

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

**Tuesday, June 20, 2023  
Ladysmith Seniors Centre  
630 2nd Avenue**

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**Pages**

**1. CALL TO ORDER**

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

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

**2. CLOSED SESSION**

Recommendation

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

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

**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 June 20, 2023.

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

**6. MINUTES**

**6.1 Minutes of the Regular Meeting of Council held June 6, 2023**

5

Recommendation

That Council approve the minutes of the Regular Meeting of Council held June 6, 2023.

**7. DEVELOPMENT APPLICATIONS**

**7.1 Zoning Bylaw Amendment Application for 624 John Wilson Place  
(Secondary Suite)**

10

Recommendation

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2146”; and
2. Direct staff to schedule and provide notice for a public hearing for Bylaw No. 2146 in accordance with section 466 of the *Local Government Act*.

**8. REPORTS**

**8.1 Town of Ladysmith 2022 Statement of Financial Information**

26

Recommendation

That Council approve the Town of Ladysmith Statement of Financial Information for the fiscal year ended December 31, 2022.

**8.2 Ladysmith Museum Request to Display Town Public Art Project**

73

Recommendation

That Council:

1. Approve the recommendations of the Public Art Committee to temporarily loan one of the four panels of the public art project titled “Ladysmith in the 21<sup>st</sup> Century” created by Rita Edwards, to the Ladysmith & District Historical Society for a two-year term as per the temporary loan agreement.
2. Designate Chris Barfoot, Director of Parks, Recreation & Culture as representative signatory for the temporary loan agreement.

Recommendation

That Council:

1. Approve the Accessibility Advisory Committee Terms of Reference; and
2. Direct staff to advertise for vacancies on the Accessibility Advisory Committee, with appointments to be made in September, 2023.

**9. BYLAWS****9.1 Bylaws for Introduction****9.1.1 “Town of Ladysmith Fire Services Bylaw 2023, No. 2147”**

89

Recommendation

That Council give first, second, and third readings to “Town of Ladysmith Fire Services Bylaw 2023, No. 2147”.

**9.1.2 “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152”**

102

Recommendation

That Council give first, second, and third readings to “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152”.

**9.2 Bylaws for Adoption****9.2.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2138”**

105

Recommendation

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2138”.

**9.3 Bylaw Status Sheet**

108

## 10. NEW BUSINESS

### 10.1 Our Cowichan Community Health Network

109

Appointment of a Council member to the Our Cowichan Community Health Network.

#### Recommendation

That Council appoint \_\_\_\_\_ to serve on the Our Cowichan Community Health Network.

## 11. 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.

## 12. ADJOURNMENT





## MINUTES OF A REGULAR MEETING OF COUNCIL

Tuesday, June 6, 2023

6:01 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 Marsh Stevens  
Councillor Jeff Virtanen

### Staff Present:

Allison McCarrick  
Erin Anderson  
Chris Barfoot  
Jake Belobaba

Ryan Bouma  
Matt O'Halloran  
Sue Bouma

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### 1. CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 6:01 p.m., in order to retire immediately into Closed Session.

### 2. CLOSED SESSION

#### CS 2023-144

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

- (1)(e) the acquisition, disposition or expropriation of land or improvements;
- (1)(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*;
- (1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and

- (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 2023-145**

That Council approve the agenda for this Regular Meeting of Council for June 6, 2023, as amended to include the following items received after publication of the agenda:

- Item 11.1.2 - "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124";
- Item 11.1.3. - "Sustainable Transportation Reserve Bylaw, No. 2145";
- Item 11.1.4. - "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135"; and
- Item 11.2.1 - "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140".

*Motion Carried*

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

Council rose from Closed Session at 6:30 p.m. without report.

### **6. MINUTES**

#### **6.1 Minutes of the Regular Meeting of Council held May 16, 2023**

##### **CS 2023-146**

That Council approve the minutes of the Regular Meeting of Council held May 16, 2023.

*Motion Carried*

## **7. DELEGATIONS**

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

Quentin Goodbody, President of the Ladysmith & District Historical Society, provided an operational update to Council. He summarized the Society's many initiatives and accomplishments over the past year and noted that the Society would like to have discussions with the Town regarding financing for the Museum and Archives, updating the Heritage Strategic Plan and expanding the Heritage Register.

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

## **8. PROCLAMATIONS**

### **8.1 Island Good Days - June 19-25, 2023**

Mayor Stone proclaimed June 19-25, 2023 as "Island Good Days" in the Town of Ladysmith.

## **9. STRATEGIC PLAN**

### **9.1 2023 to 2026 Strategic Plan**

#### **CS 2023-147**

That Council adopt the 2023-2026 Strategic Plan and direct staff to publish the plan online and in hard copy.

*Motion Carried*

## **10. COMMITTEE MINUTES**

### **10.1 Parks, Recreation & Culture Advisory Committee - May 17, 2023**

#### **CS 2023-148**

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held May 17, 2023.

*Motion Carried*

## **11. BYLAWS**

### **11.1 Bylaws for Adoption**

#### **11.1.1 “Town of Ladysmith Heritage Revitalization Agreement Bylaw 2023, No. 2139”**

##### **CS 2023-149**

That Council adopt “Town of Ladysmith Heritage Revitalization Agreement Bylaw 2023, No. 2139”.

*Motion Carried*

#### **11.1.2 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124.”**

##### **CS 2023-150**

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2124”.

*Motion Carried*

#### **11.1.3 “Sustainable Transportation Reserve Bylaw, No. 2145”**

##### **CS 2023-151**

That Council adopt “Sustainable Transportation Reserve Bylaw, No. 2145”.

*Motion Carried*

#### **11.1.4 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135”.**

##### **CS 2023-152**

That Council adopt “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2135”.

*Motion Carried*

### **11.2 Bylaws for Introduction**

#### **11.2.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140”**

##### **CS 2023-153**

That Council give first, second and third readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140”.

*Motion Carried*

**11.3 Bylaw Status Sheet**

**12. NEW BUSINESS**

**12.1 Community Excellence Award - Excellence in Governance**

**CS 2023-154**

That Council confirm support of staff's Official Community Plan Review Project submission to the Excellence in Governance category of UBCM's "2023 Community Excellence Awards".

*Motion Carried*

**13. QUESTION PERIOD**

A member of the public enquired about the Town's consideration and recognition of the Ladysmith Maritime Society's contributions to the community.

**14. ADJOURNMENT**

**CS 2023-155**

That this Regular Meeting of Council be adjourned at 7:41 p.m.

*Motion Carried*

CERTIFIED CORRECT

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Mayor (A. Stone)

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Corporate Officer (M. O'Halloran)

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Andrew Wilson, Planner  
**Report Reviewed By:** Jake Belobaba, RPP, MCIP, Director of Development Services  
**Meeting Date:** June 20, 2023  
**File No:** 3360-22-09  
**RE:** Zoning Bylaw Amendment Application for 624 John Wilson Place (Secondary Suite)

**RECOMMENDATION:**

That Council:

1. Give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2146”; and
2. Direct staff to schedule and provide notice for a public hearing for Bylaw No. 2146 in accordance with section 466 of the *Local Government Act*.

**EXECUTIVE SUMMARY:**

A Zoning Bylaw amendment application has been received for 624 John Wilson Place for the purpose of building a secondary suite in the basement of a two-storey single family dwelling. The applicant has requested a site-specific zoning amendment to permit a secondary suite on the subject property. The proposed zoning amendment would exempt the subject property from section 10.13.3(d) of the Zoning Bylaw which requires suites to be located on parcels with frontages greater than 18.28 meters and larger than 668 square meters.

Staff recommend that Council give first and second readings to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2146” and to direct that a public hearing be held. The proposal is not expected to negatively impact neighbouring properties.

**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:****Subject Property**

The subject property (see Attachment A) is 0.05 ha (499.4 m<sup>2</sup>) in size and is located within a residential neighbourhood in the Holland Creek area consisting of a mix of single-family residential uses (with some secondary suites) and multi-family residential. The subject property contains a newly constructed two-storey single family dwelling with an attached two-car garage.

The subject property is in the Single Dwelling Residential – Holland Creek Area (R-1-HCA) Zone of the “Town of Ladysmith Zoning Bylaw 2014, No. 1860”. The surrounding zoning consists of a mix of R-1-HCA parcels and Low Density Residential (R-3-A) parcels north of the property as shown in Attachment B.

**PROPOSAL:**

The applicant is proposing to add a two-bedroom secondary suite. The proposed secondary suite would be approximately 58m<sup>2</sup> in size and located in the walkout basement of the single family dwelling.

The R-1-HCA Zone permits secondary suites on parcels that have a minimum parcel area of 668m<sup>2</sup> and a minimum frontage of 18.28 metres. The subject property does not meet these requirements as it has a parcel area of 499m<sup>2</sup> and a frontage of 14.5m, therefore a Zoning Bylaw amendment is required to permit the proposed suite.

The parcel currently contains four parking spaces: two in a two-car garage and two in the driveway. This exceeds the current zoning requirement of two parking spaces for a single-family dwelling with a suite. A breakdown of the features of the proposed development is provided in Table 1.

*Table 1: Application summary*

	<b>Current/Required</b>	<b>Proposed</b>
<b>Official Community Plan Designation</b>	Single Family Residential	No change
<b>Development Permit Area</b>	No Development Permit Area	No change
<b>Zoning</b>	R-1-HCA	R-1-HCA with site-specific amendment
<b>Density</b>	1 dwelling unit	2 dwelling units
<b>Principal Use</b>	Single Unit Dwelling	Single Unit Dwelling
<b>Accessory Use</b>	Secondary suites not permitted on parcels less than 668m <sup>2</sup> in size with a frontage less than 18.28m	Permit secondary suite on site-specific basis on a parcel smaller than 668m <sup>2</sup> with a frontage less than 18.28m <sup>2</sup>
<b>Parcel Coverage</b>	35% permitted (approx. 29% utilized)	No change
<b>Principle building setbacks</b>	Front: 4.0m Exterior Side: 2.0m	No change

	Interior Side: 1.5m Rear: 3.0m	
<b>Landscaping and Screening</b>	No requirement for Single Dwelling Residential zone	No change
<b>Parking</b>	1 unit per dwelling unit	No change

A site plan is provided in Attachment E. The applicant's rationale letter is provided as Attachment F.

### **ANALYSIS:**

#### ***Official Community Plan Bylaw 2022, No. 2200 (OCP):***

The subject property is located in the Neighbourhood Residential land use designation in the new OCP and within the General Infill Growth Area. Neighbourhood Residential supports many housing choices, with diverse residential types, tenures, and densities. General Infill Areas enable and encourage intensification. The subject property also falls within the Holland Creek Local Area Plan (HCLAP) in which it is designated as Single-Family.

The following OCP policies are relevant to the proposal:

#### **Policy 2.3 Land Use Designation Policies:**

- q. The built form of this designation should be single-detached dwellings, duplexes, triplexes, fourplexes, townhouses, and multi-family housing up to three storeys.
- r. Coach houses and secondary suites are supported.

#### **Policy 2.4 General Land Use Policies:**

- j. Support the provision of a range of housing types, tenures, densities – as well as affordable and attainable housing opportunities – to meet the diverse needs of individuals and families of varying needs and levels of incomes, in all neighbourhoods.
- k. Encourage secondary suites in new and existing single-detached dwellings, duplexes, and townhouses in accordance with the BC Building Code.

The following HCLAP policies are relevant to the proposal:

- 7.2.3 Secondary suites shall be permitted on larger single family residential lots where on-site parking can be accommodated.
- 7.2.5 Single-Family designated areas may have a density of 20 units per hectare of land, depending on site conditions and other criteria, such as including secondary suites, as a way to secure the protection of environmentally sensitive areas and other natural features.

The subject property is part of the 41-lot Phase 3 of the Holland Creek development. 23 of the 41 lots meet the minimum lot and frontage requirements for secondary suites (see Attachment C). The current density of the neighbourhood (as shown in Attachment C) is approximately 15.2 units per hectare. Increasing the density by one additional secondary suite effectively increases the overall density of this neighbourhood to 15.5 units per hectare.



The proposal is supported by the OCP policies noted above. The subject property does not fall within a Development Permit Area and an OCP amendment is not required.

***Zoning Bylaw:***

The subject property is zoned R-1-HCA in “Town of Ladysmith Zoning Bylaw 2014, No. 1860” (see Attachment B). The R-1-HCA Zone is intended to accommodate residential development on a range of parcel sizes while respecting riparian ecosystems and park and open space amenities. Secondary suites are not permitted on parcels less than 668m<sup>2</sup> and with frontages less than 18.28m in the R-1-HCA Zone. The subject property is 499m<sup>2</sup> in size with a frontage of 14.5m, therefore a Zoning Bylaw amendment is required to accommodate the proposed secondary suite.

To facilitate the addition of the proposed secondary suite, a site-specific amendment to the R-1-HCA Zone is proposed that will allow a secondary suite on the parcel despite the minimum size and frontage requirements. All other regulations of the Zoning Bylaw are being met by this proposal including maximum gross floor area for a secondary suite, parcel coverage, setbacks, and parking requirements.

Table 1, above, summarizes the proposed development and bylaw amendment.

***Parking:***

The Zoning Bylaw requires one off-street parking space per dwelling unit for a single family dwelling with a suite (i.e., one for the principal dwelling and one for the suite.) Tandem parking (i.e., one space in front of the other) is permitted on single family parcels. The subject property currently contains a total of four parking spaces including a two-car garage and a 5.9m wide by 8.9m long driveway which can accommodate two additional parking spaces (see Attachment F site photo).

Similar applications to allow a secondary suite have been approved and supported by staff because adequate on-site parking was provided for the suites<sup>1</sup>. Similarly, a previous DVP application was denied by Council<sup>2</sup> and not supported by staff because the applicant wasn’t willing to provide appropriate on-site parking on a parcel located on a cul-de-sac. 624 John Wilson Place is not located on a cul-de-sac.

A rezoning is required for this application as the parcel size minimums are a density regulation limiting parcels smaller than 668 m<sup>2</sup> from having a secondary suite. Any change in land use or density requires a Zoning Bylaw amendment.

***Community Planning Advisory Committee (CPAC):***

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<sup>1</sup> Council resolution CS 2021-366 on November 16, 2021 approved DVP 3090-21-12; Council resolution CS 2023-077 on April 4, 2023 approved DVP 3090-22-13.

<sup>2</sup> Council resolution CS 2019-253 on July 15, 2019 denied DVP 3090-19-06.

The application was considered by the CPAC on May 3, 2023. CPAC passed the following recommendation with respect to the application:

*"It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment 3360-22-09 (624 John Wilson Place) as presented, and that Council investigate current prerequisites for secondary suites, specifically for minimum lot size and minimum frontage."*

The CPAC minutes for May 3, 2023 are provided in Attachment H.

***Community Amenity Contribution (CAC) Policy:***

The OCP provides policies for Community Contributions to offer guidance to Council on how to make Community Contributions fair, consistent and in the best interest of the community. The following Community Contributions policy in the OCP is relevant to this proposal:

- 4.8 "Community Contributions may be provided as cash or in-kind contributions.... Suites should not be included in the calculations provided covenants or similar instruments are in place to require suite construction."

While the proposed changes will increase the already permitted density on the property by a single dwelling unit, staff are not recommending a CAC since the uses of the property will remain residential and one additional accessory dwelling unit provides a net benefit to the available rental stock in the Town. A CAC in the form of provision of parkland, protection of environmentally significant areas, and providing infrastructure improvements to support the development was provided for this subdivision development.

***Analysis Summary***

Staff recommend that Bylaw No. 2146 be given first and second readings and proceed to the public hearing stage since the proposal is supported by the OCP and is not expected to have a negative impact on the community.

**ALTERNATIVES:**

Council can choose to:

1. Amend Bylaw No. 2146 and give first and second readings as amended.
2. Refer the application back to staff for further review as specified by Council.
3. Refer the application back to CPAC.
4. Defeat Bylaw No. 2146.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

Standard requirements for Council consideration and referrals established under provincial legislation have been accounted for in staff's review of the application and the recommendations of this report. At this time, there are no special legal considerations for this proposal.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Bylaw No. 2146 is generally consistent with the Town's OCP and Council may choose to not hold a public hearing under section 464(2) of the *Local Government Act*. However, staff recommend holding a public hearing in accordance with section 465 of the *Local Government Act*, as the public may have an interest in the application, OCP policies supporting the zoning change do not explicitly authorize the proposal and there are no material time savings from not holding a public hearing. If Bylaw No. 2146 is given first and second readings, a public hearing will be held prior to third reading and adoption.

If the application proceeds as recommended, notice of the public hearing for Bylaw No. 2146 will be provided in accordance with section 466 of the *Local Government Act*, "Town of Ladysmith Development Procedures Bylaw 2008, No. 1667" and "Public Notice Bylaw 2022, No. 2119".

**INTERGOVERNMENTAL REFERRALS:**

The subject property is more than 800m from the highway, meaning MOTI approval is not required. As this is a minor application, additional intergovernmental referrals are not recommended.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The application was circulated to Town departments for review and comment. Their comments are summarized below:

*Table 2: Interdepartmental Referral Comments*

Referred (Yes/No)	Department	Comments
Yes	Infrastructure Services	No concerns
Yes	Building Inspection	No concerns
No	Parks Recreation & Culture	N/A
No	Financial Services	N/A
No	Legislative Services/Corporate Services	N/A
Yes	Fire/Protective Services	No concerns

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Core Infrastructure         | <input type="checkbox"/> Economy        |
| <input type="checkbox"/> Official Community Plan Implementation | <input type="checkbox"/> Leadership     |
| <input type="checkbox"/> Waterfront Area Plan                   | <input type="checkbox"/> Not Applicable |

***I approve the report and recommendations.***

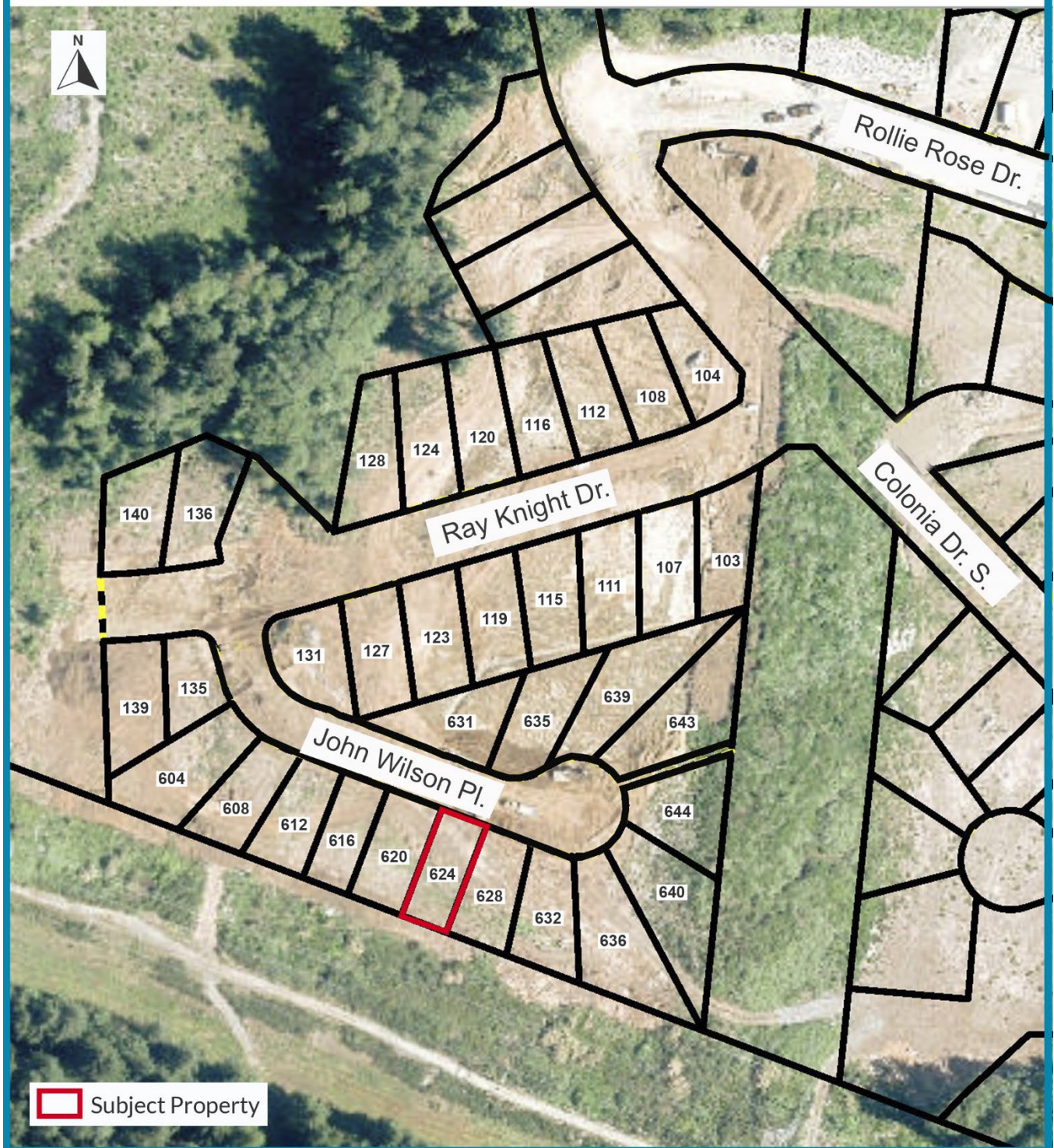
**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENTS:**

- A. Subject Property Map
- B. Zoning Map
- C. Secondary Suite Potential Map
- D. Bylaw No. 2146
- E. Site Plan
- F. Applicant Rationale Letter (November 23, 2022)
- G. Site Photo
- H. CPAC Minutes

## SUBJECT PROPERTY

624 JOHN WILSON PLACE





# ZONING MAP



**P-3**

**R-3-A**

**R-3-A**

# R-3-A

**R-1-HCA**

**R-3-A**

# R-1-HCA

**P-2**

**P-3**

## R-1-HCA

☐ Subject Property

# ATTACHMENT C

## Secondary Suite Potential in Holland Creek Area Phase 3



TOWN OF LADYSMITH

BYLAW NO. 2146

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

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

1. Schedule A – Zoning Bylaw Text is amended by adding new site specific regulations to Section 10.13 Single Dwelling Residential – Holland Creek Area (R-1-HCA), as follows:
  - a. The following is added to the end of Section 10.13:

"7. Site Specific Regulations

(a) Despite Section 10.13.3.d), for the *Parcel* legally described as Lot 11, District Lot 103, Oyster District, Plan EPP98461 (624 John Wilson Place), a *Secondary Suite* is a permitted *Accessory use*.

Citation

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2023, No. 2146".

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

ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

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

\_\_\_\_\_  
Corporate Officer (M. O'Halloran)



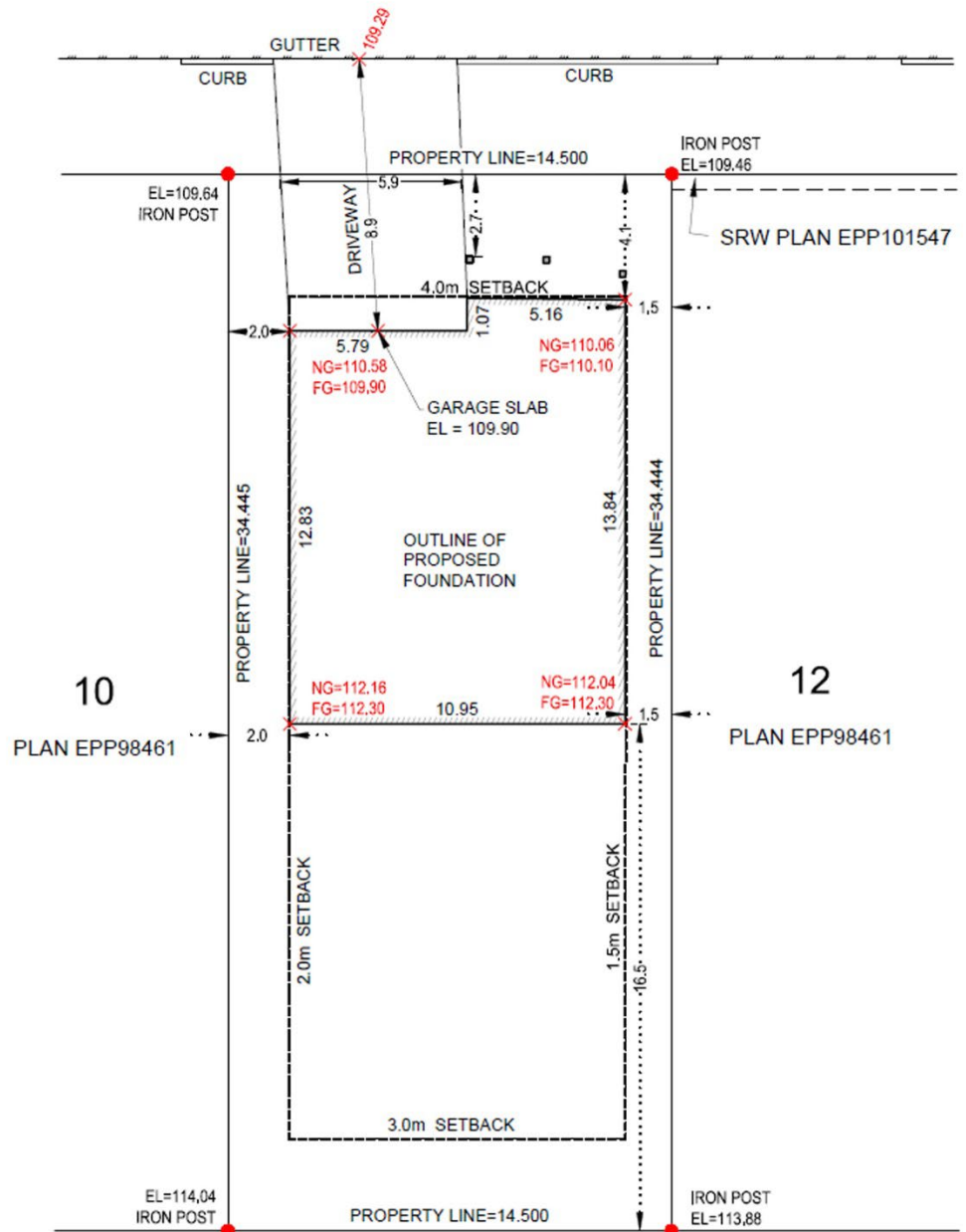
# ATTACHMENT E – Site Plan

5 0 5 10  
ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF.

THE INTENDED PLOT SIZE OF THIS PLAN IS 280mm IN WIDTH BY 432mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:200



## JOHN WILSON PLACE



BUILDING AND HEIGHT CALCULATIONS	
Zone*	R-1-HCA
Parcel Size	449.4m <sup>2</sup>
Parcel Coverage	32%
Average Natural Grade (NG)	111.21
Average Finished Grade (FG)	111.15
Maximum Permitted Building Height	8.00
Maximum Roof Peak Elevation	119.15
Proposed Roof Peak Elevation	119.05
Minimum Basement Elevation (MBE)**	108.03
Proposed Basement Slab Elevation	110.30

\*Town of Ladysmith Bylaw 2014, No. 1860 Mar 20, 2019

\*\*MBE from Final Lots Grades Plan

### LEGEND:

- +104.25 - DENOTES SPOT ELEVATION
- EL - DENOTES ELEVATION
- SRW - DENOTES STATUTORY RIGHT OF WAY

Rem DL 103

PLAN 991 RW

## ATTACHMENT F

November 23, 2022

Nar Parhar

6180 Palahi Road

Duncan, B.C.,

V9 L 5B6

Re: Rationale Letter for Application to Change Zoning

To Whom it May Concern:

I am the builder/owner of 624 John Wilson Place. I have built a new constructed residential home in Holland Creek Estates. This development currently accommodates residential homes with and without legal suites as well as multi family homes. I am looking to change the zoning on this property to accommodate a legal suite.

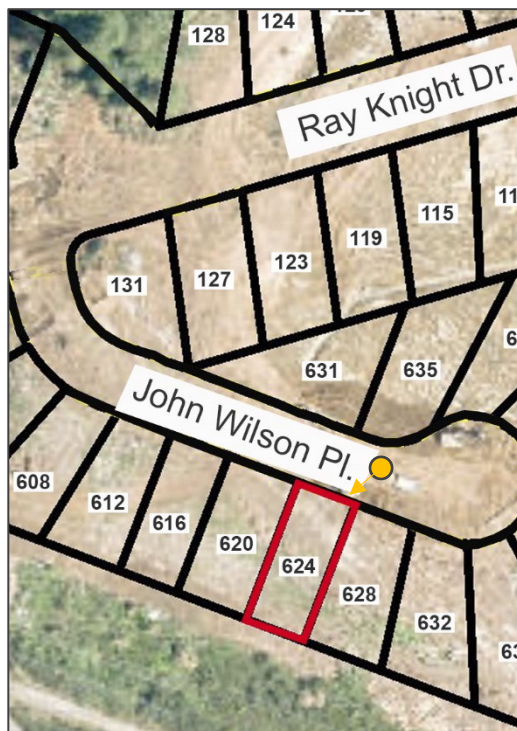
Regards,



Naranjan Singh Parhar

## ATTACHMENT G

*Site photo of 624 John Wilson Place*







# MINUTES

## Community Planning Advisory Committee

Wednesday, May 3, 2023 at 7:00 p.m.  
City Hall Council Chambers, 410 Espanade

**PRESENT:** Chair - Jason Harrison; Members – Steve Frankel, Tamara Hutchinson, Jason Robertson; Council Liaison – Marsh Stevens; Director of Development Services – Jake Belobaba; Planner/Recorder – Andrew Wilson

**ABSENT:** Members – Brian Childs, Abbas Farahbakhsh, Jennifer Sibbald

**GUESTS:**

Jason Harrison called the meeting to order at 7:05 PM, acknowledging with gratitude that Ladysmith is located on the traditional unceded territories of the Stz'uminus First Nation.

### 1. AGENDA APPROVAL

It was moved, seconded, and carried that the Agenda of May 3, 2023, Community Planning Advisory Committee meeting be approved.

### 2. ADOPTION OF MINUTES

It was moved, seconded, and carried that the Minutes of March 15, 2023, Community Planning Advisory Committee meeting be approved.

### 3. NEW BUSINESS

None.

### 4. COUNCIL REFERRALS

#### a. Zoning Bylaw Amendment 3360-22-09 – 624 John Wilson Place

Planner Andrew Wilson provided an overview of the proposal for a secondary suite in a newly constructed two-storey single family dwelling in the Holland Creek area. Committee members asked staff about the rationale behind only allowing secondary suites on certain sized parcels. Staff explained that minimum lot sizes are largely arbitrary, and that there is a historical assumption that more dwellings require larger size lots.

Committee members questioned if there is enough room for parking on the parcel and if it will impact on-street parking. Staff commented that there is a clause in the Business Regulations and Licensing (Rental Units) Bylaw, (Bylaw No. 2093) that tenants shall not be required to park on the street where on-site parking is available, and contravention of this bylaw can result in a fine. Committee members made comments that the number of available parking spots on the property is adequate, and the tandem parking configuration seems suitable.

Committee members made comments about the potential for more rezoning and variance applications to permit secondary suites in this subdivision. Committee members discussed the need for Council to have a broader discussion about secondary suite requirements in all zones.

It was moved, seconded, and carried that the Community Planning Advisory Committee recommends that Council approve Zoning Bylaw Amendment 3360-22-09 (624 John Wilson Place) as presented, and that Council investigate current prerequisites for secondary suites, specifically for minimum lot size and minimum frontage.

**5. MONTHLY BRIEFING**

The following files, that the Committee previously reviewed, have been to Council since the last meeting:

- 11 & 17 Warren Street (3360-21-12)
- 1141 Cloke Road (3360-22-05)
- Official Community Plan Bylaw 2022, No. 2200

**6. NEXT MEETING – TBD**

**7. ADJOURNMENT**

It was moved, seconded, and carried that the meeting be adjourned at 7:47 PM.

-----  
Chair (J. Harrison)

RECEIVED:

-----  
Corporate Officer (M. O'Halloran)



**TOWN OF LADYSMITH**

**STATEMENT OF FINANCIAL INFORMATION**

**YEAR ENDED DECEMBER 31, 2022**



**TOWN OF LADYSMITH  
STATEMENT OF FINANCIAL INFORMATION  
YEAR ENDED DECEMBER 31, 2022**

***Financial Information Act***

Prepared under the *Financial Information Regulation*, Schedule 1

Statement of Financial Information Approval

Please see 2022 Audited Financial Statements for:

- Management Report
- Statement of Assets and Liabilities – *See consolidated statement of financial position*
- Operational Statement – *See Schedule 1*
- Notes to the Financial Statements – *See all notes*
- Schedule of Debts - *See Notes 12-14*

Schedule of Guarantee and Indemnity Agreements

*The Town of Ladysmith has not given any guarantees or indemnities under the Guarantees and Indemnities Regulation.*

Statement of Severance Agreements

*There were **no** severance agreements made between the Town of Ladysmith and its non-unionized employees during fiscal year 2022.*

Schedule of Elected Official Remuneration and Expenses

Schedule of Employee Remuneration and Expenses

Schedule of Payments for Goods and Services



**TOWN OF LADYSMITH  
STATEMENT OF FINANCIAL INFORMATION APPROVAL**

The undersigned, as authorized by the Financial Information Regulation, Section 1, subsection 9(2), approves all the statements and schedules included in this Statement of Financial Information, produced under the *Financial Information Act*.

---

Erin Anderson  
Director of Financial Services  
June 20, 2023

---

Aaron Stone  
Mayor  
June 20, 2023

**TOWN OF LADYSMITH**  
**SCHEDULE OF RENUMERATION AND EXPENSES FOR 2022**

**Elected Officials**

NAME	POSITION	REMUNERATION	EXPENSES
Stone, Aaron	Mayor	\$45,318	\$6,615
Gourley, Raymond	Councillor	\$2,748	514
Jacobson, Amanda	Councillor	17,113	-
Johnson, Robert	Councillor	14,365	1,358
McKay, Patricia	Councillor	17,113	7,440
Paterson, Donald	Councillor	17,113	4,370
Stevens, Andrew	Councillor	17,113	4,091
Virtanen, Jeffrey	Councillor	17,113	185
<b>Total Elected Officials</b>		<b>\$147,996</b>	<b>\$24,572</b>

**Employees**

NAME	POSITION	PAYROLL	EXPENSES
Adams, Ira	Senior Engineering Technologist	\$88,161	\$801
Anderson, Erin	Director of Financial Services	140,864	2,264
Baker, Shawn	Certified Utility Operator III	116,942	1,889
Barfoot, Christopher	Director of Parks, Recreation & Culture	125,177	1,376
Barney, Martin	Certified Utilities Operator I	98,727	707
Bell, Kevin	Parks Maintenance Worker III (Arborist)	80,370	1,767
Belobaba, Jake	Director of Development Services	128,692	604
Bollinger, Colin	Senior Building Inspector	91,034	692
Bouma, Neil	Certified Carpenter	83,485	254
Bouma, Ryan	Director of Infrastructure Services	127,797	451
Brown, Michael	Utilities Supervisor - Treatment & Supply	131,019	3,075
Cai, Victor	Certified Utility Operator III	107,316	2,724
Clayton, Colin	Information Technology Coordinator	84,043	130
Clausen, David	Facilities Maintenance Worker II	79,416	-
Cnossen, Travis	Equipment Operator I	76,378	659
Coussens, Gregory	Certified Utility Operator II - C/D	80,353	1,144
Demchuk, Michael	Certified Utility Operator II	82,972	1,899
Freer, Shawn	Equipment Operator II	79,141	859
Frost, Richard	Manager of Facilities Operations	108,391	339
Fukakusa, Gerald	Manager of Accounting Services	116,102	1,850
Ganderton, Mike	Streets Supervisor	95,482	299
Geisbrecht, Kelly	Facilities Maintenance Supervisor	85,209	339
Glenn, Susan	Supervisor-Community Programs & Serv	78,212	339
Hovey, Christina	Sr Planner/Dev Approval Officer	87,386	1,095
Jack, Isaac	Certified Utility Operator II (Backhoe)	83,495	616
Lassam, Shane	Equipment and Compost Operator IV	84,509	250
McCarrick, Allison	Chief Administrative Officer	154,692	3,961
McLeod, Robert	Certified Utility Operator II - Watershed	78,957	751
Morgan, Michael	Equipment Operator III	83,828	1,596
Simpson, Robert	Parks Maintenance Supervisor	87,191	1,101
Skelton, Simon	Sr Parks Maintenance Worker	80,459	607
Smith, Donna	Manager of Corporate Services	112,288	741
Thew, Leonard	Manager of Operations	114,270	200
Tierney, Julie	Executive Liaison	85,193	1,320
Vaux, Ronald	Certified Mechanic	85,566	88
Winter, Wolf	Certified Utility Operator II - Treatment	84,309	248
Zhang, Keija	Certified Utility Operator III	98,914	1,275
<b>Total: Employees with remuneration greater than \$75,000</b>		<b>\$3,606,340</b>	<b>\$38,305</b>
<b>Add Employees with remuneration less than \$75,000</b>		<b>2,884,955</b>	<b>53,448</b>
<b>Add Elected officials</b>		<b>147,996</b>	<b>24,572</b>
<b>Total: All employees</b>		<b>\$6,639,291</b>	<b>\$116,325</b>

**Reconciliation with Financial Statements**

Add Purchase of benefits	\$1,570,618
Less Capital labour	(23,088)
Add Accruals, statutory reporting and timing differences	23,528
<b>Wages &amp; Benefits - Schedule 1 Financial Statements</b>	<b>\$8,210,348</b>

**TOWN OF LADYSMITH**  
**SCHEDULE OF PAYMENTS MADE FOR GOODS AND SERVICES IN 2022**

<b>Payee</b>	<b>Total Payments</b>
AHNE STUDIO	\$193,331
ALSCO CANADA CORP	25,516
ALUMICHEM CANADA INC	41,351
ASSOCIATED ENGINEERING (BC) LTD	203,727
BC HYDRO	475,832
BEAVER ELECTRICAL MACHINERY LTD	58,942
BEYOND THE TURF LTD	28,734
BOSTON CONSTRUCTION CORP	376,768
BUNZL	43,873
C3 MAINLINE INSPECTIONS INC	67,027
CHECKWITCH POIRON ARCHITECTS INC	309,214
CLEARTECH INDUSTRIES INC	266,525
COASTAL ANIMAL CONTROL SERVICES OF BC LTD	43,915
COLUMBIA FUELS A DIV OF PARKLAND FUEL CORP	149,005
COMMUNICATION CONNECTION BC INC (THE)	26,294
CONTINENTAL ROOFING	66,459
COWICHAN VALLEY REGIONAL DISTRICT	1,347,756
DAVID STALKER EXCAVATING LTD	622,254
ECORA ENGINEERING & RESOURCE GROUP LTD	46,358
FALCON EQUIPMENT LTD	31,217
FLAG SHOP (THE)	30,546
FORT GARRY FIRE TRUCKS LTD	2,073,034
FORTISBC - NATURAL GAS	38,976
FREEMAN CONSTRUCTION LTD	34,197
GFL ENVIRONMENTAL INC	42,354
GOLDER ASSOCIATES LTD	284,924
GREEN ROOTS PLAY EQUIPMENT INC	58,508
GROVER COMMUNICATIONS	27,935
HABITAT SYSTEMS	77,466
HAZELWOOD CONSTRUCTION SERVICES INC	309,161
HEROLD ENGINEERING LTD	114,202
ICBC	38,710
ICONIX WATERWORKS LIMITED PARTNERSHIP	56,438
IVORY TOWER INVESTMENTS LTD	29,587
IWC EXCAVATION LTD	176,346
J LEALAND CONTRACTING	156,971
KNOX MECHANICAL LTD	102,487
KOERS & ASSOCIATES ENGINEERING LTD	163,589
LAFARGE ASPHALT TECHNOLOGIES A DIV OF LAFARGE CANADA INC	51,774
LIDSTONE & COMPANY	35,121
MARATHON SURFACES INC	48,128
METAL BUILDING GROUP	28,525
METRO MOTORS LTD	58,663

<b>Payee</b>	<b>Total Payments</b>
METRO TESTING & ENGINEERING	\$28,489
MICROSERVE	146,398
MKM PROJECTS LTD	393,938
MUNICIPAL FINANCE AUTHORITY	1,058,834
MUNICIPAL INSURANCE ASSOCIATION OF BC	231,394
NAC CONSTRUCTORS LTD	488,867
NEVCO SCOREBOARD COMPANY ULC	26,464
P & R TRUCK CENTRE LTD	234,162
PROFAB MANUFACTURING LTD	37,684
RBS MANAGED IT SERVICES INC	87,863
RECEIVER GENERAL FOR CANADA	1,348,884
RUSHWORTH ELECTRICAL SERVICES INC	34,264
SOCIAL PLANNING COWICHAN SOCIETY	25,000
STEWART MCDANNOLD STUART	132,875
TELUS MOBILITY	35,058
TROJAN UV	30,119
US BANK	209,977
VANCOUVER ISLAND REGIONAL LIBRARY	443,650
WASTE CONNECTIONS OF CANADA INC	307,083
WATERHOUSE ENVIRONMENTAL SERVICES CORPORATION	36,818
WEST COAST PRE FAB LTD	40,561
WSP CANADA INC	102,590
	<hr/> 13,942,711
Grants and contributions over \$25,000:	
LADYSMITH & DISTRICT HISTORICAL SOCIETY	36,546
LADYSMITH CHAMBER OF COMMERCE	51,100
LADYSMITH RESOURCES CENTRE ASSOCIATION	44,713
Total payments over \$25,000	<hr/> 14,075,070
Payments under \$25,000	1,758,350
Grants under \$25,000	59,600
Total payments made	<hr/> <u>\$15,893,020</u>
Reconciliation:	
Total payment made (above)	15,893,020
Expenses - Schedule 1 Financial Statements	<hr/> 20,106,332
Difference	<hr/> (4,213,313)

*Differences due to timing, cash versus accrual accounting and PSAB accounting*

Appendix 1 -  
2022 Audited Financial  
Statements



**INDEX TO THE FINANCIAL STATEMENTS**  
**DECEMBER 31, 2022**

Management Report

Independent Auditor's Report

Consolidated Financial Statements

Consolidated Statement of Financial Position	1
Consolidated Statement of Operations	2
Consolidated Statement of Cash Flows	3
Consolidated Statement of Changes in Net Financial Assets	4
Notes to the Consolidated Financial Statements	5-31

Schedules

I	Statement of Operations by Segment – 2021 & 2022	32-33
II	Consolidated Statement of Tangible Capital Assets – 2021 & 2022	34-35

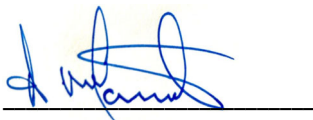
## STATEMENT OF MANAGEMENT'S RESPONSIBILITY

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The accompanying Consolidated Financial Statements are the responsibility of the management of the Town of Ladysmith and have been prepared in compliance with legislation, and in accordance with Canadian Public Sector Accounting standards.

In carrying out its responsibilities, management maintains appropriate systems of internal and administrative controls designed to provide reasonable assurance that transactions are executed in accordance with proper authorization, that assets are properly accounted for and safeguarded, and that financial information produced is relevant and reliable.

*MNP LLP* as the Municipality's appointed external auditors, have audited the Consolidated Financial Statements. The Auditor's report is addressed to the Mayor and members of Council and appears on the following page. Their opinion is based upon an examination conducted in accordance with Canadian Auditing Standards, performing such tests and other procedures as they consider necessary to obtain reasonable assurance that the Consolidated Financial Statements are free of material misstatement and present fairly the financial position and results of the Municipality in accordance with Canadian Public Sector Accounting Standards.



Allison McCarrick  
Chief Administration Officer

To the Mayor and Council of the Town of Ladysmith:

### Opinion

We have audited the consolidated financial statements of the Town of Ladysmith (the "Town"), which comprise the consolidated statement of financial position as at December 31, 2022, and the consolidated statements of operations, changes in net financial assets and cash flows for the year then ended, and notes and schedules to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly, in all material respects, the consolidated financial position of the Town as at December 31, 2022, and the results of its consolidated operations, changes in its net financial assets and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Consolidated Financial Statements section of our report. We are independent of the Town in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Other Information

Management is responsible for the other information. The other information comprises the annual report, which is expected to be made available to us after the date of this auditor's report.

Our opinion on the consolidated financial statements does not cover the other information and we will not express any form of assurance conclusion thereon.

In connection with our audit of the consolidated financial statements, our responsibility is to read the other information identified above when it becomes available and, in doing so, consider whether the other information is materially inconsistent with the consolidated financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated.

When we read the annual report, if we conclude that there is a material misstatement therein, we are required to communicate the matter to those charged with governance.

### Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.



In preparing the consolidated financial statements, management is responsible for assessing the Town's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Town or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Town's financial reporting process.

### **Auditor's Responsibilities for the Audit of the Consolidated Financial Statements**

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Town's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Town to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Town to express an opinion on the consolidated financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Nanaimo, British Columbia

April 18, 2023

*MNP LLP*

Chartered Professional Accountants

**TOWN OF LADYSMITH**  
**CONSOLIDATED STATEMENT OF FINANCIAL POSITION**  
**AS AT DECEMBER 31, 2022**

		<u>2022</u>	<u>2021</u>
Financial Assets			
Cash and short-term deposits	(Note 2)	\$ 40,683,632	\$ 40,312,838
Accounts receivable	(Note 4)	<u>2,704,470</u>	<u>2,344,274</u>
		<u>43,388,102</u>	<u>42,657,112</u>
Liabilities			
Accounts payable and accrued liabilities	(Note 5)	2,862,982	3,372,150
Post-employment benefits	(Note 6)	288,800	314,600
Deferred revenue	(Note 7)	2,327,152	3,481,042
Refundable deposits and other	(Note 8)	2,683,721	2,359,068
Restricted reserves	(Note 9)	510,976	495,736
Development cost charge reserve	(Note 10)	7,966,939	6,886,134
Canada Community-Building reserve	(Note 11)	1,972,401	2,120,128
Equipment financing	(Note 12)	2,834,578	791,629
Short-term financing	(Note 13)	-	952,700
Debenture debt	(Note 14)	<u>14,511,912</u>	<u>15,339,599</u>
		<u>35,959,461</u>	<u>36,112,786</u>
Net Financial Assets		<u>7,428,641</u>	<u>6,544,326</u>
Non-Financial Assets			
Tangible Capital Assets	(Schedule II)	116,279,171	113,619,315
Prepays		114,569	103,139
Inventory		<u>84,600</u>	<u>86,363</u>
		<u>116,478,339</u>	<u>113,808,817</u>
Accumulated Surplus	(Note 19)	<u>\$ 123,906,981</u>	<u>\$ 120,353,143</u>

*Commitments and Contingencies (Note 15)*



Director of Financial Services

*See accompanying notes to the consolidated financial statements*

**TOWN OF LADYSMITH**  
**CONSOLIDATED STATEMENT OF OPERATIONS**  
**AS AT DECEMBER 31, 2022**

	<u>2022</u>	<u>Budget 2022</u> (Note 20)	<u>2021</u>
Revenue			
Taxation (Note 22)	\$ 12,810,369	\$ 12,795,906	\$ 12,213,646
Sale of Services (Note 23)	4,724,280	4,647,311	4,392,239
Investment Income	899,100	242,883	284,829
Licence, Permits, Rentals & Penalties (Note 24)	1,161,641	872,007	1,538,025
Grants (Note 25)	2,401,280	25,302,100	1,151,138
Donations and contributed tangible capital assets	954,078	3,600,830	2,552,570
Gain (loss) on foreign exchange	12,300	-	(682)
Gain (loss) on disposal of tangible capital assets	57,755	-	(297,456)
Development fees	-	2,879,480	10,395
Canada Community-Building funds utilized (Note 11)	639,367	1,429,647	354,302
	<u>23,660,170</u>	<u>51,770,164</u>	<u>22,199,006</u>
Expenses			
General government services	2,697,917	3,213,305	2,464,818
Protective services	2,130,266	2,382,233	1,740,430
Transportation services	2,669,338	3,345,873	2,423,148
Garbage services	501,989	597,657	495,217
Cemetery services	40,640	27,221	41,051
Development services	910,441	1,152,185	808,511
Recreation and cultural services	3,233,520	3,385,570	3,083,722
Parks operation services	1,035,279	1,077,246	1,095,001
Sewer	3,207,547	3,299,071	3,014,472
Water	3,679,395	4,530,454	3,704,990
	<u>20,106,332</u>	<u>23,010,815</u>	<u>18,871,360</u>
Annual Surplus	3,553,838	28,759,349	3,327,646
Accumulated Surplus, beginning of year	<u>120,353,143</u>	<u>120,353,143</u>	<u>117,025,497</u>
Accumulated Surplus - end of year	<u>\$ 123,906,981</u>	<u>\$ 149,112,492</u>	<u>\$ 120,353,143</u>

*See accompanying notes to the consolidated financial statements*

**TOWN OF LADYSMITH**  
**CONSOLIDATED STATEMENT OF CASH FLOWS**  
**AS AT DECEMBER 31, 2022**

	<u>2022</u>	<u>2021</u>
Operating Transactions		
Annual Surplus	\$ 3,553,838	\$ 3,327,646
Less non-cash items included in surplus:		
Amortization	4,210,984	4,180,476
Loss on disposal of tangible capital assets	(57,755)	297,456
Actuarial adjustments on debenture debt	(73,075)	(62,102)
Contributed tangible capital assets	<u>(899,546)</u>	<u>(2,518,811)</u>
	6,734,448	5,224,666
Change in		
Accounts receivable	(360,196)	240,216
Prepays	(11,430)	71
Inventory	1,763	(23,571)
Accounts payable and accrued liabilities	(509,168)	(1,089,834)
Post-employment benefits	(25,800)	(4,500)
Deferred revenues	(1,153,890)	1,986,140
Refundable deposits and other	324,653	992,864
Restricted reserves	15,240	10,105
Development cost charge reserve	1,080,805	2,413,576
Canada Community-Building reserve	<u>(147,727)</u>	<u>513,120</u>
Cash provided by operating transactions	<u>5,948,696</u>	<u>10,262,852</u>
Capital Transactions		
Proceeds on sale of tangible capital assets	184,050	181,745
Cash used to acquire tangible capital assets	<u>(6,097,589)</u>	<u>(1,768,603)</u>
Cash used by capital transactions	<u>(5,913,539)</u>	<u>(1,586,858)</u>
Repayment of long-term debt and equipment financing		
Proceeds of equipment financing	2,100,000	-
Repayment of debenture debt	<u>(1,764,363)</u>	<u>(820,403)</u>
Net Increase (decrease) in cash from financing	<u>335,637</u>	<u>(820,403)</u>
Increase in Cash and Short-Term Deposits	370,794	7,855,591
Cash and Short-Term Deposits - Beginning of Year	40,312,838	32,457,247
Cash and Short-Term Deposits - End of Year	<u>\$ 40,683,632</u>	<u>\$ 40,312,838</u>

*See accompanying notes to the consolidated financial statements*

**TOWN OF LADYSMITH**  
**CONSOLIDATED STATEMENT OF CHANGES IN NET FINANCIAL ASSETS**  
**AS AT DECEMBER 31, 2022**

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	<u>2022</u>	<u>Budget 2022 (Note 20)</u>	<u>2021</u>
Annual Surplus	\$ 3,553,838	\$ 28,759,349	\$ 3,327,646
Acquisition of tangible capital assets	(6,997,135)	(49,793,780)	(4,287,414)
Amortization of tangible capital assets	4,210,984	4,180,476	4,180,476
Loss (gain) on sale of tangible capital assets	(57,755)	-	297,456
Proceeds from sale of tangible capital assets	184,050	-	181,745
Decrease (Increase) in inventories	1,763	-	(23,571)
Increase (Decrease) in prepaids	<u>(11,430)</u>	<u>-</u>	<u>71</u>
Change in Net Financial Assets	<u>884,315</u>	<u>(16,853,955)</u>	<u>3,676,409</u>
Net Financial Assets, beginning of year	<u>6,544,326</u>		<u>2,867,917</u>
Net Financial Assets, end of year	<u><u>\$ 7,428,641</u></u>		<u><u>\$ 6,544,326</u></u>

*See accompanying notes to the consolidated financial statements*

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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The Town of Ladysmith (the Town) was incorporated in 1904 under the provisions of the British Columbia Municipal Act. Its principal activities are the provision of local government services in the Town, as governed by the *Community Charter* and the *Local Government Act*.

**Note 1 - Significant Accounting Policies**

The notes to the consolidated financial statements are an integral part of these financial statements. They provide detailed information and explain the significant accounting and reporting policies and principles that form the basis of these statements. They also provide relevant supplementary information and explanations which cannot be expressed in the consolidated financial statements.

**(a) Basis of Presentation**

It is the Town's policy to follow Canadian public sector accounting standards for local governments and to apply such principles consistently. The financial resources and operations of the Town have been consolidated for financial statement purposes and include the accounts of all of the funds of the Town.

The consolidated financial statements are prepared using the accrual basis of accounting. The accrual basis of accounting records revenue as it is earned and measurable. Expenses are recognized as they are incurred and measurable based upon the receipt of goods and services or the creation of an obligation to pay.

The consolidated financial statements reflect the assets, liabilities, revenues and expenses and changes in fund balances and financial position of the Town. These consolidated financial statements consolidate the following operations:

General Revenue Fund	General Capital Fund
Water Revenue Fund	Water Capital Fund
Sewer Revenue Fund	Sewer Capital Fund
Reserve Fund	

**(b) Reporting Entity**

The consolidated financial statements include the assets, liabilities, revenue and expenses of the reporting entity. The reporting entity is comprised of all the funds, agencies, local boards, and committees of the Council which are controlled by the Town. Control is defined as the power to govern the financial and reporting policies of another organization with the

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 1 - Significant Accounting Policies - (b) Reporting Entity (continued)**

expected benefits of risk of loss to the Town. The controlled organizations are consolidated after adjusting their accounting policies to a basis consistent with the accounting policies of the Town. Interfund and intercompany balances and transactions have been eliminated. The controlled organizations include DL 2016 Holdings Corporation, a wholly owned subsidiary of the Town.

**(c) Tangible Capital Assets**

Tangible capital assets are recorded at cost less accumulated amortization and are classified according to their functional use. Cost includes all amounts that are directly attributable to the acquisition, construction, development or betterment of the asset. Donated assets are recorded at their estimated fair value upon acquisition. Certain tangible capital assets for which historical cost information is not available have been recorded at current fair market values discounted by a relevant inflation factor. Certain assets are disclosed at a nominal value as the determination of current fair market value was not available. The Town does not capitalize interest charges as part of the cost of its tangible capital assets.

Tangible capital assets are amortized over their estimated useful life on the straight-line method at the following annual rates:

General Tangible Capital Assets

Land	Indefinite
Land Improvements	15 to 75 years
Buildings	25 to 40 years
Equipment, Furniture and Vehicles	5 to 60 years

Engineering Structures

Roads and Sidewalks	20 to 75 years
Storm and Sewer	25 to 75 years
Water	20 to 80 years

Constructions in progress contain capital projects underway but not yet complete or put into use. Once put into use, the asset will be amortized based on the above annual rates for the applicable category of work performed.

Certain assets have historical or cultural value including works of art, historical documents as well as historical and cultural artifacts that are not recognized as tangible capital assets

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 1 - Significant Accounting Policies – (c) Tangible Capital Assets (continued)**

because a reasonable estimate of the future benefits associated with such property cannot be made. Intangibles, Crown lands and other natural resources are not recognized as tangible capital assets.

**(d) Cash and Short-Term Deposits**

Cash and short-term deposits have maturities of three months or less from the date of acquisition, reported in Canadian funds using the exchange rate of the prescribed bank as of December 31.

**(e) Restricted Reserves and Deferred Revenues**

Receipts which are restricted by the legislation of senior governments or by agreement with external parties are deferred and reported as restricted reserves. When qualifying expenses are incurred, restricted reserves are brought into revenue at equal amounts, in accordance with Revenue Recognition policy 1(g). These revenues are comprised of the amounts shown in Note 9, 10, and 11.

Revenues received from non-government sources in advance of expenses which will be incurred in a later period are deferred until the associated purchase or expense is incurred.

**(f) Use of Estimates**

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expense during the reporting period. Significant areas requiring the use of management estimates relate to the collectability of accounts receivable, accrued liabilities, post-employment benefits, provisions for contingencies and amortization rates, useful lives and salvage values for determining tangible capital asset values. Actual results could differ from those estimates. Liabilities for contaminated sites are estimated based on the best information available regarding potentially contaminated sites that the Town is responsible for. Adjustments, if any, will be reflected in operations in the period of settlement.



**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 1 - Significant Accounting Policies (continued)**

**(g) Revenue Recognition**

Taxation revenues are recognized at the time of issuing the property tax notices for the fiscal year. Sales of services revenue are recognized when the services are rendered. Investment income is accrued as earned. Licences, permits, rentals and penalty revenues are recognized when the service has been provide or the amount is earned and when collection is reasonably assured.

Other revenues are recognized when earned in accordance with the terms of the agreement, when the amounts are measurable and when collection is reasonably assured.

The Town recognizes a government transfer as revenue when the transfer is authorized and all eligibility criteria, if any, have been met. Grants and donations are recognized in the financial statements in the period which the events giving rise to the transfer occur, eligibility criteria are met, and reasonable estimates of the amount can be made. A government transfer with stipulations giving rise to an obligation that meets the definition of a liability is recognized as a liability (deferred revenue). In such circumstances, the Town recognizes the revenue as the liability is settled.

Deferred revenue represents user charges and other fees which have been collected, for which the related services have yet to be provided. These amounts will be recognized as revenue in the fiscal year the services are provided.

**(h) Non-financial Assets**

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the change in net financial assets for the year.

**(i) Inventory**

Inventory is valued at the lower of cost and net realizable value, determined on an average cost basis.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 1 - Significant Accounting Policies (continued)**

**(j) Liability for contaminated sites**

A liability for remediation of a contaminated site is recognized at the best estimate of the amount required to remediate the contaminated site when contamination exceeding an environmental standard exists, the Town of Ladysmith is either directly responsible or accepts responsibility, it is expected that future economic benefits will be given up, and a reasonable estimate of the amount is determinable. The best estimate of the liability includes all costs directly attributable to remediation activities and is reduced by expected net recoveries based on information available at December 31, 2022.

Included in tangible capital assets are specific properties that have been determined to be contaminated in excess of Provincial environmental standards and that require remediation activities. As the Town has not accepted responsibility for the contamination, no liability has been recorded for the estimated remediation costs. Future events may confirm the Town's responsibility, at which point a liability would be recorded. Any remediation activities that occur prior to the determination of responsibility will be expensed as incurred.

**(k) Recent accounting pronouncements**

PS 3280 Asset Retirement Obligations, issued August 2018, establishes standards for recognition, measurement, presentation and disclosure of legal obligations associated with the retirement of tangible capital assets and is effective for the Town as of January 1, 2023. A liability will be recognized when, as at the financial reporting date:

- a) There is a legal obligation to incur retirement costs in relation to a tangible capital asset;
- b) The past transaction or event giving rise to the liability has occurred;
- c) It is expected that future economic benefits will be given up; and
- d) A reasonable estimate of the amount can be made.

Liabilities are recognized for statutory, contractual or legal obligations associated with the retirement of tangible capital assets when those obligations result from the acquisition, construction, development or normal operation of the assets. The obligations are measured initially at fair value, determined using present value methodology, and the resulting costs capitalized into the carrying amount of the related tangible capital asset. In subsequent periods, the liability is adjusted for accretion and any changes in the amount or timing of the underlying future cash flows. The capitalized asset retirement cost is amortized on the same basis as the related asset and accretion expense is included in the Statement of Operations.

Management is in the process of assessing the impact of adopting this standard on the Town's financial results.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 2 - Cash and Short-Term Deposits**

Cash and short-term deposits were comprised as follows:

	<u>2022</u>	<u>2021</u>
Cash	\$ 39,851,882	\$ 39,496,882
Short-term deposits	<u>831,750</u>	<u>815,956</u>
	<u>\$ 40,683,632</u>	<u>\$ 40,312,838</u>

Included in Cash is a deposit of \$199,031 (the equivalent of \$145,149 US Funds based on the exchange rate at the Ladysmith and District Credit Union on December 31, 2022) (\$181,272, equivalent of \$143,329 US Funds – 2021). Short-term deposits consist of short-term investments in the Municipal Finance Authority of B.C. money market fund. The market value is equal to the carrying value.

Included in cash and short-term deposits are the following restricted amounts that are expended in accordance with the terms of the restricted reserves.

	<u>2022</u>	<u>2021</u>
Restricted reserves	\$ 510,976	\$ 495,736
Canada Community-Building Fund reserve	1,972,401	2,120,128
Development cost charges reserve	<u>7,951,271</u>	<u>6,886,134</u>
Total restricted cash	<u>\$ 10,434,649</u>	<u>\$ 9,501,997</u>

**Note 3 – Financial Instruments**

The Town as part of its operations carries a number of financial instruments. It is management's opinion the Town is not exposed to significant interest, currency or credit risk arising from these financial instruments, except as otherwise disclosed. The Town is exposed to currency risk on its US dollar bank account. Unless otherwise noted in Note 2, the fair value of these financial instruments approximates their carrying values.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 4 - Accounts Receivable**

	<u>2022</u>	<u>2021</u>
Developer receivables	\$ -	\$ 5,139
Employee receivables	1,989	2,654
Other government	698,877	538,722
Property taxes	972,621	838,969
User fees and other	<u>1,030,983</u>	<u>958,790</u>
	<u>\$ 2,704,470</u>	<u>\$ 2,344,274</u>

**Note 5 - Accounts Payable and Accrued Liabilities**

	<u>2022</u>	<u>2021</u>
General	\$ 1,803,410	\$ 1,106,367
Other governments	555,118	440,387
Salaries and wages	203,457	206,976
Contractor holdbacks	202,355	1,515,317
Accrued interest	<u>98,642</u>	<u>103,103</u>
	<u>\$ 2,862,982</u>	<u>\$ 3,372,150</u>

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 6 - Post-Employment Benefits**

The Town provides compensated absences to its employees to a maximum of 120 days. The Town also allows employees to defer unused vacation without any maximum. Any deferred vacation time remaining at retirement or termination is paid out at that time. The amount recorded for these benefits is based on an actuarial evaluation done by an independent firm using a projected benefit actuarial valuation method prorated on services. The last actuarial valuation was calculated at September 5, 2020 and has been extrapolated to December 31, 2022. The change in the liability in the financial statements in respect of obligations under the plan amounts to -\$25,800 (-\$4,500 - 2021).

The accrued post-employment benefits are as follows:

	<u>2022</u>	<u>2021</u>
Balance, beginning of year	\$ 314,600	\$ 319,100
Current service costs	38,900	38,100
Benefits paid	(14,200)	(38,500)
Actuarial gain	(50,500)	(4,100)
Past service credit	<u>-</u>	<u>-</u>
Balance, end of year	<u><u>\$ 288,800</u></u>	<u><u>\$ 314,600</u></u>

The significant actuarial assumptions adopted in measuring the Town's post-employment benefits are as follows:

	<u>2022</u>	<u>2021</u>
Discount Rate	4.40%	2.50%
Expected Inflation Rate and Wage & Salary Increases	2.50%	2.50%

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 7 - Deferred Revenue**

	<u>2022</u>	<u>2021</u>
Licence fees & charges	\$ 21,239	\$ 20,857
Rental payments	13,330	-
Property tax prepayments	676,873	679,439
Subdivisions prepayments	170,950	153,715
Recreation prepayments	28,628	27,361
Utilities prepayments	27,086	18,701
Government grant prepayments	1,385,546	2,566,820
Other	3,500	14,149
	<u>\$ 2,327,152</u>	<u>\$ 3,481,042</u>

**Note 8 - Refundable Deposits and Other**

	<u>2022</u>	<u>2021</u>
Developer performance deposits	\$ 1,205,416	\$ 1,186,590
Damage deposits	422,990	395,950
Other	1,055,315	776,528
	<u>\$ 2,683,721</u>	<u>\$ 2,359,068</u>

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**Note 9 - Restricted Reserves**

There are two reserves, LRCA Capital and B&G Capital for the replacement of specific building components located at 630 2nd Avenue and 220 High Street. The Town renewed the operating leases with the Ladysmith Seniors Society and the Ladysmith Resources Community Association (LRCA) in 2021.

Description	Balance Dec. 31, 2021	Interest	Contributions	Expenditures	Balance Dec. 31, 2022
Parking	\$ 109,740	\$ 2,937	\$ -	\$ -	\$ 112,678
Green Streets	1,554	42	-	-	1,595
Amphitheatre	10,599	287	300	-	11,186
B&G - Capital	61,582	1,776	5,064	-	68,422
LRCA/Seniors - Capital	312,261	2,239	8,345	(5,751)	317,094
<b>TOTAL</b>	<b>\$ 495,736</b>	<b>\$ 7,282</b>	<b>\$ 13,709</b>	<b>\$ (5,751)</b>	<b>\$ 510,976</b>

**Note 10 - Development Cost Charges Reserve**

Restricted reserves include Development Cost Charges (DCC's) which are charged to developers and utilized for infrastructure development.

Description	Balance Dec. 31, 2021	Interest	Contributions	Expenditures	Balance Dec. 31, 2022
DCC - Water	\$ 2,037,827	\$ 64,064	\$ 472,162	\$ -	\$ 2,574,053
DCC - Parks	1,305,246	37,052	73,329	-	1,415,628
DCC - Roads	1,476,768	42,453	114,581	-	1,633,802
DCC - Sewer	1,577,490	46,555	192,946	-	1,816,991
DCC - Storm	488,803	13,840	23,822	-	526,465
<b>TOTAL</b>	<b>\$ 6,886,134</b>	<b>\$ 203,965</b>	<b>\$ 876,840</b>	<b>\$ -</b>	<b>\$ 7,966,939</b>

Developers may be entitled to DCC credits in certain circumstances. There was \$9,347 provided in DCC-Water credits, \$2,319 provided in DCC-Roads credits, and \$1,358 provided in DCC-Parks credits (\$31,563 for all DCC programs – 2021).

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**Note 11 – Canada Community-Building Fund Reserve**

The Canada Community-Building (CCB) funding (formally known as Gas Tax funding) is provided by the Government of Canada. The use of the funding is established by a funding agreement between the Town and the Union of British Columbia Municipalities. Canada Community-Building funding may be used towards designated public transit, community energy, water, wastewater, solid waste and capacity building projects, as specified in the funding agreements. A one-time additional payment of \$414,804 was received in 2021. The funds are recorded on the consolidated financial statements as a restricted reserve.

	<u>2022</u>	<u>2021</u>
Opening balance of unspent funds	\$ 2,120,128	\$ 1,607,008
Add: Amounts received during the year	433,786	848,590
Interest earned	57,854	18,832
Less: Canada Community-Building funds utilized	(639,367)	(354,302)
Closing balance of unspent funds	<u>\$ 1,972,401</u>	<u>\$ 2,120,128</u>

**Note 12 - Obligations under Equipment Financing**

The total equipment financing outstanding with the Municipal Finance Authority of BC (MFABC) as at December 31, 2022 was \$2,834,578 (\$791,629 - 2021). This balance is made up of:

	<u>Balance December 2021</u>	<u>Principal Payments</u>	<u>Balance December 2022</u>	<u>Interest</u>
Spartan Fire Truck	\$ 181,986	\$ 36,577	\$ 145,409	\$ 3,597
Pumper Truck	609,643	20,217	589,425	13,798
Aerial Truck	-	256	2,099,744	11,855
	<u>\$ 791,629</u>	<u>\$ 57,050</u>	<u>\$ 2,834,578</u>	<u>\$29,250</u>

Interest in the consolidated statement of operations is calculated as \$29,250 (\$7,720 - 2021).



**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 12 - Obligations under Equipment Financing (continued)**

- 1) A five-year equipment loan agreement with the MFABC renewed June of 2022 in the amount of \$166,214 for the purchase of a 2012 Spartan fire truck. The balance of the loan at December 31, 2022 was \$145,410 (\$181,987 - 2021). The remaining obligation will be repaid with monthly loan payments in the amount of \$3,388 including interest at a monthly varying rate (December, 2022 was 4.51%) (0.97% - 2021). Loan to expire July 2026.
- 2) A five-year equipment loan agreement with the MFABC commenced September of 2018 in the amount of \$682,000 for the purchase of a 2018 Spartan fire truck. The balance of the loan at December 31, 2022 was \$589,425 (\$609,642 - 2021). The remaining obligation will be repaid with monthly loan payments in the amount of \$2,835 including interest at a monthly varying rate (December, 2022 was 4.51%) (0.97% - 2021). The loan is set to expire September 2023.
- 3) A new five-year equipment loan agreement with the MFABC commenced November of 2022 in the amount of \$2,100,000 for the purchase of an Aerial fire truck. The balance of the loan at December 31, 2022 was \$2,099,744 (\$0 - 2021). The remaining obligation will be repaid with monthly loan payments in the amount of \$8,300 including interest at a monthly varying rate (December, 2022 was 4.51%). The loan is set to expire November 2027.

The future minimum loan payments payable to MFABC for all three equipment loan obligations are as follows:

2023	\$ 624,039
2024	36,026
2025	38,143
2026	37,722
2027	2,098,649

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 13 – Short-term Financing**

In 2022, the Town repaid the short-term financing to the Municipal Finance Authority of BC in the amount of \$952,700 in November. Interest was charged at a daily varying rate, ranging from 0.90% to 4.51% when the loan was repaid.

Short-term interest in the consolidated statement of operations is calculated at \$19,834 (\$8,123 – 2021).

**Note 14 - Debenture Debt**

The Town of Ladysmith secures its long-term borrowing through the Municipal Finance Authority of BC (MFABC). As a condition of each borrowing, a portion of the debenture proceeds is retained by the MFABC as a debt reserve fund. As at December 31, 2022, the cash balance of the Town's debt reserve funds was \$237,176 (\$231,994 – 2021). Debt reserve funds are not recorded elsewhere in the financial statements.

The total long-term debt issued and outstanding with MFABC as at December 31, 2022 was \$14,511,912 (\$15,339,599 as at December 31, 2021). This balance is made up of:

	Original Amount	Balance Dec 31, 2021	Principal Payments	Balance Dec 31, 2022	Interest	Actuarial Adjustment	Interest Rate
<b><u>General Capital Fund</u></b>							
RCMP Building Issue #97 Term 2006-2031	\$ 2,750,000	\$ 1,427,784	\$ 118,922	\$ 1,308,863	\$ 50,490	\$ (52,889)	1.75%
<b><u>Water Capital Fund</u></b>							
Water Improvements Issue #118 Term 2012-2037	1,000,000	745,886	34,177	711,710	41,473	(10,165)	3.40%
Water Filtration Plant Issue #147 Term 2019-2044	6,000,000	5,665,929	174,589	5,491,339	195,893	(10,022)	2.66%
<b><u>Sewer Capital Fund</u></b>							
Sewer Treatment Plant Issue #138 Term 2016-2036	10,000,000	7,500,000	500,000	7,000,000	193,911	-	1.54%
	<u>\$ 19,750,000</u>	<u>\$ 15,339,599</u>	<u>\$ 827,687</u>	<u>\$ 14,511,912</u>	<u>\$ 481,767</u>	<u>\$ (73,075)</u>	

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 14 - Debenture Debt (continued)**

The following principal payments are payable over the next five years:

	General		Water		Sewer		Total
	Principal Repayment	Actuarial Sinking Fund Earnings	Principal Repayment	Actuarial Sinking Fund Earnings	Principal Repayment	Actuarial Sinking Fund Earnings	Net
2023	66,033	57,645	194,185	23,909	500,000	-	841,772
2024	66,033	62,593	194,185	30,451	500,000	-	853,262
2025	66,033	67,738	194,185	37,190	500,000	-	865,146
2026	66,033	73,088	194,185	44,132	500,000	-	877,438
2027	66,033	78,653	194,185	51,281	500,000	-	890,152
Thereafter	264,132	374,850	3,093,818	1,951,344	4,500,000	-	10,184,144

Debt interest, net of actuarial adjustment included in the consolidated statement of operations, is calculated at \$408,692 (\$333,762 – 2021).

On February 18, 2020, the electors approved an additional \$6.2 million dollars in long-term debt to increase the Town's water supply. This new debt has not been executed.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 15 - Commitments and Contingencies**

**(a) Contingent Liabilities**

- i) The Town, as a member of the Cowichan Valley Regional District, is jointly and severally liable for operational deficits or long term debt related to functions in which it participates.
- ii) The loan agreements with the Municipal Finance Authority provide that if the Authority does not have sufficient funds to meet payments on its obligations it shall make payments from the Debt Reserve Fund which in turn is established by a similar Debt Reserve Fund in the Town and all other borrowing participants. If the Debt Reserve Fund is deficient the Authority's obligations become a liability of the regional district and may become a liability of the participating municipalities.
- iii) There were various claims made against the Town as at December 31, 2022 for incidents that arose in the ordinary course of operations. In the opinion of management and legal counsel, the outcomes of the lawsuits, now pending, are not determinable. As the outcomes are not determinable at this time, no amount has been accrued in the financial statements. Should any loss result from the resolution of these claims, such loss will be charged to operations in the year of resolution.

**(b) Pension Liability**

The Town and its employees contribute to the Municipal Pension Plan (a jointly trustee pension plan). The board of trustees, representing plan members and employers, is responsible for administering the plan, including investment of assets and administration of benefits. The plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at December 31, 2021, the plan has about 227,000 active members and approximately 112,000 retired members. Active members include approximately 42,000 contributors from local governments.

Every three years, an actuarial valuation is performed to assess the financial position of the plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate may be adjusted for the amortization of any actuarial funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 15 - Commitments and Contingencies – (b) Pension Liability (continued)**

The most recent actuarial valuation for the Municipal Pension Plan as of December 31, 2021, indicated a \$3.761 billion funding surplus for basic pension benefits on a going concern basis.

The Town of Ladysmith paid \$506,763 (2021 - \$527,953) for employer contributions to the plan in fiscal 2022.

The next valuation will be as at December 31, 2024, with results available in 2025.

Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

**(c) Reciprocal Insurance Exchange Agreement**

The Town is a subscribed member of the Municipal Insurance Association of British Columbia (The "Exchange") as provided by Section 3.02 of the Insurance Act of the Province of British Columbia. The main purpose of the Exchange is to pool the risks of liability so as to lessen the impact upon any subscriber. Under the Reciprocal Insurance Exchange Agreement, the Town is assessed a premium and specific deductible for its claims based on population. The obligation of the Town with respect to the Exchange and/or contracts and obligations entered into by the Exchange on behalf of its subscribers in connection with the Exchange are in every case several, and not joint and several. The Town irrevocably and unconditionally undertakes and agrees to indemnify and save harmless the other subscribers against liability losses and costs which the other subscriber may suffer.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 15 - Commitments and Contingencies (continued)**

**(d) Service Agreements & Rental Payments**

Service Agreements

	<u>2022</u>	<u>2021</u>
Ladysmith & District Historical Society	\$ 29,046	\$ 28,537
Ladysmith Resources Centre Association	44,713	43,838
Ladysmith Chamber of Commerce & Visitor Centre	<u>60,400</u>	<u>43,400</u>
	<u>\$ 134,159</u>	<u>\$ 115,775</u>

In 2022, the Town renewed a 2-year Service Agreement with the Ladysmith & District Historical Society (LDHS) for the occupancy, operation and management of the museum and archives and with the Ladysmith Resources Centre Association (LRCA). Both agreements may be renegotiated in 2024.

The Town provides the Ladysmith Chamber of Commerce & Visitor Centre annual funding to operate the visitor centre and provide support services for local businesses. The agreement is year-to-year. In 2022, the Town provided an additional \$17,000 to the Ladysmith Chamber of Commerce to promote economic development and tourism services.

Rental payments under operating leases are expensed as incurred.

	<u>2022</u>	<u>2021</u>
132c Roberts Street - office space	\$ 31,975	\$ 28,653
17 & 25 Roberts Street - parking lot	<u>9,600</u>	<u>9,300</u>
	<u>\$ 41,575</u>	<u>\$ 37,953</u>

The Town continued with a 3-year lease with Ivory Tower Investments Ltd for the use of office space at 132c Roberts Street which expires December 2023. The future monthly payments are \$2,690 for 2023.

The Town continued with a 3-year lease agreement with Paul Jorjorian for the rental of the 17 & 25 Roberts Street Parking Lot which expires December 2023. The future monthly payments are \$825 for 2023.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 16 - Significant Taxpayers**

The Town is reliant upon 10 taxpayers for approximately 11.31% (12.09% - 2021) of the total property tax revenue which includes Western Forest Products at approximately 6.25% (6.51% - 2021) of the total property tax revenue.

**Note 17 - Funds Held in Trust**

These funds account for assets which must be administered as directed by agreement or statute for certain beneficiaries; in particular, these funds are for the Cemetery Trust Fund. In accordance with PSAB recommendations on financial statement presentation, trust funds are not included in the Town's Financial Statements.

A summary of trust fund activities by the Town is as follows:

	<u>2022</u>	<u>2021</u>
<b>Assets</b>		
Cash and short term investment	<u>\$ 174,827</u>	<u>\$ 169,227</u>
<b>Equity</b>		
Opening balance	\$ 169,227	\$ 164,942
Interest	4,717	1,684
Transfer interest to fund cemetery costs	(4,717)	(1,684)
Contributions	5,600	4,285
Refunds	<u>-</u>	<u>-</u>
Balance, end of year	<u>\$ 174,827</u>	<u>\$ 169,227</u>

**Note 18 - Comparative Figures**

Certain comparative figures have been reclassified to conform to the current year's presentation.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 19 - Accumulated Surplus**

The Town segregates its accumulated surplus in the following categories:

	<u>2022</u>	<u>2021</u>
<b>Appropriated Equity</b> <i>(Note 26)</i>		
Continuing projects	\$ 6,887,947	\$ 4,899,793
General fund	6,983,188	6,456,011
Water fund	2,153,202	2,586,283
Sewer fund	<u>737,965</u>	<u>1,210,180</u>
	<u>16,762,303</u>	<u>15,152,267</u>
<b>Unappropriated Equity</b>		
General fund	2,771,233	2,295,424
Water fund	593,612	603,028
Sewer fund	1,411,885	1,412,450
General capital fund	304,084	283,233
Sewer capital fund	32,529	32,529
Water capital fund	<u>446,073</u>	<u>446,073</u>
	<u>5,559,414</u>	<u>5,072,739</u>
<b>Reserve Funds</b>		
Reserve funds <i>(Note 26)</i>	<u>2,652,577</u>	<u>3,592,745</u>
Equity in Tangible Capital Assets	<u>98,932,686</u>	<u>96,535,392</u>
Total Accumulated Surplus	<u>\$ 123,906,981</u>	<u>\$ 120,353,143</u>



**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 20 - Annual Budget**

Fiscal plan amounts represent the Financial Plan Bylaw adopted by Council on May 3<sup>rd</sup>, 2022.

The Financial Plan anticipated the use of surpluses accumulated in previous years to balance against current year expenses in excess of current year revenues. In addition, the Financial Plan anticipated capital expenses rather than amortization expense.

The following shows how these amounts were combined:

Financial Plan Balance for the year	\$ -
Add back:	
Amortization	(4,180,476)
Proceeds from new debt	(8,300,000)
Transfers to/from own funds	(10,520,527)
Less:	
Principal payments on debt	1,966,572
Capital expenditures per budget	52,382,902
Capital Expenditures expensed according to Tangible Capital Asset Policy	<u>(2,589,122)</u>
Adjusted Annual Surplus	<u>\$ 28,759,349</u>

**Note 21 - DL 2016 Holdings Corporation**

The Town of Ladysmith has an investment in DL 2016 Holdings Corporation (DL 2016), a wholly owned subsidiary company of the Town.

The Town of Ladysmith leases portions of its waterfront from the Province of British Columbia parts of which are subleased to DL 2016 for use as a marina.

DL 2016 has entered into operation and maintenance agreement and a license agreement with the Ladysmith Maritime Society (LMS) for the operation and management of the lease area. A portion of the moorage revenues from LMS are owed to DL 2016.

The Town of Ladysmith is in the process of severing contracts with DL2016 Holding Corporation and the Ladysmith Maritime Society.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 22 – Taxation**

Taxation revenue comprises the following amounts less transfer to other governments:

	<b>Actuals 2022</b>	<b>Actuals 2021</b>
<b>Taxes Collected:</b>		
General municipal purposes	\$ 9,459,445	\$ 8,918,112
Grants in lieu and 1% utility tax	180,092	163,500
Water and sewer parcel tax	3,170,831	3,132,034
School district	3,934,148	3,542,809
Regional hospital district	1,101,390	1,048,123
Regional district	1,782,845	1,655,183
BCAA and MFA	111,385	96,820
Library	444,033	425,760
	<u>\$ 20,184,171</u>	<u>\$ 18,982,342</u>
 <b>Less transfer to other governments</b>		
Province of BC (school taxes)	3,934,148	3,542,809
Cowichan Valley Regional Hospital District	1,101,390	1,048,123
Cowichan Valley Regional District	1,782,845	1,655,183
BC Assessment & Municipal Finance Authority	111,385	96,820
Vancouver Island Regional Library	444,033	425,760
	<u>7,373,802</u>	<u>6,768,696</u>
 <b>Net taxation for municipal purposes</b>	 <u><u>\$ 12,810,369</u></u>	 <u><u>\$ 12,213,646</u></u>

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 23 - Sale of Services**

	<u>Actuals 2022</u>	<u>Budget 2022</u>	<u>Actuals 2021</u>
Administration recoveries	\$ 44,180	\$ 29,930	\$ 48,424
Cemetery services	40,135	22,000	34,763
Fire service agreements	129,159	85,475	98,459
Public Works recoveries	35,935	-	82,420
Recreation services	503,183	610,674	325,723
Sewer utility fees	1,701,741	1,640,096	1,645,828
Solid waste fees	710,377	681,255	687,119
Water utility fees	<u>1,559,570</u>	<u>1,577,881</u>	<u>1,469,502</u>
	<u><u>\$ 4,724,280</u></u>	<u><u>\$ 4,647,311</u></u>	<u><u>\$ 4,392,239</u></u>

**Note 24 - Licences, Permits, Rentals & Penalties**

	<u>Actuals 2022</u>	<u>Budget 2022</u>	<u>Actuals 2021</u>
Facility Rentals & Leases	\$ 365,417	\$ 356,443	\$ 320,902
Fines	3,745	2,550	3,780
Licences	111,726	91,500	87,988
Penalties and interest	128,718	116,528	112,842
Permits, Licences & Fees	<u>552,035</u>	<u>304,986</u>	<u>1,012,513</u>
	<u><u>\$ 1,161,641</u></u>	<u><u>\$ 872,007</u></u>	<u><u>\$ 1,538,025</u></u>

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**Note 25 – Grants**

	<u>Actuals 2022</u>	<u>Budget 2022</u>	<u>Actuals 2021</u>
<b>Operating Grants</b>			
Traffic Fines Revenue	\$ 53,393	\$ 37,933	\$ 37,933
Small Communities	567,000	451,000	451,000
CVRD Recreation	174,990	175,281	175,281
Other	<u>30,238</u>	<u>19,880</u>	<u>45,877</u>
	<u>825,621</u>	<u>684,094</u>	<u>710,091</u>
<b>Capital Grants</b>			
Arts & Heritage Hub - Phase 1	\$ 270,748	\$ 3,458,584	\$ 147,916
Childcare Space Creation	508,793	857,658	17,451
Climate Action Program	99,082	-	-
Colonia/Delcourt Active Transportation	25,550	296,343	-
Community to Community	-	5,000	-
Dogwood Bike Lanes Design	11,248	35,000	-
Downtown Refresh	16,833	407,455	-
Emergency Support Service Program	-	-	5,974
Ludlow/Rocky Creek Rd Roundabout	-	-	9,750
OCP Review - Phase 1	18,351	20,000	-
Poverty Reduction	-	-	7,925
Poverty Reduction - Stream 2	25,000	50,000	-
Pre-Emption Highway Light	-	-	10,000
Stocking Lake Dam Repair	21,544	35,841	114,159
Tourism - Transfer Beach	547,807	661,720	39,831
Transfer Beach Railing	10,000	10,000	-
Transfer Beach Spray Park Resurfacing	20,704	21,000	-
Tree Replacements	-	-	2,860
UV Pilot Study	-	-	45,877
Water Supply Infrastructure	-	18,759,405	-
Waterfront Stage 1 Remediation	<u>-</u>	<u>-</u>	<u>39,303</u>
	<u>1,575,659</u>	<u>24,618,006</u>	<u>441,047</u>
<b>Total Grants</b>	<u><u>\$ 2,401,280</u></u>	<u><u>\$ 25,302,100</u></u>	<u><u>\$ 1,151,138</u></u>

*These notes form an integral part of these consolidated financial statements.*

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**Note 26 – Reserves & Appropriated Equity**

	Balance Dec. 31, 2021	Interest Allocated	Contributions	Funding	Balance Dec. 31, 2022
<b>RESERVES</b>					
Amenity Funds	\$ 118,028	\$ 3,367	\$ 5,000	\$ -	\$ 126,395
Covid Safe Restart	1,769,724	-	-	347,413	1,422,311
Climate Action Program	-	-	99,082	-	99,082
Municipal Office reserve	535,000	-	60,000	-	595,000
Filming reserve	562	-	18	-	580
Perpetual Safety Fund	13,871	383	-	-	14,254
Sale Real Property	1,127,685	32,224	170,000	963,598	366,311
Tax Sale	27,876	769	-	-	28,645
<b>TOTAL RESERVES</b>	<b>\$ 3,592,745</b>	<b>\$ 36,743</b>	<b>\$ 334,100</b>	<b>\$ 1,311,011</b>	<b>\$ 2,652,577</b>
<b>APPROPRIATED EQUITY</b>					
<b>General Operating Fund</b>					
Continuing Projects	2,897,328	-	1,911,719	913,300	3,895,748
Future Projects	3,159,004	-	297,968	338,694	3,118,278
Equipment	1,281,443	-	614,904	201,615	1,694,732
Land & Building	489,667	-	101,470	142,500	448,637
Tax Contingency	7,986	-	-	-	7,986
Snow & Ice Removal	50,000	-	-	-	50,000
Infrastructure Deficit	663,071	-	258,957	238,111	683,917
Solid Waste	804,841	-	174,797	-	979,638
	<u>9,353,340</u>	<u>-</u>	<u>3,359,816</u>	<u>1,834,220</u>	<u>10,878,936</u>
<b>Water Operating Fund</b>					
Continuing Projects	1,206,758	-	1,037,402	1,043,521	1,200,639
Future Projects	2,062,208	-	192,376	625,457	1,629,127
MFA Surplus Refunds	524,076	-	-	-	524,076
Water Operating Fund Total	<u>3,793,042</u>	<u>-</u>	<u>1,229,778</u>	<u>1,668,978</u>	<u>3,353,841</u>
<b>Sewer Operating Fund</b>					
Continuing Projects	795,706	-	1,314,585	318,731	1,791,560
Future Projects	1,210,180	-	240,285	712,500	737,965
Sewer Operating Fund	<u>2,005,886</u>	<u>-</u>	<u>1,554,870</u>	<u>1,031,231</u>	<u>2,529,526</u>
<b>TOTAL APPROPRIATED EQUITY</b>	<b>\$ 15,152,268</b>	<b>\$ -</b>	<b>\$ 6,144,464</b>	<b>\$ 4,534,429</b>	<b>\$ 16,762,303</b>
<b>TOTAL RESERVES &amp; APPROPRIATED EQUITY</b>	<b>\$ 18,745,013</b>	<b>\$ 36,743</b>	<b>\$ 6,478,564</b>	<b>\$ 5,845,440</b>	<b>\$ 19,414,881</b>

*These notes form an integral part of these consolidated financial statements.*

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 27 - Segmented Information**

The Town is a diversified municipal government institution that provides a wide range of services to its citizens such as roads, water, sewer and drainage infrastructure, fire protection, police protection (RCMP), cemetery, recreation centre, garbage collection and parkland. Distinguishable functional segments have been separately disclosed in the segmented information. The nature of the segments and the activities they encompass are as follows:

**General Government Services**

The City Manager is the liaison between Council and the Town departments and staff. The Corporate Services Department supports the legislated activities of Council, and provides information to citizens with respect to Council/Committee processes, reporting procedures and decisions, and Town activities. Also included in General Government Services is the Finance Department, Information Technology, Human Resources, and Waterfront Area Plan Implementation.

**Protective Services**

Protective Services is comprised of fire protection, policing, and bylaw enforcement.

Fire protection, includes a full-time Fire Chief starting in October of 2022. The fire department consists of paid on-call fire fighters who volunteer their service and receive compensating for each callout in which they take part. The fire department oversees a fleet of fire vehicles necessary to respond to calls.

Policing services is provided under contract with the RCMP. The Town is responsible for funding eight of the members within the detachment. The detachment occupies a building located in and owned by the Town of Ladysmith.

Bylaw enforcement administers, monitors, and seeks compliance with the bylaws enacted by the Mayor and Council to regulate the conduct of affairs in the Town of Ladysmith.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 27 - Segmented Information (continued)**

**Transportation, Solid Waste and Cemetery Services**

The Transportation (Public Works) Department is responsible for the infrastructure of the Town. Public works provides and maintains Town's roads, sidewalks, streetlights, signage and line markings, storm drainage and hydrants.

Solid Waste (Public Works) is responsible for the garbage collection, kitchen organics and recycling programs operating in the Town of Ladysmith. Solid waste collection is performed by a contractor.

Cemetery (Public Works) provides cemetery services including the maintenance of the cemetery grounds.

**Development Services**

The Development Services Department provides short-term and long-term land use planning services. Long-term Planning includes work with the community on reviewing the Town's Official Community Plan, developing new Neighborhood Plans, the Trail Plan and the review of relevant bylaws. Short term Planning includes the processing of development applications.

The Town of Ladysmith's Development Services and Public Works Departments work together to regulate all construction within the Town. This is achieved through the use of the Town of Ladysmith's Building and Plumbing Bylaw, the British Columbia Building Code, the British Columbia Fire Code and other related bylaws and enactments with the Town of Ladysmith.

**Recreation and Cultural Services**

The Parks, Recreation and Culture Department contribute to the quality of life and personal wellness of the community through the provision of a variety of special events, programs, services and facilities. The Frank Jameson Community Centre is the location where the majority of the programs are offered.

**Parks Operation Services**

Parks includes and provides maintenance of beach area, trails, golf course, spray-park, ball parks, and any other civic grounds.

**TOWN OF LADYSMITH**  
**NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

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**Note 27 - Segmented Information (continued)**

**Water**

Water includes all of the operating activities related to the treatment and distribution of water throughout the Town as well as ensuring clean and safe water to the Town, supplied through underground pipes and reservoirs,

**Sewer**

Sewer includes all of the operating activities related to the collection and treatment of wastewater (sewage) and bio-solids composting throughout the Town as well as maintaining a separate system of underground pipes to collect sewer or waste water for proper treatment prior to discharging it.



**TOWN OF LADYSMITH**  
**STATEMENT OF OPERATIONS BY SEGMENT**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**SCHEDULE I**

	<b>General Government</b>		<b>Protective Services</b>		<b>Transportation, Garbage &amp; Cemetery Services</b>		<b>Development Services</b>	
	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>
<b>REVENUE</b>								
Tax	\$ 9,639,537	\$ 9,081,612	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sale of services	31,423	49,753	129,159	98,459	791,662	786,862	2,146	12,528
Investment income & MFA Refunds	899,100	284,829	-	-	-	-	-	-
Licence, Permits, Rentals & Penalties	84,855	71,948	191,340	186,625	188,238	202,267	428,613	863,126
Grants	666,082	451,000	53,393	37,933	58,803	23,737	18,351	39,303
Donations & contributed property	5,000	10,459	-	-	699,771	2,133,343	-	-
Loss on foreign exchange	12,300	(682)	-	-	-	-	-	-
Gain (loss) on disposal	47,390	34,025	-	-	14,050	21,745	-	-
Development fees	-	-	-	-	-	10,395	-	-
CCB funds utilized	-	-	-	-	369,316	61,661	180,933	65,203
Total revenue	<u>11,385,688</u>	<u>9,982,944</u>	<u>373,892</u>	<u>323,017</u>	<u>2,121,839</u>	<u>3,240,010</u>	<u>630,042</u>	<u>980,160</u>
<b>EXPENSES</b>								
Contracted Services	319,045	344,387	1,422,875	1,103,059	792,636	719,265	226,237	145,444
Service Agreements/Grants In Aid	197,277	172,475	-	-	-	-	-	-
Insurance	77,772	72,207	16,294	16,883	-	-	-	-
Interest	19,834	8,907	18,367	3,285	-	-	-	-
Materials & Supplies	48,017	46,613	80,688	98,001	145,580	157,462	22,849	19,951
Utilities & Telephone	12,092	13,463	4,680	4,886	135,625	155,650	4,944	5,531
Wages & Benefits	1,964,709	1,829,067	325,702	307,571	1,095,282	1,063,113	644,351	625,565
Other	(223,934)	(286,938)	31,256	21,486	74,359	(101,107)	9,714	9,674
Amortization	283,106	264,636	230,405	185,258	968,486	965,033	2,345	2,345
Total expenses	<u>2,697,917</u>	<u>2,464,818</u>	<u>2,130,266</u>	<u>1,740,430</u>	<u>3,211,967</u>	<u>2,959,416</u>	<u>910,441</u>	<u>808,511</u>
Surplus (Deficit)	<u>\$ 8,687,770</u>	<u>\$ 7,518,126</u>	<u>\$ (1,756,374)</u>	<u>\$ (1,417,413)</u>	<u>\$ (1,090,129)</u>	<u>\$ 280,594</u>	<u>\$ (280,398)</u>	<u>\$ 171,649</u>

**TOWN OF LADYSMITH**  
**STATEMENT OF OPERATIONS BY SEGMENT**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**SCHEDULE I – CONTINUED**

<b>Recreation &amp; Culture Services</b>		<b>Parks Operations Services</b>		<b>Sewer Operations Services</b>		<b>Water Operations Services</b>		<b>Total Actual</b>	<b>Total Actual</b>
<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>
\$ -	\$ -	\$ -	\$ -	\$ 1,336,300	\$ 1,318,800	\$ 1,834,531	\$ 1,813,234	\$ 12,810,369	\$ 12,213,646
503,183	325,723	-	-	1,702,104	1,648,894	1,564,602	1,470,020	4,724,280	4,392,239
-	-	-	-	-	-	-	-	899,100	284,829
225,226	168,552	-	-	22,982	23,243	20,387	22,263	1,161,641	1,538,025
1,509,912	416,073	73,196	23,055	-	45,877	21,544	114,159	2,401,280	1,151,138
15,800	21,800	33,732	1,500	86,445	176,833	113,330	208,635	954,078	2,552,570
-	-	-	-	-	-	-	-	12,300	(682)
-	-	-	-	-	(4,292)	(3,685)	(348,934)	57,755	(297,456)
-	-	-	-	-	-	-	-	-	10,395
-	-	89,118	98,732	-	128,706	-	-	639,367	354,302
<u>2,254,121</u>	<u>932,148</u>	<u>196,046</u>	<u>123,287</u>	<u>3,147,832</u>	<u>3,338,061</u>	<u>3,550,709</u>	<u>3,279,377</u>	<u>23,660,170</u>	<u>22,199,006</u>
388,691	384,973	78,692	73,033	383,225	276,554	946,903	699,288	4,558,304	3,746,005
-	-	-	-	-	-	-	-	197,277	172,475
49,747	41,815	4,704	4,717	40,053	41,009	29,525	33,112	218,095	209,743
-	-	-	-	143,494	154,139	172,978	179,813	354,673	346,143
182,388	162,650	82,458	104,688	282,975	235,799	334,421	406,336	1,179,377	1,231,501
222,694	209,232	6,952	8,354	147,930	162,393	56,100	68,845	591,017	628,355
2,102,991	2,008,493	489,339	484,388	730,308	632,275	857,667	996,801	8,210,348	7,947,274
37,279	37,674	117,926	171,391	227,830	211,820	311,828	345,388	586,257	409,388
249,730	238,884	255,207	248,430	1,251,732	1,300,484	969,973	975,406	4,210,984	4,180,476
<u>3,233,520</u>	<u>3,083,722</u>	<u>1,035,279</u>	<u>1,095,001</u>	<u>3,207,547</u>	<u>3,014,472</u>	<u>3,679,395</u>	<u>3,704,990</u>	<u>20,106,332</u>	<u>18,871,360</u>
<u>\$ (979,400)</u>	<u>\$ (2,151,574)</u>	<u>\$ (839,233)</u>	<u>\$ (971,714)</u>	<u>\$ (59,716)</u>	<u>\$ 323,589</u>	<u>\$ (128,685)</u>	<u>\$ (425,613)</u>	<u>\$ 3,553,838</u>	<u>\$ 3,327,646</u>

**TOWN OF LADYSMITH**  
**CONSOLIDATED STATEMENT OF TANGIBLE CAPITAL ASSETS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**SCHEDULE II**

	<u>Land</u>		<u>Land Improvements</u>		<u>Buildings</u>		<u>Vehicle Furniture &amp; Equipment</u>		<u>Transportation</u>
	<u>2022</u>	<u>2021</u>	<u>2022</u>	<u>2021</u>	<u>2022</u>	<u>2021</u>	<u>2022</u>	<u>2021</u>	<u>2022</u>
<b>COST</b>									
Opening Balance	\$ 11,024,061	\$ 10,518,581	\$ 9,697,268	\$ 9,533,068	\$ 25,624,351	\$ 25,741,080	\$ 9,050,929	\$ 9,337,652	\$ 31,362,370
Add: Additions	277,576	579,191	126,409	176,324	641,111	122,591	2,585,773	336,507	346,781
Less: Disposals	-	73,711	157,621	12,124	100,622	239,320	85,665	623,230	-
Less: Write-downs	-	-	-	-	-	-	-	-	-
Closing Balance	<u>11,301,638</u>	<u>11,024,061</u>	<u>9,666,056</u>	<u>9,697,268</u>	<u>26,164,840</u>	<u>25,624,351</u>	<u>11,551,035</u>	<u>9,050,929</u>	<u>31,709,150</u>
 <b>ACCUMULATED AMORTIZATION</b>									
Opening Balance	-	-	4,229,121	3,967,989	8,701,678	8,070,840	4,705,258	4,848,498	17,906,451
Add: Amortization	-	-	281,657	273,256	730,632	722,876	517,015	463,581	663,203
Less: Write-downs	-	-	-	-	-	-	-	-	-
Less: Disposals	-	-	75,463	12,124	72,170	92,038	73,665	606,821	-
Closing Balance	<u>-</u>	<u>-</u>	<u>4,435,315</u>	<u>4,229,121</u>	<u>9,360,140</u>	<u>8,701,678</u>	<u>5,148,608</u>	<u>4,705,258</u>	<u>18,569,654</u>
 <b>Net Book Value</b>	<u><u>\$ 11,301,638</u></u>	<u><u>\$ 11,024,061</u></u>	<u><u>\$ 5,230,741</u></u>	<u><u>\$ 5,468,147</u></u>	<u><u>\$ 16,804,700</u></u>	<u><u>\$ 16,922,673</u></u>	<u><u>\$ 6,402,427</u></u>	<u><u>\$ 4,345,671</u></u>	<u><u>\$ 13,139,496</u></u>

**TOWN OF LADYSMITH**  
**CONSOLIDATED STATEMENT OF TANGIBLE CAPITAL ASSETS**  
**FOR THE YEAR ENDED DECEMBER 31, 2022**

**SCHEDULE II (CONTINUED)**

<b>Linear Infrastructure</b>										
<b>Transportation</b>	<b>Sanitary Sewer</b>		<b>Storm</b>		<b>Water</b>		<b>Assets Under Construction</b>		<b>Total</b>	
<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>	<b>2022</b>	<b>2021</b>
\$ 30,313,284	\$ 38,013,008	\$ 37,423,106	\$ 10,693,928	\$ 10,005,404	\$ 34,270,128	\$ 33,753,543	\$ 961,579	\$ 1,044,267	\$ 170,697,621	\$ 167,669,984
1,070,471	138,658	609,411	120,990	688,524	1,068,560	755,794	1,822,695	704,905	7,128,553	5,043,718
21,385	-	19,509	-	-	19,281	239,209	131,415	787,593	494,604	2,016,081
-	-	-	-	-	-	-	-	-	-	-
<u>31,362,370</u>	<u>38,151,666</u>	<u>38,013,008</u>	<u>10,814,922</u>	<u>10,693,928</u>	<u>35,319,407</u>	<u>34,270,128</u>	<u>2,652,856</u>	<u>961,579</u>	<u>177,331,569</u>	<u>170,697,621</u>
17,244,612	11,604,971	10,590,869	2,835,174	2,687,915	7,095,653	6,267,683	-	-	57,078,306	53,678,406
682,319	1,001,034	1,029,319	155,464	147,259	861,979	861,866	-	-	4,210,984	4,180,476
-	-	-	-	-	-	-	-	-	-	-
<u>20,480</u>	<u>-</u>	<u>15,217</u>	<u>-</u>	<u>-</u>	<u>15,596</u>	<u>33,896</u>	<u>-</u>	<u>-</u>	<u>236,894</u>	<u>780,576</u>
<u>17,906,451</u>	<u>12,606,005</u>	<u>11,604,971</u>	<u>2,990,638</u>	<u>2,835,174</u>	<u>7,942,036</u>	<u>7,095,653</u>	<u>-</u>	<u>-</u>	<u>61,052,396</u>	<u>57,078,306</u>
<u>\$ 13,455,919</u>	<u>\$ 25,545,661</u>	<u>\$ 26,408,037</u>	<u>\$ 7,824,284</u>	<u>\$ 7,858,754</u>	<u>\$ 27,377,371</u>	<u>\$ 27,174,475</u>	<u>\$ 2,652,856</u>	<u>\$ 961,579</u>	<u>\$ 116,279,171</u>	<u>\$ 113,619,315</u>

**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Chris Barfoot, Director of Parks, Recreation & Culture  
 Lynda Baker, Chair Public Art Committee  
**Reviewed By:** Allison McCarrick, Chief Administrative Officer  
**Meeting Date:** June 20, 2023  
**File No:**  
**Re:** Ladysmith Museum Request to Display Town Public Art Project

**RECOMMENDATION:**

That Council:

1. Approve the recommendations of the Public Art Committee to temporarily loan one of the four panels of the public art project titled "Ladysmith in the 21<sup>st</sup> Century" created by Rita Edwards, to the Ladysmith & District Historical Society for a two-year term as per the temporary loan agreement.
2. Designate Chris Barfoot, Director of Parks, Recreation & Culture as representative signatory for the temporary loan agreement.

**EXECUTIVE SUMMARY:**

The Ladysmith & District Historical Society developed a new exhibit titled "Treemendous, Our Fascinating Forest". The exhibit includes the history of forests, First Nations traditional practices, early logging history, modern industry, appreciation of our forest, the effects of climate change, and preservation strategies. The Society has requested to temporarily display one of the four panels of the public art project titled "Ladysmith in the 21<sup>st</sup> Century" created by Rita Edwards in 2003, to display in the exhibit for the next two years. The remaining three panels will remain on display at FJCC where the project is currently exhibited.

**PREVIOUS COUNCIL DIRECTION:**

Resolution	Meeting Date	Resolution Details
CS 2003-333	2003.08.25	That Council endorses the Centennial Public Works of Art Competition's winning entry by Rita Edwards as selected by the Jury with the proviso that the wording "Ivy Green Park" on one piece of signage depicted in one panel be changed to reflect a park or attraction within the Town's boundaries (suggestions being Kinsmen Park, Trail to Heart Lake, Holland Creek Trail, etc.).

**INTRODUCTION/BACKGROUND:**

The project titled “Ladysmith in the 21<sup>st</sup> Century” was part of the key events to kick off the 2004 Centennial with its broad theme of “100 years”.

The jury announced their selection for the Centennial Public Works of Art initiative at the 5th Annual Arts on the Avenue event in 2003. The jury congratulated artist, Rita Edwards, for mastering the complexity of the initially vague subject “100 years” with a dynamic mosaic representative of the lives and times of the community during that time period. The four-panel, three-dimensional series communicated Ladysmith’s one-hundred-year history focusing on four main themes: Dunsmuir’s vision, coal mining, logging, and Ladysmith in the 21st century.

The project (shown in Attachment A) consists of four three-dimensional pieces of art constructed of wood, to appeal to the aesthetic sense of viewers and to educate them on the remarkable history of Ladysmith.

Early in 2023 a request from the Ladysmith & District Historical Society was received to temporarily display a portion of the public art project (Attachment B) as part of a new exhibit at the museum (mockup of the display shown in Attachment C). The Public Art Committee reviewed the LDHS request at their meeting held on April 19, 2023. The Committee supports the temporary loan as per the terms outlined in the temporary loan agreement (Attachment D). Minutes from this meeting can be viewed in Attachment E.

**ALTERNATIVES:**

Council can choose to not approve the recommendation of the temporary loan at this time.

**FINANCIAL IMPLICATIONS:**

The project has a value of \$9,500. The agreement, if approved, will require the LDHS to provide insurance coverage for the value of the project.

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

N/A

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Parks, Recreation and Culture will facilitate the transfer and agreement.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |  |
|---|--|
| <input type="checkbox"/> Core Infrastructure                    | <input type="checkbox"/> Economy                   |
| <input type="checkbox"/> Official Community Plan Implementation | <input type="checkbox"/> Leadership                |
| <input type="checkbox"/> Waterfront Area Plan                   | <input checked="" type="checkbox"/> Not Applicable |

***I approve the report and recommendations.***

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENTS:**

- A. Photos 'Ladysmith in the 21<sup>st</sup> Century'
- B. LDHS Request for the Temporary Display of the logging portion of 'Ladysmith in the 21<sup>st</sup> Century'
- C. Museum Display 'Mockup'
- D. Temporary Loan Agreement
- E. Public Art Committee Minutes from the 2023.04.19

## Attachment A – Ladysmith in the 21<sup>st</sup> Century





## Attachment B

Attn: Chris Barfoot  
Director of Parks, Recreation and Culture, Ladysmith

March 27, 2023

Hello Chris,

The Ladysmith Museum is currently developing a new exhibit titled "Treemendous, Our Fascinating Forests" that will open in April, 2023. The exhibits will include the history of forests, First Nations traditional practises, early logging history, modern industry, appreciation of our forests, the effects of climate change, and preservation strategies.

I let the team know about the wonderful sculpture celebrating logging that hangs in the stairwell of the Frank Jameson Community Centre. I think you said it was done as part of a series of four celebrating different aspects of Ladysmith. The team was very interested in including it as a feature in our exhibit and I thought it would be a great place to profile this unique artwork that many people have never seen.

Would it be possible for the Ladysmith Museum to borrow that artwork to include in our show for the duration of its run? That is currently planned to be as long as 2 years.

I estimated the size of the piece to be 3'-6" wide x 5'-8" tall and would like to get a confirmation of that to ensure that it fits in the location we have planned for it. We'd also like to know the artist's name so we can credit them and explain the significance of the piece in our label text.

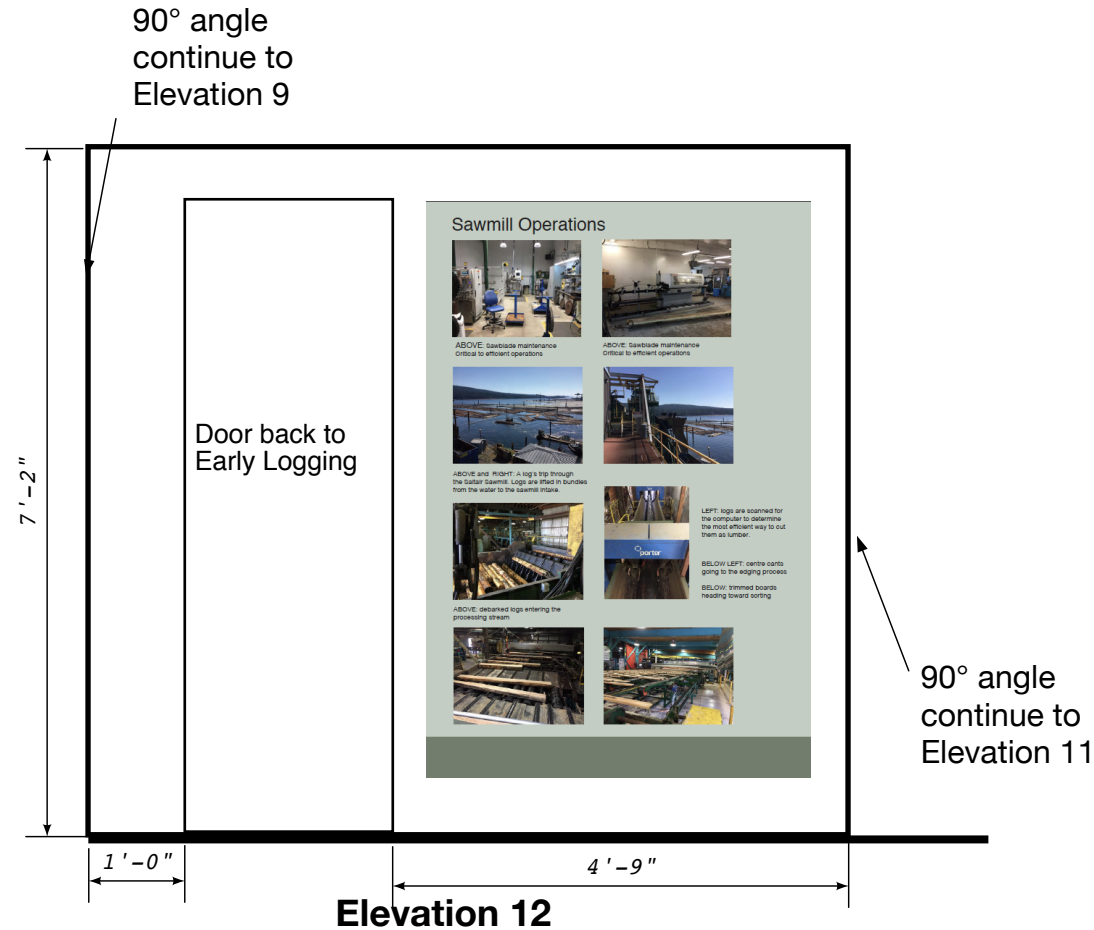
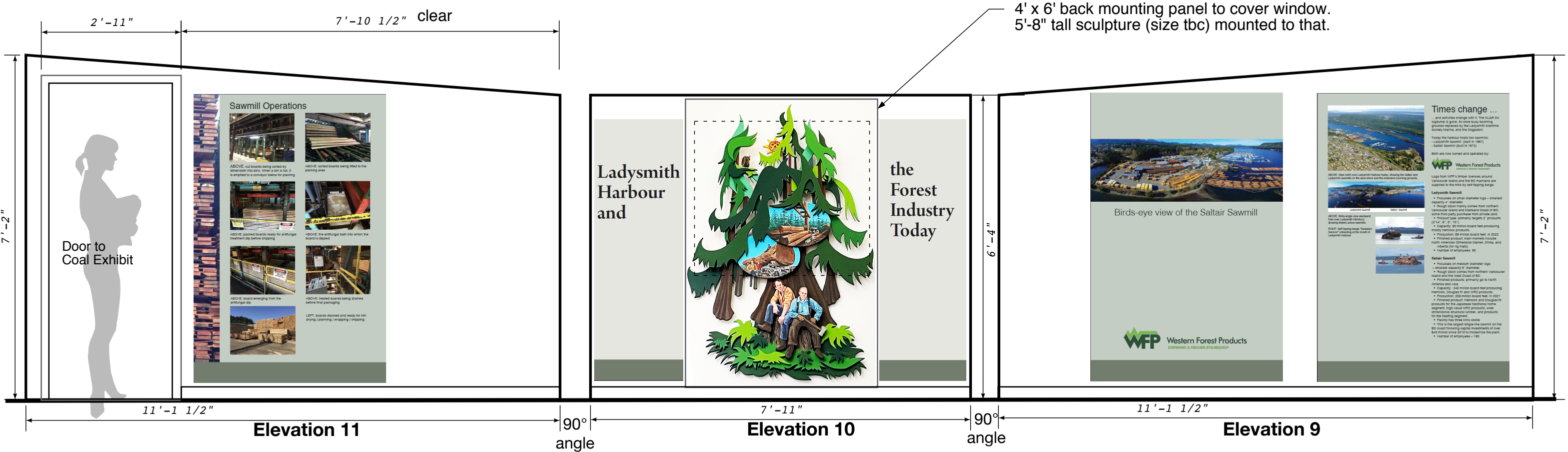


Please let us know if this is possible so we can arrange for pick up before our opening if you agree.

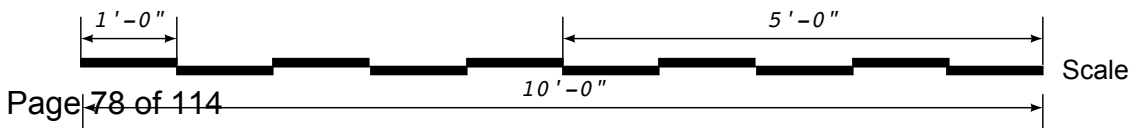
Most sincerely,

Gordon Filewych – onebadant design inc.  
Volunteer Exhibit Designer – Ladysmith Museum  
Volunteer Member – PRCAC Committee

CC. Quentin Goodbody – President, Ladysmith & District Historical Society



Mock-up of the logging display room with graphic panels and the sculpted wood art panel



**TOWN OF LADYSMITH**

**TEMPORARY LOAN AGREEMENT**

**Ladysmith & District Historical Society / Town of Ladysmith**

---

This agreement dated for reference this \_\_\_\_\_ day of \_\_\_\_\_, 2023

**BETWEEN: TOWN OF LADYSMITH**  
Box 220  
Ladysmith, British Columbia  
V9G 1A2

(the "Town")

**OF THE FIRST PART**

**AND: LADYSMITH & DISTRICT HISTORICAL SOCIETY**  
721 1<sup>st</sup> Avenue  
Ladysmith, British Columbia  
V9G 1A6

(the "Borrower")

**OF THE SECOND PART**

**Whereas** the Town and Licensee wish to enter into an agreement (the "Agreement") for the temporary loan of public art titled 'Ladysmith in the 21<sup>st</sup> Century' created by artist Rita Edwards (the "Artwork") at 721 1<sup>st</sup> Avenue, Ladysmith, British Columbia, ("Borrower");

This Agreement is intended to provide the terms of reference for the temporary loan of the Artwork and the obligations of the Licensee and the Town in that regard.

**Now therefore this agreement witnesses** that in consideration of the mutual covenants and agreements contained herein, the parties do hereby agree as follows:

**Term of the Loan**

The Borrower has requested temporary custody and possession of the "Ladysmith in the 21<sup>st</sup> Century" Artwork for display for the loan period of May 25, 2023 to May 25, 2025 listed in this agreement for exhibition and enjoyment in the specified location at Ladysmith & District Historical Society. The loan can be terminated at any time by the Town at their discretion.

**Insurance**

A. The Borrower shall provide and pay for the insurance coverage for the Artwork with the insurer acceptable to the Town under an all-risk "nail to nail" policy at the value of

\$9,500.00. The Borrower shall indemnify the Town for any loss of or damage to the Artwork while in the Borrower's possession as well as while in-transit.

- B. Damage, including vandalism and theft, regardless of who may be responsible, must be reported to the Town promptly and described in detail to the Town by telephone or email and then, more formally, in writing as a notification of loss.

### **Handling and Care**

- A. The Borrower may appoint a designate as the person with responsibility for the Artwork. Such responsibility will include record keeping as to the use and location of the Artwork, as well reporting theft or damage. If the Borrower's designated person is not longer available in this capacity, the Borrower's shall designate an alternate person and notify the Town in writing as to the replacement.
- B. The Borrower is responsible for general maintenance and conservation of the Artwork while in the Borrower's possession.
- C. The Borrower shall respond in a timely manner to periodic location/condition inventory request received from the Town.
- D. The Borrower shall exercise the same care with respect to the Artwork as it does in the safekeeping of its own most valuable property to protect against damage and deterioration.

### **Exhibition**

The Artwork shall be shown in a dignified and careful manner, in public spaces and in an environmentally and physically secure space at the approved location so as to preserve its value and prevent theft and damage. The Borrower shall comply with all special instructions of the Town relating to the care of any Artwork. The Borrower shall give appropriate credit with a display tag on the Public Art Project of the artist's name and project's title, and state the project is the property of the Town of Ladysmith, on temporary loan to the museum. Borrower shall not move the Artwork from the approved location without the advance written approval of the Town.

### **Amendments**

This agreement cannot be amended except by a written instrument signed by both the Town and the Borrower.

### **Authority**

The undersigned Borrower hereby warrants and represent that he/she has full power and authority to be bound to the terms of this agreement.

### **Entire Agreement**

This Agreement is the only understanding between the Town and the Borrower with respect to the Artwork. Any prior understanding, oral or written, are merged into and superseded by this Loan Agreement.

**IN WITNESS WHEREOF** the parties hereto have set their hands and seals as on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

## Town of Ladysmith

by its authorized signatories:

Chris Barfoot

Director of Parks, Recreation & Culture

## Ladysmith & District Historical Society

by its authorized signatory:

**SIGNED, SEALED AND DELIVERED**

in the presence of:

Witness (please print)

Address

Occupation

\_\_\_\_\_  
Witness Signature

## Attachment E

Minutes of the Public Art Committee (PAC)  
Wednesday, April 19, 2023 at 4:00pm  
Frank Jameson Community Centre

---

**COMMITTEE MEMBERS PRESENT:**

Lynda Baker, Chair  
Kathleen Darby  
Kathy Holmes

Councillor Tricia McKay  
Ora Steyn

**STAFF PRESENT:**

Chris Barfoot, Lead

**REGRETS:**

Gordon Filewych  
Julia Noon

Shirley Louie

---

**CALL TO ORDER AND  
ACKNOWLEDGEMENT**

The meeting was called to order at 4:00pm.

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

**AGENDA**

2023-04:

That the Public Art Committee approve the agenda for the meeting as presented.

*Motion Carried.*

**MINUTES**

2023-05:

That the Public Art Committee approve the minutes of the February 7, 2023 meeting as presented.

*Motion Carried*

**NEW BUSINESS**

Review Amended Term of Reference and Policy

2023-06:

That the Public Art Committee endorse their revised Public Art Policy and Terms of Reference documents.

*Motion Carried*

Temporary Loan of Public Art request

The Committee approved the temporary loan to the Ladysmith Museum of the Public Art Project titled 'Ladysmith in the 21<sup>st</sup> Century' created by artist Rita Edwards as per the temporary loan agreement, which included the following conditions:

- There is to be no expense to the Town of Ladysmith
- The Town will document the condition of the project prior to the loan
- LDHS will provide a copy of their insurance documents, which will include a rider for the project

- The museum must ensure that a display tag on the project provides the artist's name and project's title, and states that the project is the property of the Town of Ladysmith, on temporary loan to the museum.

#### 2023 Banner Update

Banners are in production and will be installed in the middle of May.

#### Asset Management for Public Art inventory

At the next meeting, the Committee will review the Town of Ladysmith Public Art Inventory and identify projects owned by the Town of Ladysmith that could be considered for an asset management plan.

### **OLD BUSINESS**

#### Deaccession of Public Art – Current Project under review

Chris Barfoot, Kathleen Darby & Kathy Holmes will use the “Toolkit for Deaccession” to review the Public Art currently in the Town's inventory and potentially recommend its deaccession at the next meeting.

### **NEXT MEETING**

To be determined by the Committee.

### **ADJOURNMENT**

2023-07:

That the Public Art Committee adjourn this meeting at 5:00 pm.

*Motion Carried*

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Matt O'Halloran, Manager of Corporate Services  
**Reviewed By:** Allison McCarrick, Chief Administrative Officer  
**Meeting Date:** June 20, 2023  
**File No:** 0540-20  
**Re:** Accessibility Advisory Committee – Terms of Reference

**RECOMMENDATION:**

That Council:

1. Approve the Accessibility Advisory Committee Terms of Reference; and
2. Direct staff to advertise for vacancies on the Accessibility Advisory Committee, with appointments to be made in September, 2023.

**EXECUTIVE SUMMARY:**

Under the *Accessible BC Act* the Town is required to establish an Accessibility Committee, an Accessibility Plan, and a process to receive public feedback on the Plan. Staff previously reported to Council on discussions with neighboring jurisdictions regarding a potential joint approach in meeting these requirements. Staff are now recommending to establish the Town's own Committee at this time, and to advertise for vacancies on the Committee.

**PREVIOUS COUNCIL DIRECTION:**

Resolution	Meeting Date	Resolution Details
CS 2023-053	2023-03-07	<p>That Council:</p> <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol>

**INTRODUCTION/BACKGROUND:**

Following Council direction, staff met again with neighbouring jurisdictions to consider a joint approach under the *Accessible BC Act*. While there is considerable potential to address the issue collectively over time, a comprehensive plan on governance, funding, and oversight of such an



undertaking is not yet available. Most organizations throughout BC are taking an individual approach in meeting the requirements, making this option more practical for Ladysmith.

A draft Accessibility Advisory Committee Terms of Reference (ToR) document is attached for consideration. The ToR is based on the Town's established format, as well as other relevant examples, meeting all requirements for membership and Committee mandate.

Staff will bring forward recommendations regarding an Accessibility Plan and a process to receive public feedback to a future meeting.

**ALTERNATIVES:**

Council can choose to:

1. Direct staff to report back with a revised Terms of Reference or alternate options in meeting the *Accessible BC Act* requirements.
2. Provide alternate direction.

**FINANCIAL IMPLICATIONS:**

Costs for advertising through July and early August, 2023 will be allocated from the 2023 budget.

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Serving on advisory committees provides the public with an opportunity to participate and contribute to the Town.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Staff will review budgetary implications for all options with the Town's finance department.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |  |                                     |
|--|-------------------------------------|
| <input checked="" type="checkbox"/> Core Infrastructure                    | <input type="checkbox"/> Economy    |
| <input checked="" type="checkbox"/> Official Community Plan Implementation | <input type="checkbox"/> Leadership |
| <input type="checkbox"/> Waterfront Area Plan                              |                                     |

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

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENTS:**

A: Accessibility Advisory Committee – Draft Terms of Reference

## ACCESSIBILITY ADVISORY COMMITTEE

### Establishment

The Accessibility Advisory Committee is a Select Committee of Council pursuant to section 142 of the *Community Charter*.

The Town of Ladysmith is required under the *Accessible BC Act* to establish an Accessibility Committee to assist the organization in identifying barriers to individuals in the organization or interacting with it, and to advise the organization on how to remove and prevent such barriers.

### Mandate

The primary function of the Accessibility Advisory Committee is to identify barriers to inclusion and accessibility, and to make recommendations to Council as to how to remove and prevent these barriers.

In fulfilling its mandate the Accessibility Advisory Committee may undertake the following:

- Identify best practices in other communities and make recommendations based on the findings
- Participate in reviewing Town of Ladysmith draft plans, policies, and procedures
- Assist in developing Town of Ladysmith plans and strategies relating to accessibility
- Discuss other issues referred to the Committee by Council, the CAO, or Senior Management

### Authority

The Committee will review matters as outlined within its mandate and make recommendations to Council.

### Membership and Terms

The Committee shall include 7 voting members:

- Town Council representative (and alternate) (1)
- Members at large from the community (6)
  - Members at large will be appointed by Council based on their experience and involvement related to issues of accessibility. To the extent possible, the membership should reflect the following:
    - a. At least half of the total members of the Committee should be persons with disabilities or persons representing a disability-serving organization.
    - b. At least one member who is an Indigenous person should be appointed.

Members are appointed for 2-year terms. The Council representative and alternate is

confirmed annually by the Mayor.

Non-Council representatives may serve up to a maximum of three consecutive terms (6 years) unless authorized by Council to serve additional consecutive terms.

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

**Staff Support**

The Committee will be supported by one staff liaison from the Corporate Services Department (this is an *ex-officio* or non-voting role). Other department staff will provide support as needed.

**Reporting**

Committee minutes will be circulated to Council when the Committee meets.

**Meeting Management****(a) Chairperson**

- The Chairperson will be selected annually by the members.
- The first Chairperson will be selected at the first meeting of the Committee, and annually thereafter at the first meeting following July 1st.
- If the Chairperson is unable to attend a meeting, the members present will select an acting Chairperson for that meeting.
- An ex-officio member may not serve as Chairperson of the Committee.

**(b) Meeting Times and Location**

- The Committee will meet as called upon for special projects or if there are referrals to consider.
- Meetings will take place at either City Hall, Frank Jameson Community Centre, or at the Ladysmith Seniors' Centre as determined by the staff liaison in consultation with the Chairperson.
- The Procedure Bylaw of the Town applies to meetings of this Committee.

**(c) Agendas and Minutes**

- Staff, in consultation with the Chairperson, will prepare the meeting agenda and distribute it to the members of the Committee one week prior to the meeting date.
- Recording of the meeting will be assigned to the staff person in attendance. Draft minutes will be reviewed by the Chairperson for accuracy only.
- Draft minutes will be distributed with the agenda package for the next meeting.

**Code of Conduct**

- The members are expected to be respectful and work cooperatively to achieve the common goals of the Accessibility Advisory Committee.
- The expectation is that each member will conduct him/herself in the best interest of the community and the Committee.
- Conflict of interest – a Committee member must ensure there is no potential conflict of interest and must consult with the staff liaison or Chairperson as appropriate.

**Meeting Frequency**

The Committee will meet twice annually. Additional meetings may be held at the request of Council, and pending the availability of Committee members.

**Alignment with Council Strategic Priorities**

- ☒ Core Infrastructure
- ☒ Official Community Plan Implementation
- ☐ Waterfront Area Plan
- ☐ Economy
- ☐ Leadership

Terms of Reference adopted by Council: **[[DATE Pending]]**

## STAFF REPORT TO COUNCIL

**Report Prepared By:** Chris Geiger  
**Reviewed By:** Allison McCarrick, CAO  
**Meeting Date:** June 20, 2023  
**File No:** 3900-20  
**Re:** "Town of Ladysmith Fire Services Bylaw 2023, No. 2147"

---

### **RECOMMENDATION:**

That Council give first, second, and third readings to "Town of Ladysmith Fire Services Bylaw 2023, No. 2147".

### **EXECUTIVE SUMMARY:**

"Town of Ladysmith Fire Department Bylaw 1985, No. 832" has become outdated. Staff are requesting that it be repealed and replaced by "Town of Ladysmith Fire Services Bylaw 2023, No. 2147" (Attachment A).

### **PREVIOUS COUNCIL DIRECTION:**

N/A

### **INTRODUCTION/BACKGROUND:**

The establishment of the Fire Chief/Manager of Protective Services role and recent updates to the Structure Firefighter Minimum Training Standards have highlighted the need to update "Town of Ladysmith Fire Department Bylaw 1985, No. 832" (Attachment B), which was adopted in 1985 and saw no substantive changes other than the deletion, in 2009, of the prescribed retirement age of firefighters (Attachment C - Bylaw No. 1698). The existing bylaw no longer accurately reflects recruitment and hiring practices utilized by Town of Ladysmith or Ladysmith Fire/Rescue, qualifications of members, and selection/promotion of officers, among other things, and is therefore proposed to be repealed and replaced in its entirety.

### **ALTERNATIVES:**

Council can choose to:

1. Refer the proposed bylaw back to staff for further amendments, as specified by Council.

### **FINANCIAL IMPLICATIONS:**

### **LEGAL IMPLICATIONS:**

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

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Bylaw No. 2147 includes collaboration between the Fire Rescue Department and Human Resources regarding appointing, disciplining, or dismissing members of the Fire Rescue Department, according to Town hiring practices and Town of Ladysmith policies and procedures.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |  |
|---|--|
| <input type="checkbox"/> Core Infrastructure                    | <input type="checkbox"/> Economy                   |
| <input type="checkbox"/> Official Community Plan Implementation | <input type="checkbox"/> Leadership                |
| <input type="checkbox"/> Waterfront Area Plan                   | <input checked="" type="checkbox"/> Not Applicable |

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

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENTS:**

- A. "Town of Ladysmith Fire Services Bylaw 2023, No. 2147"
- B. "Town of Ladysmith Fire Department Bylaw 1985, No. 832"
- C. "Town of Ladysmith Fire Department Bylaw 1985, No. 832, Amendment Bylaw 2009, No. 1698".

TOWN OF LADYSMITH

BYLAW NO. 2147

A Bylaw to regulate fire protection services

---

The Council of the Town of Ladysmith in open meeting assembled enacts "Town of Ladysmith Fire Services Bylaw 2023, No. 2147" as follows:

**1. DEFINITIONS**

Unless otherwise defined or the context otherwise requires, all words and phrases in this Bylaw shall be construed in accordance with the meaning assigned to them in the *Building Code, Fire Services Act and Fire Code*.

"APPARATUS" means any vehicle provided with machinery, devices, equipment or materials for fire fighting as well as vehicles used to transport fire fighters or supplies.

"BUILDING CODE" means the British Columbia Building Code as amended from time to time.

"BUILDING" means a structure that is used or intended to be used for the support enclosure and/or the shelter of persons, animals or property, except those prescribed by regulation as exempted from the Building Code.

"COUNCIL" means the Municipal Council of the Town of Ladysmith.

"EQUIPMENT" means any tools, contrivances, devices, or materials used by the Fire Rescue Department at any Incident or other emergency.

"FALSE ALARM" means the activation of a fire alarm system resulting in the direct or indirect notification of the Fire Rescue Department to attend the address of the fire alarm system, where there is in fact no Incident at that address.

"FIRE ALARM SYSTEM" means all equipment, including without limitation, batteries, alarm gongs, horns, buzzers, switches, wiring, relay equipment, sensors, and other accessories designed to issue a warning of a fire by activating an audible alarm signal or alerting a monitoring service but does not include a fire alarm or smoke detector that is intended to alert only the occupants of a single dwelling unit.

"FIRE AND LIFE SAFETY EQUIPMENT" includes, but is not limited to, fire alarm systems, automatic sprinkler systems, special extinguishing systems, portable extinguishers, emergency lighting, water supply systems for fire protection, standpipe and hose systems, smoke control measures, emergency power installations, voice communication systems and fire fighter elevators.

"FIRE CHIEF" means a person appointed by resolution of Council to be in charge of the Fire Rescue Department which includes the Deputy Fire Chief, all officers, and any other person authorized to act on behalf of the Fire Chief.

"FIRE CODE" means the British Columbia Fire Code as amended from time to time.

"FIRE PREVENTION OFFICER" means a member of the Fire Rescue Department authorized in writing by the Fire Chief to be a Fire Prevention Officer and a Local Assistant Fire Commissioner.

"FIRE RESCUE DEPARTMENT" means the Town of Ladysmith Fire Rescue Department including all officers and members engaged in the Department.

"FIRE SAFETY PLAN" is a set of emergency procedures and guidelines to be followed by the occupants of a Building in the event of a fire or an emergency in a Building or Structure; and may include the locations of utilities and emergency shutoffs for gas and water, and operational information of Fire and Life Safety Equipment.

"FIRE SERVICES ACT" means the Fire Services Act, R.S.B.C. 1996, c.144.

"FIREFIGHTER" means every Member of the Fire Rescue Department other than an Officer, whose duties include fire prevention, fire suppression, or emergency response.

"INCIDENT" means a fire or any other class of circumstance that may cause harm to persons or property, and includes rescue, medical aid, hazardous material incidents or other similar situations that are a threat to life.

"MEMBER" means any person that is duly appointed by the Fire Chief as a member of the Fire Rescue Department.

"OCCUPANCY" means the use or intended use of a Building or part thereof for the shelter or support of persons, animals or property.

"OFFICER" means any member of the Fire Rescue Department holding the rank of:

- Fire Chief
- Deputy Fire Chief
- Assistant Fire Chief
- Captain
- Lieutenant
- Fire Prevention Officer

"OFFICER IN COMMAND" means the Officer who has established or assumed the role of Incident Commander, and is responsible for the overall management of an incident. In the event an Officer is not in attendance at an Incident, the most senior Member in attendance at that incident will assume command.



"PREMISES" means a Building or Structure together with its grounds and appurtenances.

"SPRINKLER SYSTEM" includes all equipment forming part of or used in connection with a fire sprinkler system, including without limitation, all heads, valves, piping, switches, sensors, relay equipment, and other accessories.

"STRUCTURE" means any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite matter; that which is built or constructed, an edifice or building of any kind whether fixed to, supported by or sunk into land or water including, combinations of materials to form a construction for Occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land, but specifically excludes landscaping, fences, paving and retaining structures less than 1.5 meters in height.

"TOWN" means the Town of Ladysmith.

"VEHICLE" means a device in, upon, or by which a person or thing is or may be transported or drawn upon a highway, except a device designed to be moved by human power or used exclusively upon stationary rails or tracks.

## **2. ADMINISTRATION**

### **2.1. Provincial Fire Code Adopted:**

Pursuant to Section 15 of the *Community Charter*, the Council adopts and establishes for the Town the Fire Code. The provisions of the Fire Code adopted and established are made part of this Bylaw and shall be considered as provisions of this Bylaw.

### **2.2. Confirmation of Fire Rescue Department:**

The Fire Rescue Department as established is confirmed and will continue to be known as the Ladysmith Fire Rescue Department.

### **2.3. Confirmation and Appointment of Fire Chief:**

The position of Fire Chief as established is hereby confirmed.

### **2.4. Responsibilities and Duties of Fire Chief:**

2.4.1. The Fire Chief is the Department Head of the Fire Rescue Department and is responsible for the efficient management of all members, apparatus, equipment, responses to incidents and the provision of fire prevention and protection services to the Town. The Fire Chief reports to the Town Chief Administrator Officer or designate.

2.4.2. The Fire Chief shall abide by all Town policies and bylaws and may establish additional rules, regulations and policies necessary for the proper organization, administration and operation of the Fire Rescue Department including but not limited to:

- the use, care and protection of Fire Rescue Department property;
- the safe and efficient operation of the Fire Rescue Department; and
- the duties and responsibilities of Members.

2.4.3. The Fire Chief shall take responsibility for all fire protection matters and other Incidents including the enforcement of applicable sections of the Fire Services Act, the Fire Code, and shall assume the responsibilities of a local assistant to the Fire Commissioner.

2.4.4. The Fire Chief may appoint or designate other Officers of the Fire Rescue Department to act as Fire Chief on his behalf and may, in writing, authorize Officers to exercise the powers of a local assistant to the Fire Commissioner.

2.4.5. Council authorizes the Fire Chief to exercise all the powers of the Fire Commissioner under section 25 of the Fire Services Act and for these purposes that section applies.

2.5. Appointment and Accountability of Officers and Members:

- i. Officers shall be appointed by the Fire Chief, in conjunction with the Town Human Resources Manager, as vacancies occur or as needs dictate, from firefighters meeting the qualifying standards.
- ii. Members shall be appointed by the Fire Chief in consultation with the Deputy Chief and Officers, following hiring practices of the Town.
- iii. Members are accountable to the Fire Chief for the actions and affairs of the members under their command.
- iv. All Officers are responsible for ensuring that Members adhere to any and all applicable Town and Fire Rescue Department policies, procedures, rules and regulations.
- v. The Fire Chief in conjunction with the Town Human Resources Manager, may appoint, discipline and dismiss members in accordance with the Ladysmith Fire Rescue Department and Town of Ladysmith Policies and Procedures.
- vi. No person shall falsely represent themselves as a member of the Fire Rescue Department.

2.6. Rank Structure of Fire Rescue Department:

The rank structure of the Fire Rescue Department, in descending order shall be as follows:

- Fire Chief
- Deputy Fire Chief
- Assistant Fire Chief
- Captain
- Lieutenant
- Fire Prevention Officer
- Firefighter
- Probationary Firefighter

2.7. Scope of Fire Rescue Department:

The Fire Rescue Department is authorized to provide the services as described by Council Resolution No. CS2016-252, and Policy No. 14-3200-C, as amended from time to time. Notwithstanding the list of authorized services described or any service level authorized in accordance with the Structure Firefighter Minimum Training Standards, in relation to any particular Incident response, the Fire Department shall undertake only those emergency response activities for which it is properly trained and equipped. The Fire Chief and/or the Officer in Command may, in their sole discretion, restrict or terminate emergency response activities in any circumstance where the Incident is considered to exceed the training or capabilities of the responding Firefighters or Apparatus available to them or because of competing demand for authorized services at other locations, or in any circumstance where an adequate number of responders is not available to respond to the incident.

2.8. Jurisdiction of Fire Rescue Department:

The limits of the jurisdiction of the Fire Chief and the Members of the Fire Rescue Department will extend to the area and boundaries of the Town of Ladysmith, and neither the Fire Chief or Members shall supply fire fighting services or respond to an Incident nor shall any part of the fire Apparatus or Equipment be used outside the boundaries of the Town without:

- the express authority of a written agreement providing for the supply of fire fighting services, or other incident response outside the Town boundaries; or
- the approval of Council; or
- a request for assistance in accordance with the *Emergency Program Act* (British Columbia) as amended or re-enacted from time to time.

**3. REPEAL**

"Town of Ladysmith Fire Department Bylaw, 1985, No 832" is hereby repealed.

**4. CITATION**

This Bylaw may be cited for all purposes as "Town of Ladysmith Fire Services Bylaw 2023, No. 2147"

**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

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Mayor (A. Stone)

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Corporate Officer (M. O'Halloran)

## ATTACHMENT B

### TOWN OF LADYSMITH

#### BYLAW NO. 832

A BYLAW to establish, regulate and control a Volunteer Fire Department for the Town of Ladysmith.

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

1. In this Bylaw, unless the context otherwise requires;
  - (a) "Council" means the Council of the Town of Ladysmith
  - (b) "Department" means the Ladysmith Volunteer Fire Department.
2. The Ladysmith Volunteer Fire Department is hereby established and the head of the Department shall be known as the Fire Chief.
3. The Fire Chief shall be appointed by Council.

#### 4. QUALIFICATIONS

A person is qualified to be appointed a member of the Department for fire fighting duties who:

- (a) Is a resident of the Municipal Fire Protection District;
- (b) Is not less than nineteen (19) years of age and not more than fifty (50) years of age;
- (c) Is in good physical condition as certified by a regularly practicing physician;
- (d) A person appointed as a member of the Department for fire fighting duties shall be on probation for a period of six (6) months, during which period he shall take such special training as may be required by the Fire Chief;
- (e) If a probationary member appointed for fire fighting duties fails any such examination, the Fire Chief may recommend to Council that the person so appointed be suspended or dismissed;
- (f) Retirement from the Department is required upon attaining the age of sixty-five (65) years, except for those members of the Department presently over sixty-five (65) years of age can remain a member until attaining the age of seventy (70) years.

5. EXECUTIVE

The members of the Executive of the Department shall be:

- (a) Deputy Fire Chief;
- (b) Captain;
- (c) Three Lieutenants;
- (d) Secretary;
- (e) Treasurer.

6. A member of Council shall be appointed as Fire Warden by Council and he shall liaise with the Fire Chief and the Executive of the Department.

7. ELECTIONS

- (a) An election shall be held to elect all members of the Executive;
- (b) Nominations and the election procedure shall be conducted as provided for in the Constitution and Bylaws of the Department;
- (c) The Fire Chief shall be appointed by Council.

8. REMUNERATION OF MEMBERS

The remuneration of Department members shall be as set out by resolution of Council from time to time.

9. RESPONSIBILITIES OF FIRE CHIEF

The Fire Chief is responsible to Council for the proper administration and operation of the Department, for the discipline of its members, and;

- (a) may make such orders and rules as may be necessary for the care and protection of Department property, for the conduct of Department members, and generally for the efficient operation of the Department, provided that such orders and rules do not conflict with any bylaw;
- (b) shall periodically review the policies and procedures of the Department and may establish an Advisory Committee consisting of such Officers as he may determine necessary to assist him;
- (c) shall take all actions necessary for the prevention, control and extinguishing of fires, and for the protection of life and property, and shall enforce all municipal bylaws concerning fire prevention, and exercise the powers and duties imposed on him by the Provincial Fire Services Act;
- (d) shall report all fires to the Fire Commissioner as required by the Fire Services Act;

- (e) shall submit to the Council for its approval, as required by the Council, the annual estimate of the Department;
- (f) shall issue or cause to be issued, all fire permits;
- (g) shall determine the cause of fires wherever possible and report thereon to Council monthly;
- (h) shall carry out such other fire related duties and responsibilities as may be directed by Council from time to time.

10. DUTIES OF OFFICERS AND FIREMEN

FIRE CHIEF

- (a) ensures that the business of the Department is carried out in an orderly and efficient manner;
- (b) liaises with Fire Warden and reports to him any Department business which may directly or indirectly affect the Town.

DEPUTY FIRE CHIEF

- (a) assists the Fire Chief in administering to the needs of the Department;
- (b) understudies the Fire Chief and is prepared to assume his duties when required;
- (c) assists with the preparation of the annual budget of the Department.

CAPTAIN AND LIEUTENANTS

- (a) assists in Department administration under the direction of the Fire Chief and/or Executive.

SECRETARY

- (a) carries out the correspondence of the Department and keeps an orderly file and reports on all correspondence concerning the general business of the Department to the general meetings.

11. AREA OF FIRE PROTECTION

The Department shall not leave the Town of Ladysmith fire protection area, except to comply with the terms and conditions of a mutual-aid agreement properly made with a neighbouring fire department, or when called upon by the Royal Canadian Mounted Police or to conduct practises at the auto wreckers or jointly with a neighbouring fire department."

12. REPEAL OF PREVIOUS BYLAWS


"Fire Department Bylaw, 1970" and all amendments thereto are hereby repealed.


13. CITATION

This Bylaw may be cited for all purposes as  
"Town of Ladysmith Fire Department Bylaw, 1985, No. 832".

Read a First time on this 16th day of SEPTEMBER , 1985.  
Read a Second time on this 7th day of OCTOBER , 1985.  
Read a Third time on this 21st day of OCTOBER , 1985.

RECONSIDERED, FINALLY PASSED AND ADOPTED on this 28th day of  
NOVEMBER , 1985.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

I hereby certify this to be  
a true and correct copy of  
"TOWN OF LADYSMITH FIRE  
DEPARTMENT BYLAW, 1985,  
No. 832"

  
\_\_\_\_\_  
Clerk



## TOWN OF LADYSMITH

### BYLAW NO. 1698

#### A bylaw to amend Town of Ladysmith Fire Department Bylaw 1985, No. 832

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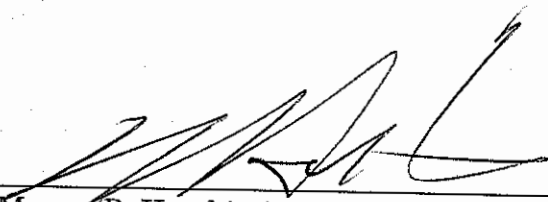
The Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

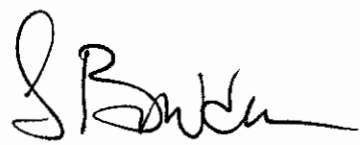
1. Section 4, QUALIFICATIONS, is hereby amended by deleting paragraph (f) in its entirety.

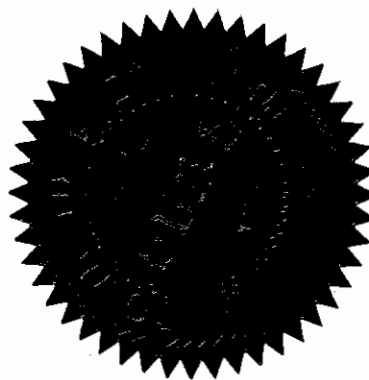
2. **CITATION**

This bylaw may be cited for all purposes as "Town of Ladysmith Fire Department Bylaw 1985, No. 832, Amendment Bylaw 2009, No. 1698".

READ A FIRST TIME	on the	5 <sup>th</sup>	day of October, 2009
READ A SECOND TIME	on the	5 <sup>th</sup>	day of October, 2009
READ A THIRD TIME	on the	5 <sup>th</sup>	day of October, 2009
ADOPTED	on the	19 <sup>th</sup>	day of October, 2009

  
\_\_\_\_\_  
Mayor (R. Hutchins)

  
\_\_\_\_\_  
Corporate Officer (S. Bowden)



**STAFF REPORT TO COUNCIL**

**Report Prepared By:** Matt O'Halloran, Manager of Corporate Services  
**Reviewed By:** Allison, McCarrick, Chief Administrative Officer  
**Meeting Date:** June 20, 2023  
**File No:**  
**Re:** **Ladysmith Officers and Delegation of Authority Bylaw - Housekeeping Amendment**

---

**RECOMMENDATION:**

That Council give first, second, and third readings to "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152".

**EXECUTIVE SUMMARY:**

The proposed amendment to the Town's Officers and Delegation of Authority Bylaw would formally establish purchasing authority for the Manager of Protective Services / Fire Chief.

**PREVIOUS COUNCIL DIRECTION:**

N/A

**INTRODUCTION/BACKGROUND:**

The Manager of Protective Services position was established by the Chief Administrative Officer in 2022, with the Town's Fire Chief appointed in this role. As a member of the Town's senior management team, the Manager of Protective Services requires purchasing authority under "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905."

Proposed "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152" is attached for consideration.

**ALTERNATIVES:**

Council can choose to:

1. Not give first, second, and third readings to "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152".
2. Provide alternate direction.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

N/A

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Proposed Bylaw No. 2152 would improve efficiency for financial transactions involving the Fire/Rescue Department.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

- |   |  |
|---|--|
| <input type="checkbox"/> Core Infrastructure                    | <input type="checkbox"/> Economy                   |
| <input type="checkbox"/> Official Community Plan Implementation | <input type="checkbox"/> Leadership                |
| <input type="checkbox"/> Waterfront Area Plan                   | <input checked="" type="checkbox"/> Not Applicable |

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

**Allison McCarrick, Chief Administrative Officer**

**ATTACHMENT(S):**

- A. "Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152".

**ATTACHMENT A**

**TOWN OF LADYSMITH**

**BYLAW NO. 2152**

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

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

- 1. Amend Schedule A as follows:
  - Add “Manager of Protective Services / Fire Chief” in the “Department Manager” category.

**Citation**

- 2. This bylaw may be cited for all purposes as the “Ladysmith Officers and Delegation of Authority Bylaw 2016, No. 1905, Amendment Bylaw 2023, No. 2152”.

<b>READ A FIRST TIME</b>	on the	day of	, 2023
<b>READ A SECOND TIME</b>	on the	day of	, 2023
<b>READ A THIRD TIME</b>	on the	day of	, 2023
<b>ADOPTED</b>	on the	day of	, 2023

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

\_\_\_\_\_  
Corporate Officer (M. O’Halloran)

## TOWN OF LADYSMITH

### BYLAW NO. 2138

#### **A Bylaw to amend “Town of Ladysmith Zoning Bylaw 2014, No. 1860”**

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

1. Schedule A – Section 5.14 “Floor Area and Exemptions” subsection (b): Replace “For all *Multi-Unit Dwellings*, the *Gross Floor Area* shall be measured to the exterior surface of the exterior wall, excluding:” with the following:

“For all *Multiple-Unit Dwellings* and portions of mixed-use *Buildings* used for *Residential* use, the *Gross Floor Area* shall be measured to the exterior surface of the exterior wall, excluding:”.

2. Schedule A – Section 11.2 “Downtown Commercial(C-2)”: Add a new subsection in section 10 “Site Specific Regulations” after existing subsections and alphabetized accordingly, as follows:

“h) For the *Parcel* legally described as Lot 6, Block 27, District Lot 56, Oyster District, Plan 703 (440 1<sup>st</sup> Avenue) the following site-specific regulations apply:

- i. Despite Section 11.2.4.(b) the number of *Dwelling Units* on this *Parcel* shall not exceed 22.
- ii. Despite Section 11.2.4.(c) the *Floor Space Ratio* shall not exceed 3.1.
- iii. Despite Section 11.2.4.(d) no *Buildings* or *Structures* shall exceed a *Parcel Coverage* of 100.0 percent.
- iv. Despite Section 11.2.5.(a) no *Buildings* or *Structures* shall exceed a *Height* of 18.0 metres.
- v. Despite Section 11.2.5.(c):
  - a. the fourth *Storey* shall be *Setback* at least 2.7 metres from the *Front Parcel Line*.
  - b. The fifth *Storey* shall be *Setback* at least 5.4 metres from the *Front Parcel Line*.
  - c. The *Setback* from the *Rear Parcel Line* shall be at least 0.0 metres.
- vi. Despite section 11.2.7(b):
  - a. a total of 4 off-street parking spaces shall be provided.
  - b. a minimum of 1.0 Class A secure bicycle parking spaces shall be provided per dwelling unit.”

#### **Citation**

3. This Bylaw may be cited for all purposes as “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2138”.

**READ A FIRST TIME** on the 21<sup>st</sup> day of February, 2023

**READ A SECOND TIME** on the 21<sup>st</sup> day of February, 2023

**PUBLIC HEARING HELD** on the 16<sup>th</sup> day of May, 2023

**READ A THIRD TIME** on the 16<sup>th</sup> day of May, 2023

**APPROVED BY MINISTRY OF TRANSPORTATION**

on the 9<sup>th</sup> day of June, 2023

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2023

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Mayor (A. Stone)

---

Corporate Officer (M. O'Halloran)

**READ A FIRST TIME** on the 21<sup>st</sup> day of February, 2023

**READ A SECOND TIME** on the 21<sup>st</sup> day of February, 2023

**PUBLIC HEARING HELD** on the 16<sup>th</sup> day of May, 2023

**READ A THIRD TIME** on the 16<sup>th</sup> day of May, 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 9<sup>th</sup> day of June 2023

Ministry of Transportation and Infrastructure

  
Derek Atchison  
Development Services

## BYLAW STATUS SHEET

June 20, 2023

Bylaw #	Description	Status
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.
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 <sup>st</sup> Avenue.	First and second readings, February 21, 2023. Public Hearing and third reading held May 16, 2023. MOTI approval received June 9, 2023.
2140	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, 2023, No. 2140". A reserve bylaw for cash in lieu of parking to go towards sustainable transportation.	First, second and third readings, June 6, 2023. MOTI approval required.





## ***TERMS OF REFERENCE***

### ***Vision***

All people of Cowichan communities enjoy good health and wellbeing.

### ***Mission***

We are a collaborative network of organizations and individuals who facilitate dialogue, learn, share information and generate action on the 12 determinants of health.

Considering the whole picture, we lead change to improve health and wellness outcomes.

### ***Values and Principles***

**Compassion and nonjudgement** – We think about privilege. We invite people to present at our meetings. We learn about each other, and practice empathy.

**Knowledge and learning** – Through respectful curiosity, we learn about individuals, organizations and issues - coming through all the people, through data and evidence. We share strategies, advocacy and action. We challenge assumptions. Partnerships emerge. We celebrate the work of our organizations and communities; our culture.

**Communication** – We gather and disseminate accurate information. We communicate successes. Weekly newsletters include all information submitted and get shared throughout the network and beyond.

**Collaboration** – We focus on the way we do things together. We work together to set agendas and hold space for meetings. We share meals and allow time for networking. We explore opportunities to work together; encourage collaboration in the wider community. We share and leverage resources among partners. We focus on collaborative partnerships and relationship building rather than lobbying or special interest groups.

**Inclusion** – We invite diverse perspectives; make sure we have a diverse mix at the table; affirm that everyone has a voice. We are aware of barriers to inclusion and address this challenge where possible.

**Respect** – We listen, respond to need, stay open, and make space for other ways of understanding and frameworks - differences in our cultures and viewpoints. Well organized, structured meetings respect people’s time.

**Reconciliation** – We are thoughtful and bring an awareness of the dominant power structures and privilege (where we with respect to of personal history, cultural backgrounds and dis/advantages that come with these). We respect people as they are and ensure they feel heard. We co-create solutions and support ongoing learning.

**Trust** – We assume the best of each other; have relationships of friendship and collegiality; nobody is afraid to speak at the table, clearly and honestly. We show up – we’re in it together. We learn we can trust each other in working on big initiatives.

**Flexibility and resilience** - We adapt and respond to challenges, address emerging issues and mobilize resources. We learn and grow continuously – an ongoing, purposeful process. We work together and create something that will work for all. We recognize what does and doesn’t work; bring more of the positive into our work. We function under pressure while remaining celebratory.

**Innovation and leadership** – We respond to complex needs, change to meet the needs, and step up. We exist because of the need to innovate. We take on big challenges. We evaluate how things are going and address whether something needs to be brought to everyone’s attention.

## *Membership*

Membership of Our Cowichan is open, and will include representatives from a cross-section of Cowichan health and human service agencies and the general public. A concerted effort will be made to ensure diversity at the CCHN table, including:

- First Nations/Métis
- Municipalities
- CVRD
- Island Health
- Aboriginal Health
- Social Service Agencies
- Non-Profit Agencies (Youth/Senior/Elder)
- Provincial and Federal Government
- Health Professionals
- Education
- and you

## *Term of Office*

Membership applications are vetted via the Administration Committee to ensure diversity and equitable representation across sectors and regions within the Cowichan Valley. All terms may be renewable. Organizations are encouraged to have a designated alternate representative should one member not be able to attend meetings.

## *Operating Procedures*

- a. Meetings of Our Cowichan will be held regularly, except in the month of August,
- b. OCCHN seeks to find sustainable and diversified funding sources
- c. An operating budget will be developed and reviewed by Our Cowichan,
- d. The quorum for voting is one half plus one of the number of members in attendance when the decision is to be voted on,
- e. Decision-making is by consensus as much as possible,
- f. Where agreement cannot be reached by consensus, the majority will decide,
- g. In consensus decision-making, a proposal, support, and, as required, discussion will take place before calls for a response on the proposal,
- h. In consensus decision-making, a position of “I can live with that” can contribute consensus.

## *Co-Chairs*

Our Cowichan will be facilitated by co-chairs, who shall be elected by the membership on alternating two-year terms.

- a. Members will be invited to make nominations for the co-chair,
- b. Voting for nominees will be conducted by secret ballot with majority rule,
- c. Co-chairs are eligible to be re-elected, and
- d. In the event of absence of the co-chairs, Our Cowichan would appoint an interim chair for that meeting.

## *Co-Chair Key Responsibilities*

- a. Chair meetings of Our Cowichan,
- b. Represent Our Cowichan to the public and media,
- c. Coordinate communications about Our Cowichan functions to the public,
- d. Facilitate the business of Our Cowichan when necessary, and
- e. Participate as standing members of Our Cowichan Administration Committee.

## *Committees*

OCCHN sub-committees and ad hoc committees will be established as required to assess and report on specific issues.

Given the open membership of Our Cowichan and the focus on dialogue, Our Cowichan requires an Administration Committee whose functions include planning, communications, and logistics on behalf of Our Cowichan. The OCCHN Administration Committee is responsible for:

- a. Reporting to Our Cowichan on finance and communications, and for creating Our Cowichan agendas, and dealing with matters referred to it by the Our Cowichan members,
- b. Reviewing related issues to be brought to Our Cowichan when requested,
- c. Following through with actions as recommended by Our Cowichan,
- d. Serving as a liaison among organizations that have a responsibility for health-related services and activities when requested,
- e. Communicating with the broad Our Cowichan membership as appropriate,
- f. Developing, implementing and monitoring Cowichan communities' plans and activities identified by Our Cowichan for achieving our goals,
- g. Identifying, acquiring and managing resources provided to Our Cowichan to carry out its mandate, and
- h. Undertaking related duties as recommended by Our Cowichan.

### *Committee Guidelines*

- a. Quorum of such sub-committees will consist of 50% +1 of appointed members who are in attendance at the meeting where a decision is to be made,
- b. Sub-committee activities shall be authorized and endorsed by Our Cowichan, and their recommendations/findings will be implemented only if confirmed by Our Cowichan,
- c. Regular meeting dates will be established when the sub-committee is formed,
- d. Members may choose to provide written input prior to a meeting, and
- e. Public notice will occur at least one week prior to public forums.
- f. The terms of reference for any ad hoc or sub committees will be established by the Administration Committee

From time to time Our Cowichan will welcome or appoint Liaisons to other committees which currently include:

- a. The Small Grant Committee,
- b. Research and Evaluation Project Committee (Cowichan Communities Health Profile)
- c. Community Action Team
- d. Cowichan Airshed Roundtable
- e. Physical Literacy
- f. EPIC (Eldercare Project in Cowichan)
- g. Cowichan Housing and Homelessness Coalition
- h. Equity and Inclusion Task Force
- i. The Cowichan Valley Collaborative Services Committee, and
- j. Others as required.

<b>Name</b>	<b>Organization</b>
Adrianna Solar	Early Childhood Educators of BC
Alice Gelpke	Island Health
Alistair MacGregor	Member of Parliament
Amanda Marchand	Cowichan Caregivers Support Society
Amanda Vance	Cowichan Intercultural Society
Anita McLeod	Citizen at Large- Ladysmith
Arlene Robinson	Chemainus Neighbourhood House
Barry O’Riordan	Economic Development Cowichan
Bob Day	Citizen at Large Lake Cowichan
Ben Maartman	CVRD Director
Brenda Kent	Boys and Girls Club of BC
Cailey Foster	CAT Peer Coordinator
Carla Bortoletto	Cowichan Division of Family Practice
Carmen Hildebrand	Ladysmith Resources Association
Carol Newington	City of Duncan
Chris Hall	Citizen at Large
Chris Rafuse	Cowichan Brain Injury Society
Christopher Justice	Municipality of North Cowichan
Cindy Lise (Facilitator)	OCCHN Facilitator
Cole Smith	Sonia Furstenau MLA Office
Colleen Fuller	Citizen at Large
Jan Bate	Cowichan Women Against Violence
Jan Thompson	Literacy Now Cowichan
Emily Holmes	Cowichan Neighbourhood House
Emma James	Island Health Director
Denise McKinley	Cowichan District Hospital Foundation
Denise Williams (Co Chair)	CVRD Child and Youth Programmer
Douglas Hardie	Discovery Youth and Family Services
Elizabeth Croft (Chair Admin Committee)	School District 79 Trustee
Gus Williams	Community Member at large
Henry Wikkerink	Cowichan Valley Basket Society
Jane Hope	Alzheimer Society of BC
Jane Osborne	BC Response Networks
John Elzinga	CVRD- member at large
Jan Thompson	Literacy Now Cowichan
Jennifer Lazenby	Alternate United Way
Judy Stafford	Cowichan Green Community
Karen Bressler	Volunteer Cowichan
Karen Laing	Ladysmith Resources Association

Kate Segall	CVRD Director
Kristine Sandhu	Town of Lake Cowichan
Linda Dirksen Gale	Cowichan Caregivers Support Society
Lise Haddock	Canadian Mental Health Association
Leslie Welin	Clements Centre Society
Cole Smith	Sonia Furstenuau MLA Office
Madelaine MacLeod	Cowichan Family Life Association
Mary Catherine Williams	United Way
Mary Lionas	Lookout Housing Response Manager
Marybeth Small	Cowichan Intercultural Society
Michelle Staples	Mayor City of Duncan
Mike McKinlay	City of Duncan
Monica Kawka	Cowichan Valley Hospice Society
Nina Knock	Island Health
Rhoda Taylor	Citizen at Large
Rob Hutchins	Citizen at Large
Robin Routledge	Citizen at Large
Rosalie Sawrie	Social Planning Cowichan
Sheila Service (Co Chair)	Community Member Town of Lake Cowichan
Shannon Waters	Medical Health Officer
Shelley Cook	Cowichan Housing Association
Sonia Furstenuau	MLA
Sue Kurucz	Island Health Primary Care Network
Tara McCaffrey	BC Schizophrenia Society
Tracy Pocock	Peer
Val Nicol	Health Consultant
Valorie Bob	Lyackson Community Member
Valorie Masuda	Cowichan Division of Family Practice
Vanessa Daether	Project Manager Our Health Our Community