath@limberisseafood.com
Emergency Management BC			1-800-663-3456	
DFO Radio Room			1-800-465-4336	

Appendix E – CSSP and Conditional Management Plan Definitions

Approved Area - The classification assigned to a shellfish harvest area as determined by the shellfish control authority from which shellfish can be harvested for direct consumption.

Bypass – Effluent flow at a wastewater treatment plant or lift station that bypasses the treatment plant and is discharged to the marine environment. Also the system that directs the effluent flow to bypass the treatment plant.

Canadian Shellfish Sanitation Program - A program to classify and monitor shellfish harvest areas to determine whether shellfish are safe for human consumption and to regulate harvesting from those areas.

Conditional Management Plan (CMP) - An agreement signed by relevant parties for the management of shellfish harvest in conditionally classified areas.

Conditionally Restricted Area – The classification assigned to a shellfish harvest area which has been determined by the shellfish control authority to meet, at a minimum, the restricted classification criteria for a predictable period. The period is conditional upon meeting established requirements and/or performance standards specified in a conditional management plan.

Controlled Purification or Depuration - The process of using a controlled, aquatic environment in a depuration establishment to reduce the level of microbiological contamination in live shellfish.

Detection: The point in time at which a wastewater treatment or collection system release / discharge incident (as defined in the relevant CMP) is first detected by a wastewater treatment plant operator or collection system operator (or delegate).

Emergency Closure - A shellfish harvesting area in the open status may be placed in the closed status via an emergency closure when it is suspected that shellfish may become contaminated as a result of a temporary emergency situation. Emergency situations may include natural or operational events such as severe storms, flooding, and spills of oil, toxic chemicals or significant sewage discharges.

Lift Station – Part of a wastewater treatment plant collection system.

Moving Bed Biofilm Reactor (MBBR) – A type of wastewater treatment process that consists of an aeration tank with special devices that provide a surface where a biofilm can grow. The aeration system of the tank must continually mix the influent and the devices covered in the biofilm in order to provide treatment to the wastewater.

Notification – The point in time at which one of the federal CSSP partners receives notice from a wastewater treatment or collection system operator (or delegate) of a trigger event (as defined in the relevant CMP).

Prohibited Area - The classification assigned to a shellfish harvest area as determined by the shellfish control authority where shellfish harvesting is not permitted.

Prohibition Order – A regulatory mechanism used by Fisheries and Oceans Canada to close and open shellfish harvesting areas for fishing bivalve shellfish.

Response - A series of actions taken by the federal shellfish control authorities as defined in the relevant CMP based on the classification of the area that will serve to ensure that product does not reach market and the implicated area is placed in closed status.

Response Line - The boundary at which the sewage effluent plume is predicted to lie during a wastewater treatment plant or collection system trigger event when the competent shellfish control authority will respond.

Restricted Area - The classification assigned to a shellfish harvest area as determined by the shellfish control authority where harvesting shall be by license under the *Management of Contaminated Fisheries Regulations* and the shellfish, following harvest, is subjected to a suitable and effective treatment process through relaying or depuration.

Shellfish Control Authority – The departments or agencies of the Government of Canada that are signatories to the interdepartmental Memorandum of understanding between the CFIA and DFO and ECCC concerning the CSSP or provincial shellfish leasing bodies.

Shellstock – Live shellfish in the shell.

Status - Describes whether shellfish harvest is permitted and is independent of the classification of the area¹

- **Open** - Any classified area where shellfish harvest is authorized.
- **Closed** - Any classified area where shellfish harvest is not authorized.
There may be circumstances under which areas in closed status can be harvested for depuration or relay under MCFR (*Management of Contaminated Fisheries Regulations*) license provided that the requirements for such a license are met.

Trigger Event – Any event or disruption that results in untreated effluent or effluent with insufficient or inadequate disinfection being released from the WWTP that causes action to commence closure of an area to shellfish harvest.

BYLAW STATUS SHEET
January 24, 2023

Bylaw #	Description	Status
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.
2113	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 49) 2022, No. 2113" (re-zone Lot B -891 Russell Road from R-1 single family to R-1-A single family small lot, for the purpose of a subdivision)	First, second and third readings, November 15, 2022. MOTI approval required.
2129	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 53) 2022, No. 2129" (1152 Rocky Creek Rd, rezone from I-1A to I-1 and add site specific provision to permit Cannabis Cultivation and Processing)	First and second readings, December 20, 2022. Public Hearing scheduled for January 24, 2023. MOTI approval required.
2130	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 73) 2022, No. 2130" (10940 Westdowne Rd)	First and second readings, December 20, 2022. Public Hearing required. MOTI approval required.
2131	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 54) 2022, No. 2131" (10940 Westdowne Rd)	First and second readings, December 20, 2022. Public Hearing required. MOTI approval required.
2132	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No.55) 2022, No. 2132" (1144 Rocky Creek Rd, to add site specific provision to I-1 to allow Cannabis Cultivation and Processing)	First and second readings, December 20, 2022. Public Hearing scheduled for January 24, 2023. MOTI approval required.
2133	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 56) 2023, No. 2133". (Allow convenience store at 1132-1142 Rocky Creek Rd.)	First and second readings, January 10, 2023. Public Hearing required. MOTI approval required.
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.