

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

**Tuesday, March 21, 2023
Ladysmith Seniors Centre
630 2nd Avenue**

Pages

1. CALL TO ORDER

Call to Order 6:30 p.m. in Open Session, in order to retire immediately into Closed Session.

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

2. CLOSED SESSION

Recommendation

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

- (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*.

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

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

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

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

4. AGENDA APPROVAL

Recommendation

That Council approve the agenda for this Regular Meeting of Council for March 21, 2023.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held March 7, 2023

6

Recommendation

That Council approve the minutes of the Regular Meeting of Council held March 7, 2023.

7. DELEGATIONS

7.1 Social Planning Cowichan

Rosalie Sawrie of Social Planning Cowichan will provide an update to Council regarding the organization's recent work and upcoming projects.

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit Application – 614 Brown Drive

14

Recommendation

That Council issue Development Variance Permit 3090-22-14 to vary section 10.2.5 (e) of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” to reduce the front parcel line setback from 6.0 metres to 3.1 metres for a covered balcony attached to an existing dwelling at Lot 45, District Lot 96, Oyster District, Plan 28585 (614 Brown Drive).

9. COMMITTEE MINUTES

9.1 Committee of the Whole Recommendations - March 14, 2023

32

Recommendation

That Council:

1. Direct staff to prepare a report for the next possible Council meeting regarding the Every Child Matters Decal Initiative, examining policy limitations, cost, and a possible donation.
2. Direct staff to continue with status quo planting on 1st Avenue based

on recent past practice.

3. Approve the allocated amounts of the 2023 Grants-in-Aid requests as follows:

• Art Council of Ladysmith and District (Arts on Avenue)	7,000
• Cowichan Family Caregivers Support Society	1,000
• Ladysmith and District Historical Society	6,000
• Ladysmith and District Marine Rescue Society	2,500
• Ladysmith Celebrations Society	10,000
• Ladysmith Downtown Business Association	5,000
• Ladysmith Family and Friends Society	2,500
• Ladysmith Festival Of Lights	10,000
• Ladysmith Fire Rescue - Santa Parade	1,500
• Ladysmith Little Theatre	2,500
• Ladysmith Maritime Society	1,500
• Ladysmith Show and Shine	2,000
• Old English Car Club Central Island Branch	600
• Big Brothers Big Sisters Central Vancouver Island	1,500
• 257 RCACS Parent Committee (Sponsoring Committee of the Ladysmith Air Cadets)	1,000
• Ladysmith Secondary School-Frank Jameson Bursary	1,500
• Waiving Fees	2,500
• Late Applications/Council discretion	5,070

4. Include \$3,000 in the 2023 budget to offer a grant writing consultation service provided by a specified consultant on a first come first served basis.

5. Direct staff to invite a member of the RCMP to attend a future Council meeting to discuss the Ladysmith Detachment Annual Policing Priorities for 2023 to 2024.

6. Ratify the changes to the Public Art Task Group Policy and Procedures and Terms of Reference documents and support the group in exploring a temporary art program for Ladysmith.

10. REPORTS

10.1 Fire Department Printer/Copier 40

Recommendation

That Council direct staff to include in the 2023-2027 Financial Plan the purchase of a new Fire Hall printer for \$6,000, with the funds to come from the Fire Equipment Reserve.

10.2 Poverty Reduction Strategy – Stream 3 UBCM Poverty Reduction & Planning Action Program Funding Request 42

Recommendation

That Council:

1. Include \$50,000 in the 2023-2027 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and
2. Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 3.

10.3 4th Avenue Cost Overruns 46

Recommendation

That Council direct staff to include in the 2023-2027 Financial Plan an additional \$500,000 with the additional funds to come from water reserves for \$111,400, \$26,000 to come from sewer reserves and \$362,600 to come from prior year surplus.

11. BYLAWS

11.1 Bylaws for Adoption

11.1.1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099" 52

11.1.2 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100" 55

11.2 Bylaw Status Sheet 60

12. NEW BUSINESS

13. QUESTION PERIOD

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

14. ADJOURNMENT



MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, March 7, 2023

7:00 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

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

Councillor Duck Paterson
Councillor Marsh Stevens
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Ryan Bouma

Matt O'Halloran
Julie Thompson
Andrew Wilson
Julie Tierney

1. CALL TO ORDER

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

2. CLOSED SESSION

CS 2023-044

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

- (1)(e) the acquisition, disposition or expropriation of land or improvements;
- (1)(g) litigation or potential litigation affecting the municipality;
- (1)(i) the receipt of advice that is subject to solicitor-client privilege;
- (1)(k) negotiations and related discussions respecting the proposed provision of a municipal service
- (2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or between a provincial government and a third party

Motion Carried

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

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.

4. AGENDA APPROVAL

CS 2023-045

That Council approve the agenda for this Regular Meeting of Council for March 7, 2023.

Motion Carried

5. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:48 p.m. without report.

6. MINUTES

6.1 Minutes of the Public Hearing and Regular Meeting of Council held February 21, 2023

CS 2023-046

That Council approve the minutes of the Public Hearing and Regular Meeting of Council held February 21, 2023.

Motion Carried

7. DELEGATIONS

7.1 Broombusters

Joanna Sales from Broombusters Invasive Plant Society presented to Council electronically via Zoom about the work the Society is conducting on Vancouver Island and, in particular, Ladysmith. Nikki Toposeus from Broombusters was also in attendance.

Mayor Stone thanked them for their presentation and the work that they are doing.

8. PROCLAMATIONS

8.1 World Down Syndrome Day - March 21, 2023

Mayor Stone proclaimed Tuesday, March 21, 2023 as World Down Syndrome Day in the Town of Ladysmith.

8.2 Epilepsy Awareness Purple Day - March 26, 2023

Mayor Stone proclaimed Sunday, March 26, 2023 as Epilepsy Awareness Day in the Town of Ladysmith. The Town will also illuminate its available themed lighting locations with purple lights in support of the initiative.

9. DEVELOPMENT APPLICATIONS

9.1 Rezoning Application for Multi-Family Development at 11 & 17 Warren Street

CS 2023-047

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124”;
2. Direct staff to proceed with scheduling and notification for a public hearing for Bylaw No. 2124 in accordance with section 464 of the *Local Government Act*;
3. Require that the property owner, prior to the adoption of Bylaw No. 2124, provide \$12,000, to be deposited into the Town Community Amenity Fund.
4. Direct staff to forward Bylaw No. 2124 to the Ministry of Transportation and Infrastructure for approval following third reading, in accordance with section 52 of the *Transportation Act*.

Motion Carried

9.2 Official Community Plan & Zoning Bylaw Amendment Application for 1141 Cloke Road (Coach House)

CS 2023-048

That Council:

1. Having considered section 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that:
 - a. the Stz’uminus First Nation and the School District 68 Board are the only entities that are appropriate to consult in connection with “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134”;
 - b. consultation should be early but need not be ongoing;
 - c. the consultation process described in the staff report dated March 7, 2023 is sufficient in respect to the proposed Official Community Plan amendment; and
 - d. staff be directed to refer Bylaw No. 2134 to the Stz’uminus First Nation and School District 68 Board as set out in Resolution

- 1(a) for consultation in the manner described in the March 7, 2023 staff report to Council;
2. Give first reading to “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134”;
3. Consider Bylaw No. 2134 in conjunction with the Financial Plan, Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to sections 473 (2.1) and 477 (3) of the *Local Government Act*;
4. Give second reading to “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134”;
5. Consider “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134” in conjunction with the Town’s “Housing Needs Report” and the housing information on which the report is based, pursuant to section 473 (2.1) of the *Local Government Act*;
6. Direct staff to refer Bylaw No. 2134 to School District 68 pursuant to section 476 of the *Local Government Act*;
7. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135”;
8. Direct staff to schedule and provide notice for a public hearing for Bylaw No. 2134 and Bylaw No. 2135 in accordance with section 466 of the *Local Government Act*; and
9. Direct staff to refer Bylaw No. 2135 to the Ministry of Transportation and Infrastructure following third reading, pursuant to section 52 of the *Transportation Act*.

Motion Carried

10. COMMITTEE MINUTES

10.1 Parks, Recreation & Culture Advisory Committee - February 15, 2023

CS 2023-049

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held February 15, 2023.

Motion Carried

11. REPORTS

11.1 Adjustment to Water Billing Account – 2022, Q4

CS 2023-050

That Council provide a bill adjustment in the amount of \$3,014.35 to billing Account No. 000-0518000-000 due to a water leak.

Motion Carried

11.2 Stocking Dam Emergency Level 1 Status

CS 2023-051

That Council:

1. Receive the staff report, BC Dam Safety letter, and Ecora Engineering and Resource Group Ltd. Report regarding the Stocking Dam Emergency Level 1 status;
2. Direct staff to include in the 2023-2027 Financial Plan funds in the amount of \$100,000 to execute the Ecora recommendations, with the additional funding to come from a cost-share with the CVRD for \$50,000, carryforward funding of \$21,696 and an additional \$28,304 to come from the water reserves; and
3. Waive the Town's Purchasing Policy and direct award construction of all works associated with the Ecora repair work to David Stalker Excavating Ltd.

Motion Carried

11.3 2023 Community Public Art Banner Selection

CS 2023-052

That Council:

1. Approve the recommendations of the Public Art Task Group for the 2023 Community Public Art Banner Program to produce banners based on the following submissions:
 - a. Come Sing with Me – Karen Tchamourian
 - b. Come Play with Me – Karen Tchamourian
2. Direct staff to proceed with ordering and installing the banners as previously approved by Council.

Motion Carried

11.4 Accessible BC Act – Consideration of a Joint Accessibility Committee

CS 2023-053

That Council:

1. Direct staff to continue discussions with the Municipality of North Cowichan, the Cowichan Valley Regional District, the City of Duncan, and the Town of Lake Cowichan regarding the feasibility of a joint Accessibility Committee; and
2. Direct staff to report back in April with a recommendation to either move forward with a joint Accessibility Committee with partnering jurisdictions, or to establish the Town's own Committee.

Motion Carried

12. BYLAWS

12.1 Bylaws for Introduction

12.1.1 Official Community Plan

CS 2023-054

That Council:

1. Having considered s. 475 of the *Local Government Act*, and in particular the matters set out in subsections (2)(a) and (b), resolve that, with the exception of the referral required under section 477(3)(b) of the *Local Government Act*, no further consultation is necessary with:
 - a. the board Cowichan Valley Regional District;
 - b. the board of the Regional District of Nanaimo;
 - c. the council of the District of North Cowichan;
 - d. First Nations;
 - e. School District 68; and
 - f. the Provincial and federal governments and their agencies,

in connection with “Official Community Plan Bylaw 2022, No. 2200 and the consultation process described in the staff report to Council dated March 7, 2023 has been sufficient in respect to the proposed Official Community Plan.

2. Give second reading, as amended, to “Official Community Plan Bylaw 2022, No. 2200”;
3. Consider Bylaw No. 2200 in conjunction with the Financial Plan, Housing Needs Report, Liquid Waste Management Plan, and the Cowichan Valley Regional District Solid Waste Management Plan, pursuant to sections 473(2.1) and 477(3) of the *Local Government Act*;
4. Refer Bylaw No. 2200 to the Agricultural Land Commission, pursuant to section 477(3)(b) of the *Local Government Act*;
5. Direct staff to schedule a public hearing for Bylaw 2200.

Motion Carried

12.2 Bylaws for Adoption

12.2.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860,Amendment Bylaw (No. 53) 2022, No. 2129”

CS 2023-055

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860,Amendment Bylaw (No. 53) 2022, No. 2129”.

Motion Carried

12.2.2 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132”

CS 2023-056

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 55) 2022, No. 2132”.

Motion Carried

12.2.3 “Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2023, No. 2136”

CS 2023-057

That Council adopt “Noise Suppression Bylaw 2003, No. 1478, Amendment Bylaw 2023, No. 2136”.

Motion Carried

12.3 Bylaw Status Sheet

13. NEW BUSINESS

13.1 UBCM Housing Summit - April 4-5, 2023

CS 2023-058

That the Council professional development budget be increased by \$1000.

Motion Carried

CS 2023-059

That Council send Councillor McKay to the Union of British Columbia Municipalities to attend the upcoming housing summit, Housing BC Together, at the Sheraton Vancouver Wall Centre on April 4-5, 2023, and include the increase of \$1000 to the Council Professional Training and Development fund.

Motion Carried

14. QUESTION PERIOD

A member of the public enquired about whether or not there will be a traffic study conducted along 1st Avenue prior to adoption of the new Official Community Plan. He also enquired about the newly announced infrastructure grant – where the funds would be allocated, and if Council had discussed their position on the upcoming outcomes from the Island Corridor Foundation decision.

15. ADJOURNMENT

CS 2023-060

That this Regular Meeting of Council be adjourned at 8:21 p.m.

Motion Carried

CERTIFIED CORRECT

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

STAFF REPORT TO COUNCIL

Report Prepared By: Andrew Wilson, Planner
Reviewed By: Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date: March 21, 2023
File No: 3090-22-14
Re: Development Variance Permit Application – 614 Brown Drive

RECOMMENDATION:

That Council issue Development Variance Permit 3090-22-14 to vary section 10.2.5 (e) of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” to reduce the front parcel line setback from 6.0 metres to 3.1 metres for a covered balcony attached to an existing dwelling at Lot 45, District Lot 96, Oyster District, Plan 28585 (614 Brown Drive).

EXECUTIVE SUMMARY:

A Development Variance Permit (DVP) application has been received to vary the front parcel line setback for a covered balcony at the front of the existing dwelling at 614 Brown Drive. The proposed application is to correct a construction error. Staff recommend that DVP 3090-22-14 (see Attachment A) be approved based on analysis of the impacts.

PREVIOUS COUNCIL DIRECTION:

Resolution # & Meeting Date	Resolution Details
CS 2021-193 June 15, 2021	<p>That Council:</p> <ol style="list-style-type: none"> 1. Issue Development Variance Permit 3090-21-05 to vary the front parcel line setback from 6.m to 3.3m for an unenclosed balcony attached to an existing dwelling at Lot 45, District Lot 96, Oyster District, Plan 28585 (614 Brown Drive); and 2. Authorize the Mayor and Corporate Officer to sign Development Variance Permit 3090-21-05.

BACKGROUND:

The subject property, 614 Brown Drive (see Attachment B), is located within a predominately single-family residential neighbourhood and contains an existing dwelling with an attached balcony on the front. On June 15, 2021, DVP 21-05 was issued to reduce the front setback for a proposed balcony extension. A building permit was issued on June 28, 2021. At the time, and at the request of the applicant, Building Inspection did not require a new survey showing the proposed construction, and instead accepted a site plan¹ that the applicant had prepared. DVP 21-05 was also issued based on this site plan.

¹ The site plan showed the deck which was hand drawn to scale onto an older survey.

The Town received another building permit application for the property on October 6, 2021 to construct a roof over the balcony and stairs. A new site survey was requested and reviewed by the Planning Department to ensure compliance with zoning. The site survey showed that the balcony was constructed 3.14m from the property line, 16cm closer than the previously approved variance of 3.3m. Consequently, the Building Inspector cannot issue the building permit unless a variance is approved.

At a site visit on January 14, 2022, staff observed that the proposed roof over the balcony and a partial enclosure of the balcony and stairs have been constructed without a building permit.

PROPOSAL:

The applicant is requesting a variance to the Zoning Bylaw to reduce the front setback from 6.0 metres to 3.1m for the siting of a previously constructed covered balcony with a partial enclosure (see Attachment C). A site plan showing the existing structures and deck setbacks is included in DVP 3090-22-14. The applicant's letter of rationale is attached as Attachment D.

DISCUSSION:

The subject property is designated Single Family Residential in "Official Community Plan 2003, Bylaw No. 1488" (OCP) and is zoned Single Dwelling Residential (R-1) in "Town of Ladysmith Zoning Bylaw 2014, No. 1860". The proposal is consistent with the OCP designation and permitted uses in the R-1 zone.

In accordance with the R-1 zone, the front parcel line setback for a principal building is 6m. A setback exemption in the Zoning Bylaw permits unenclosed balconies to encroach 1.5m into a front parcel line setback, effectively allowing a minimum 4.5m setback for an attached balcony. However, the balcony is located 3.1m from the front parcel line according to the survey, requiring a setback variance.

Analysis:

If approved, DVP 22-14 will allow the balcony in its current siting, 3.14m from the front parcel line. This is a minor change (16cm) from the setback variance previously approved in DVP 21-05. Additionally, the siting of the dwelling and balcony close to the front parcel line is not out of character with neighbouring parcels on Brown Drive (see Attachment A). As such, the proposed setback variance for the balcony is not expected to have a negative impact on the surrounding neighbourhood and it is therefore recommended that DVP 3090-22-14 be approved.

Should Council choose not to approve DVP 22-14, the existing balcony would need to be modified to meet the 3.3m setback approved in DVP 21-05, and the building permit application would also need to be revised.

ALTERNATIVES:

Council can choose to:

1. Refuse to issue DVP 3090-22-14.

2. Refer the application back to staff for further review as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

The *Local Government Act* enables Council to vary zoning regulations, except provisions for use, density, and residential rental tenure through the issuance of a DVP. Subject to Section 501 (2) of the *Local Government Act*, land must be developed strictly in accordance with the land use permit or permits issued, hence the need for a new DVP. Council may approve a variance to setbacks as proposed in this application.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Notice of DVP 3090-22-14 was issued on February 24, 2023 in accordance with the requirements of the *Local Government Act* and “Town of Ladysmith Development Procedures Bylaw 2008, No. 1667”. The notice was mailed and delivered to property owners/residents within 60m of the subject property. Any correspondence received will be provided to Council. At the time of writing, no submissions have been received.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

If DVP 22-14 is approved by Council, the Building Inspector may issue a building permit for the structure.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. DVP 3090-22-14

- B. Subject Property Map
- C. Site Photo
- D. Applicant Rationale Letter



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-22-14

DATE: March 21, 2023

Name of Owner(s) of Land (Permittee): Deena Audrey Beeston

Applicant: Deena Beeston

Subject Property (Civic Address): 614 Brown Drive

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

Lot 45, District Lot 96, Oyster District, Plan 28585
PID: 000-820-512
(614 Brown Drive)

(referred to as the "Land")

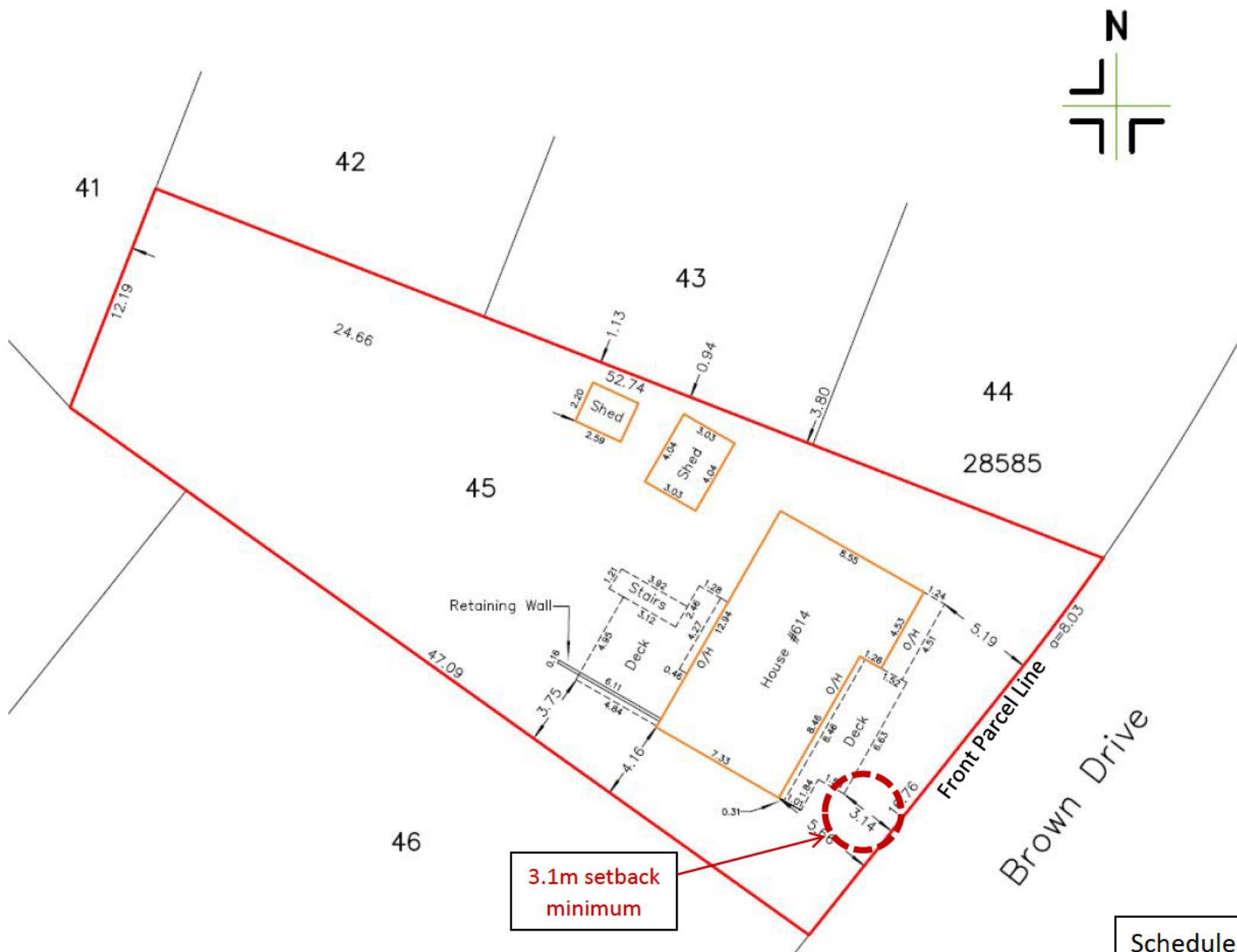
3. Section 10.2.5.e) of the "Single Dwelling Residential (R-1)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the *Front Parcel Line Setback* from 6.0 metres to 3.1 metres for a balcony, attached to the existing dwelling as shown in **Schedule A – Site Plan**.
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:
 - a) **Schedule A – Site Plan**
 - b) **Schedule B – Elevation Plan**
6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3090-22-14**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

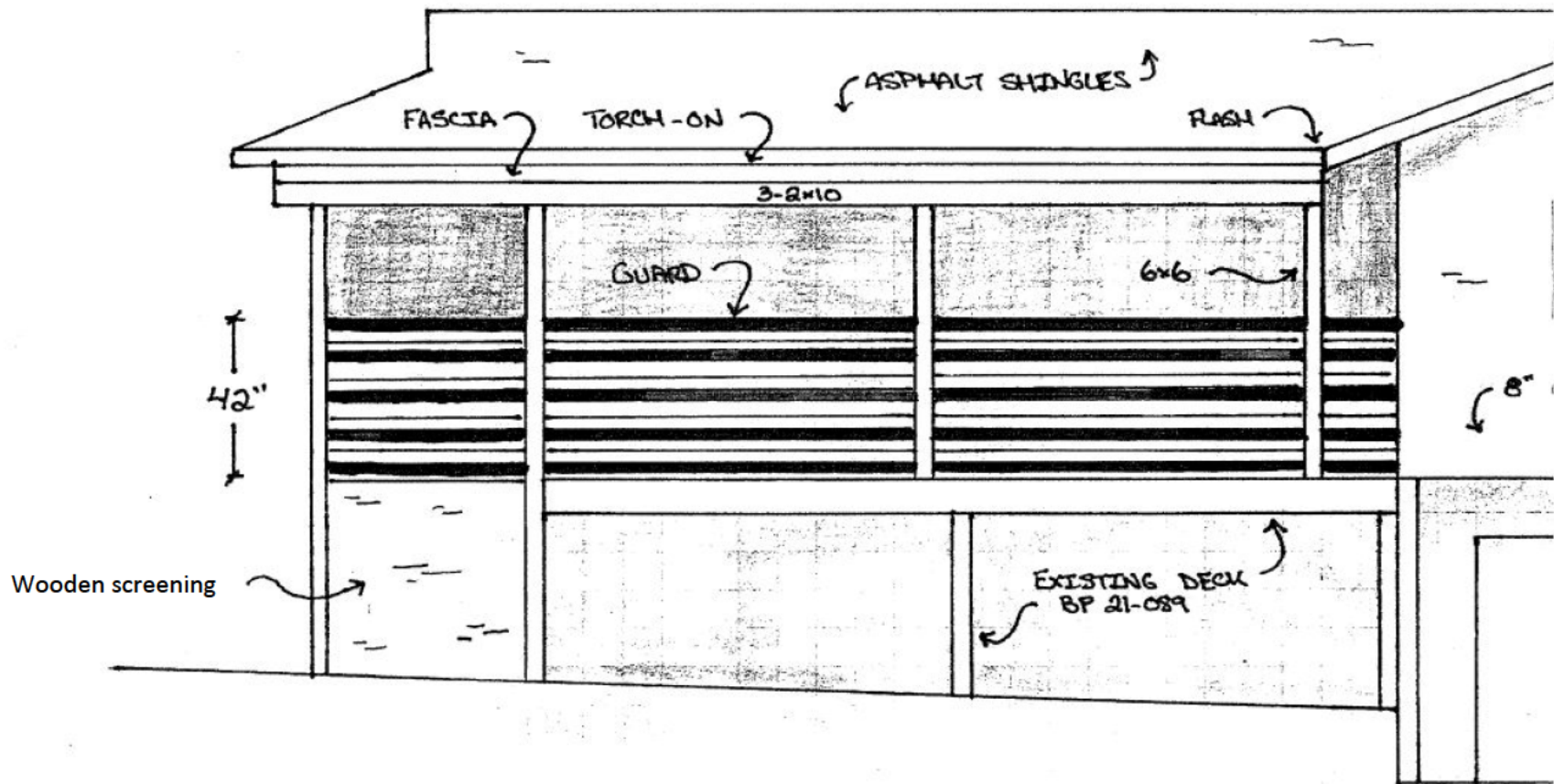
7. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE ____ DAY OF _____ 2023.

Mayor (A. Stone)

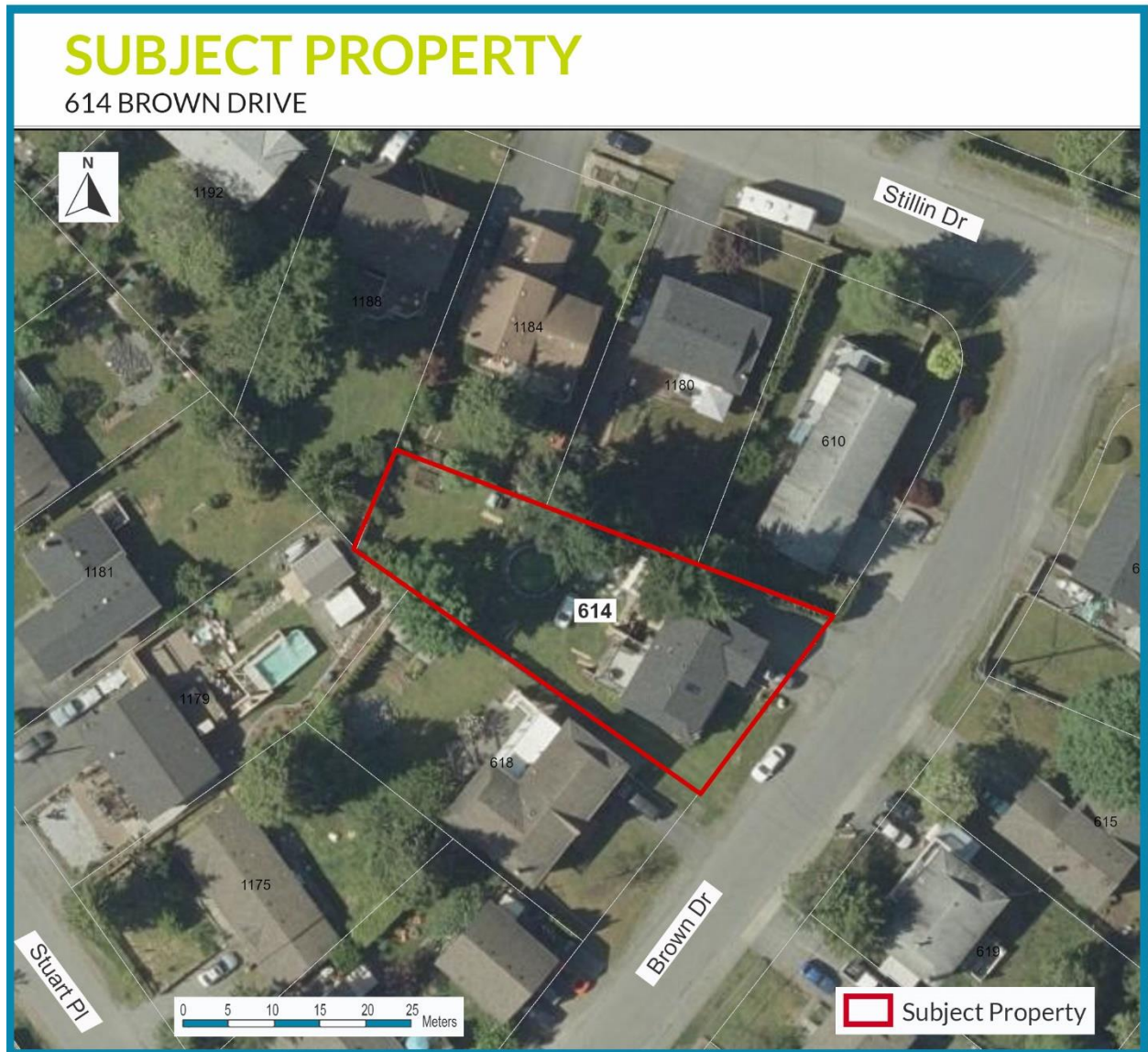
Corporate Officer (M. O'Halloran)





Schedule B – Elevation Plan
DVP 3090-22-14
614 Brown Drive

ATTACHMENT B



ATTACHMENT C

Site Photo



Town of Ladysmith
Building permits

I am requesting the requirement for a variance permit be waived due to the following:

- I had plans drawn up for deck showing an (8') 2.438 M deck that would infringe on setback.
- We requested the exemption be increased from 1.5 M to 2.72 M (page 2)
- According to site survey the setback is only 5.34 M (see original survey)
- Variance permit was applied for with these plans and this site survey.

Variance was issued stating Front Parcel Line Set back would be reduced from 6.0 M to 3.3 M (see variance letter) I do not know where these figures came from as they do not correspond to the included plans or site survey. I was told the variance allowed me to apply for the building permit based on the plans I had submitted. I submitted the same plans and received my building permit.

The deck was built. I had always planned to cover the deck and submitted the plans for the cover to request a building permit. I was told I needed to have the plans drawn up by an engineer and to have building inspected by engineer, and that I would need a new site survey. I was verbally assured that once I submitted all these documents, I would be allowed to build the cover. At a cost of over 4000.00 I had the engineer do the plans, arrange to do inspection and a new site survey done.

- The new site survey showed the setback to the corner of the house to be 5.66 meters from the front parcel line (the original survey showed 5.34 meters)
- The new survey showed the front parcel line setback to be 3.14 M the original showed 3.28 M (a difference of about 5 inches)

The town is now asking me to do another variance to permit the cover to be approved. The issues are:

- The cover as it stands is within the required code (**cannot infringe more than 1 meter into setback**)
- the cover in fact infringes .61 of a meter from the deck.
- Regardless of whether you consider the setback permitted by the original variance permit to be 3.3 M (as per variance letter) 3.28 M (as per the plans drawn up based on original site survey) or 3.14 M as per the second site survey the cover is allowed to infringe up to 1 meter into the setback.
- The cover extends into the setback by .61 M from the edge of the deck.

Document A

Original request was to change exemption from 1.5m to 2.72m which would allow a setback of 3.28 m from front parcel line to deck. (page 2) yellow highlight

Document c

- After additional back and forth my planner was advised by Julie Thompson (page 3) that "if the proposed roof over the deck appears substantially similar as shown in Schedule B then a new variance may not be needed. I would need to see a drawing of what is proposed to look like in order to compare it to the DVP. If the proposal is substantially similar, I think we can also apply the roof overhang exemption from the zoning bylaw which

allows an encroachment of 1m into the required setback. The required setback in accordance with the DVP is 3.3m"

- The overhang of the cover is 24" which is .61 of a meter
- The current cover does not encroach beyond 1 meter into the 3.3m setback. It encroaches .61 of a meter into the setback (drawing 1)
- I received written confirmation that I could add the roof cover over the deck as long as I did the railing the way the town required (which I did) Page 8

I applied for my permit

- I was advised I needed to have the cover engineered and to provide a new site survey. I booked both as rush jobs and paid over 4000.00 additional for these items.

As I had it in writing that if I provided everything asked for and ensured that the cover would not reach more than 1M into the setback they would process my file, once I had submitted my application, I had my builder go ahead with the cover. He had a two-week window after which he was booked for 10 months. The cover was built and inspected and approved by the engineering firm that designed it.

I then received another email from the town stating that the new survey showed the deck was 3.14m from the property line, rather than 3.3 m I would need a new dvp. As the deck had already been approved, I queried as to why I needed a new dvp as the cover did not encroach more than 1m into the setback.

My position is that they could not give me a dvp then demand a new survey which then gave them grounds to demand another dvp. Had they required the new site survey prior to the original dvp being issued the application would have been based on the second survey and the distances adjusted accordingly.

Does this mean the town can go around to any homeowner and demand they redo previously permitted work or apply for additional dvp for work that has already been done?

Deena Beeston
614 Brown Drive



614 Brown Drive

7 messages

Sonny Bryski

Tue, Apr 13, 2021 at 6:42 PM

To: "jthompson"

Cc: Christina Hovey

beeston

Hi Julie,

I am just following up on our voicemails from earlier. I am assisting Deena Beeston in obtaining permissions to repair her rotten deck whilst accommodating her mom. I have attached the Deck replacement drawing, a Land Survey, some photos, as well as the desired relaxation with a few changes.

It doesn't look like this setback exception has any restrictions, it is unlimited?

- ii) Ramps, providing an *Accessible* route for persons with disabilities, with a slope greater than 1:20 but not more than 1:12 and constructed in accordance with the *British Columbia Building Code*.

The section of the BC Code that pertains to accessible rampways restricts anything steeper than 1:12, and requires that a 5' berth be provided.

We are approximately 5'6" from the top of the deck to grade; this would be approximately 66' feet worth of run. This would likely zig-zag towards the street 3 times before finally hitting the ground, which would end up terminating at the edge of the property near the road.

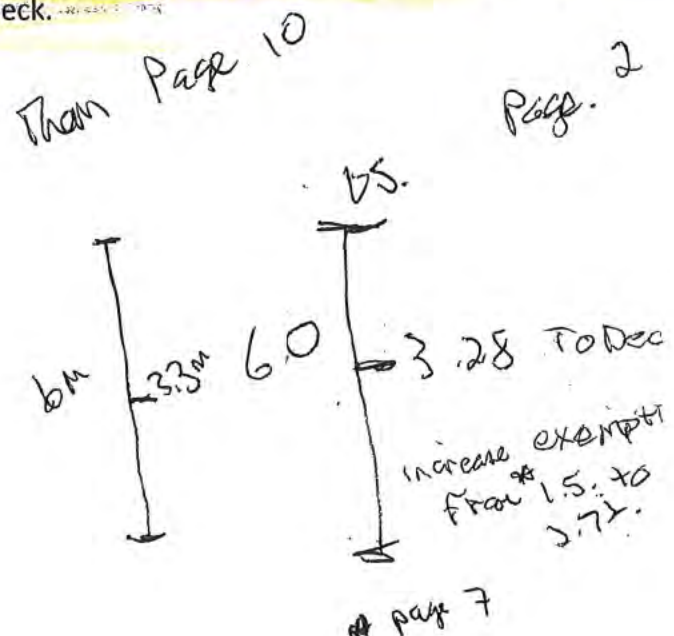
Ideally, Deena would like for the deck to end at the edge of the existing front "bump-out" facing the street. This gives good esthetic and lots of room for her mom to turn around in a wheel chair. Rather than install a ramp, she is planning to purchase an exterior stair lift for her mom to use to get up to the top level. The wheelchair won't go through the sliding glass door, so a French door would be replaced within the existing opening. The extension also allows safe passage up and down the stairs without having to step around the lift.

The specifics of this would be to reduce the allowable setback exception from 1.5m to 2.72m, or, to allow a setback of 3.28m from the front parcel line to an unenclosed deck.

I hope this assists in decision making.
SB

6 attachments

streetview.jpg
24K





TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-21-05

DATE: June 15, 2021

Name of Owner(s) of Land (Permittee): Deena Beeston

Applicant: Deena Beeston

Subject Property (Civic Address): 614 Brown Drive

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

Lot 45, District Lot 96, Oyster District, Plan 28585
PID: 000-820-512
(614 Brown Drive)
(referred to as the "Land")
3. Section 10.2.e) of the "Single Dwelling Residential (R-1)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the *Front Parcel Line* setback from 6.0 metres to 3.3 metres for an unenclosed balcony, attached to the existing dwelling, as shown in **Schedule A - Site Plan** and **Schedule B - Elevation Plan**.
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:
 - a) **Schedule A - Site Plan**
 - b) **Schedule B - Elevation Plan**
6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit, (3090-21-05) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.

Doc C

The overhang is to be determined. At the very least, it would have to be enough to facilitate a fascia board and a gutter (roughly 8 inches), but it could be up to at least 24" inches before the rafters are maxed out.

3

Thank you for looking into this,

Sonny

From: Julie Thompson
Sent: Thursday, September 16, 2021 8:35 AM
To: Sonny Bryski
Cc: beeston; Colin Bollinger
Subject: RE: Deena Beeston Front Deck Variance 614 Brown Drive.pdf

Hi Sonny – I'll have to take a look at the regulations and the permit. There are only two possible outcomes:

- The roof overhang is permitted by zoning/the DVP to encroach into the setback; or
[Quoted text hidden]

[Quoted text hidden]

Julie Thompson

Tue, Sep 28, 2021 at 3:04 PM

To: Sonny Bryski
Cc: Deena Beeston

Hi Sonny & Deena –

Deena, I received your voicemail. Apologies for the delay.

I have reviewed the DVP and applicable regulations. Sonny, as you pointed out, DVP 21-05 has two schedules (A & B) attached to it to which the proposal must conform to as this is what was approved by Council. Approved DVPs, such as this one, are specific to what was proposed and it is therefore difficult to accommodate changes to design without requiring an additional DVP. The proposed roof was not included in the original DVP application, however, Schedule B does show a bit of a roof overhanging over the deck. If the proposed roof over the deck appears substantially similar as shown in Schedule B, then a new variance may not be needed. I would need to see a drawing of what it is proposed to look like in order to compare it to the DVP. If the proposal is substantially similar, I think we can also apply the roof overhang exemption from the zoning bylaw, which allows an encroachment of 1m into the required setback. The required setback in accordance with the DVP is 3.3m.

Please forward me a drawing and I can take a look at it ASAP.

Drawing 1.

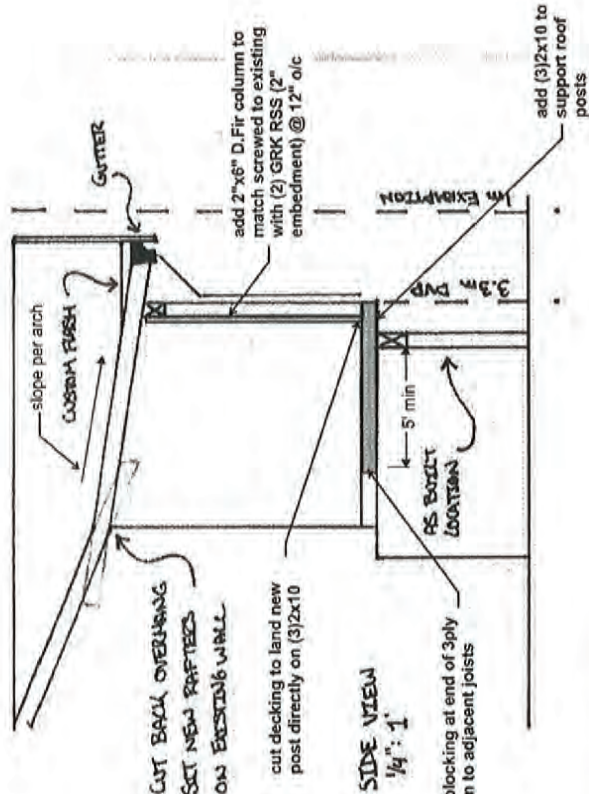


11/29/2021
This document is a printed copy from a digitally signed and sealed original.



buepoint
consulting ltd.

Structural Engineering and Design Services
info@buepoint.ca (250) 597-2266 buepoint.ca



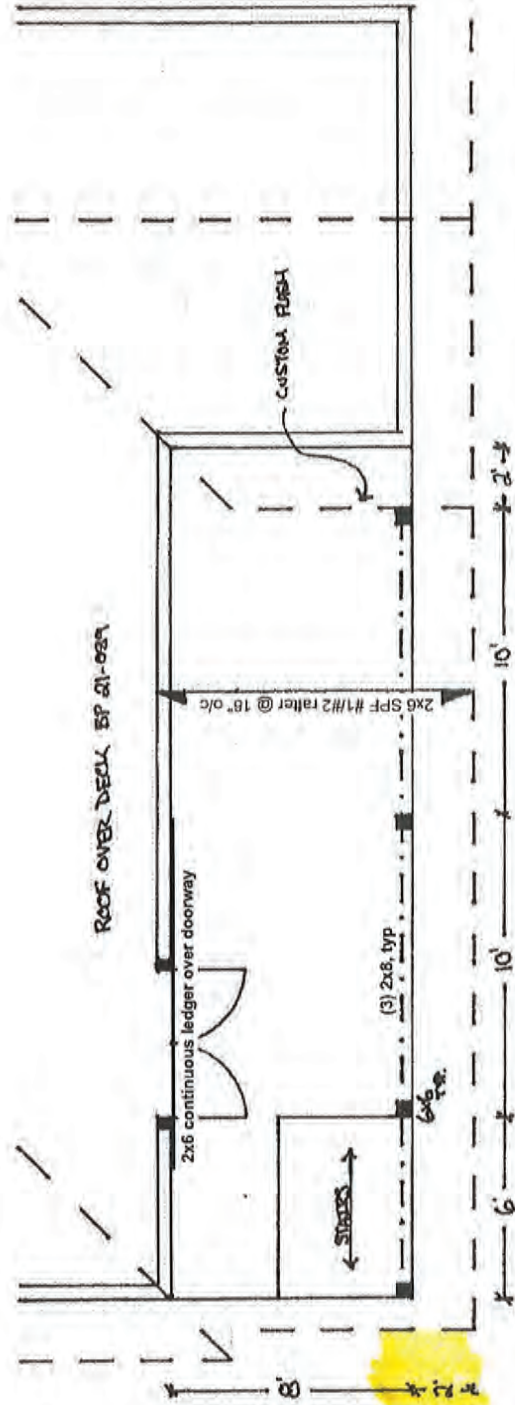
616 Brown Drive, Ladysmith, BC
Deena Beeston
250-740-5632
deebeston@gmail.com

Lot 45 Plan VIP28585 District Lot 96
Oyster District
PID: 000-820-512

Scale = 1/4" = 1'

Install Roof Over Deck BP 21-089

- Cut Back Existing Overhang.
- Sit New 2x6 Rafters on Existing Wall, 16" o/c.
- Fasten new 6x6 or composite post directly to triple joist
- Support Rafters with (3) 2x8 Pressure Treated Beam.
- Sheath Roof with 1/2" Plywood.
- Roof with Torch-on Roofing under-lapping existing asphalt shingles.
- Clad underside of roof with white Vinyl Soffit.
- Install Custom Roof Flashing At Intersection with Existing Roof.
- 42" Guard to be Clad both sides with Siding to match Existing House.
- Create private, yet not entirely enclosed area for Owner to use Chair lift.



DOC C -
Thank you, Sonny. Christina and I will take a look at this today.

[Quoted text hidden]

Page 8

Julie Thompson

Thu, Oct 7, 2021 at 3:12 PM

To: Sonny Bryski

Cc: Deena Beeston

Christina Hovey

, Jake Belobaba

Hello Deena & Sonny –

Christina and I reviewed the follow-up proposal. To match substantially with the approved DVP and zoning regulations, you can add the roof cover over the deck on the condition that the railing remains as shown in the approved DVP (as opposed to a wall enclosure in front of the stairs and/or around the deck). The style of railing shown in the last plans sent would be fine (Deena, that would be the railing you showed me the photo of in-person the other day), but no wall enclosures are permitted, including the wall intended to hide the stairs.

Please note that the roof overhang may encroach a maximum of 1m into the required 3.3m setback (setback exemptions in the Zoning Bylaw). Based on the drawings, it looks like it would meet this exemption.

If you would like to do the wall enclosure style proposal, you do have the option to apply for a subsequent DVP. There may be alternatives to screen the front yard and hide the chair lift, such as a fence. I've attached the fence regulations for reference.

Cheers,

TOWN OF LADYSMITH

Julie Thompson

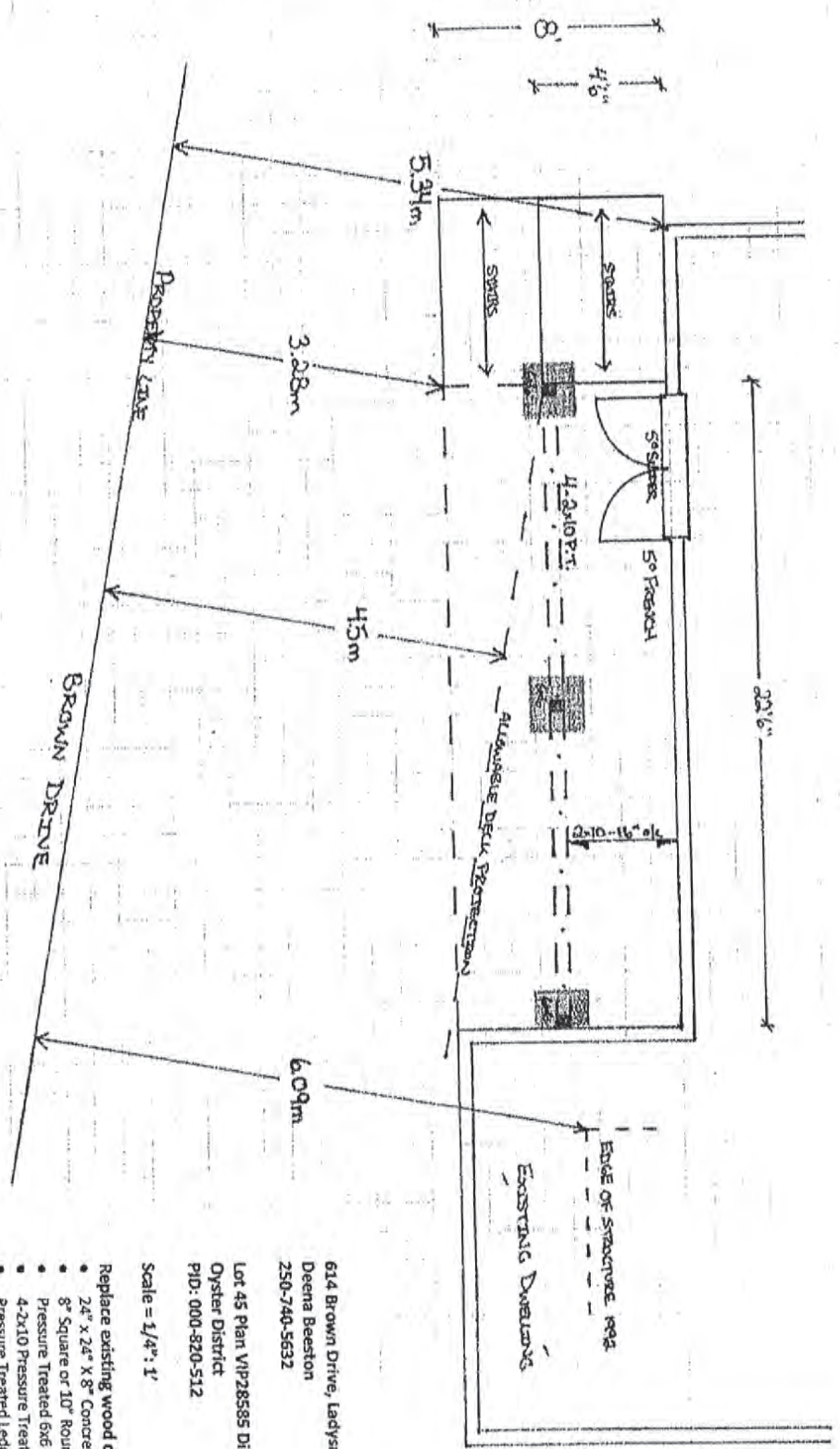
Planner

Development Services Department

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

Development Services is now open in a limited capacity to the public with new COVID-19 protocols in place. We are responding to all email and phone enquiries and accepting applications electronically. The public can access resources, building information and commonly requested forms through the Business & Development section of our website: <https://www.ladysmith.ca/business-development/application-forms>. To provide the best service possible, we recommend contacting us by phone or email to determine if a visit to our office is necessary.

Submitted
Plan.



- 614 Brown Drive, Ladysmith, BC
- Deena Beeston
- 250-740-5632
- Lot 45 Plan V/P28585 District Lot 96
- Oyster District
- PID: 000-820-512
- Scale = 1/4" = 1'
- Replace existing wood deck in hazardous condition.
- 2x4" x 24" x 8" Concrete Pad Footings
- 8" Square or 10" Round Concrete Columns
- Pressure Treated 6x6 Posts
- 4-2x10 Pressure Treated Beams
- Pressure Treated Ledger with Hangers GRK'd to House 16" o/c
- 2x10 Pressure Treated Joists 16" o/c
- 2x12 Pressure Treated Stair Stringers
- 9 Rise @ 7.5" 10 Tread 2-2x6, or; 10 Rise @ 6.75" 11 Tread 2-2x6
- 5/4" x 6" Pressure Treated Radial Decking
- 36" Pressure Treated Handrail and Guardrail on Stairs
- 42" Pressure Treated Guard (Climbable OK - 4" Maximum Openings)
- All Fasteners and Hangers to be Galvanized/Corrosion Resistant

5

Committee of the Whole Recommendations to Council March 21, 2023

At its March 14, 2023 meeting, the Committee of the Whole recommended that Council:

1. Direct staff to staff to prepare a report for the next possible Council meeting regarding the Every Child Matters Decal Initiative, examining policy limitations, cost, and a possible donation.
2. Direct staff to continue with status quo planting on 1st Avenue based on recent past practice.
3. Approve the allocated amounts of the 2023 Grants-in-Aid requests as follows:

Organization	Approved
Art Council of Ladysmith and District (Arts on Avenue)	7,000
Cowichan Family Caregivers Support Society	1,000
Ladysmith and District Historical Society	6,000
Ladysmith and District Marine Rescue Society	2,500
Ladysmith Celebrations Society	10,000
Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival Of Lights	10,000
Ladysmith Fire Rescue - Santa Parade	1,500
Ladysmith Little Theatre	2,500
Ladysmith Maritime Society	1,500
Ladysmith Show and Shine	2,000
Old English Car Club Central Island Branch	600
Big Brothers Big Sisters Central Vancouver Island	1,500
257 RCACS Parent Committee (Sponsoring Committee of the Ladysmith Air Cadets)	1,000
Ladysmith Secondary School-Frank Jameson Bursary	1,500
Waiving Fees	2,500

Late Applications/Council discretion	5,070
--------------------------------------	-------

4. Include \$3,000 in the 2023 budget to offer a grant writing consultation service provided by a specified consultant on a first come first served basis.
5. Direct staff to invite a member of the RCMP to attend a future Council meeting to discuss the Ladysmith Detachment Annual Policing Priorities for 2023 to 2024.
6. Ratify the changes to the Public Art Task Group Policy and Procedures and Terms of Reference documents and support the group in exploring a temporary art program for Ladysmith.



COMMITTEE OF THE WHOLE MEETING MINUTES

**Tuesday, March 14, 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
Chris Barfoot
Jake Belobaba

Ryan Bouma
Matt O'Halloran
Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Councillor Jacobson, Chair, called the Committee of the Whole meeting to order at 6:31 p.m. and acknowledged with gratitude that it was being held on the traditional, unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CW 2023-012

That the agenda for this March 14, 2023 Committee of the Whole meeting be approved as amended to include the following items, received after publication of the agenda:

- Item 6.1., "Ladysmith Detachment Annual Policing Priorities" - add the 2022 RCMP quarterly reports as a supplement to the agenda item; and
- Item 7.2., "User Fees for Town EV Charging Stations" - Mayor Stone has requested that the Committee discuss the Town EV Charging Stations and the possibility of applying user fees.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held January 17, 2023

CW 2023-013

That the minutes of the Committee of the Whole meeting held January 17, 2023 be approved.

Motion Carried

4. DELEGATION

4.1 Every Child Matters Decal Initiative

Carmen LeBlanc of Fortis BC outlined the development and purpose of the “Every Child Matters” decal initiative, stating that the decal serves as a daily point of reflection while underscoring Fortis' commitment to reconciliation and action within the communities they serve. Artist John Marston discussed the spirit, intent and meaning behind the image he created for the initiative.

Ms. LeBlanc and Mr. Marston responded to Council's questions. Council expressed their appreciation for the initiative and thanked them for their presentation.

CW 2023-014

That the Committee recommend that Council direct staff to prepare a report for the next possible Council meeting regarding the “Every Child Matters” decal initiative, examining policy limitations, cost, and a possible donation.

Motion Carried

5. REPORTS

5.1 Replacing Flowers with Drought Resistant Plants on 1st Ave

CW 2023-015

That the Committee recommend that Council direct staff to continue with status quo planting on 1st Avenue based on recent past practice.

Motion Carried

CW 2023-016

That the Committee direct staff to report back to the Committee with a list of plantings that were purposefully dedicated with historical significance.

Motion Carried

5.2 2023 Grant-in-Aid Requests

The Committee discussed the grant-in-aid requests for 2023 and made tentative allocations to the various organizations prior to finalizing their decisions.

Prior to discussion of the Cowichan Family Caregivers Support Society, Councillor McKay declared a conflict of interest due to her association with the society and vacated the meeting at 7:23 p.m. She returned to the meeting at 7:24 p.m.

Prior to discussion of the Show and Shine Grant-in Aid allocation, Councillor Paterson declared a conflict of interest due to his membership with the organization and vacated the meeting at 7:29 p.m. He returned to the meeting at 7:30 p.m.

CW 2023-017

That the Committee recommend that \$2000 be allocated to the "Waiving of Fees" category of the 2023 Grants-in-Aid budget.

CW 2023-018

AMENDMENT

That resolution CW 2023-017 be amended to increase the recommended amount to be allocated to the "Waiving of Fees" 2023 Grants-in Aid category to \$2500.

Amendment Carried

Resolution CW 2023-017, as amended reads:

That the Committee recommend that \$2500 be allocated to the "Waiving of Fees" category of the 2023 Grants-in-Aid budget.

Main Motion, as Amended, Carried

CW 2023-019

That the Committee recommend that \$5000 be allocated to the "Late Applications" category of the 2023 Grants-in-Aid budget.

Motion Carried

CW 2023-020

That the Committee recommend that the 2023 Grants-in-Aid allocation for the Arts Council be increased to \$7000.

Motion Carried

OPPOSED: Councillor Gourlay

CW 2023-021

That the Committee recommend that the remaining \$1500 in the 2023 Grants-in-Aid budget be allocated to the "Late Applications" category.

Motion Carried

OPPOSED: Councillor Gourlay

CW 2023-022

That the Committee recommend that \$1500 from the 2023 Grants-in-Aid Late Applications category be allocated to the Big Brothers Big Sisters Central Vancouver Island organization.

Motion Carried

OPPOSED: Councillor Stevens

CW 2023-023

That the Committee recommend that:

1. Council approve the following 2023 Grants-in-Aid allocated amounts;

Organization	Approved
Art Council of Ladysmith and District (Arts on Avenue)	7,000
Cowichan Family Caregivers Support Society	1,000
Ladysmith and District Historical Society	6,000
Ladysmith and District Marine Rescue Society	2,500
Ladysmith Celebrations Society	10,000

Ladysmith Downtown Business Association	5,000
Ladysmith Family and Friends Society	2,500
Ladysmith Festival of Lights	10,000
Ladysmith Fire Rescue - Santa Parade	1,500
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Ladysmith Maritime Society	1,500
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Old English Car Club Central Island Branch	600
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257 RCACS Parent Committee (Sponsoring Committee of the Ladysmith Air Cadets)	1,000
Ladysmith Secondary School-Frank Jameson Bursary	1,500
Waiving Fees	2,500
Late Applications/Council discretion	5,070

and

2. Include \$3,000 in the 2023 budget to offer a grant writing consultation service provided by a specified consultant on a first come first served basis.

Motion Carried

Councillor Gourlay vacated the meeting at 7:46 p.m.

6. DISCUSSION

6.1 Ladysmith Detachment Annual Policing Priorities for 2023 to 2024

CW 2023-024

That the Committee recommend that Council direct staff to invite a member of the RCMP to attend a future Council meeting to discuss the Ladysmith Detachment Annual Policing Priorities for 2023 to 2024.

Motion Carried

7. COUNCIL SUBMISSIONS

7.1 Ladysmith Temporary Art Program

CW 2023-025

That the Committee recommend that Council ratify the changes proposed by the Public Art Task Group to their Policy and Procedures and Terms of Reference documents and support the group in exploring a temporary art program for Ladysmith.

Motion Carried

7.2 User Fees for Town EV Charging Stations

CW 2023-026

That the Committee direct staff to gather information from Vancouver Island local governments on EV charging station user fees and report back to the Committee with fee options to ensure cost recovery for energy consumption, maintenance and end of life replacement of charging infrastructure.

Motion Carried

8. ADJOURNMENT

CW 2023-027

That this Committee of the Whole meeting adjourn at 8:09 p.m.

Motion Carried

CERTIFIED CORRECT

Chair (Councillor A. Jacobson)

Corporate Officer (M. O'Halloran)

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Geiger, Manager of Protective Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 21, 2023
File No:
Re: **Fire Department Printer/Copier**

RECOMMENDATION:

That Council direct staff to include in the 2023-2027 Financial Plan the purchase of a new Fire Hall printer for \$6,000, with the funds to come from the Fire Equipment Reserve.

EXECUTIVE SUMMARY:

The Fire Department printer/copier is no longer supported by the manufacturer, and therefore requires replacement.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

A photocopier is critical to the Fire Hall to provide training and reference material for the crew.

Last month, it was discovered that the manufacturer no longer manufactures toner for the Fire Department printer/copier. This copier was scheduled to be replaced next year but will now need to be replaced sooner. As the 2023-2027 capital portion of the Financial Plan has already been presented, this late request is coming before Council to be included in this year's budget.

ALTERNATIVES:

Council can choose to:

1. Lease the copier, instead of purchase, at a cost of \$128/month. Over a five-year term, the lease will cost \$7,680.
2. Not approve the replacement of the Fire Department copier/printer.

FINANCIAL IMPLICATIONS:

There is adequate funding in the fire department equipment reserve to support this purchase.

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director Parks, Recreation & Culture
Reviewed By: Allison McCarrick Chief Administrative Officer
Meeting Date: March 21, 2023
File No:
Re: **Poverty Reduction Strategy – Stream 3 UBCM Poverty Reduction & Planning Action Program Funding Request**

RECOMMENDATION:

That Council:

1. Include \$50,000 in the 2023-2027 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and
2. Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 3.

EXECUTIVE SUMMARY:

The intent of the [Poverty Reduction Planning & Action funding program](#) is to support local governments in reducing poverty at the local level and to support the Province's poverty reduction strategy.

Social Planning Cowichan has approached the Town about this grant funding opportunity for the Stream 3. Social Planning Cowichan will write the grant application and, if successful, will conduct the work with some support from Town staff. The Town is required to administer the grant funds, as this is a program for local governments through the Union of BC Municipalities. The deadline for this stream was March 17th, 2023. If Council chooses not to submit the application for this stream of funding, the application will be withdrawn.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2022-068	2022-03-15	<p>That Council:</p> <ol style="list-style-type: none"> 1. Include \$50,000 in the 2022-2026 Financial Plan to contract with Social Planning Cowichan for the Poverty Reduction Task Force project subject to grant funding received; and 2. Confirm support of staff's application in the amount of \$50,000 to the UBCM Poverty Reduction Planning and Action – Stream 2 grant.

Resolution	Meeting Date	Resolution Details
CS 2020-087	2020-03-03	That Council: 1. Direct staff to submit an application to the UBCM Poverty Reduction Planning & Action Program Funding Stream 1 for up to \$25, 000; 2. Confirm its willingness to provide overall grant management; and 3. Waive the purchasing policy in order to contract with Social Planning Cowichan to conduct the work, should the grant application be successful.

INTRODUCTION/BACKGROUND:

In March 2019, the Province of BC released their poverty reduction strategy: TogetherBC: British Columbia's Poverty Reduction Strategy. Mandated through the Poverty Reduction Strategy Act, the strategy set targets to reduce the overall poverty rate in British Columbia by at least 25%, and the child poverty rate by at least 50%, by 2024. TogetherBC is based on four principles: affordability, opportunity, reconciliation, and social inclusion. These principles guided the priority action areas that form the core of the strategy.

Local governments have long advocated for a provincial poverty reduction strategy and are crucial partners in this work. They are at the front-line of seeing the impacts of poverty in their communities and play a central role in developing local solutions with community partners and other levels of government.

In British Columbia, 1 in 5 children live in poverty. In the Cowichan Region, that number is 1 in 4. For children in lone parent families the poverty rate spikes to 58%. This amounts to approximately 4,040 children living in our neighbourhoods who don't have access to regular healthy food which can lead to physical, emotional and mental developmental delays. They may also have a higher chance of experiencing chronic illnesses and are more likely to drop out of school and/or not have access to a post-secondary education leading to low paying employment and continuing the poverty cycle.

The Ladysmith breakdown, according to the Island Health Local Health West Area Profile

- *Percent of Population with Low Income in 2015 based on after-tax low-income measure (2016 Census):*
 - *Low Income Children (<6 years): 14.3%*
 - *Low Income Children and Youth (<18): 14.9%*
 - *Low Income Adults (18 to 64): 11.3%*
 - *Low Income Seniors (65+): 11.6%*
- *Population Aged 25 to 64 with Post-Secondary Certificate, Diploma or Degree is 61.4%, approx. 2% below the BC and Island Health average (63.9% and 63.7% respectively)*
- *40.4% of rental households are spending more than 30% on housing*
 - *Owned households is 15.8%*
- *8.3% of the population aged 15 and over are unemployed*

With the development and success of the Poverty Reduction Strategy and funded actions in Streams 1 and 2, the project team has been able to create significant momentum in the communities of Ladysmith and Stz'uminus.

To build on this, the Town of Ladysmith's Poverty Reduction Task Group proposes taking the following actions in response to the listed themes within the strategy for the Stream 3 Actions:

1. **Access to Education and Employment Options:** In this action the Poverty Task Group will host a four-part seminar series in partnership with the Ladysmith Chamber of Commerce to offer employer training, education and support to reduce barriers to recruit, hire and retain low-income people seeking employment.

This action will focus on the following actions as outlined in the Poverty Reduction Strategy under this theme:

- Educate employers on the costs and benefits for businesses to pay a living wage.
- Update businesses on Provincial changes to employment standards.
- Share Provincial TogetherBC Poverty Reduction initiatives that identify new ways to increase employment opportunities for people with disabilities and other barriers to employment.
- Continue to develop Indigenous and non-Indigenous connections through cultural safety training and protocols for employers to create a business/work culture that supports First Nations employees to thrive.

2. **Food Security:** By building on the CommUNITY Food Recovery Harvesting Pilot (ie Gleaning Project) and food delivery to Stz'uminus First Nation from the LRCA food bank from Stream 2 and continuing to serve youth from the after school nutritious snack program, the Task Group propose hosting food preparation classes with four community organizations that serve people living in poverty.

This action will include classes for the LRCA, LaFF, Stz'uminus Recreation and Town of Ladysmith Recreation programs. Food ingredients would in part, be provided from food recovered from fruit trees and gardens through gleaning within the community.

3. **Multiple Poverty Themes building Education and Awareness and Reducing Stigma:** As a continuation from the two-community film and dialogue events from Stream 2, this 3rd action will introduce a second phase of hosting community dinners with circle dialogues focused on alternating topics based on the themes identified in the Poverty Reduction Strategy.

These workshops will include residents of all ages to generate community connections and cohesion, reduce stigma and increase motivation around participating in further actions including improvements to transportation in Ladysmith and especially in

Stz'uminus that has its challenges both logistically due to capacity and cost within the structures of our existing systems.

If successful, the Town will work with Social Planning Cowichan (SPC) and the Poverty Reduction Task Group for the implementation of the proposed Stream 3 actions.

ALTERNATIVES:

Council can choose to:

1. Council can choose not to apply for UBCM Poverty Reduction Planning & Action Program Funding in which the application will be withdrawn.

FINANCIAL IMPLICATIONS:

This grant program is 100% funded.

LEGAL IMPLICATIONS:

There are no legal implications identified that would limit this application.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This project will require assistance from Financial Services.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

STAFF REPORT TO COUNCIL

Report Prepared By: Ryan Bouma, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: March 21, 2023
File No:
Re: **4th Avenue Cost Overruns**

RECOMMENDATION:

That Council direct staff to include in the 2023-2027 Financial Plan an additional \$500,000 with the additional funds to come from water reserves for \$111,400, \$26,000 to come from sewer reserves and \$362,600 to come from prior year surplus.

EXECUTIVE SUMMARY:

Phase 1 of the 4th Avenue reconstruction is progressing with underground water, sewer, and storm main replacement nearing completion. Although there have been a few instances of small cost savings, the contractor has encountered multiple unanticipated conflicts or changes that require additional expenditure. Included is a summary of known change orders and anticipated further cost overruns.

PREVIOUS COUNCIL DIRECTION:

CS 2022-192	2022-08-02	That Council direct staff to: 1. Amend the 2022-2026 Financial Plan to increase the 4th Avenue Reconstruction Improvement Project (Root Street to White Street) by \$450,000: \$235,000 to come from the current year allocation to the Infrastructure Reserve; \$100,000 to come from prior year surplus; and \$115,000 to come from the Canada Community Building Fund; and 2. Award Tender 2022-IS-07 to Hazelwood Construction Services for the total tender amount of \$2,272,664.81. OPPOSED: Councillor Paterson
CS 2022-125	2022-05-17	That Council direct staff to: 1. Cancel Tender 2022-IS-01 for the 4th Avenue Improvement project; and 2. Issue a new tender for the 4th Avenue Improvement project with a completion date of late 2023.
CS 2022-021	2022-01-25	That Council direct staff to include in the 2022-2026 Financial Plan the 4th Avenue Improvement Project (Root Street to White Street) at a cost of \$1,880,000, with the additional funding to come from the Water Reserve for \$300,000 and the Gas Tax/Canada Community Building Fund up to \$158,000.



INTRODUCTION/BACKGROUND:

Construction of the underground services for the 4th Avenue reconstruction project has identified the need to increase the budget to accommodate cost overruns related to unexpected geotechnical conditions, watermain replacement, storm sewer extensions, sanitary sewer connections, and potential increases to quantities.

Council approved an increase to the original \$1,880,000 budget by adding \$450,000 for a total of \$2,330,000. The original contract price was \$2,164,442.68, which provided \$165k for contract administration and contingency. The project has experienced multiple change orders without the appropriate contingency to adequately cover the costs.

The Town's contract administrator (Herold Engineering) has provided the following breakdown used to request an increase of \$500,000 to the project budget.

Original Contract	\$2,164,442
Value of Work Paid to Feb 28 th	\$819,688
Extra Work Paid to Feb 28 th	\$95,470
Extra Work Currently in Progress	\$40,000
Projected Extra Costs March 1 st to Completion	\$313,000*
Total Construction Costs at Completion	\$2,612,913

*It is difficult to anticipate what project costs may be, although approximately \$163,000 is already allocated to identified changes.

Geotechnical

A large financial component of road reconstruction is the excavation depth and gravel fill/replacement thickness. A geotechnical report was obtained circa 2016 that included borehole drilling along the 4th Ave alignment to characterize the underground conditions. During trench excavation of utility mains along the road alignment the Town's geotechnical representative determined that over-excavation of existing road base should be increased from 450mm to approximately 700mm for most of the road alignment. Where possible, over-excavation will remain at 450mm or some approved depth that provides suitable subgrade.

It is important to remove soft compressible soil and organic material that can decay over time.



Although it is possible to proceed with the original excavation depth of 450mm, leaving unsuitable materials under the pavement can lead to premature settlement and “pothole” formation in the pavement.

This portion of work is estimated to cost up to \$90,000 in additional costs. There is also a need for additional geotechnical oversight and material testing related to the road and other changes described below, at approximately \$27,600.

Watermains and Services

At the time of mobilization, the contractor is instructed to confirm locations and elevations of connection points and check those locations against the design drawings before ordering critical parts. During this program several concerns with the water system were discovered:

1. Approximately seven copper water services on a newer PVC main should be replaced. The PVC main was not part of the replacement program as there is still a long life expectancy for this main; however, the services are not reliable.
2. A portion of Asbestos Cement (AC) pipe watermain was identified to remain under the traffic circle. Due to the age and history of watermain breaks in AC pipe, it was decided to replace this portion of main that was not part of the tender drawings.



3. The elevation of a proposed watermain was in conflict with an existing BC Hydro duct and it was required to construct the watermain under the duct. This required extensive support of the hydro duct and difficult construction was not originally included.

To mitigate the chances of a future water leak, which would require cutting of pavement and curbs, it is best to replace the water services and AC main while the opportunity exists. Overall, the cost associated with this work is an additional \$111,400.

Storm Main Extension

During the location confirming exercise during mobilization, it was discovered that an unidentified portion of under-sized, corrugated steel pipe, made up part of the storm

sewer system. The section of pipe that required extension was approximately 60m in length to the downstream manhole, where newer PVC pipe was encountered.

Additionally, several unknown service connections were encountered as the storm main was installed. These services needed to be connected to avoid future flooding issues, but the connections and extra labour were not included in the original price.



Replacement of the old pipe and service connections was completed early in the construction process because the storm main was the first piece of work completed. The contractor was authorized to proceed due to the potential flooding risk associated with the small pipe size and to avoid the increased cost of replacing the pipe and service connections at a later date. The cost to complete this work was approximately \$65,000.

Sanitary Sewer Connection

A sanitary sewer manhole that was slated for replacement was found to be a drop manhole. A drop manhole costs more due to the extra complexity of installation and the materials cost. Also, multiple service connections were found to be at a slightly lower grade, requiring an alternative connection type that is more costly. The additional costs related to sanitary sewer were approximately \$26,000.

Potential Change Orders and Contract Overruns

Although it is difficult to predict, there is a high likelihood that additional change orders will be required, and quantities could exceed the contract estimates. Staff and the Town's contract administrator (Herold Engineering) will do their best to minimize these potential changes and associated costs, but it is best to budget and prepare for them. The contract administrator and staff have estimated \$180,000 for these potential changes.

At this point in construction, most of the underground work is completed and staff believe the unknowns have been highlighted as best possible. There is still a large portion of the project to be completed and change orders are likely.

ALTERNATIVES:

Council can choose to request staff to lower cost overruns by not making some of the replacements listed above or cutting back scope and quantities.

FINANCIAL IMPLICATIONS:

The budget for this project has increased significantly over time. The revised amount is proposed to be funded as:

	ORIGINAL	August 2022 after re-tendering	Revised March 2023
Budget	1,880,000	2,330,000	2,830,000
Funded by:			
Gas Tax	398,930	513,930	513,930
Carry Forward	923,970	923,970	923,970
DCC	257,100	257,100	257,100
water	300,000	300,000	411,400
Infra Res		235,000	235,000
Surplus		100,000	462,600
Sewer			26,000

Fortunately, there were additional revenues received in 2022 that contributed to a surplus. Some of these revenues included:

- Building Permits: an additional \$167,970 received over budgeted amounts
- Return on Investment: an additional \$618,041 received over budgeted amounts due to the increase in interest rates and additional funds available for investment.

If approved, these are the funds that will be used to make up the \$362,600 requested from Surplus. The water fund and the sewer fund will make up the rest of the required amount.

LEGAL IMPLICATIONS:

The contractor is entitled to additional costs for changes not identified in the tender or at the request of the Town. If quantities exceed what is estimated in the bid sheet the contractor is entitled to the unit rates stated in their bid for all additional quantities.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Director of Financial Services has reviewed the costs with Infrastructure Services to determine suitable funding.

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 |

- ☐ Healthy Community
- ☐ Not Applicable

- ☐ Local, Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

- ☒ Infrastructure
- ☐ Community
- ☐ Waterfront

- ☐ Economy
- ☐ Not Applicable

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

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 24th day of January, 2023
READ A SECOND TIME on the 24th day of January, 2023
PUBLIC HEARING HELD on the 21st day of February, 2023
READ A THIRD TIME on the 21st day of February, 2023
APPROVED BY MINISTRY OF TRANSPORTATION on the 7th day of March, 2023
ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

READ A FIRST TIME on the 24th day of January, 2023

READ A SECOND TIME on the 24th day of January, 2023

PUBLIC HEARING HELD on the 21st day of February, 2023

READ A THIRD TIME on the 21st day of February, 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)

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

this 7th day of March 2023
Ministry of Transportation and Infrastructure



D. Atchison

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.
 - iii) exterior cladding and exterior solid wall systems up to a maximum thickness of 0.165 metres in an exterior insulation or weather protection system.
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*; 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 24th day of January, 2023

READ A SECOND TIME on the 24th day of January, 2023

PUBLIC HEARING HELD on the 21st day of February, 2023

READ A THIRD TIME on the 21st day of February, 2023

APPROVED BY MINISTRY OF TRANSPORTATION on the 7th day of March, 2023

ADOPTED on the _____ day of _____, 2023

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100"
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"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100"
Page 4

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

Mayor (A. Stone)

Corporate Officer (M. O'Halloran)

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

this 7th day of March 20, 23
Ministry of Transportation and Infrastructure


D. Addison

BYLAW STATUS SHEET
March 21, 2023

Bylaw #	Description	Status
2099	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2099". Removes minimum sizes for caretaker dwellings or dwelling units.	First and second readings, January 24, 2023. Public Hearing and third reading February 21, 2023. MOTI approval received March 7, 2023..
2100	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2100". Incentivizes one-storey coach houses and secondary suites and reduces the impact of two-storey coach houses.	First and second readings, January 24, 2023. Public Hearing and third reading February 21, 2023. MOTI approval received March 7, 2023.
2106	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 71) 2022, No. 2106". Amends 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". Includes 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-zones 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.
2130	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 73) 2022, No. 2130" (10940 Westdowne Rd.) Changes the OCP designation from single family to Mobile Home Park residential.	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.) Changes zoning from Rural Residential (RU-1) to Manufactured Home Park (MHP-1)	First and second readings, December 20, 2022. Public Hearing required. MOTI approval required.
2133	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 56) 2023, No. 2133". Allows convenience store at 1132-1142 Rocky Creek Rd.	First and second readings, January 10, 2023. Public Hearing required. MOTI approval required.
2134	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2134". Development Permit Area 10 – Coach House Intensive Residential to the property at 1141 Cloke Rd.	First and second reading held March 7, 2023. Referred to School District #68, per resolution CS 2023-048.

BYLAW STATUS SHEET

March 21, 2023

2135	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135". Amends zoning to include <i>Coach House Dwelling</i> as a permitted <i>Accessory Use</i> .	First and second reading held March 7, 2023. Public Hearing required.
2137	"Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2023, No. 2137". Amends the Downtown Core designation for higher density allowance where a heritage building is restored.	First and second readings, February 21, 2023. Public Hearing required.
2138	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2138". Site specific regulations in the C-2 zone for 440 1 st Avenue.	First and second readings, February 21, 2023. Public Hearing required.
2200	"Official Community Plan Bylaw 2022, No. 2200". A new Official Community Plan for the Town.	First reading, September 20, 2022. Referred to various agencies as per resolution CS 2022-230. Second reading as amended scheduled March 7, 2023. Public Hearing required.