

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

**Tuesday, February 4, 2025
Ladysmith Seniors Centre
630 2nd Avenue**

Pages

1. CALL TO ORDER

Call to Order 6:00 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:

- (c) labour relations or other employee relations;
- (f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

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

The Town of Ladysmith acknowledges with gratitude that this meeting takes place on the 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 February 4, 2025.

5. RISE AND REPORT- Items from Closed Session

6. MINUTES

6.1 Minutes of the Regular Meeting of Council held January 21, 2025

7

Recommendation

That Council approve the minutes of the Regular Meeting of Council held January 21, 2025.

6.2 Minutes of the Special Meeting of Council held January 28, 2025

23

Recommendation

That Council approve the minutes of the Special Meeting of Council held January 28, 2025.

7. DELEGATIONS

7.1 Ladysmith RCMP Detachment Commander Introduction

Corporal Tracy Dubnyk of the Ladysmith RCMP will introduce S/Sgt Trevor Bush, who will be taking over the permanent position of Detachment Commander.

8. DEVELOPMENT APPLICATIONS

8.1 Development Variance Permit 3090-24-05 and Development Permit 3060-23-14 – 1301 & 1391 Rocky Creek Road

25

Recommendation

That Council:

1. Issue Development Variance Permit 3090-24-05 to vary the following provisions of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” for a 21-unit residential development at 1301 & 1391 Rocky Creek Road (Lot A District Lots 81, 86 and 98 Oyster District Plan EPP87265; PID: 030-801-460):
 - a. Section 5.2 (c) to permit two accessory buildings in the front yard;
 - b. Section 5.9 (a) to permit six accessory buildings on a parcel;
 - c. Section 10.7.5 to reduce the parcel line setbacks by:
 - i. Decreasing the front parcel line for a principal building from 6.0 metres to 3.0 metres;
 - ii. Decreasing the side parcel line for a principal building from 4.5 metres to 2.5 metres; and
 - iii. Decreasing the front parcel line setback for an accessory building from 6.0 metres to 3.0 metres for a detached garage.
2. Issue Development Permit 3060-23-14 to allow construction of two four-unit townhouse dwellings, three three-unit townhouse dwellings, and two two-unit duplexes at 1301 & 1391 Rocky Creek Road.
3. Require as a condition of the issuance of Development Permit 3060-23-14 that the applicant provide a landscape security for the amount stated in the permit.

9. COMMITTEE MINUTES

9.1 Committee of the Whole - January 28, 2025

84

Recommendation

That Council approve the allocated amounts of the 2025 Grant in Aid requests as follows:

Art Council of Ladysmith and District	6,938
Big Brothers Big Sisters of Central Vancouver Island	1,688
Friends of Holland Creek Society	2,000

Ladysmith & District Historical Society	1,500
Ladysmith & District Marine Rescue Society	2,438
Ladysmith Celebrations Society	7,500
Ladysmith Chemainus Swim Club Society	2,400
Ladysmith Community Garden Society	5,000
Ladysmith Downtown Business Association	3,750
Ladysmith Family & Friends	1,875
Ladysmith Festival of Lights Society	1,875
Ladysmith Little Theatre	-
Ladysmith Pilots Baseball Club	5,000
Ladysmith Pride Society	7,500
Mid-Island Air Search and Rescue Society	3,120
Old English Car Club of BC - Central Island Branch	563
Take A Hike Youth Mental Health Foundation	2,500

Recommendation

That Council approve the allocated amount of \$2000 as the 2025 Grant in Aid for the Cops for Cancer/Tour de Rock organization.

Recommendation

That Council approve the allocated amount of \$2250 as the 2025 Grant in Aid for the Ladysmith Show and Shine organization.

10. REPORTS

10.1 Museum Ramp Replacement Project 90

Recommendation

That Council direct staff to include \$55,000 in the 2025 capital budget for a ramp at the property located at 721 1st Avenue, currently occupied by Ladysmith and District Historical Society, with the funding to come from prior year surplus.

10.2 City Hall Air Quality Improvements 95

Recommendation

That Council direct staff to include in the 2025 Capital Plan a Heat Recovery Ventilation (HRV) system project in the amount of \$40,000 with the funds to come from the COVID Safe-restart reserve.

10.3 Downtown Parking Requests from Local Businesses

106

Recommendation

That Council:

1. Deny the Oct 24, 2024 request from the Temperance Hotel for dedicated hotel parking on the public street;
2. Direct staff to remove the overnight parking prohibition from two parking spaces on 1st Avenue adjacent to Temperance Hotel; and
3. Direct staff to develop a fee structure for the use of Town streets for Council consideration.

10.4 Early Budget Approval: Uplands Remediation

119

Recommendation

That Council grant early budget approval for the 2025 capital project titled Waterfront Projects in the amount of \$250,000 to conduct additional foreshore drilling and testing to support the Town's application for obtaining a Certificate of Compliance for the Uplands.

11. BYLAWS

11.1 Bylaw Status Sheet

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12. NEW BUSINESS

13. QUESTION PERIOD

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

future meeting of the Council.

14. ADJOURNMENT



MINUTES OF A PUBLIC HEARING AND REGULAR MEETING OF COUNCIL

Tuesday, January 21, 2025

5:30 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Acting Mayor Tricia McKay
Councillor Ray Gourlay
Councillor Amanda Jacobson

Councillor Duck Paterson
Councillor Marsh Stevens (*via Zoom. Vacated
the meeting at 5:59 p.m.*)
Councillor Jeff Virtanen

Staff Present:

Allison McCarrick
Erin Anderson
Jake Belobaba
Tim Tanton
Sue Bouma

Julia Tippet
Nick Pescod
Andrew Wilson
Hayley Young

1. OPEN MEETING AND ACKNOWLEDGEMENT

Acting Mayor McKay called this Regular Meeting of Council to order at 5:31 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CS 2025-001

That Council approve the agenda for this Public Hearing and Regular Meeting of Council for January 21, 2025, as amended to include public submissions received after publication of the agenda for the following items:

- 3.3. PUBLIC HEARING #1 "Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw No. 2173"
- 4.3. PUBLIC HEARING #2 "Town of Ladysmith Zoning Amendment Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169"; and
- 6.3. PUBLIC HEARING #4 3360-23-08 1130 Rocky Creek Road.

3. PUBLIC HEARING #1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw No. 2173”

Members of the Public attending: 23

3.1 Outline of Public Hearing Process - Acting Mayor McKay

Acting Mayor McKay outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaw No. 2173.

She advised that staff would introduce the proposed bylaw amendments, followed by public submissions. She reminded the public that the content of submissions would be made public and form a part of the public record for the Hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed bylaws, although they may ask clarifying questions. She advised that once everyone had an opportunity to be heard, the Public Hearing would be closed and no further submissions or comments could be accepted by members of Council.

3.2 Introduction of Bylaw and Statutory Requirements - Planner, Development Services

Andrew Wilson, Planner, Development Services, introduced “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw No. 2173” as the subject of this Public Hearing, and advised that the proposed bylaw would apply to 10910 Westdowne Road (Lot B, District Lot 72, Oyster District, Plan EPP 20506).

Mr. Wilson confirmed that the purpose of Bylaw No. 2173 is to amend the “Town of Ladysmith Zoning Bylaw 2014, No. 1860” to:

- Add a definition for ‘Contractor Tool Crib’
- Change the definition of ‘Storage Yard’ to include RV, boat, and contractor tool crib
- Add venting requirements for shipping containers to the “Shipping Container Regulations”
- Add a site-specific regulation to the I-1 Zone to:
 - Allow ‘Storage Yard’ on the subject property
 - Permit a maximum of twenty ‘Shipping Containers’ on the subject property subject to the following:
 - A front parcel line setback for shipping containers of 30.0 metres;
 - Shipping containers must not be stacked

- Shipping containers must not be altered or pre-altered in any way; and
- A grouping of shipping containers must not exceed 500.0 m², shall not be located closer than 6.0 metres of another grouping, and shall have a fire access route approved by the Fire Department.

Mr. Wilson confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on January 16th, 2025 and posted on the Town's website and community notice boards.

A copy of the notice, the proposed bylaw, and background information were made available at the front counter of the City Hall and Development Services offices and were available on the Town's website for the notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing.

Mr. Wilson advised that the Town had received one written submission relating to the proposed bylaw.

3.3 Submissions

3.4 Call for Submissions to Council (Three Times) - Acting Mayor McKay

Acting Mayor McKay called for submissions from the public.

Mark Kuzner, Westdowne Rd and South Potts Rd, shared his preference for the proposed zoning to be implemented in neighboring areas with similar industrial use.

Acting Mayor McKay called for submissions a second time.

Acting Mayor McKay called for submissions a third and final time.

Bob Foley, 10844 Westdowne Rd, was neutral on the proposal and commented that the proposed zoning should be extended throughout the I-1 Westdowne area.

Acting Mayor McKay asked the Corporate Officer, S. Bouma, if any submissions had been received during the Hearing. The Corporate Officer advised that no submissions had been received.

3.5 Declaration that the Public Hearing for Bylaw No. 2173 is Closed - Acting Mayor McKay

Hearing no comments and receiving no further submissions, Acting Mayor McKay declared the Public Hearing for Bylaw No. 2173 closed at 5:41 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

4. PUBLIC HEARING #2 “Town of Ladysmith Zoning Amendment Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169”

Members of the Public attending: 25

4.1 Outline of the Public Hearing Process - Acting Mayor McKay

Acting Mayor McKay outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaw No. 2169.

She advised that staff would introduce the proposed bylaw amendments, followed by public submissions. She reminded the public that the content of submissions would be made public and form a part of the public record for the Hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed bylaw, although they may ask clarifying questions. She advised that once everyone had an opportunity to be heard, the Public Hearing would be closed and no further submissions or comments could be accepted by members of Council.

4.2 Introduction of Bylaw and Statutory Requirements - Planner, Development Services

Julia Tippett, Planner, Development Services, introduced “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169” as the subject of this Public Hearing. She advised that the proposed bylaw would apply to designated Single-Dwelling Unit residential properties across the Town of Ladysmith that are outside the proposed “Backyard Poultry Exclusion Areas” and within zones that permit “Backyard Poultry” Use as an Accessory Use.

Ms. Tippett confirmed that the purpose of Bylaw No. 2169 is to amend “Town of Ladysmith Zoning Bylaw 2014, No. 1860” by including new and revised definitions and regulations to accommodate the proposed “Town of Ladysmith Animal Control Bylaw 2024, No. 2167” for the allowance of up to six “Backyard Poultry” (being adult female chickens and/or female ducks) on Single Dwelling Unit residential properties as an Accessory Use

in designated residential zones, as well as other rules related to the keeping of “Backyard Poultry”. Bylaw No. 2169 would also allow temporary accommodation of a wrangler and goats for the purposes of vegetation management on a property.

Ms. Tippett confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on January 16th, 2025, and posted on the Town’s website and community notice boards.

A copy of the notice, the proposed bylaw, and background information were made available at the front counter of the City Hall and Development Services offices and were available on the Town’s website for the notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing.

Ms. Tippett advised that the Town had received one written submission relating to the proposed bylaw.

4.3 Submissions

4.4 Call for Submissions to Council (Three Times) - Acting Mayor McKay

Acting Mayor McKay called for submissions from the public.

Acting Mayor McKay called for submissions a second time.

Robert Johnson, 526 1st Ave, spoke against the proposal due to biosecurity and public health concerns.

Acting Mayor McKay called for submissions a third and final time.

Acting Mayor McKay asked the Corporate Officer, S. Bouma, if any submissions had been received during the Hearing. The Corporate Officer advised that no submissions had been received.

4.5 Declaration that the Public Hearing for Bylaw No. 2169 is Closed - Acting Mayor McKay

Hearing no comments and receiving no further submissions, Acting Mayor McKay declared the Public Hearing for Bylaw No. 2169 closed at 5:49 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

5. PUBLIC HEARING #3 “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190”

Members of the Public attending: 25

5.1 Outline of Public Hearing Process - Acting Mayor McKay

Acting Mayor McKay outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about Bylaw No. 2190.

She advised that staff would introduce the proposed bylaw amendments, followed by public submissions. She reminded the public that the content of submissions would be made public and form a part of the public record for the Hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed bylaw, although they may ask clarifying questions. She advised that once everyone had an opportunity to be heard, the Public Hearing would be closed and no further submissions or comments could be accepted by members of Council.

5.2 Introduction of Bylaw and Statutory Requirements - Director of Development Services

Jake Belobaba, Director of Development Services, introduced “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190” as the subject of this public hearing. He advised that the proposed bylaw would make general amendments to the Official Community Plan, which would apply throughout Town.

Mr. Belobaba confirmed that the purpose of Bylaw No. 2190 is to amend the Official Community Plan to:

- Update various references throughout the OCP and the housing projections in section 4 of Part A to align the Official Community Plan with the Town’s most recent Housing Needs Report, pursuant to section 473.1(5) of the *Local Government Act*; and
- Change subsection 2 of section 2.3 of Part B to limit maximum allowable densities to sites that are within a ten-minute walk of a park, transit stop, school, and commercial area.

Mr. Belobaba confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on January 16, 2025 and posted on the Town’s website and community notice boards.

A copy of the notice, the proposed bylaw, and background information were made available at the front counter of the City Hall and Development Services offices and were available on the Town's website for the notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing.

Mr. Belobaba advised that the Town had received no written submissions relating to the proposed bylaw.

5.3 Submissions

5.4 Call for Submissions to Council (Three Times) - Acting Mayor McKay

Acting Mayor McKay called for submissions from the public.

Eva Vincent, 731 Colonia Dr, asked for clarification on the definition of "ten-minute walk."

Acting Mayor McKay called for submissions a second time.

Acting Mayor McKay called for submissions a third and final time.

Acting Mayor McKay asked the Corporate Officer, S. Bouma, if any submissions had been received during the Hearing. The Corporate Officer advised that no submissions had been received.

5.5 Declaration that the Public Hearing for Bylaw No. 2190 is Closed - Acting Mayor McKay

Hearing no comments and receiving no further submissions, Acting Mayor McKay declared the Public Hearing for Bylaw No. 2190 closed at 5:54 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

6. PUBLIC HEARING #4 3360-23-08 1130 Rocky Creek Road

Members of the Public attending: 25

6.1 Outline of Public Hearing Process - Acting Mayor McKay

Acting Mayor McKay outlined the Public Hearing process and stated that the public would have the opportunity to provide their comments to Council about the consideration of amendments to Covenant CB215820, which was agreed to as a condition of approval of Bylaws 2068 and 2069.

She advised that staff would introduce the proposed amendments, followed by public submissions. She reminded the public that the content of submissions would be made public and form a part of the public record for the Hearing, and that the function of Council at a Public Hearing is to listen rather than to debate the merits of the proposed covenant amendments, although they may ask clarifying questions. She advised that once everyone had an opportunity to be heard, the Public Hearing would be closed and no further submissions or comments could be accepted by members of Council.

6.2 Introduction of Covenant Amendments - Director of Development Services

Jake Belobaba, Director of Development Services, introduced proposed amendments to Covenant CB215820, which was agreed to as a condition of approval of Bylaws 2068 and 2069. Covenant CB215820 and Bylaws 2068 and 2069 apply to 1130 Rocky Creek Road legally described as: Lot 1 District Lots 24 and 38 Oyster District Plan EPP110197.

Mr. Belobaba confirmed that if approved, the proposed amendments to Covenant CB215820 would:

- Remove a requirement for the developer to construct a roundabout in the Ludlow Road/Rocky Creek Road Intersection; and
- Add the following new conditions:
 - A prohibition on access from Ludlow Road and a limit restricting egress from the subject property to a single, right out only egress, until the roundabout is constructed;
 - A requirement to construct a temporary median in Ludlow Road;
 - A requirement to provide cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;
 - A requirement to provide a temporary gravel pathway along the frontage of the property;
 - A requirement to install signage restricting left turns and U-turns in certain locations on Ludlow Road and Rocky Creek Road; and
 - A requirement for the developer to contribute \$200,000 towards the development of a roundabout in the Ludlow Road/Rocky Creek Road intersection.

Mr. Belobaba confirmed the Public Hearing notification and engagement process. Notice of this Public Hearing was printed in the Ladysmith Chronicle on January 16, 2025 and posted on the Town's website and community notice boards.

A copy of the notice and background information were made available at the front counter of the City Hall and Development Services offices and were available on the Town's website for the notice period. Staff in the Development Services office were available to respond to questions prior to the Public Hearing.

Mr. Belobaba advised that the Town had received five written submissions relating to the proposal.

6.3 Submissions

Councillor Marsh Stevens vacated the meeting at 5:59 p.m.

6.4 Call for Submissions to Council (Three Times) - Acting Mayor McKay

Acting Mayor McKay called for submissions from the public.

Ashley Garib, development applicant, provided a historical overview of the project, detailing costs and developer contributions. He emphasized the shared goals of the Developer and the Town in promoting the growth of Ladysmith.

Cheri Macteir, 33 Roberts St, spoke in favor of the proposal, highlighting the potential to create jobs, support economic development, and advance the growth and vibrancy of the community.

Sean Dunlop, 1010 Ludlow Rd, spoke against the proposal, expressing concerns that the amendments would increase customer travel time, disrupt business operations, and pose safety risks due to changes in the traffic pattern.

Daryl Foulds, 18-1156 Rocky Creek Rd, cited concerns about the costs associated with delaying development.

Acting Mayor McKay called for submissions a second time.

Christine Copeland, 1030 Oyster Bay Drive, spoke against the proposal, highlighting the negative impact an alternative traffic pattern would have on customer service levels and sales for area businesses using outdoor spaces, due to a substantial increase in traffic volume. She provided

photos of the outdoor spaces to the Corporate Officer, which were then distributed to Council.

Robert Johnson, 526 1st Ave, spoke in favor of the proposal, emphasizing the importance of moving forward with the project to achieve timely benefits for the community and suggested that the town should cover the cost of the roundabout.

Ashley Garib, applicant, clarified that many of the traffic pattern changes and recommendations were established in the approved application. He discussed potential timelines for roundabout construction and cost-sharing and emphasized that moving ahead with the project would bring the Town closer to developing the waterfront area.

Acting Mayor McKay called for submissions a third and final time.

Acting Mayor McKay asked the Corporate Officer, S. Bouma, if any submissions had been received during the Hearing. The Corporate Officer advised that no submissions had been received.

6.5 Declaration that the Public Hearing for 3360-23-08 1130 Rocky Creek Road is Closed - Acting Mayor McKay

Hearing no comments and receiving no further submissions, Acting Mayor McKay declared the Public Hearing for the proposal to amend Covenant CB215820 closed at 6:28 p.m. and stated that no further submissions or comments from the public or interested persons could be accepted by members of Council.

Acting Mayor McKay expressed her gratitude to the Town for their participation in attending the Public Hearings and for engaging in thoughtful discourse on the topics.

RECESS

CS 2025-002

By unanimous consent, Council recessed at 6:29 p.m. with the intention to reconvene in five minutes.

Motion Carried

Council reconvened the meeting at 6:36 p.m.

7. BYLAWS - OFFICIAL COMMUNITY PLAN AND ZONING (SUBJECTS OF THE PUBLIC HEARINGS)

7.1 Subject of Public Hearing #1

7.1.1 “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw No. 2173”

CS 2025-003

That Council give third reading to “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw No. 2173”.

Motion Carried

7.2 Subject of Public Hearing #2

7.2.1 “Town of Ladysmith Zoning Amendment Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169”

CS 2025-004

That Council give third reading to “Town of Ladysmith Zoning Amendment Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169”.

Motion Carried

OPPOSED: Councillor Virtanen.

7.3 Subject of Public Hearing #3

7.3.1 “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190”

CS 2025-005

That Council give third reading to “Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190”.

Motion Carried

7.4 Subject of Public Hearing #4

7.4.1 3360-23-08 1130 Rocky Creek Road

CS 2025-006

That Council confirm their previous direction to staff to amend Covenant CB21580 and:

1. Formally refer the proposal to the Ministry of Transportation and Infrastructure; and

2. Require that, as a condition of approval of the request to amend Covenant CB215820 the following conditions to be secured through a covenant also be amended to:
 - a. prohibit access from Ludlow Road and limit egress from the site to a single, right out only egress, until the roundabout is constructed;
 - b. require the construction of a temporary median in Ludlow Road;
 - c. require cash in lieu of frontage improvements along Ludlow Road and Rocky Creek Road at time of building permit issuance;
 - d. require the provision of a temporary gravel pathway along the frontage of the property as shown in proposed development permit 3060-24-20;
 - e. require the provision of no left turn signs in the Ludlow Road right of way to prevent left hand turns exiting 1010 Ludlow Road;
 - f. require no U-Turn signs to be installed at the Ludlow Road/Rocky Creek Road Intersection; and
 - g. require the developer to contribute \$200,000 towards the development of the roundabout.

Motion Carried

8. MINUTES

8.1 Minutes of the Regular Meeting of Council held December 17, 2024

CS 2025-007

That Council approve the minutes of the Regular Meeting of Council held December 17, 2024.

Motion Carried

9. PROCLAMATIONS

9.1 Crime Stoppers Month - January 2025

Acting Mayor McKay proclaimed January 2025 as "Crime Stoppers Month" in the Town of Ladysmith.

10. COMMITTEE MINUTES

10.1 Parks, Recreation & Culture Advisory Committee - December 18, 2024

CS 2025-008

That Council receive the minutes of the Parks, Recreation & Culture Advisory Committee meeting held December 18, 2024.

Motion Carried

10.2 Community Planning Advisory Committee - January 8, 2025

CS 2025-009

That Council receive the minutes of the Community Planning Advisory Committee meeting held January 8, 2025.

Motion Carried

10.3 Accessibility Advisory Committee - January 8, 2025

CS 2025-010

That Council receive the minutes of the Accessibility Advisory Committee meeting held January 8, 2025.

Motion Carried

11. REPORTS

11.1 Ladysmith Harbour Economic Development Corporation (formerly DL2016 Holdings Corporation) Annual General Meeting

CS 2025-011

That Council, as the sole shareholder of the Ladysmith Harbour Economic Development Corporation (previously DL 2016 Holdings Corporation) entitled to vote at an annual general meeting resolve that:

1. The financial statements of the Company for the period ended December 31, 2023 are hereby approved;
2. The number of directors of the Company is hereby fixed at five;
3. The following persons, each of whom has consented to act as a director, are hereby elected as directors of the Company, to hold office until the next annual general meeting of the Company (or unanimous resolutions consented to in lieu of holding an annual general meeting) or until their successors are appointed:
 - Allison McCarrick
 - Jake Belobaba
 - Erin Anderson

- Chief John Elliott
 - Roberta Bowman
4. Palmer Leslie, Chartered Professional Accountants are hereby appointed auditors for the Company until the next annual reference date of the Company or until a successor is appointed, at a remuneration to be fixed by the directors; and
 5. January 21, 2025 is selected as the annual reference date for the Company for its current annual reference period.

These resolutions shall be deemed to be effective as of January 21, 2025.

Motion Carried

11.2 Adjustment to Water Billing Account – 2024, Q3 & Q4

CS 2025-012

That Council:

1. Provide a bill adjustment due to a water leak for:
 - a. 000-1348158-000 in the amount of \$3,513.13;
 - b. 001-1047010-000 in the amount of \$4,646.13;
 - c. 000-1348434-000 in the amount of \$606.82; and
 - d. 001-1376000-000 in the amount of \$136.77.

Motion Carried

11.3 Colonia Dam Decommissioning Workplan Consultant

CS 2025-013

That Council waive the competitive bidding process in Purchasing Policy 5-1790-D and authorize staff to sole source the Colonia Dam decommissioning project design and project management work to Ecora Engineering and Environmental Ltd. in the amount of \$134,766 plus taxes.

Motion Carried

11.4 Proposed Amendments to Bylaw Compliance Policy 09-4020-B

CS 2025-014

That Council amend Bylaw Compliance Policy No. 09-4020-B by removing references to the previous complaint-based protocol for parking enforcement and indicating the Town's current proactive approach.

Motion Carried

11.5 CVRD OCP Referral

CS 2025-015

That Council:

1. Receive the referral from the CVRD for the CVRD's proposed Official Community Plan (OCP); and
2. Direct staff to advise the CVRD that the Town has no concerns with the proposed OCP at this time.

Motion Carried

12. BYLAWS

12.1 Bylaw Status Sheet

13. NEW BUSINESS

13.1 2025 Conference Attendance

13.1.1 Association of Vancouver Island Coastal Communities

CS 2025-016

By unanimous consent, Council appointed Councillors Ray Gourlay, Tricia McKay, Duck Paterson and Marsh Stevens to join the mayor at the Association of Vancouver Island and Coastal Communities annual convention to be held April 11-13, 2025 in Nanaimo.

Motion Carried

13.1.2 Union of British Columbia Municipalities

CS 2025-017

By unanimous consent, Council appointed Councillors Amanda Jacobson, Tricia McKay, Duck Paterson and Marsh Stevens to join the mayor at the Union of British Columbia Municipalities annual convention to be held September 22-26, 2025 in Victoria.

Motion Carried

13.1.3 Federation of Canadian Municipalities

CS 2025-018

By unanimous consent, Council appointed Councillor Tricia McKay to join the mayor at the Federation of Canadian Municipalities 2025 Convention to be held May 29 - June 1, 2025 in Ottawa.

Motion Carried

13.1.4 Vancouver Island Economic Alliance

CS 2025-019

By unanimous consent, Council appointed Councillors Ray Gourlay, Duck Paterson and Marsh Stevens to join the mayor at the Vancouver Island Economic Alliance to be held October 28-30, 2025 in Nanaimo.

Motion Carried

13.2 Local Government Leadership Academy (LGLA) Forum - Official Community Plan Engagement Process

CS 2025-020

That Council appoint Councillor Tricia McKay to sit on the LGLA panel at the learning forum to be held March 12-14, 2025, in Richmond, BC.

Motion Carried

14. QUESTION PERIOD

A member of the public inquired about financial transactions between developers and the town, sought clarification on the Ladysmith Harbour Economic Development Corporation's financial statements, and asked whether the updated bylaw enforcement policy had associated costs, as well as information on the allocation of revenue from fines.

15. ADJOURNMENT

CS 2025-021

That this Regular Meeting of Council be adjourned at 7:37 p.m.

Motion Carried

CERTIFIED CORRECT

Acting Mayor (T. McKay)

Corporate Officer (S. Bouma)



MINUTES OF A SPECIAL MEETING OF COUNCIL

Tuesday, January 28, 2025

6:00 P.M.

Ladysmith Seniors Centre

630 2nd Avenue

Council Members Present:

Acting Mayor Tricia McKay
Councillor Ray Gourlay
Councillor Amanda Jacobson

Councillor Duck Paterson
Councillor Jeff Virtanen

Council Members Absent:

Councillor Marsh Stevens

Staff Present:

Allison McCarrick
Sue Bouma

1. CALL TO ORDER AND ACKNOWLEDGEMENT

Acting Mayor McKay called this Special Meeting of Council to order at 6:00 p.m., recognizing with gratitude that it was taking place on the unceded territory of the Stz'uminus First Nation.

2. AGENDA APPROVAL

CS 2025-022

That Council approve the agenda for this Special Meeting of Council for January 28, 2025.

Motion Carried

3. CLOSED SESSION

CS 2025-023

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

- Personal information about an identifiable individual - section (1)(a); and
- Receipt of legal advice - section (1)(i).

Motion Carried

4. RISE AND REPORT- Items from Closed Session

Council rose from Closed Session at 6:24 p.m. without report.

5. ADJOURNMENT

CS 2025-024

By unanimous consent Council adjourned this Special Meeting of Council at 6:25 pm.

CERTIFIED CORRECT

Acting Mayor (T. McKay)

Corporate Officer (S. Bouma)

STAFF REPORT TO COUNCIL

Report Prepared By: Andrew Wilson, Planner
Reviewed By: Jake Belobaba, RPP, MCIP, Director of Development Services
Meeting Date: February 4, 2025
File No: 3090-24-05 and 3060-23-14
RE: Development Variance Permit 3090-24-05 and Development Permit 3060-23-14 – 1301 & 1391 Rocky Creek Road

RECOMMENDATION:

That Council:

1. Issue Development Variance Permit 3090-24-05 to vary the following provisions of “Town of Ladysmith Zoning Bylaw 2014, No. 1860” for a 21-unit residential development at 1301 & 1391 Rocky Creek Road (Lot A District Lots 81, 86 and 98 Oyster District Plan EPP87265; PID: 030-801-460);
 - a. Section 5.2 (c) to permit two accessory buildings in the front yard;
 - b. Section 5.9 (a) to permit six accessory buildings on a parcel;
 - c. Section 10.7.5 to reduce the parcel line setbacks by:
 - i. Decreasing the front parcel line for a principal building from 6.0 metres to 3.0 metres;
 - ii. Decreasing the side parcel line for a principal building from 4.5 metres to 2.5 metres; and
 - iii. Decreasing the front parcel line setback for an accessory building from 6.0 metres to 3.0 metres for a detached garage.
2. Issue Development Permit 3060-23-14 to allow construction of two four-unit townhouse dwellings, three three-unit townhouse dwellings, and two two-unit duplexes at 1301 & 1391 Rocky Creek Road.
3. Require as a condition of the issuance of Development Permit 3060-23-14 that the applicant provide a landscape security for the amount stated in the permit.

EXECUTIVE SUMMARY:

The purpose of this report is to introduce a proposal to construct 21 residential units at 1301 & 1391 Rocky Creek Road. The proposed development requires a development variance permit and development permit. The proposed buildings are on Lots 4, 5, and 6 of a proposed 23-lot subdivision.

Staff recommend approval of DVP 3090-24-05 (Attachment B) based on analysis of the impacts. Staff recommend approval of DP 3060-23-14 (Attachment C) based on consistency with the Multi-Unit Residential - Development Permit Area 4 and Hazard Lands - Development Permit Area 7 guidelines.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

Subject property

The subject property is a 12,172.3 square-metre (1.22 ha.) parcel located at 1301 and 1391 Rocky Creek Road. The property is currently designated Multi-Family Residential under the “Official Community Plan Bylaw 2022, No. 2200” (OCP), zoned Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7) under the “Town of Ladysmith Zoning Bylaw 2014, No. 1860” and falls within the Multi-Unit Residential (DPA 4) and Hazard Lands (DPA 7) development permit areas. The property is an undeveloped site previously used as a mobile home park. The site encompasses 3 lots of a proposed 23-lot subdivision. At the time of writing, a Preliminary Layout Acceptance (PLA) has been issued and an application has been received for final subdivision approval. Approval of the subdivision is not required to allow the proposed development.

Adjacent land uses include: the CVRD Area H/Town of Ladysmith boundary on the north side, the foreshore on the east side, light industrial lands on the south side, and Rocky Creek Road, the Trans Canada Highway, and the CVRD Area H on the west side.

A Development Permit (DP 3060-23-01) was approved on July 4th, 2023 for the land alteration and subdivision of a future mixed-use multi-unit and single-family development. DP amendment 3060-23-20 (amending DP 3060-23-01) was issued for the construction of a stormwater outfall pipe required for the future subdivision of the site. DP Amendment 3060-24-02 (to amend DP 3060-23-01) was approved on September 4, 2024 to permit construction of a public pathway and elevated stairway.

A map of the subject property is provided in Attachment A. Conceptual renderings are provided in Attachment D.

PROPOSAL:

The application proposes a multi-unit residential development consisting of two four-unit townhouse dwellings, three three-unit townhouse dwellings, and two two-unit duplex dwellings for a total of 21 units.

All proposed buildings on Lot 4, Lot 5 and Lot 6 are accessed from driveways off a new public ring road, Marina View Drive. Lot 5 buildings are accessed via a panhandle driveway.

In accordance with the OCP, a DP is required prior to construction as the property is also located within Development Permit Area 4 (DPA 4) – Multi-Unit Residential and DPA 7 – Hazard Lands.

The applicant is also requesting a variance to permit two accessory buildings in the front yard, to increase the number of accessory buildings on a parcel from two to six for construction of detached garages, to reduce the front and side parcel line setbacks for two duplexes and one four-unit townhouse, and to decrease the front parcel line setback for an accessory building for a detached garage. These variances are summarized below.

If approved, DVP 24-05 will vary the Zoning Bylaw as follows:

1. Permitting accessory buildings in any front yard to allow for the construction of two detached garages.
2. Permitting not more than six accessory buildings on a parcel to allow for the construction of six detached garages.
3. Reducing the parcel line setbacks by:
 - a. Decreasing the front parcel line setback for a principal building from 6.0 metres to 3.0 metres;
 - b. Decreasing the side parcel line setback for a principal building from 4.5 metres to 2.5 metres; and
 - c. Decreasing the front parcel line setback for an accessory building from 6.0 metres to 3.0 metres.

A letter of rationale from the applicant is provided as Attachment E.

ANALYSIS:

For the reasons outlined below, staff recommend the proposal be approved.

Official Community Plan

The subject property is located in the Multi-family land use designation in the OCP. Multi-family areas provide for greater diversity and density of multi-family residential types and tenures. The proposed multi-family development is consistent with the OCP designation. The property is also located within DPA 4 – Multi-Unit Residential and DPA 7 – Hazard Lands under the OCP, which therefore requires a DP.

The following OCP policies are relevant to the proposal:

Policy 2.4 General Land Use Policies:

- a. Avoid urban sprawl, which is the low-density, predominantly single-use expansion of urban areas that are disconnected from core growth areas and are typically on greenfield sites.

- 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.

Zoning Bylaw

The subject property is zoned Comprehensive Development 7 – Rocky Creek Road Mixed-Use Residential (CD-7) in the Zoning Bylaw. ‘Siting, Sizing and Dimensions of Uses, Buildings and Structures’ regulations in the CD-7 zone are based on the Medium Density Residential (R-3) zone for townhouse and multi-family dwellings.

The Zoning Bylaw specifies accessory buildings are not permitted in front yards, and only two accessory buildings are permitted per parcel. Therefore, a variance is required. In accordance with the CD-7 zone, the front and side parcel line setbacks for a principal building are 6.0m and 4.5m, respectively. Two of the proposed buildings on Lot 6 and two principal buildings on Lot 5 encroach into the front and side setbacks. A variance is also required to vary the 6.0m front setback for an accessory building as one of the proposed garages on Lot 6 is sited 3.0m from the front parcel line.

The proposal meets all other applicable Zoning Bylaw regulations.

Variance Proposal

The applicant is requesting to vary provisions in the Zoning Bylaw with respect to location, number, and siting of principal and accessory buildings to facilitate an increase in the number of detached garages.

A summary of the Zoning Bylaw regulations and proposed variances are provided in Table 1, below.

Table 1: Summary of proposed variance

Zoning Bylaw			
Section	Sub-section	Regulation	Proposed Variance
5.2 Number, Location and Siting of Buildings and Structures	5.2 c)	No accessory building shall be located in any front yard.	Accessory buildings are permitted in any front yard.
5.9 Accessory Buildings Structures and Uses	5.9 a)	Two accessory buildings are permitted per parcel	Six accessory buildings are permitted per parcel.
R-3 Zone 10.7.5 Siting Sizing and Dimensions of Uses, Buildings and Structures	10.7.5 d)	Front setback for principal building: 6.0m	Front setback for principal building: 3.0m
	10.7.5 d)	Side setback for principal building: 4.5m	Side setback for principal building: 2.5m
	10.7.5 e)	Front setback for accessory building: 6.0m.	Front setback for accessory building: 3.0m.

The 'Number, Location and Siting of Buildings and Structures' section of the Zoning Bylaw specifies that accessory buildings are not permitted in any front yard. Two accessory garages are proposed in the front yard for Lot 6 to provide vehicle parking space and storage for four dwelling units. The proposed location of the detached garages is to address sloped site conditions and constrained access to the side or rear yards. According to the applicant, benefits include private landscaped courtyard entries and greater natural light to the units.

Under the 'Accessory Buildings, Structures and Uses' section of the Zoning Bylaw, only two accessory buildings are permitted per parcel. The application proposes a variance to facilitate construction of six detached garages on Lot 4. This change accommodates enclosed parking for each unit while maintaining the design aesthetic of the proposal. This zoning provision to regulate a maximum number of accessory structures is outdated and has been flagged by staff for housekeeping as it is unnecessarily restrictive for multi-family developments.

The Medium Density Residential (R-3) Zone setbacks apply to townhouse and multi-unit dwellings in the CD-7 Zone. The minimum front parcel line setback for principal and accessory buildings is 6.0m. One two-unit building on Lot 5 (Units 3-4) has a proposed front setback of 3.5m and one detached garage on Lot 6 has a proposed front setback of 3.4m. The minimum side parcel line setback for principal buildings is 4.5m. The southern-most two-unit building on Lot 5 (Units 1-2) is located 3.0m from the side setback, therefore a variance is required.

The requested setback variances for the principal buildings accommodate sensitive areas and protection zones, irregular lot configuration, and slopes. Due to the orientation of the buildings, there is no concern about overlook or loss of privacy. The detached garage requiring a setback variance is small in scale and landscaping is provided between the road and the garage wall face. Access to the garage is from a laneway, and not directly from the street.

Based on the analysis, staff do not expect negative impacts from the proposed variances, and, therefore, recommend approval of DVP 24-05.

Development Permit Guidelines

The proposal is subject to the requirements of DPA 4 – Multi-Unit Residential. The purpose of DPA 4 is to achieve a high level of design for multi-unit development, to enhance the Town's neighbourhood, and to ensure that development is complementary to the existing character of Ladysmith.

Part of the subject property also falls within DPA 7 – Hazard Lands; however, the proposed buildings are located outside the hazard land area. A separate DP application was approved for the construction of a marine trail along the foreshore.

Attachment F provides a detailed review of the proposal in the context of the DPA 4 guidelines. Highlights of the proposal include:

- Design featuring neo-traditional contemporary elements;

- The topography of the land and a mix of 2 and 3-storey stepped or terraced building design creates a variation in building height elevations;
- Three townhome design schemes for the exterior finishes providing a variation of colours of board and batten hardie panel, fiber cement shingles, lapped horizontal siding, and natural cedar or fir timber accents;
- Each dwelling has an outdoor garden patio;
- Shared visitor parking areas are provided for each of the three lots;
- Accessible pathways through the site connect all buildings with the street and with the Ladysmith Marina Trail;
- Landscape plan, prepared by a landscape architect, featuring native and drought tolerant plants and high-efficiency irrigation; and
- Bike storage and outdoor short-term bicycle parking.

Staff recommend that the DP be issued since the proposal is generally consistent with the DPA 4 guidelines. The permit contains a requirement for security to ensure that landscaping requirements are followed.

ALTERNATIVES:

Council can choose to:

1. Not issue DVP 3090-24-05 and refer DP 3060-23-14 back to staff.
2. Not issue DP 3060-23-14 and specify the reasons for refusal citing specific development permit guidelines.
3. Defer consideration of the application and refer the proposal to a subsequent meeting of Council.
4. Amend the conditions of the proposed permits and approve the issuance of the permits as amended.
5. Refer the application back to staff for further review, as specified by Council.

FINANCIAL IMPLICATIONS:

N/A

LEGAL IMPLICATIONS:

Standard requirements for Council consideration and referrals under provincial legislation have been accounted for in staff's review and processing of the application and in the recommendations of this report.

The *Local Government Act* allows Council to vary Zoning Bylaw regulations (excluding regulations for use, density and rental tenure) through issuance of a DVP. Development Variance Permits are discretionary decisions of Council, and Council has no obligation to approve the proposed variance. If the proposed variance is denied the proposed Development Permit must either be approved as amended (see Alternative 4) or denied. If only the Development Permit is refused, reasons must be given based on the DPA 4 Guidelines as the issuance of a DP is not a completely discretionary decision of Council.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Mail notification for the proposed development variance permit pursuant to section 499 of the *Local Government Act*, was carried out on January 24, 2025. The notice was mailed and delivered to property owners/residents within 60m of the subject property. No written submissions were received prior to the time of writing.

INTERGOVERNMENTAL REFERRALS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application was circulated amongst Town departments for review. Their comments are summarized below:

Table 2: Department Comments

Referred (Yes/No)	Department	Comments
Yes	Infrastructure Services	The applicant amended design plans and provided additional information in response to all Engineering concerns.
Yes	Building Inspection	Buildings were sited to comply with all BC Building Code and Town requirements. Additional changes can be addressed during the Building Permit stage.
No	Parks Recreation and Culture	N/A
No	Financial Services	N/A
No	Legislative Services/Corporate Services	N/A
Yes	Fire/Protective Services	Concerns of fire access turning lanes and fire access distances were all reviewed. Site plans were amended to meet Town requirements.

COMMUNITY PLANNING ADVISORY COMMITTEE (CPAC) REVIEW:

Under CPAC Terms of Reference a CPAC review of this application is not required.

ALIGNMENT WITH STRATEGIC PRIORITIES:

- Core Infrastructure
- Official Community Plan Implementation
- Waterfront Area Plan
- Economy
- Leadership
- Not Applicable

I approve the report and recommendations.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. Subject Property Map
- B. Draft DVP 3090-24-05 and Schedules
- C. Draft DP 3060-23-14 and Schedules
- D. Conceptual Renderings
- E. Applicant Letter of Rationale
- F. Review of DPA Guidelines

ATTACHMENT A

SUBJECT PROPERTY MAP

1301 & 1391 ROCKY CREEK ROAD



-  Municipal Boundary
-  Subject Property



ATTACHMENT B



TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 Local Government Act)

FILE NO: 3090-24-05

DATE: February 4, 2025

Name of Owner(s) of Land (Permittee): Rocky Creek Ventures Inc., Inc. No. BC1183866

Applicant: Brian Kapuscinski (BJK Architecture Inc.)

Subject Property (Civic Address): 1301 & 1391 Rocky Creek Road

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

**Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265,
PID: 030-801-460
(1301 & 1391 Rocky Creek Road)
and Subdivisions thereof
(referred to as the "Land")**
3. Section 5.2 c) "Number, Location and Siting of Buildings and Structures" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land to permit *Accessory Buildings or Structures* in any *Front Yard* to allow for the construction of two detached garages.
4. Section 5.9 a) "Accessory Buildings, Structures and Uses" of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land to permit not more than six *Accessory Buildings or Structures* on a *Parcel* to allow for the construction of six detached garages.
5. Section 10.7.5 "Siting, Sizing and Dimension of Uses, Buildings and Structures" in the "Medium Density Residential (R-3)" zone of the "Town of Ladysmith Zoning Bylaw 2014, No. 1860", as amended, is varied for the Land by reducing the *Parcel Line Setbacks* by:
 - a. Decreasing the *Front Parcel Line Setback* for a *Principal Building* from 6.0 metres to 3.0 metres;
 - b. Decreasing the *Interior Side Parcel Line Setback* for a *Principal Building* from 4.5 metres to 2.5 metres; and

- c. Decreasing the *Front Parcel Line Setback* for an *Accessory Building* with a *Finished Floor Area* of greater than 10.0 square metres from 6.0 metres to 3.0 metres.
6. Pursuant to section 501(2) of the *Local Government Act* the land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
7. The following plans and specifications are attached:
 - a) **Schedule A – Site Plan**
 - b) **Schedule B – Elevation Drawings**
8. Pursuant to section 504(1) of the *Local Government Act*, if the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
9. For the purposes of section 12, construction is considered to be substantially started where:
 - a. a valid building permit has been issued for the development;
 - b. a foundation has been constructed; and
 - c. all works that have occurred on site are in compliance with this permit and the bylaws of the Town.
10. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (**3090-24-05**) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
11. **THIS PERMIT IS NOT A BUILDING PERMIT.** No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

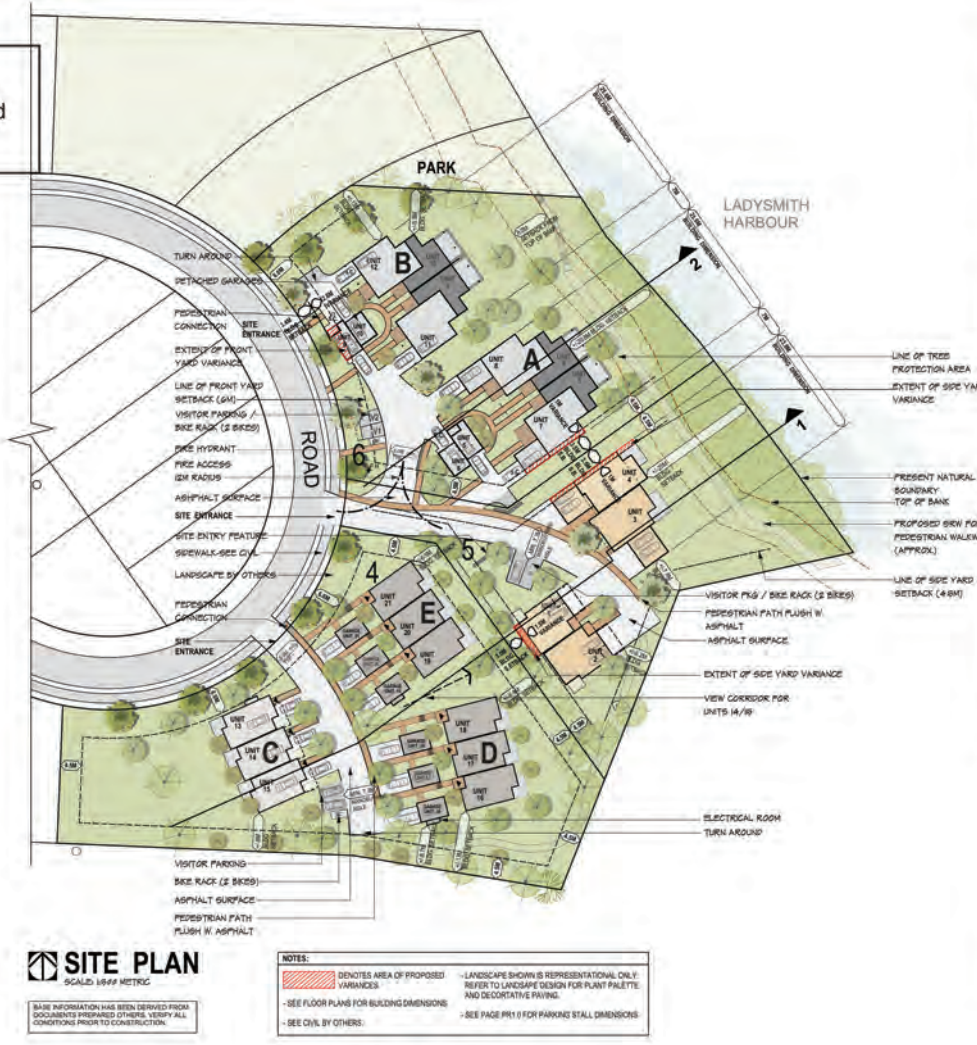
AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 4TH DAY OF FEBRUARY, 2025.

Acting Mayor (T. McKay)

Corporate Officer (S. Bouma)

Schedule A - Site Plan
 DVP 3090-24-05
 1301 & 1391 Rocky Creek Road
 1 page

bjk
 architecture inc.
 202 BRANSON RD SHAWINIGAN LAKE QC
 TEL: 514-891-1002



PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
SITE PLAN

SCALE:
 AS NOTED

DRAWN BY:
 G.M./B.B.

NUMBER:
 105210.10

ISSUED:
 16 MARCH 2023

MEETING:
 04 MAY 2023

REVIEW:
 16 MAY 2023

TOWN OF LADYSMITH
 PREVIEW:
 25 MAY 2023

ISSUED:
 30 MAY 2023

T.O.L. PRE-APP MITO:
 08 JUNE 2023

CONSULTANT:
 22 JUNE 2023

DPA:
 30 JUNE 2023

SUPP. INFORMED INFO:
 10 JULY 2023

DP RESUBMISSION:
 22 JULY 2024

SUPP. INFORMED INFO:
 09 SEPT 2024

SEAL:

SITE PLAN
 SCALE: 1:500 METRIC

BASE INFORMATION HAS BEEN DERIVED FROM DOCUMENTS PREPARED BY OTHERS. VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.

NOTES:

- DENOTES AREA OF PROPOSED VARIANCES.
- SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
- SEE CIVIL BY OTHERS.
- LANDSCAPE SHOWS IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
- SEE PAGE PR1.0 FOR PARKING STALL DIMENSIONS.

PAGE NO: **PR1.1**

Schedule B - Elevation Drawings
 DVP 3090-24-05
 1301 & 1391 Rocky Creek Road
 7 pages

PROPOSED DEVELOPMENT
 1301/1391 ROCKY CREEK ROAD
 LADYSMITH B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
 ELEVATIONS - LOT 5
 SCALE:
 AS NOTED
 DRAWN BY:
 C.M./S.B.
 NUMBER:
 1582.19.19
 ISSUED:
 MEETING: 16 MARCH 2023
 REVIEW: 04 MAY 2023
 TOWN OF LADYSMITH PREVIEW: 16 MAY 2023
 25 MAY 2023
 30 MAY 2023
 T.O.L. PRE-APP MTG: 06 JUNE 2023
 DPA: 30 JUNE 2023
 DP RESUBMISSION: 22 AUG. 2024

SEAL:



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN MOSS		TRANSFASC ASGARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAIL S NATURAL CEDAR R		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT APPED HORIZONTAL SIDING SAGE		WINDOW FRAMES PAT O WHITE		ROOFING GREY

LOT 5 - UNIT 1/2

CONTRACTOR TO VERIFY ALL LABEL LEVELS, AREAS, PERFORMANCE, LOCATION OF WALLS ON THE UNIT LOCATION OF ALL SERVICES WITH THE A.C. MAIN CLOCK, ORIENT NORTH AND LOCAL BOUNDARIES.
 CONTRACTOR TO VERIFY ALL LABEL LEVELS, AREAS, PERFORMANCE, LOCATION OF WALLS ON THE UNIT LOCATION OF ALL SERVICES WITH THE A.C. MAIN CLOCK, ORIENT NORTH AND LOCAL BOUNDARIES.
 CONTRACTOR TO VERIFY ALL LABEL LEVELS, AREAS, PERFORMANCE, LOCATION OF WALLS ON THE UNIT LOCATION OF ALL SERVICES WITH THE A.C. MAIN CLOCK, ORIENT NORTH AND LOCAL BOUNDARIES.

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
LADYSMITH, B.C.
CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS - LOT 5

SCALE:
AS NOTED

DRAWN BY:

C.M./S.B.

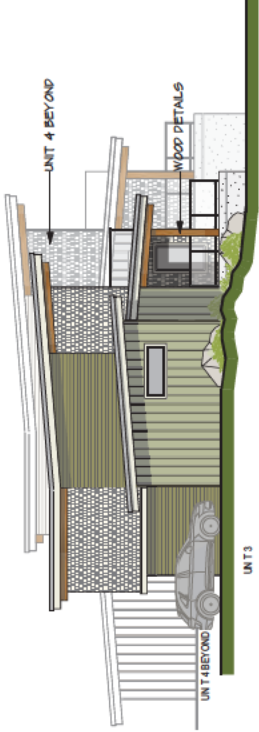
NUMBER:
1582.19.19

MEETING: 16 MARCH 2023
REVIEW: 04 MAY 2023
TOWN OF LADYSMITH PREVIEW: 25 MAY 2023
ISSUED: 30 JUNE 2023
T.O.L. PRE-APP MTG: 06 JUNE 2023
DPA: 30 JUNE 2023
DP RESUBMISSION: 22 AUG. 2024

SEAL:



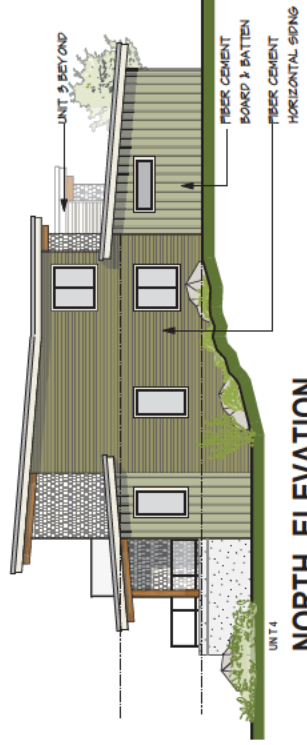
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN		TRANS/FASCIS AS/GARAGE DOOR		FRONT DOOR COLOUR
	MOSS		WARM WHITE		CLAY RED
	FIBER CEMENT SHINGLES		NATURAL CEDAR		DEEP SEA BLUE
	WARM WHITE		WHITE		GREY
	FIBER CEMENT LAPPED HORIZONTAL SIDING		WINDOW FRAMES/PATIO DOORS		
	SAGE				

LOT 5 - UNIT 3/4

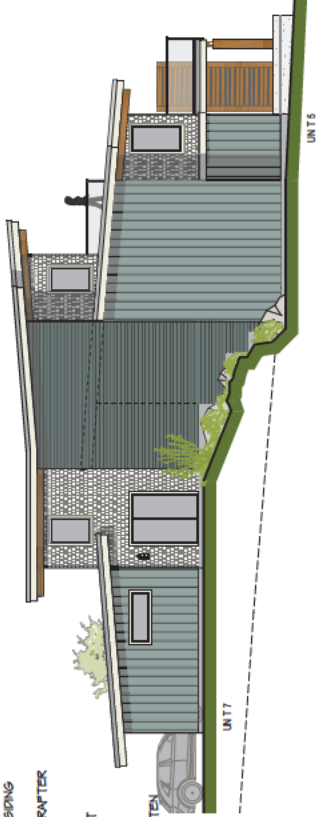
PAGE NO.

Lot 5.4

FOR MATTER TO VERIFY ALL LABEL LEVELS, VERIFY DIMENSIONS, LOCATION OF WALLS/DOORS AND LOCATION OF ALL SERVICES WITH THE A.C. MAIN FLOOR, VERIFY EXISTING AND ALL LOCAL BUILDING REGULATIONS.
MATERIALS ARE THE PROPERTY OF B.C. AND SHOULD BE TO BE USED ONLY FOR THE PROJECT AND NOT FOR OTHER PROJECTS.
DRAWING IS NOT TO BE REPRODUCED OR COPIED WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.



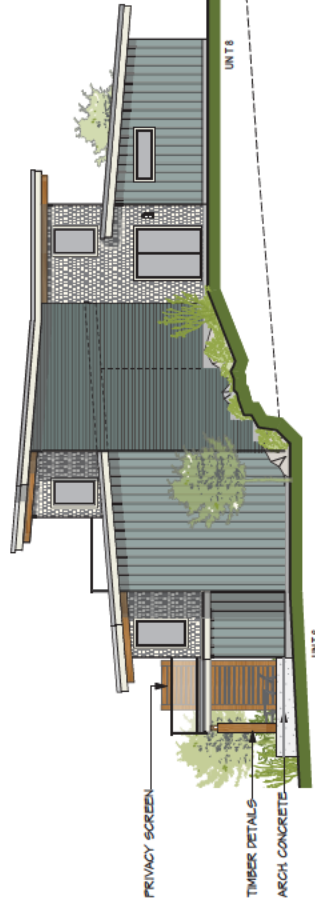
WEST ELEVATION
(FACING INTERNAL ROAD)



SOUTH ELEVATION



EAST ELEVATION
(FACING WATER)

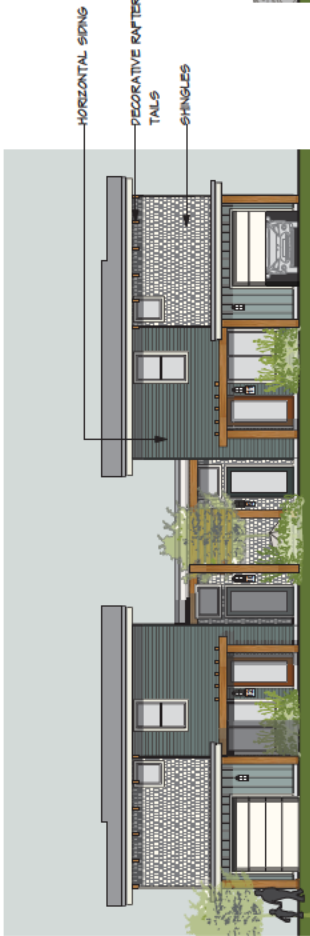


NORTH ELEVATION

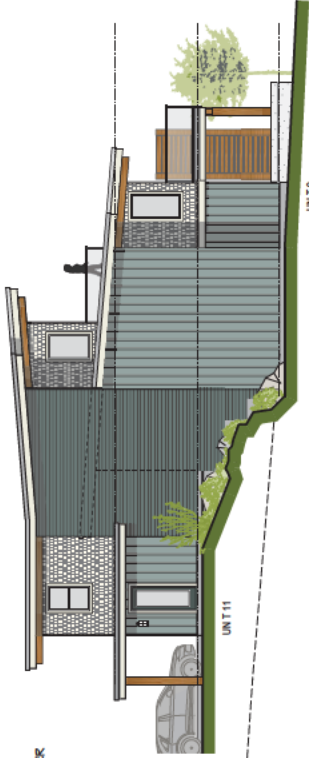
MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN UNDERSEAS BLUE		TR. MSFASC / SGARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/R		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HOR. ZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PAT O DOORS WHITE		ROOFING GREY

LOT 6 - UNIT 5/6/7/8



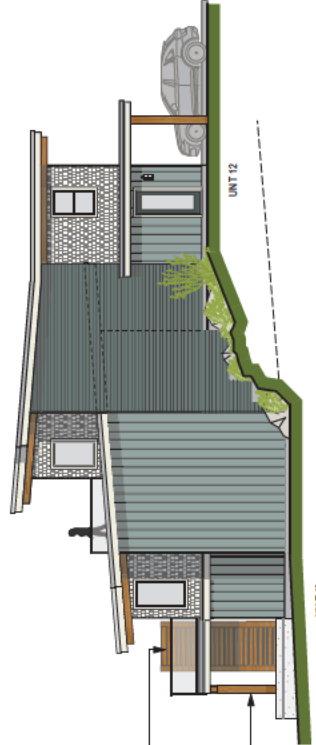
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

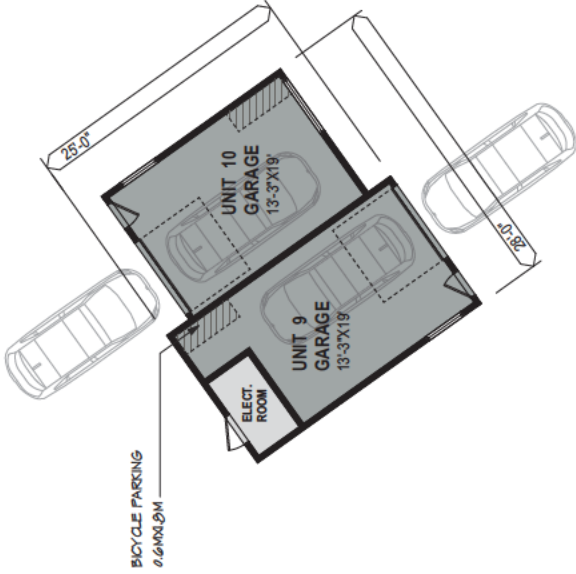


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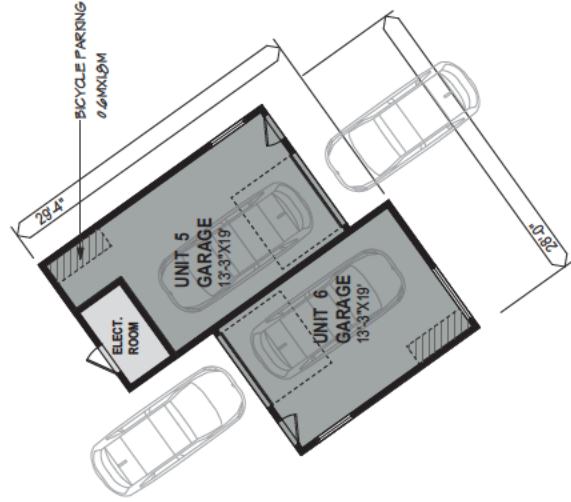
MATERIAL & COLOUR SCHEDULE	
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	FIBER CEMENT SHINGLES WARM WHITE
	FIBER CEMENT LAPPED HOR. ZONTAL SIDING ROCKY RIVER BLUE
	TR. MS/FASC./S/GARAGE DOOR WARM WHITE
	TIMBER DETAILS NATURAL CEDAR/F R
	WINDOW FRAMES/PAT O DOORS WHITE
	FRONT DOOR COLOUR CLAY RED
	FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	ROOFING GREY

LOT 6 - UNIT 9/10/11/12

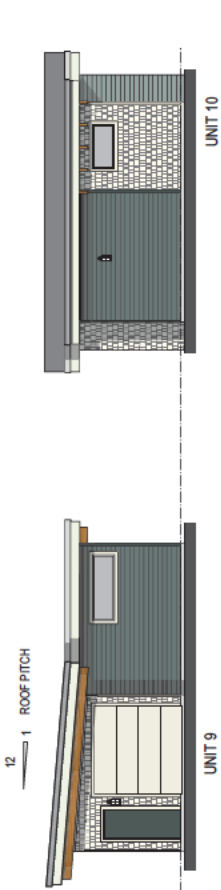
FOR BUILDER TO VERIFY ALL LABEL LEVELS, SPECIFICATIONS, LOCATION OF MATERIALS ON THE UNIT LOCATION OF ALL SERVICES WITH THE A.C. MAIN CLOCK, ORIENT NORTH AND LOCAL BUILDING CODES.
DRAWING PREPARED BY: BJK ARCHITECTURE INC.
DRAWING NO: 152.19.19
DATE: 16 MARCH 2023



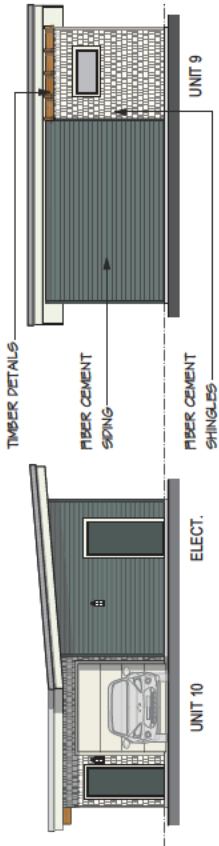
GARAGE PLAN
- UNITS 9 & 10
- 4,590 SQ.FT. / 55 SQ.M. (EXCL. ELECT. ROOM)



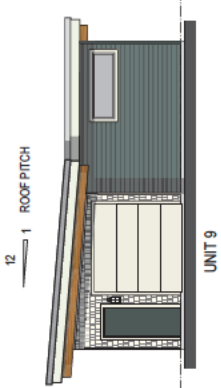
GARAGE PLAN
- UNITS 5 & 6
- 4,594 SQ.FT. / 55.2 SQ.M. (EXCL. ELECT. ROOM)



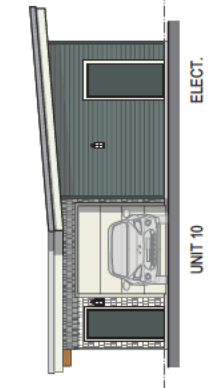
EAST ELEVATION



WEST ELEVATION
FACING ROAD



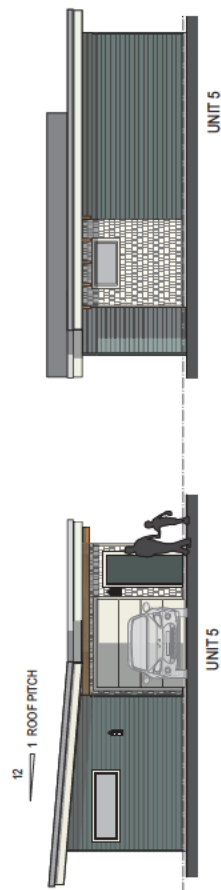
SOUTH ELEVATION



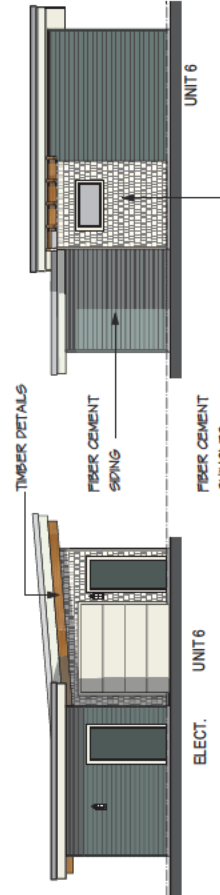
NORTH ELEVATION

MATERIAL & COLOUR SCHEDULE - LOT 6

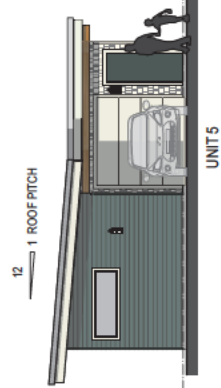
FIBER CEMENT LAPED	TIMBER GARAGE DOOR
HORIZONTALS 50MM	WARM WHITE
DEEP SEABLE	TIMBER DETAILS
FIBER CEMENT SHINGLES	NATURAL CEDARFR.
WARM WHITE	WALL DOOR
WINDOW FRAMES WHITE	DEEP SEABLE/BLACK
ROOF RIDGECAP	



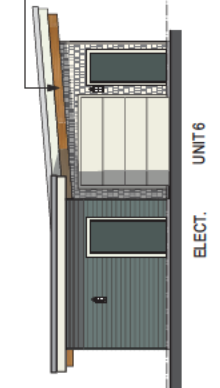
EAST ELEVATION



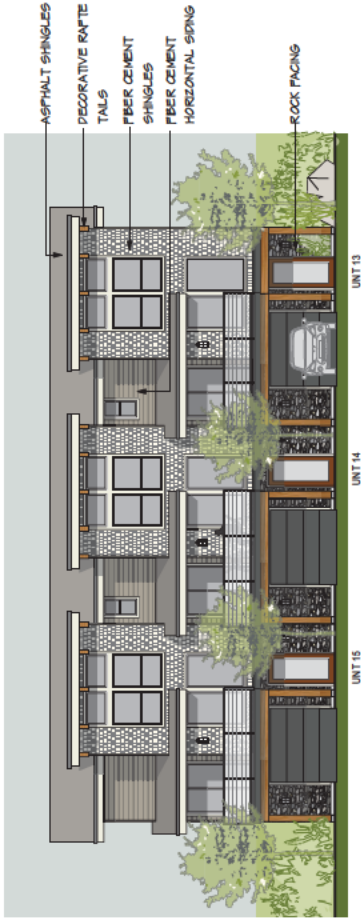
WEST ELEVATION
FACING ROAD



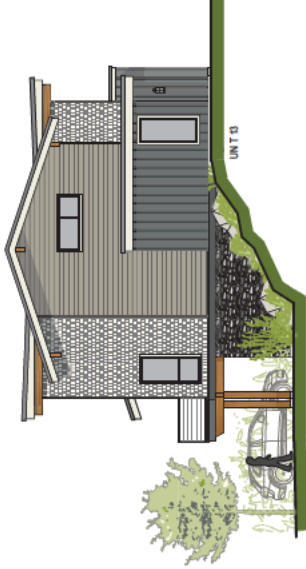
SOUTH ELEVATION



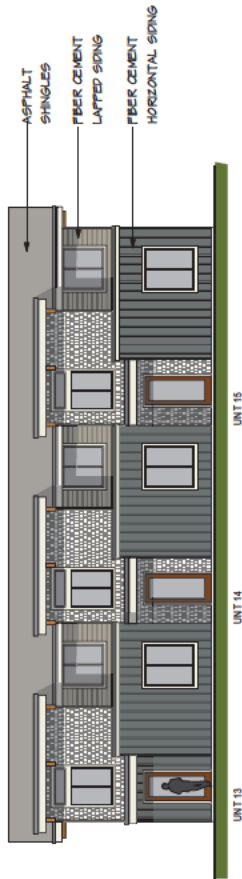
NORTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



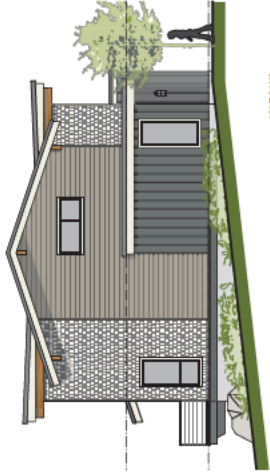
SOUTH ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN GRANITE GREY		TIMBER DETAILS NATURAL CEDAR/FIR		FIBER CEMENT LAPPED HORIZONTAL SIDING SAND
	FIBER CEMENT SHINGLES WARM WHITE		WINDOW FRAMES/PATIO DOORS WHITE		FIBER CEMENT HORIZONTAL SIDING
	TIMBER FASCIA/ASPARGASE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED		ACCENT TRIM BAND DEEP SEA BLUE BLACK
	ASPHALT SHINGLES		ROOFING CHARCOAL		DECORATIVE RATTLE TAILS

LOT 4 - UNIT 13-15

FOR MATTER TO VERIFY ALL LABEL LEVELS, VERIFY PERFORMANCE
LOCATION OF MATERIALS ON THE UNIT LOCATION OF ALL SERVICES
WITH THE A.C. MAIN FLOOR, CHECK THE UNIT AND ALL LOCAL
BUILDING DEPARTMENTS.
MATERIALS ARE THE PROPERTY OF B.B. ARCHITECTURE INC. TO
BE USED ONLY FOR THE PROJECT AND NOT TO BE REUSED
OR REPRODUCED IN ANY MANNER WITHOUT PERMISSION.



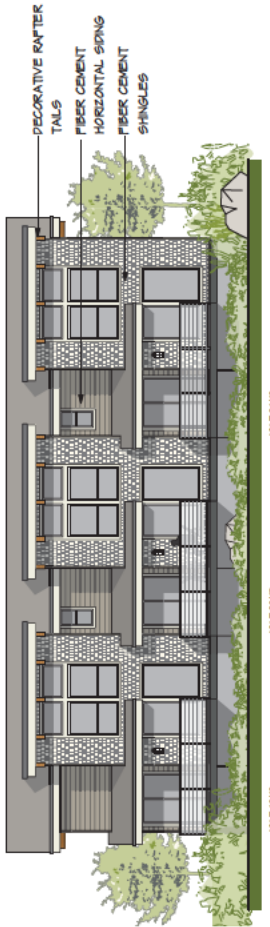
UNIT 2118

NORTH ELEVATION



UNIT 1916

SOUTH ELEVATION



UNIT 2017

EAST ELEVATION



UNIT 2016

WEST ELEVATION

MATERIAL & COLOUR SCHEDULE	
	FIBER CEMENT BOARD & BATTEN GRAY TE GREY
	FIBER CEMENT SHINGLES WARM WHITE
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND
	TRANSOM/FASCIA/GARAGE DOOR WARM WHITE
	TIMBER DETAILS NATURAL CEDAR/FIR
	WINDOW FRAMES/PATIO DOORS WHITE
	FRONT DOOR COLOUR CLAY RED
	ACCENTS/TRIM BAND DEEP SEA BLUE BLACK
	ROOFING CHARCOAL

LOT 4 - UNIT 16-21

ATTACHMENT C



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-23-14

DATE: February 4, 2025

Name of Owner(s) of Land (Permittee): Rocky Creek Ventures Inc., Inc. No. BC118366

Applicant: Brian Kapuscinski (BJK Architecture Inc.)

Subject Property (Civic Address): 1301 & 1391 Rocky Creek Road

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.

2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

Lot A, District Lots 81, 86 and 98, Oyster District, Plan EPP87265

PID: 030-801-460

(1301 & 1391 Rocky Creek Road)

And subdivisions thereof

(referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of two four-unit townhouse dwellings, three three-unit townhouse dwellings, two two-unit duplex dwellings, addition to or alteration of land, and construction of accessory buildings and structures on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.

5. The Permittee, as a condition of the issuance of this Permit agrees to:

(a) Develop the Land in accordance with:

Schedule A – Site Plan

Schedule B – Building Elevations and Materials

Schedule C – Landscape Plan

Schedule D – Waste Management Plan

(b) Provide high efficiency/water saving irrigation to landscaped areas.

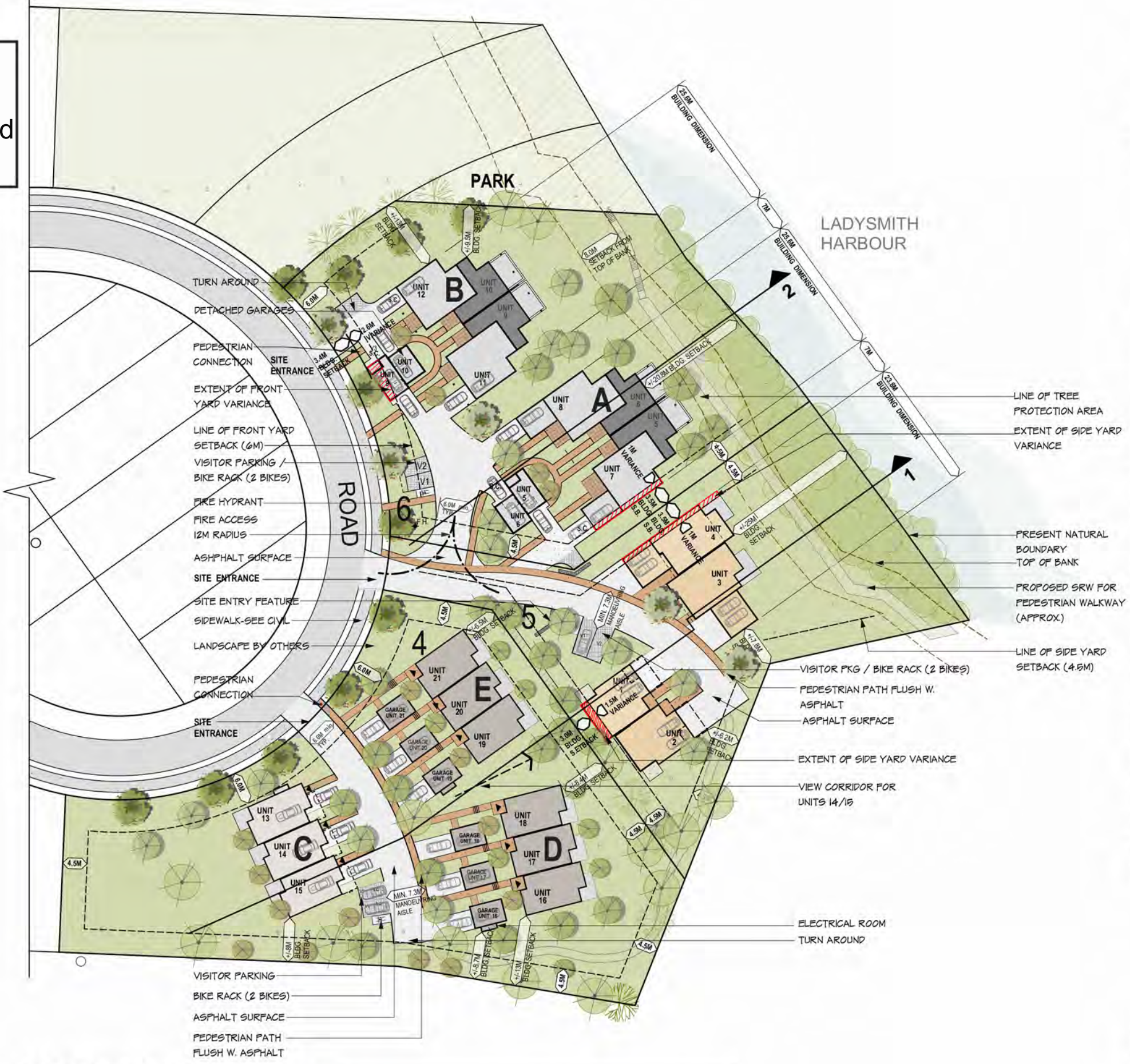
6. The Permittee agrees that the sequence and timing of the construction described in this permit shall take place as follows:
 - (a) Construction of the development may proceed in three phases consisting of:
 - i. Phase 1: Lot 6 – Units 5-12 (Building A and Building B)
 - ii. Phase 2: Lot 5 - Units 1-4
 - iii. Phase 3: Lot 4 – Units 13-21 (Building C, D, and E)as shown on **Schedule A – Site Plan**.
 - (b) In the event that occupancy of a preceding phase occurs prior to the start of construction of the next phase, the Land shall be maintained in a safe condition with the undeveloped areas of the property to be seeded with ground cover or surrounded by opaque fencing.
7. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in accordance with s.502 of the *Local Government Act* to guarantee the performance of the conditions in sections 5 and 6 of this Permit respecting landscaping. The Letter of Credit shall be for a period of two years, shall be automatically extended, and shall be payable upon issuance of this Permit for each phase in the following installments:
 - (a) \$78,907 (Phase 1)
 - (b) \$45,178 (Phase 2)
 - (c) \$127,442 (Phase 3)
8. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping condition(s) at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
9. Requests for the release of the security shall be accompanied by a report from a landscape architect confirming that the landscaping conditions in section 6 of this permit have been met. The security may be released in five parts in accordance with the phases identified in section 6 and 7 of this Permit.
10. Notwithstanding section 7, 8 and 9 of this Permit, should any landscape works of a preceding phase be damaged, the Town of Ladysmith may withhold the security of a subsequent phase until the conditions in section 5 and 6 of this Permit respecting landscaping are met.
11. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee.
12. Pursuant to section 504(1) of the *Local Government Act*, if the Permittee does not substantially start any construction permitted by this Permit within **two years** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.

13. For the purposes of section 12, construction is considered to be substantially started where:
 - (a) a valid building permit has been issued for the development;
 - (b) a foundation has been constructed; and
 - (c) all works that have occurred on site are in compliance with this permit and the bylaws of the Town.
14. The plans and specifications attached to this Permit are an integral part of this Permit.
15. Pursuant to section 501(2) of the *Local Government Act* the Land described herein shall be developed strictly in accordance with terms, conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
16. Notice of this Permit shall be filed in the Land Title Office at Victoria under section 503 of the *Local Government Act*, and upon such filing, the terms of this Permit or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
17. This Permit prevails over the provisions of the Bylaw in the event of conflict.
18. Nothing in this Permit relieves the Permittee from any requirements of any federal, provincial, or Town regulations or from any instruments registered on the title including statutory rights-of-ways, covenants and similar restrictions. In the even of a conflict between this Permit and another regulation shall prevail.
19. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZED BY RESOLUTION NO. _____ PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE 4TH DAY OF FEBRUARY, 2025.

Schedule A - Site Plan
 DP 3060-23-14
 1301 & 1391 Rocky Creek Road
 1 page

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.



DRAWING TITLE:
SITE PLAN

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

NUMBER:
 1652.19.19

ISSUED:

MEETING:	16 MARCH 2023
REVIEW:	04 MAY 2023
REVIEW:	16 MAY 2023
TOWN OF LADYSMITH PREVIEW:	25 MAY 2023
ISSUED:	30 MAY 2023
T.O.L. PRE-APP MTG:	06 JUNE 2023
CONSULTANT:	22 JUNE 2023
DPA:	30 JUNE 2023
SUPPLEMENTAL INFO:	10 JULY 2023
SUP.INFO/REVISED:	24 JULY 2023
SUP.INFO/REVISED:	22 JULY 2024
DP RESUBMISSION:	22 AUG. 2024
SUP.INFO/REVISED:	09 SEPT 2024

SITE PLAN
 SCALE: 1:500 METRIC

BASE INFORMATION HAS BEEN DERIVED FROM DOCUMENTS PREPARED BY OTHERS. VERIFY ALL CONDITIONS PRIOR TO CONSTRUCTION.

- NOTES:**
- DENOTES AREA OF PROPOSED VARIANCES
 - LANDSCAPE SHOWN IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
 - SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
 - SEE CIVIL BY OTHERS.
 - SEE PLAN PR1.0 FOR PARKING STALL DIMENSIONS.

SEAL:

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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PAGE NO. **PR1.1**

Schedule B - Building Elevations and Materials
 DP 3060-23-14
 1301 & 1391 Rocky Creek Road
 7 pages

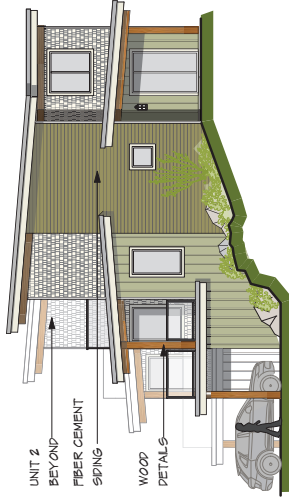
PROPOSED DEVELOPMENT
 1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
 ELEVATIONS - LOT 5
 SCALE:
 AS NOTED
 DRAWN BY:
 C.M./B.B.
 NUMBER:
 1532.19.19
 ISSUED:
 16 MARCH 2023
 REVIEW:
 04 MAY 2023
 TOWN OF LADYSMITH
 PREVIEW:
 25 MAY 2023
 ISSUED:
 30 MAY 2023
 T.O.L. PRE-APP MTG:
 06 JUNE 2023
 DPA:
 22 AUG. 2024
 DP RESUBMISSION:

SEAL:



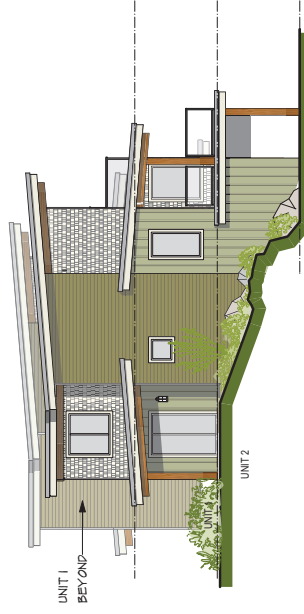
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN MOSS		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/PFR		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAGE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

LOT 5 - UNIT 1/2

CONTRACTOR TO VERIFY ALL LINE, LEVEL, SLOPE, GRADATIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING DEPARTMENTS.
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 www.bjkarch.com

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
LADYSMITH, B.C.
CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS - LOT 5

SCALE:

AS NOTED

DRAWN BY:

C.M./B.B.

NUMBER

1552.19.19

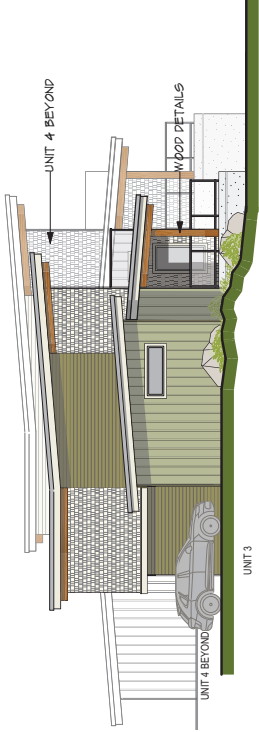
ISSUED:

16 MARCH 2023
04 MAY 2023
16 MAY 2023
TOWN OF LADYSMITH
PREVIEW: 25 MAY 2023
30 MAY 2023
ISSUED: 06 JUNE 2023
T.O.L. PRE-APP MTG:
DPA: 30 JUNE 2023
DP RESUBMISSION: 22 AUG. 2024

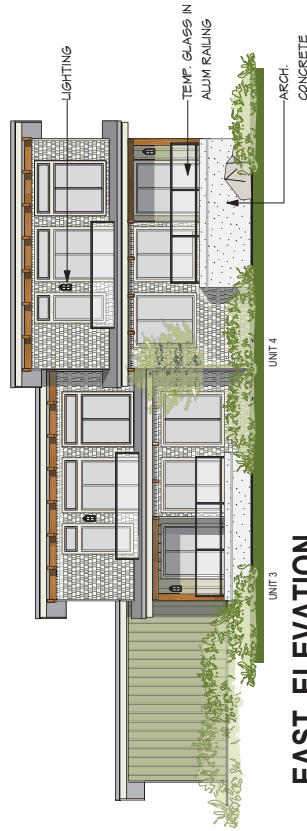
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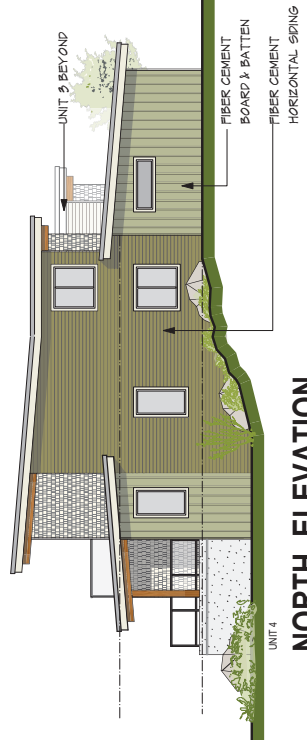
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN MOSS		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR		FRONT DOOR COLOUR DEEP SEA BLUE/BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAGE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

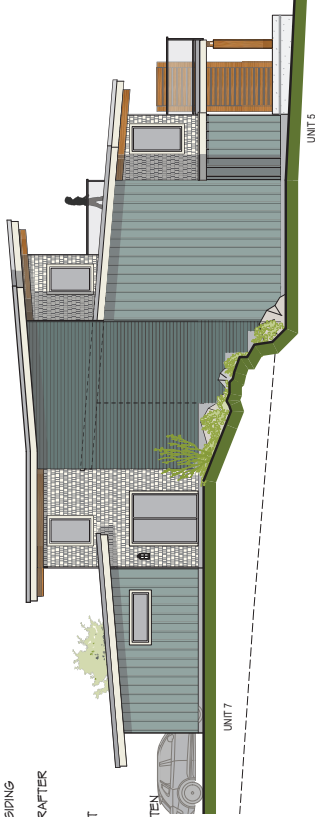
LOT 5 - UNIT 3/4

CONTRACTOR TO VERIFY ALL LINE, LEVEL, SURFACE CHANGING, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING DEPARTMENTS.
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PAGE NO.



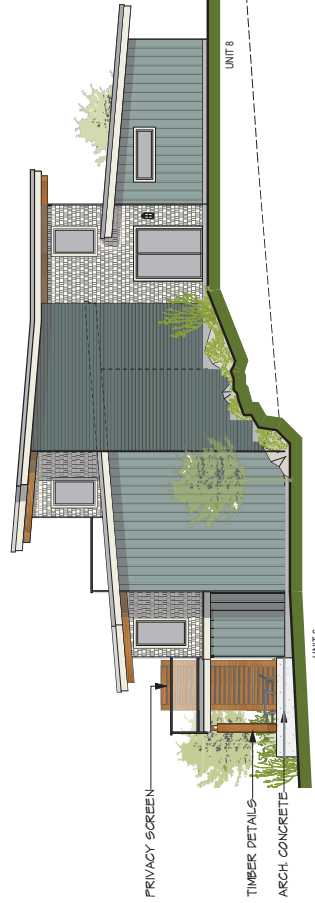
WEST ELEVATION
(FACING INTERNAL ROAD)



SOUTH ELEVATION



EAST ELEVATION
(FACING WATER)



NORTH ELEVATION

DRAWING TITLE:
ELEVATIONS-LOT 6

SCALE:
AS NOTED

DRAWN BY:
C.M./F.B.

NUMBER:
1532.19.19

ISSUED:
16 MARCH 2023
04 MAY 2023
REVIEW:
16 MAY 2023
TOWN OF LADYSMITH
PREVIEW:
25 MAY 2023
30 MAY 2023
ISSUED:
06 JUNE 2023
T.O.L. PRE-APP MTG:
30 JUNE 2023
DPA:
22 AUG. 2024
DP RESUBMISSION:

SEAL:

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN UNDERSLAB BLUE		TRANSFASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDARFIR		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

LOT 6 - UNIT 5/6/7/8

CONTRIBUTOR TO VARIOUS ALL LINE, LABEL, SYMBOL, DIMENSION, LOCATION OF BALANCE ON SITE AND LOCATION OF ALL SERVICES WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING DEPARTMENTS.
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PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
LADYSMITH, B.C.
CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS-LOT 6

SCALE:

AS NOTED

DRAWN BY:

C.M./B.B.

NUMBER

1552.19.19

ISSUED:

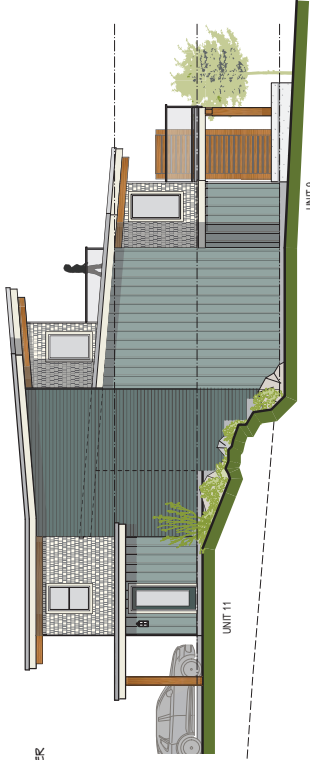
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04 MAY 2023
16 MAY 2023
TOWN OF LADYSMITH
25 MAY 2023
30 MAY 2023
06 JUNE 2023
T.O.L. PRE-APP MTG.
DPA:
DP RESUBMISSION: 22 AUG. 2024

SEAL:

PAGE NO



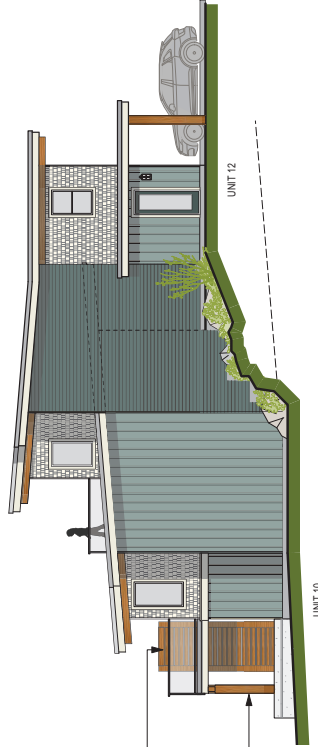
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

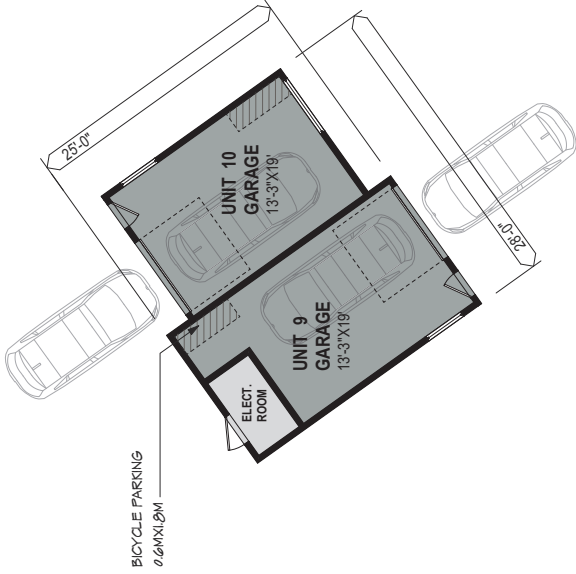


NORTH ELEVATION

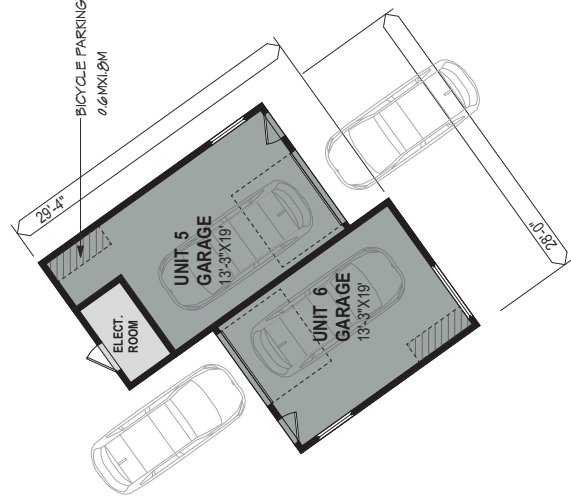
MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN UNDERSLAB BLUE		TRANSFASCIA/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDARFIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PATIO DOORS WHITE
	FRONT DOOR COLOUR CLAY RED		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	ROOFING GREY		

LOT 6 - UNIT 9/10/11/12

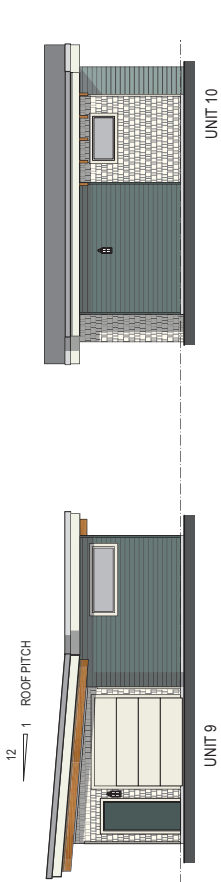
CONTRACTOR TO VERIFY ALL LINE, LEVEL, SURFACE DIMENSIONS, LOCATION OF BALANCE POINT AND LOCATION OF ALL SERVICES WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING DEPARTMENTS.
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DATE: 2024.08.22



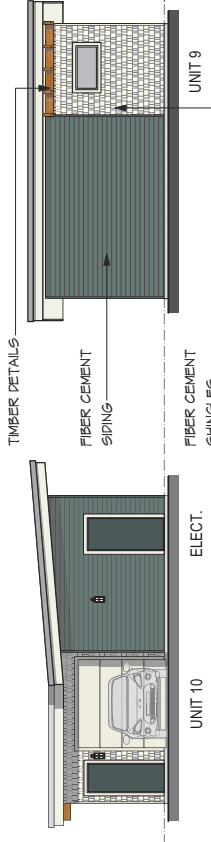
GARAGE PLAN
- UNITS 9 & 10
- +/-590 SQ.FT. / 55 SQ.M. (EXCL. ELECT. ROOM)



GARAGE PLAN
- UNITS 5 & 6
- +/-594 SQ.FT. / 55.2 SQ.M. (EXCL. ELECT. ROOM)



EAST ELEVATION

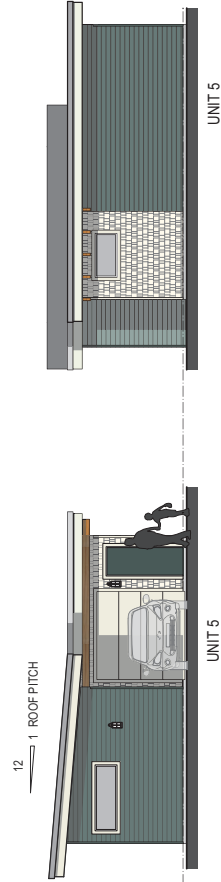


WEST ELEVATION
FACING ROAD

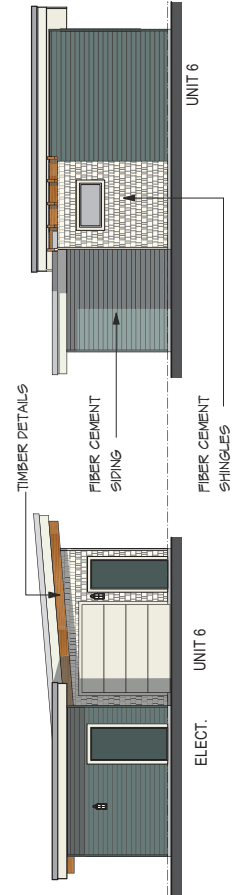
MATERIAL & COLOUR SCHEDULE - LOT 6

FIBER CEMENT LAPFED	TIMBER SASH GARAGE DOOR
HORIZONTAL SIDING	WARM WHITE
DEEP SEA BLUE	
FIBER CEMENT SHINGLES	TIMBER DETAILS
WARM WHITE	NATURAL CEDAR/PFR
WINDOW FRAMES WHITE	HANDICAP
ROOFING GREY	DEEP SEA BLUE BLACK

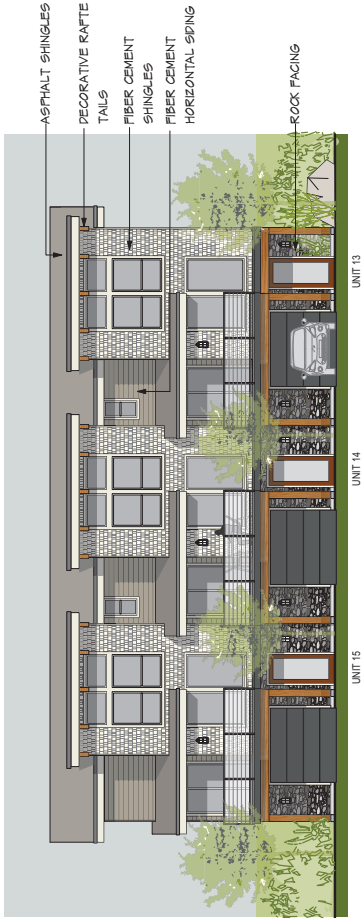
NORTH ELEVATION



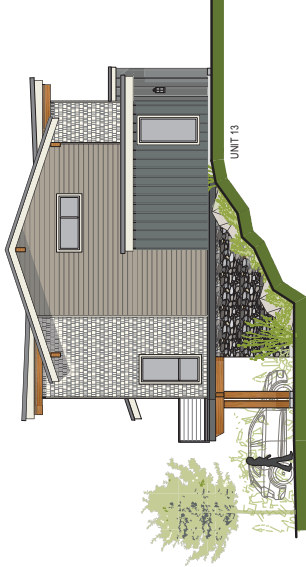
EAST ELEVATION



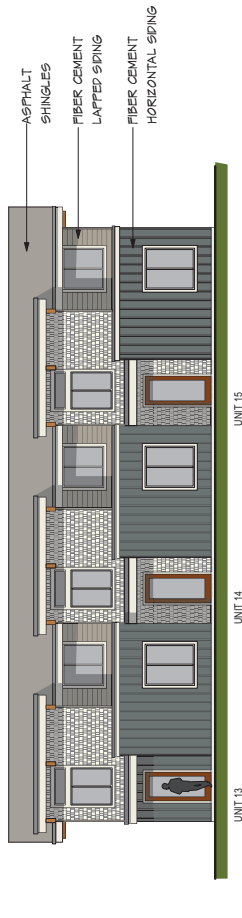
WEST ELEVATION
FACING ROAD



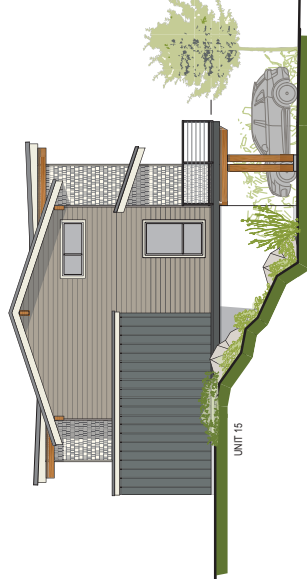
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



DRAWING TITLE:
ELEVATIONS-LOT 4

SCALE:

AS NOTED

DRAWN BY:

C.M./B.B.

NUMBER

1532.19.19

ISSUED:

16 MARCH 2023
MEETING:
04 MAY 2023
REVIEW:
16 MAY 2023
TOWN OF LADYSMITH
PREVIEW:
25 MAY 2023
30 MAY 2023
ISSUED:
06 JUNE 2023
T.O.L. PRE-APP MTG:
30 JUNE 2023
DPA:
DP RESUBMISSION:
22 AUG. 2024

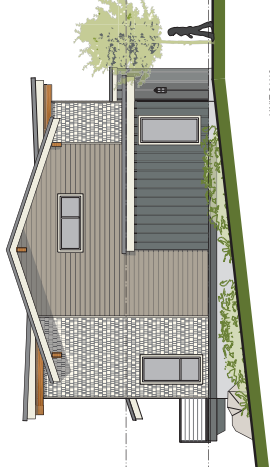
SEAL:

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN GRANITE GREY		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		ACCENTS/TRIM BAND DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		ROOFING CHARCOAL
	TRANSOM/FASCIA/GARAGE DOOR WARM WHITE		WINDOW FRAMES/PATIO DOORS WHITE
	TIMBER DETAILS NATURAL CEDAR/FIR		

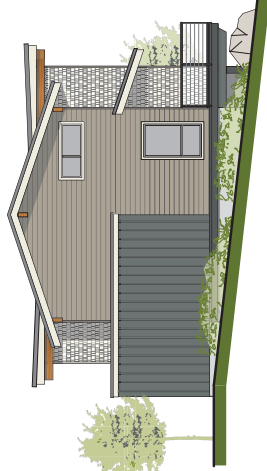
LOT 4 - UNIT 13-15

CONTRACTOR TO VERIFY ALL LINE, LEVEL, SURFACE DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING DEPARTMENTS.
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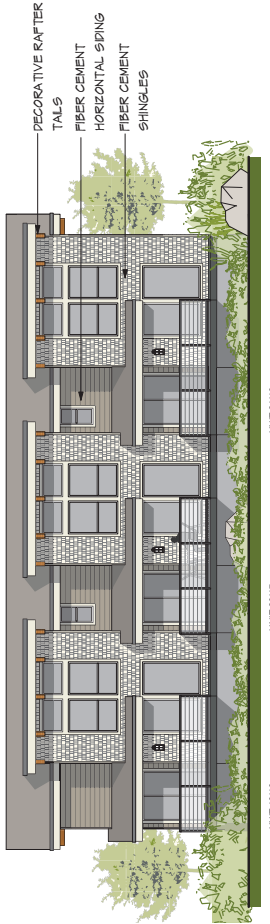
UNIT 2118

NORTH ELEVATION



UNIT 1916

SOUTH ELEVATION



UNIT 2017

EAST ELEVATION



UNIT 1916

WEST ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN GRANITE GREY		FIBER CEMENT SHINGLES WARM WHITE		FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		TRANSOMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	TIMBER DETAILS NATURAL CEDARFIR		WINDOW FRAMES/PATIO DOORS WHITE		ACCENTS/TRIM BAND DEEP SEA BLUE BLACK		ROOFING CHARCOAL		

LOT 4 - UNIT 16-21



Recommended Nursery Stock

Trees	ID	Quantity	Botanical Name	Common Name	Size
	CeJa	14	Cercidiphyllum japonicum	Katsura Tree	6cm cal.
	KoPa	15	Koelreuteria paniculata	Golden Rain Tree	5.0 cm cal
	PaPe	27	Parrotia persica	Persian Ironwood	6.0 cm cal
	QuRo	13	Quercus robur	English Oak	6.0 cm cal
	StPs	14	Stewartia pseudocamellia	Japanese Stewartia	5cm cal.

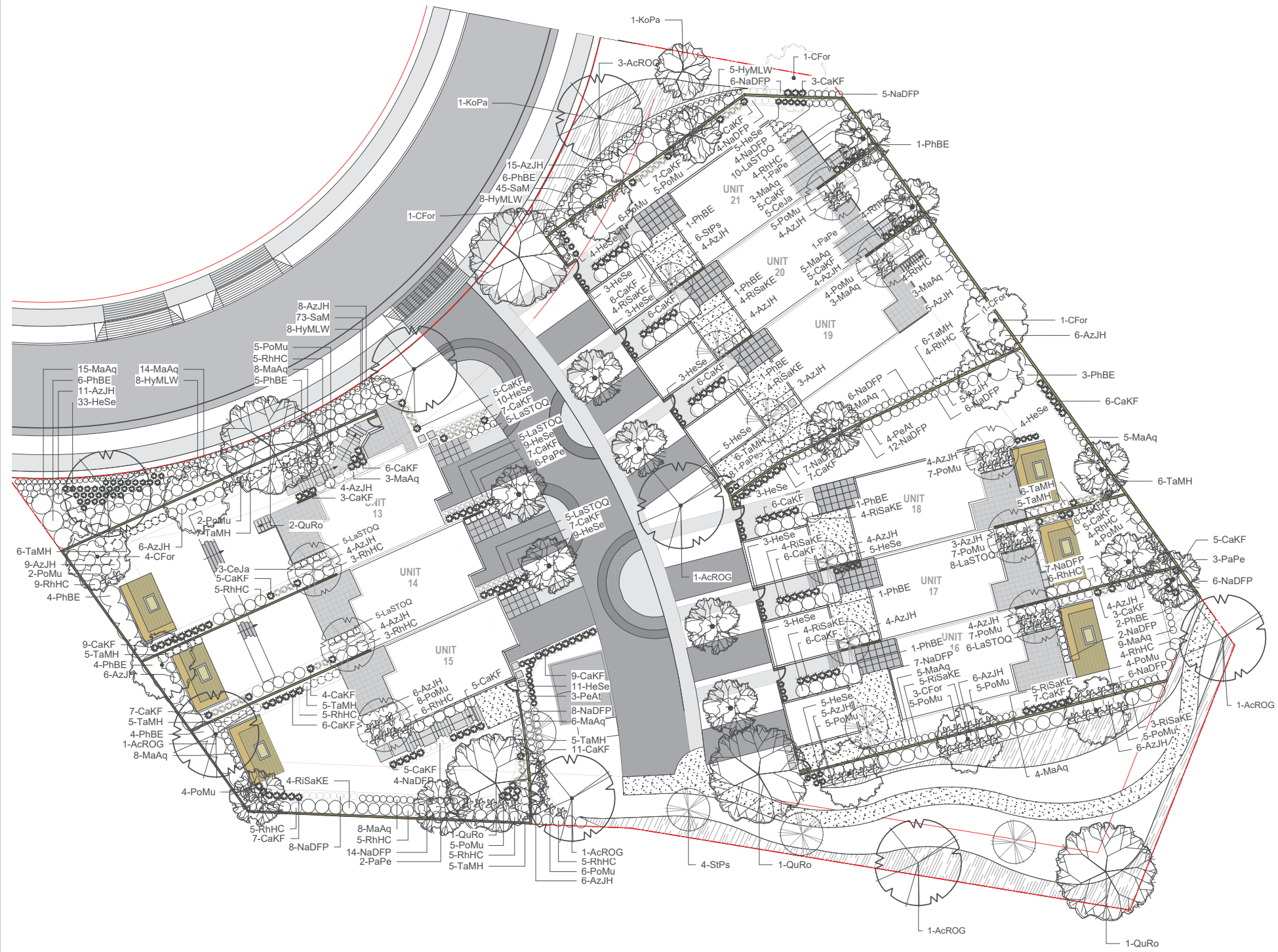
Schedule C - Landscape Plan

DP 3060-23-14

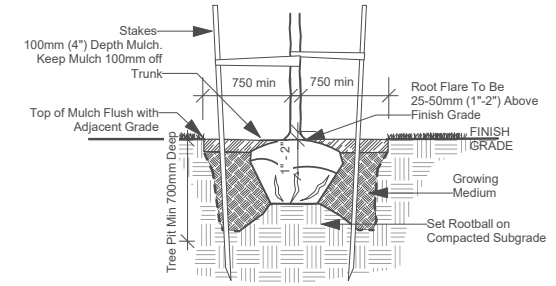
1301 & 1391 Rocky Creek Road

4 pages

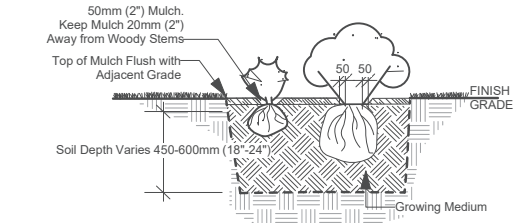
Landscape Concept Plan | Rocky Creek Townhomes



1 Lot 4 : Landscape Planting Plan
L3 Scale 1:200



2 Tree Planting at Grade - Typical Detail
L3 Scale: 1:30



3 Shrub Planting at Grade - Typical Detail
L3 Scale: 1:30

REQUIRED PLANT LIST

Trees				
ID	Quantity	Botanical Name	Common Name	Size
CaJa	8	Cercidiphyllum japonicum	Katsura Tree	60m cal.
KoPa	2	Koeleria paniculata	Golden Rain Tree	5.0 cm cal.
PaPe	14	Parrotia persica	Persian Ironwood	6.0 cm cal.
QuRo	5	Quercus robur	English Oak	6.0 cm cal.
StPs	10	Stewartia pseudocamellia	Japanese Stewartia	5cm cal.
Large Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
PhBE	41	Rhododendron 'Belle Etoile'	Belle Etoile Mock Orange	#5 pot
RhHC	86	Rhododendron 'Hino-crimson'	Evergreen Azalea	#5 pot
RISaKE	41	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#5 pot
TaMH	72	Taxus x media 'Hickall'	Hicks Yew	1.0m ht.
Medium Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
AzJH	154	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
HyMLW	29	Hydrangea macrophylla 'Lanarth White'	Lanarth White Hydrangea	#5 pot
Small Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
MaAq	76	Mahonia Aquifolium	Low Oregon Grape	#1 pot
NaDFP	120	Nandina domestica 'Fire Power'	Fire Power Heavenly Bamboo	#1 pot
Perennials, Annuals and Ferns				
ID	Quantity	Botanical Name	Common Name	Size
CaKF	203	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#1 pot
LaSTOO	49	Lavandula stoechas 'Otto Quast'	Spanish Lavender	#1 pot
PeAt	7	Perovskia atriplicifolia	Russian Sage	#1 pot
PoMu	101	Polystichum munitum	Sword Fern	#1 pot

Notes:
1. All work to be completed to current BCSLA Landscape Standards
2. All soft landscape to be irrigated with an automatic irrigation system



Revision	Date	Description
4	Jul 24-24	Re-Issued for Building Permit
3	Jun 28-24	Re-Issued for Building Permit
2	May 30-24	Re-Issued for Building Permit
1	Feb 21-24	Issued for Building Permit



#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105 Fax: (250) 412-0696

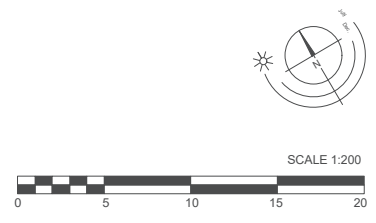
PROJECT
Rocky Creek Townhomes
Ladysmith, BC

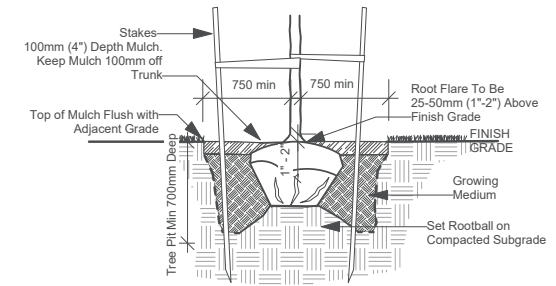
TITLE
Lot 4
Landscape Planting Plan

SCALE: As Shown
DRAWN: EO
CHECKED: CW

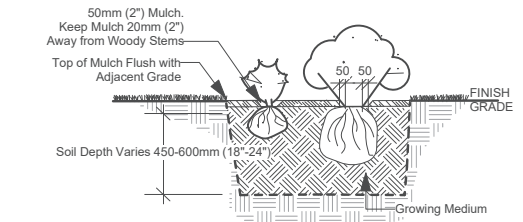
PROJECT No. 2313

DATE: Nov 08 - 23
SHEET: L3 of 4





2 Tree Planting at Grade - Typical Detail
Scale: 1:30



3 Shrub Planting at Grade - Typical Detail
Scale: 1:30

REQUIRED PLANT LIST

ID	Quantity	Botanical Name	Common Name	Size
Trees				
CaJa	1	Cercidiphyllum japonicum	Katsura Tree	6cm cal
KoPa	7	Koeleria paniculata	Golden Rain Tree	5.0 cm cal
PaPe	4	Parrotia persica	Persian Ironwood	6.0 cm cal
QuRo	1	Quercus robur	English Oak	6.0 cm cal
Large Shrubs				
PhBE	10	Philadelphus 'Belle Etoile'	Belle Etoile Mock Orange	#5 pot
RhHC	39	Rhododendron 'Hino-crimson'	Evergreen Azalea	#5 pot
RISaKE	5	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#5 pot
TaMH	16	Taxus x media 'Hickall'	Hicks Yew	1.0m ht.
Medium Shrubs				
AzJH	34	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
HyMLW	13	Hydrangea macrophylla 'Lanarth White'	Lanarth White Hydrangea	#5 pot
Small Shrubs				
IJar	5	Ilex crenata 'Farrowone' USPP 20049	Sky Pointer® Japanese Holly	#1 pot
MaAQ	17	Mahonia Aquifolium	Low Oregon Grape	#1 pot
NaDFP	49	Nandina domestica 'Fire Power'	Fire Power Heavenly Bamboo	#1 pot
Perennials, Annuals and Ferns				
CaKF	81	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#1 pot
LaSTOQ	73	Lavandula stoechas 'Otto Quast'	Spanish Lavender	#1 pot
PoMu	52	Polystichum munifolium	Sword Fern	#1 pot

- Notes:
 1. All work to be completed to current BCSLA Landscape Standards
 2. All soft landscape to be irrigated with an automatic irrigation system

1 Lot 5 : Landscape Planting Plan
Scale 1:200

REVISIONS	DATE	DESCRIPTION
4	Jul 28-25	Re-Issued for Building Permit
3	Jun 28-24	Re-Issued for Building Permit
2	May 30-24	Re-Issued for Building Permit
1	Feb 21-24	Issued for Building Permit



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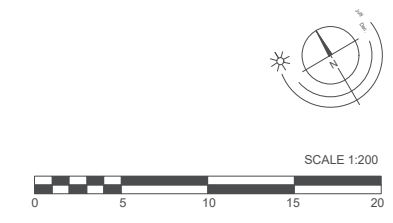
PROJECT
Rocky Creek Townhomes
Ladysmith, BC

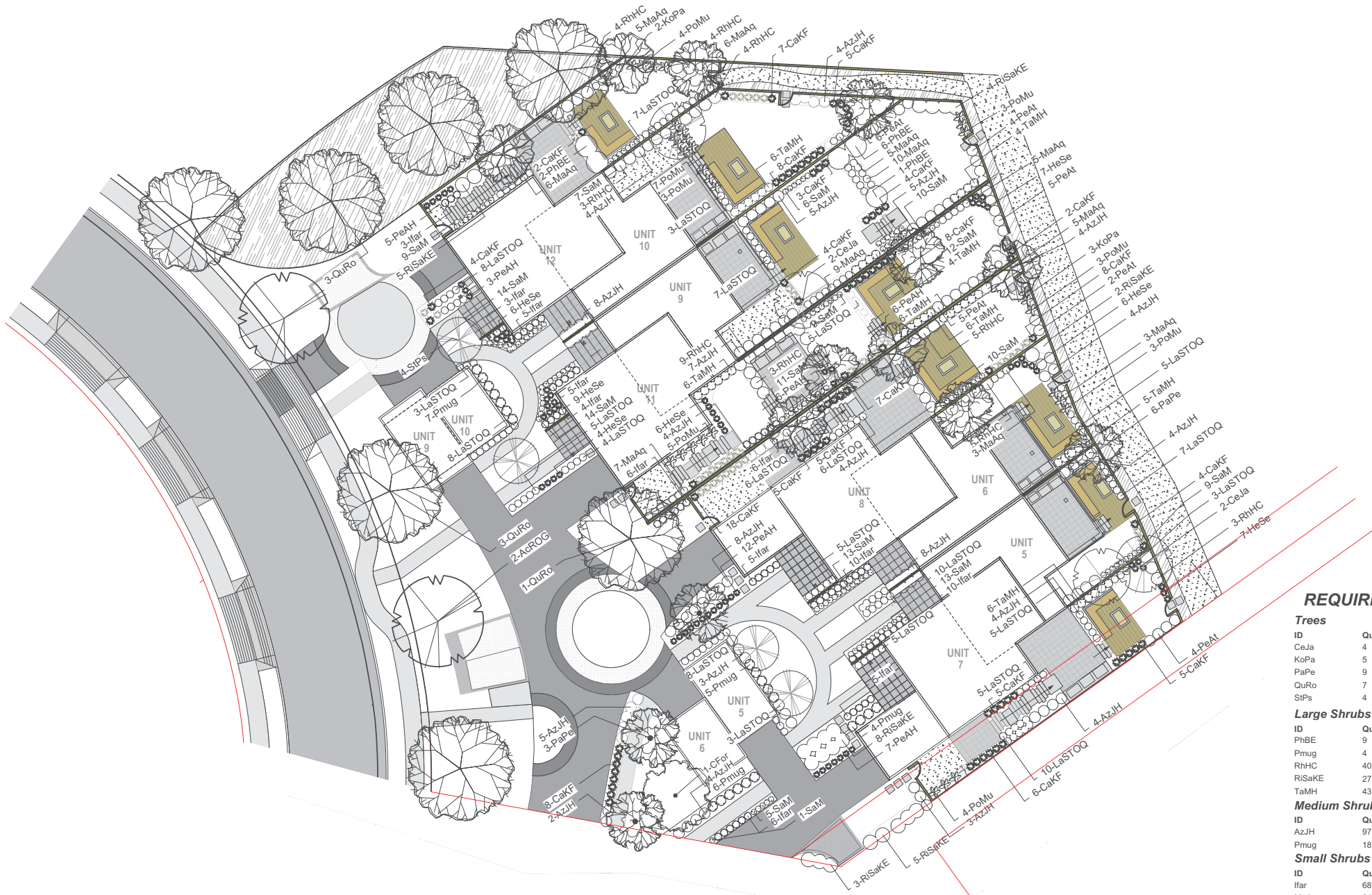
TITLE
Lot 5
Landscape Planting Plan

SCALE: As Shown DRAWN: EO CHECKED: CW

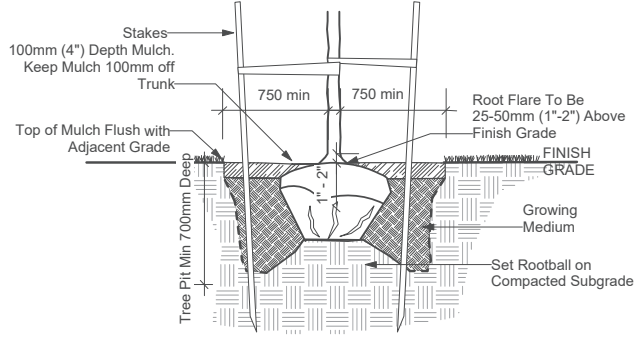
PROJECT No. 2313

DATE: Nov 08 - 23 SHEET: L3 of 4

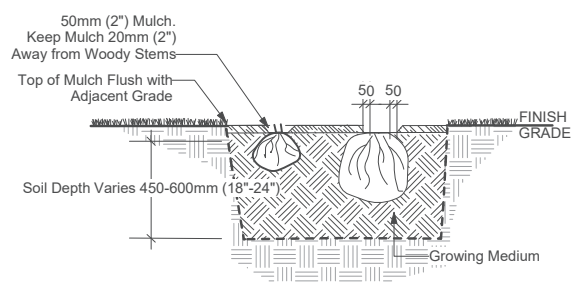




1 Zone 6 : Landscape Planting Plan
L3 Scale 1:200



2 Tree Planting at Grade - Typical Detail
L3 Scale 1:25



3 Tree Planting at Grade - Typical Detail
L3 Scale 1:25

REQUIRED PLANT LIST

Trees				
ID	Quantity	Botanical Name	Common Name	Size
CeJa	4	Cercidiphyllum japonicum	Katsura Tree	6cm cal.
KoPa	5	Koelreuteria paniculata	Golden Rain Tree	5.0 cm cal.
PaPe	9	Parrotia persica	Persian Ironwood	6.0 cm cal.
QuRo	7	Quercus robur	English Oak	6.0 cm cal.
SIPs	4	Stewartia pseudocamellia	Japanese Stewartia	5cm cal.
Large Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
PhBE	9	Philadelphus 'Belle Etoile'	Belle Etoile Mock Orange	#5 pot
Pmug	4	Pinus mugo 'Jakobsen'	Jakobsen Mugo Pine	#5 pot
RhHC	40	Rhododendron 'Hino-crimson'	Evergreen Azalea	#5 pot
RiSaKE	27	Ribes sanguineum 'King Edward VII'	King Edward VII Flowering Currant	#5 pot
TaMH	43	Taxus x media 'Hicksii'	Hicks Yew	1.0m ht.
Medium Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
AzJH	97	Azalea japonica 'Herbert'	Herbert Evergreen Azalea	#5 pot
Pmug	18	Pinus mugo 'Jakobsen'	Jakobsen Mugo Pine	#5 pot
Small Shrubs				
ID	Quantity	Botanical Name	Common Name	Size
Ifar	68	Ilex crenata 'Farrowone' USPP 20049	Sky Pointer® Japanese Holly	#1 pot
MaAq	64	Mahonia Aquifolium	Low Oregon Grape	#1 pot
Perennials, Annuals and Ferns				
ID	Quantity	Botanical Name	Common Name	Size
CaKF	118	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#1 pot
LaSTOQ	128	Lavandula stoechas 'Otto Quast'	Spanish Lavender	#1 pot
PeAt	26	Perovskia atriplicifolia	Russian Sage	#1 pot
PoMu	32	Polystichum munitum	Sword Fern	#1 pot

- Notes:**
- All work to be completed to current BCSLA Landscape Standards
 - All soft landscape to be irrigated with an automatic irrigation system



Rev.	Date	Description
4	Jul 25-24	Re-Issued for Building Permit
3	Jun 28-24	Re-Issued for Building Permit
2	May 30-24	Re-Issued for Building Permit
1	Feb 21-24	Issued for Building Permit



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Phone: (250) 598-0105 Fax: (250) 412-0696

PROJECT
Rocky Creek Townhomes
Ladysmith, BC

TITLE
Lot 6
Landscape Planting Plan

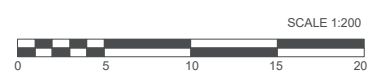
SCALE
1:200

DRAWN **EO**
CHECKED **CW**

PROJECT No. **2313**

DATE
Nov 08 - 23

L3 of 4
SHEET





This plan serves as a framework for managing waste effectively and should be tailored to the specific needs of your project and site conditions. Ensure ongoing compliance and continuous improvement throughout the project's duration.

Project Overview

Project Address	1301 Rocky Creek Road, Ladysmith, BC, V9G 1K4
Project Type	Residential Construction
Project Description	Construction of 21 Townhome units.
Waste Removal	DBL Disposal
Contact Info	250-751-8923

Plan Objectives

- Minimize the amount of construction waste sent to landfills
- Promote recycling and reuse of materials
- Ensure compliance with local waste management regulations
- Reduce environmental impact

Waste Management Goals

- Divert waste materials away from landfill and into appropriate recycling facilities
- Establish procedures for sorting and recycling waste materials
- Implement strategies for reducing waste generation

Waste Stream Identification

Waste Type	Waste Stream
Household garbage (plastic, food containers, office trailer garbage)	Animal-proof containers. Empty into designated DBL garbage bins.
Construction garbage (plastic, vinyl, abs, pvc, etc)	Designated DBL garbage bins.
Clean wood waste (untreated/unpainted lumber, offcuts)	Designated DBL wood bin.
Treated/painted wood waste	Designated DBL garbage bin.
Recyclables (bottles, cans)	Designated bins for recycling depot.
Office recycling (paper, cardboard)	Designated bins for recycling depot.

Waste Management Strategies

1. Reduction
 - a. Minimize waste in the design and procurement phases
 - b. Manage on site practices to minimize waste
2. Sorting and Segregation
 - a. Designate bins on site for different types of waste
 - b. Train new employees to avoid contamination



Construction Waste Management Plan

Revision: 00

Prepared By: Chris Wood

Date: 2024-08-06

Approved By: Stefan Crucil

3. Recycling

- a. Ensure waste goes into the appropriate stream. Allow for recycling where possible.

Hazardous Waste Management

- Follow FMC policies when there is any chance of encountering hazardous materials

Roles and Responsibilities

Role	Name	CWMP Responsibilities
Project Manager	Stefan Crucil	Oversee CWMP implementation and ensure compliance
Site Supervisor	Ben Danley	Monitor on site adherence to CWMP
Workers	Various	Follow handling, sorting, and disposal instructions
Waste Removal Consultant	DBL Disposal Services	Handle waste collection and removal from site

Training and Communication

- Conduct training at project start to clarify roles and responsibilities
- Familiarize all new workers and subcontractors with the site CWMP
- Clearly label waste bins

Monitoring and Reporting

- Waste Tracking: maintain records of waste quantities and types
- Regular Audits: Perform regular audits to ensure adherence to CWMP

Review and Improvement

- FMC office to regularly review and update this CWMP based on project needs and performance



Construction Waste Management Plan

Revision: 00

Prepared By: Chris Wood

Date: 2024-08-06

Approved By: Stefan Crucil

Acknowledgement

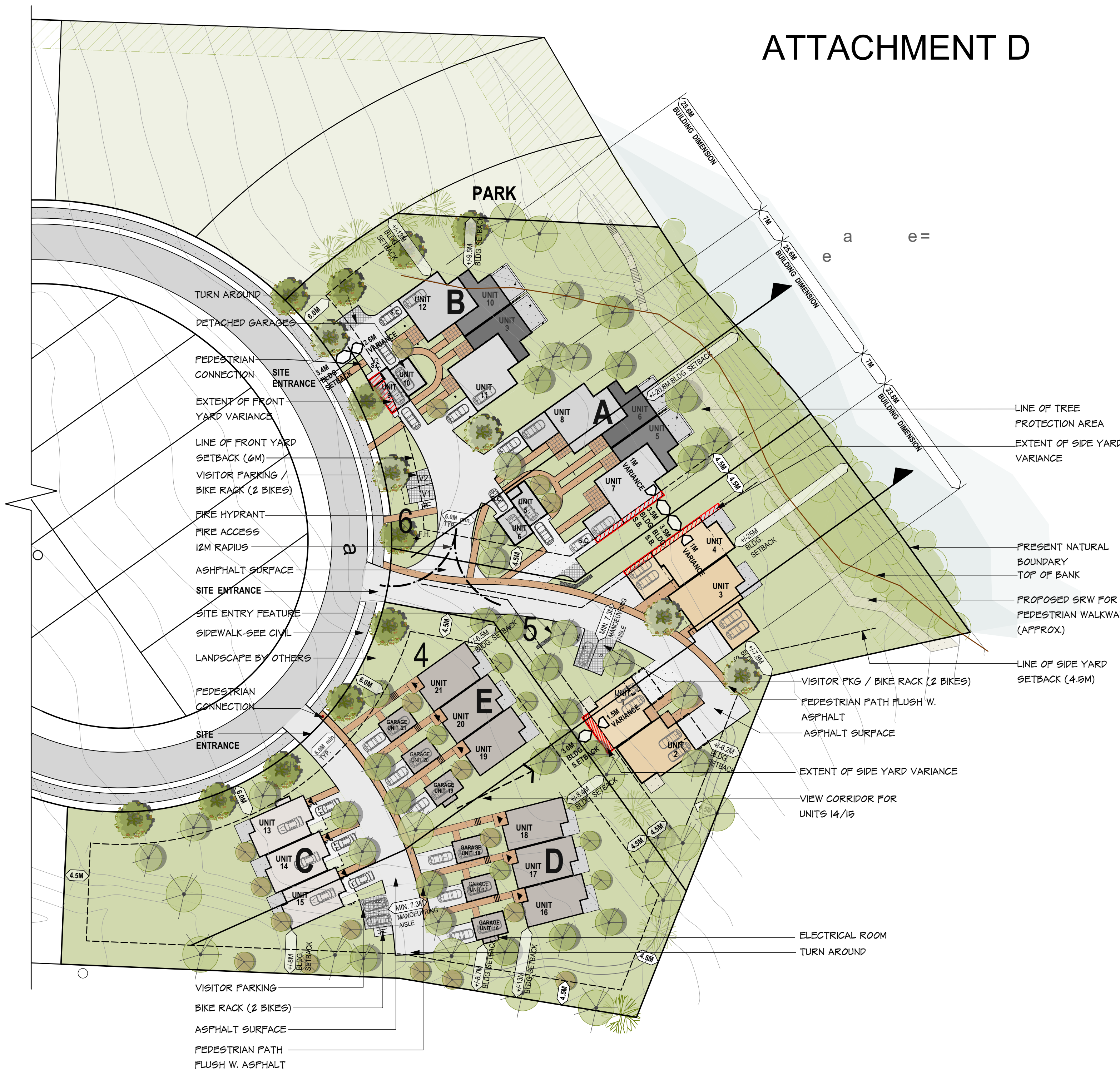
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ATTACHMENT D



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PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
SITE PLAN

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

NUMBER:
 1552.19.19

ISSUED:	
MEETING:	16 MARCH 2023
REVIEW:	04 MAY 2023
REVIEW:	16 MAY 2023
TOWN OF LADYSMITH PREVIEW:	25 MAY 2023
ISSUED:	30 MAY 2023
T.O.L. PRE-APP MTG:	06 JUNE 2023
CONSULTANT:	22 JUNE 2023
DPA:	30 JUNE 2023
SUPPLEMENTAL INFO:	10 JULY 2023
SUP.INFO/REVISED:	24 JULY 2023
SUP.INFO/REVISED:	22 JULY 2024
DP RESUBMISSION:	22 AUG. 2024

SEAL:

SITE PLAN

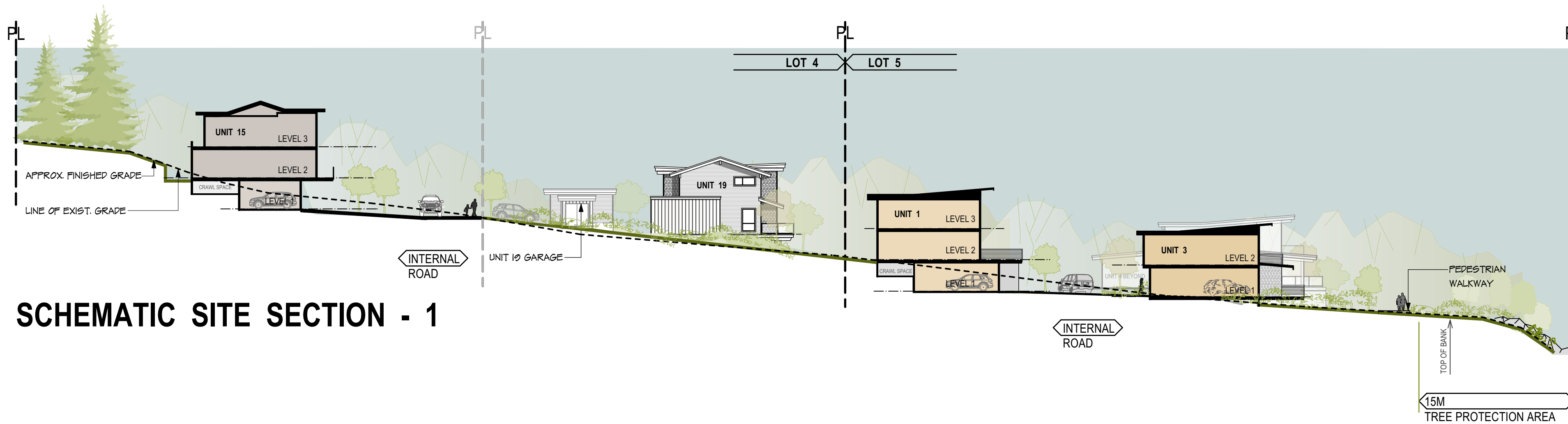
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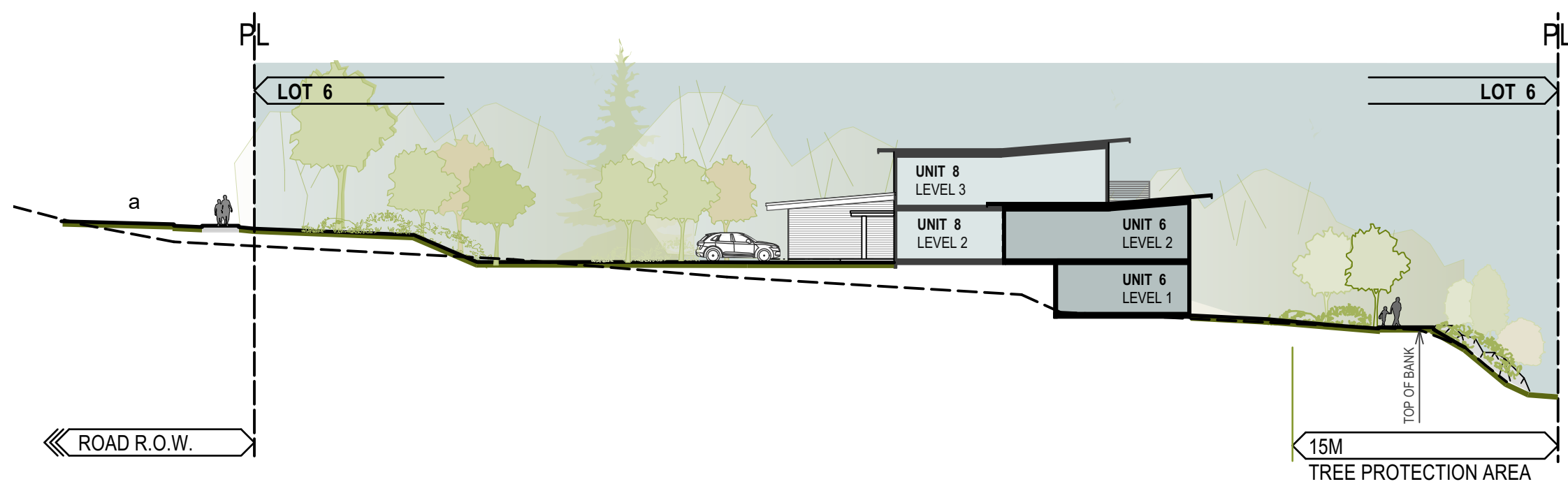
NOTES:

- REDACTED DENOTES AREA OF PROPOSED VARIANCES
- LANDSCAPE SHOWN IS REPRESENTATIONAL ONLY. REFER TO LANDSCAPE DESIGN FOR PLANT PALETTE AND DECORATIVE PAVING.
- SEE FLOOR PLANS FOR BUILDING DIMENSIONS.
- SEE PAGE PR1.0 FOR PARKING STALL DIMENSIONS.
- SEE CIVIL BY OTHERS.

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.
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SCHEMATIC SITE SECTION - 1



SCHEMATIC SITE SECTION - 2

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
 SCHEM. SITE SECTIONS

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

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MEETING:	16 MARCH 2023
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DP RESUBMISSION:	22 AUG. 2024

SEAL:

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PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS - LOT 5

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

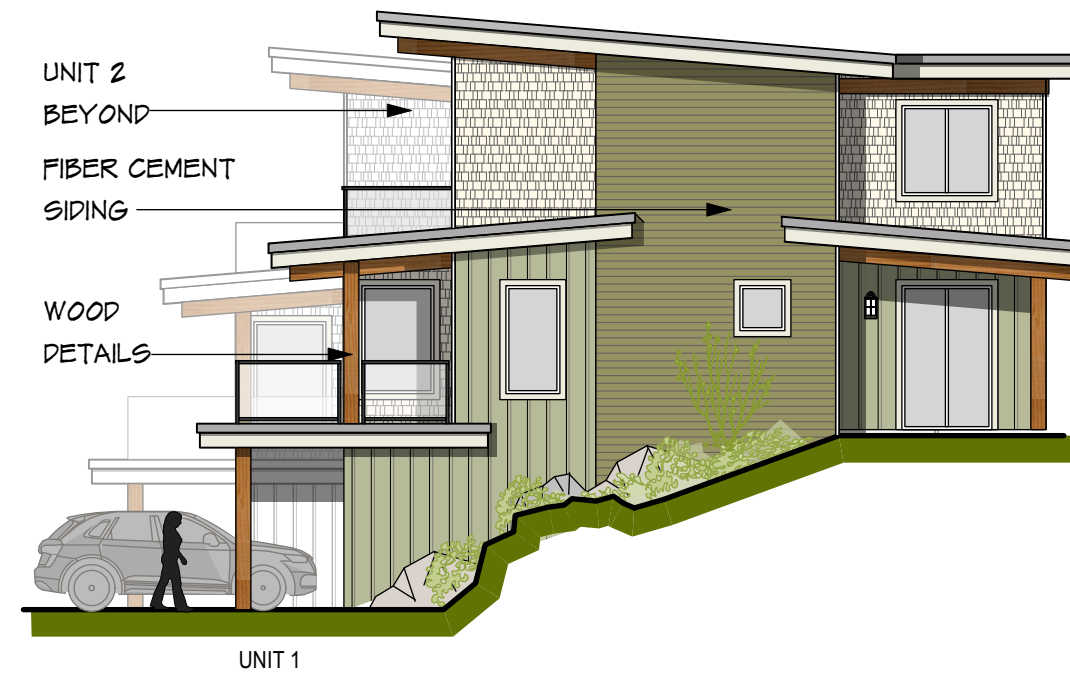
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 1552.19.19

ISSUED:
 MEETING: 16 MARCH 2023
 REVIEW: 04 MAY 2023
 REVIEW: 16 MAY 2023
 TOWN OF LADYSMITH
 PREVIEW: 25 MAY 2023
 ISSUED: 30 MAY 2023
 T.O.L. PRE-APP MTG: 06 JUNE 2023
 DPA: 30 JUNE 2023
 DP RESUBMISSION: 22 AUG. 2024

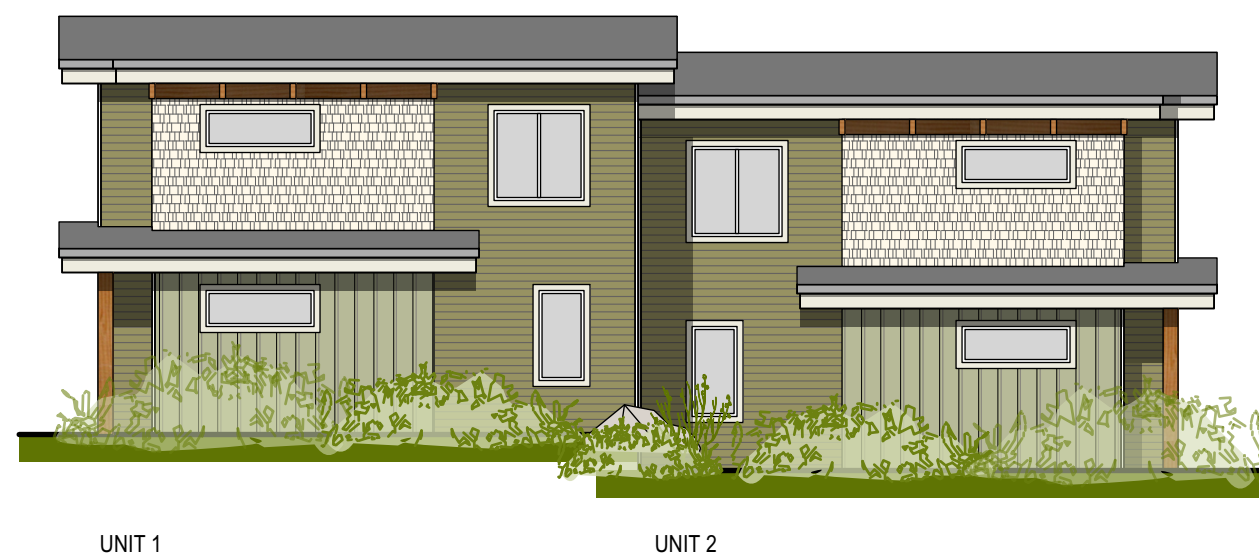
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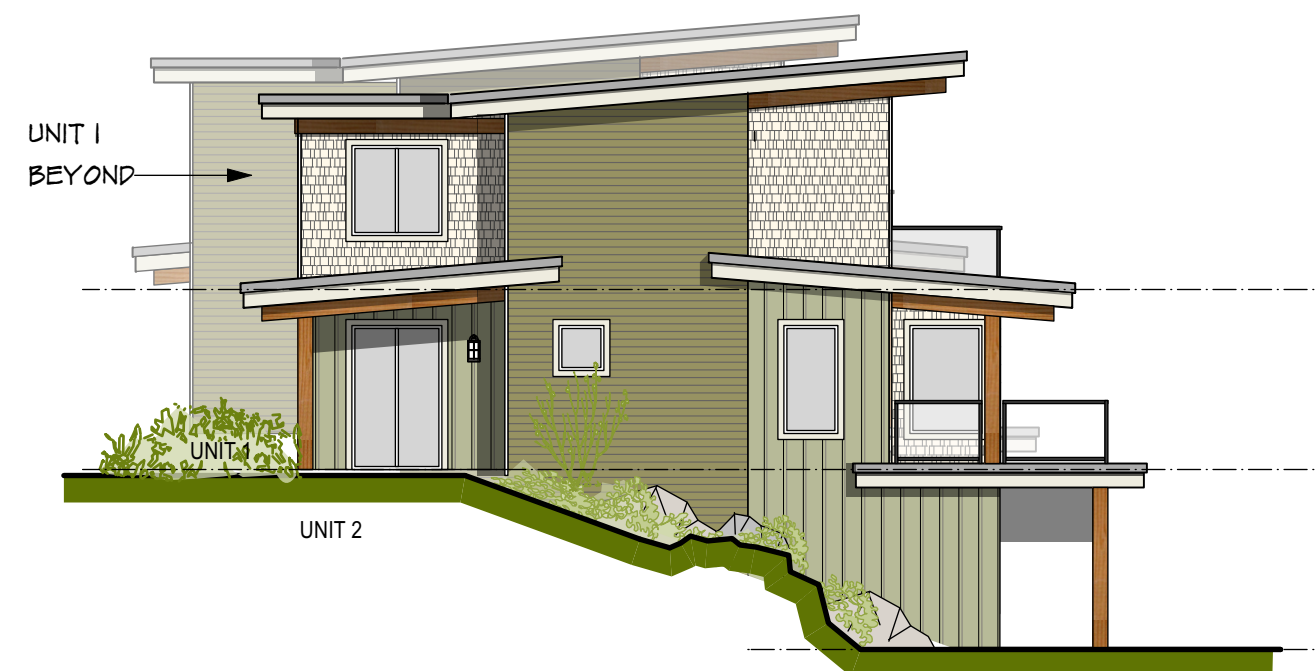
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN MOSS		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAGE		WINDOW FRAMES/PATIO DOORS WHITE
			FRONT DOOR COLOUR CLAY RED
			FRONT DOOR COLOUR DEEP SEA BLUE BLACK
			ROOFING GREY

LOT 5 - UNIT 1/2

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS - LOT 5

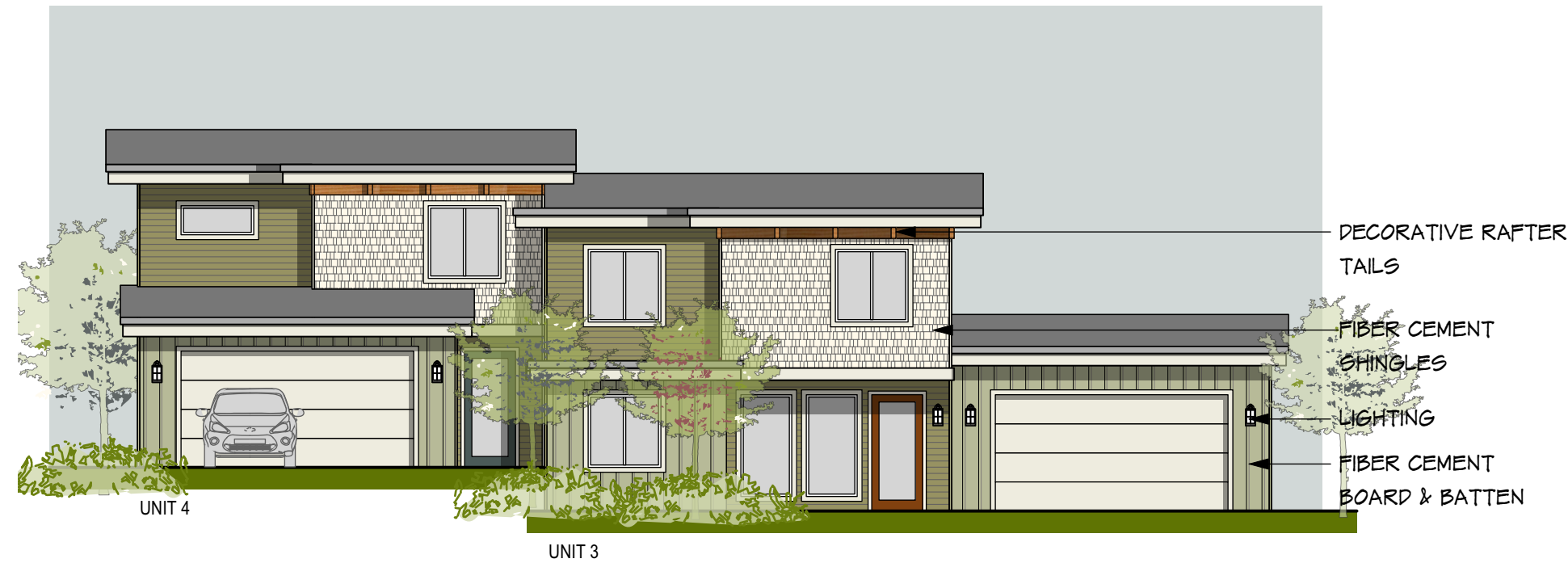
SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

NUMBER:
 1552.19.19

ISSUED:
 MEETING: 16 MARCH 2023
 REVIEW: 04 MAY 2023
 REVIEW: 16 MAY 2023
 TOWN OF LADYSMITH
 PREVIEW: 25 MAY 2023
 ISSUED: 30 MAY 2023
 T.O.L. PRE-APP MTG: 06 JUNE 2023
 DPA: 30 JUNE 2023
 DP RESUBMISSION: 22 AUG. 2024

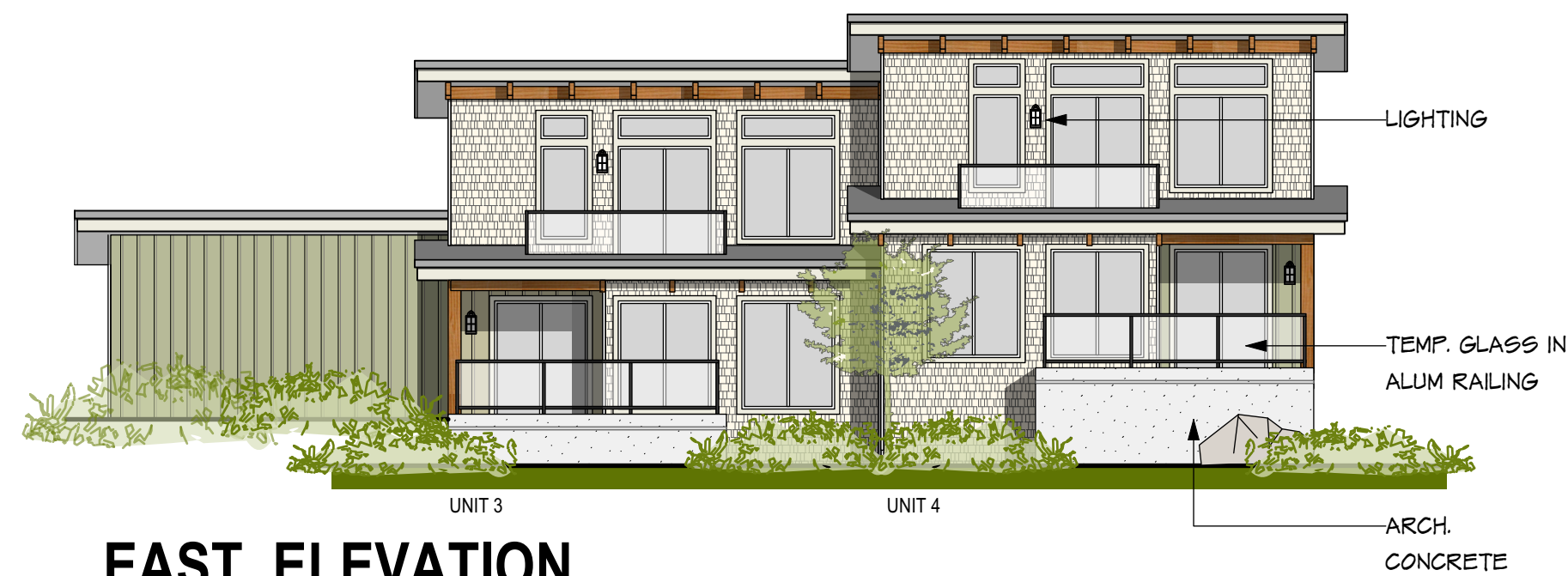
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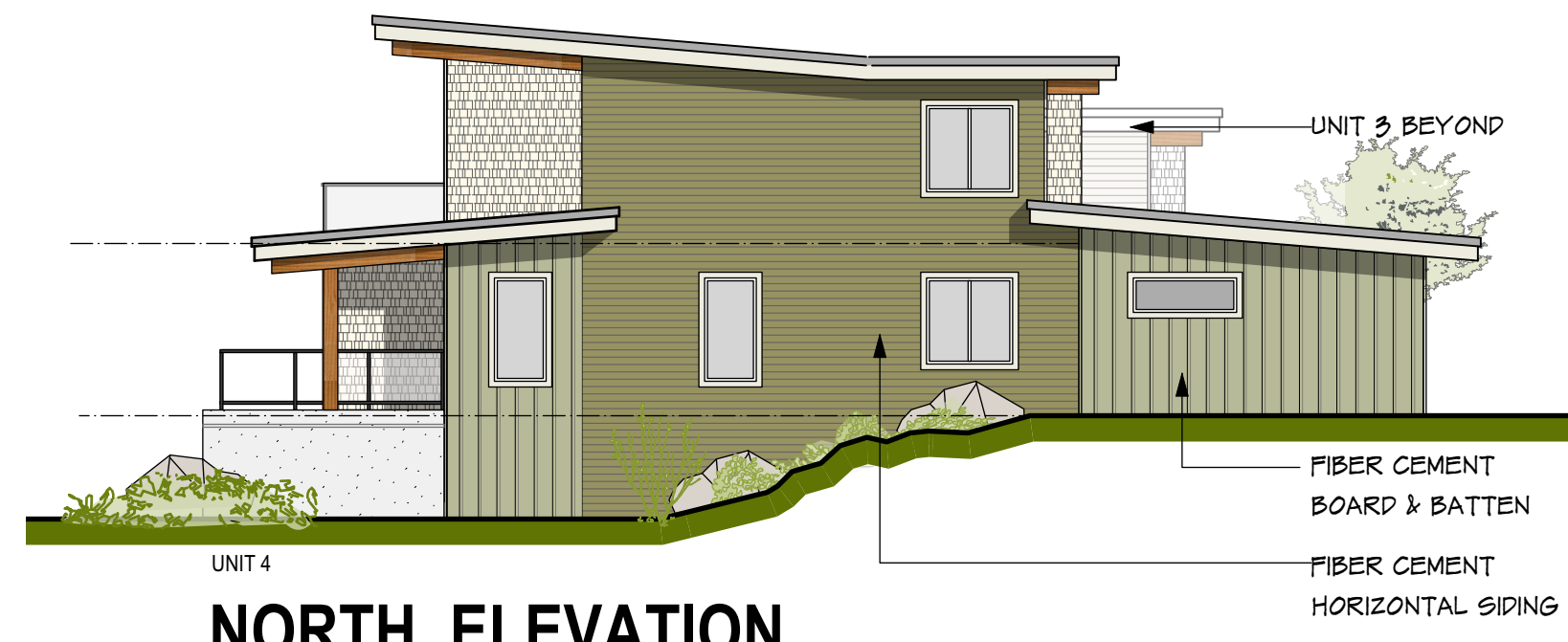
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

MATERIAL & COLOUR SCHEDULE

	FIBER CEMENT BOARD & BATTEN MOSS		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE		FRONT DOOR COLOUR CLAY RED
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR		FRONT DOOR COLOUR DEEP SEA BLUE BLACK
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAGE		WINDOW FRAMES/PATIO DOORS WHITE		ROOFING GREY

LOT 5 - UNIT 3/4

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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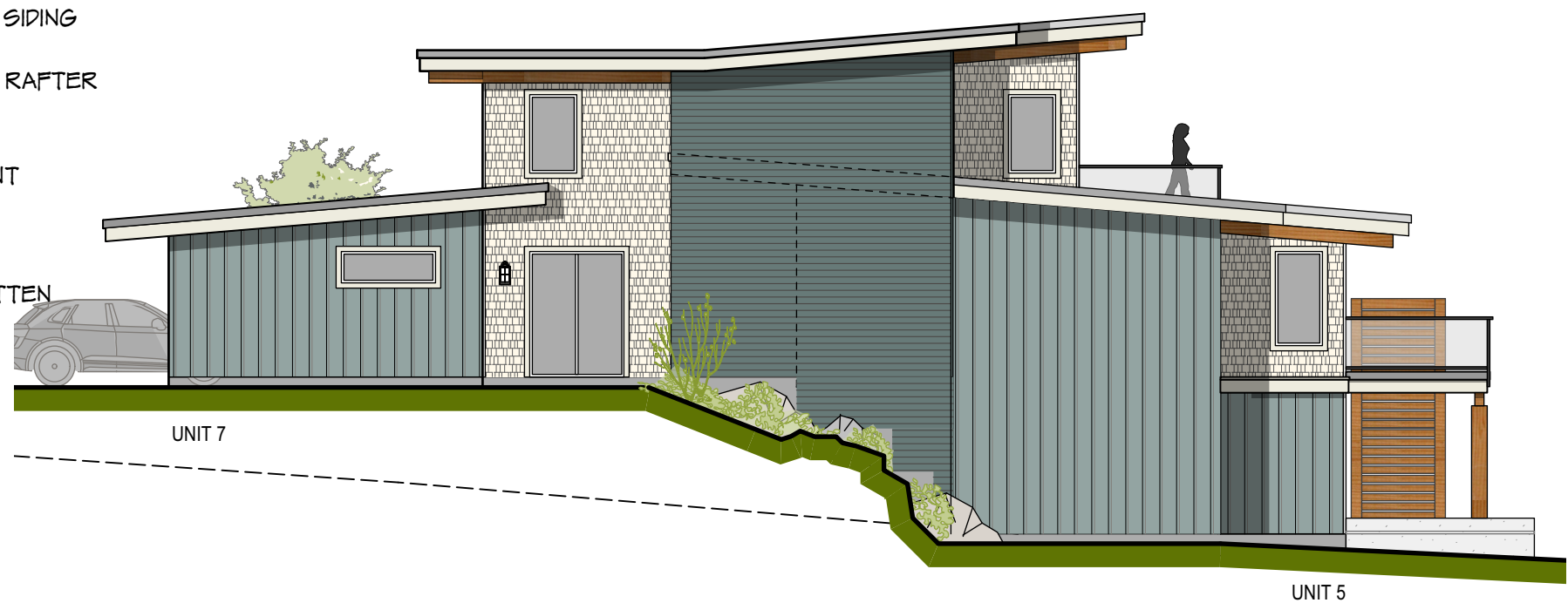
PAGE NO.

Lot 5.4

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.



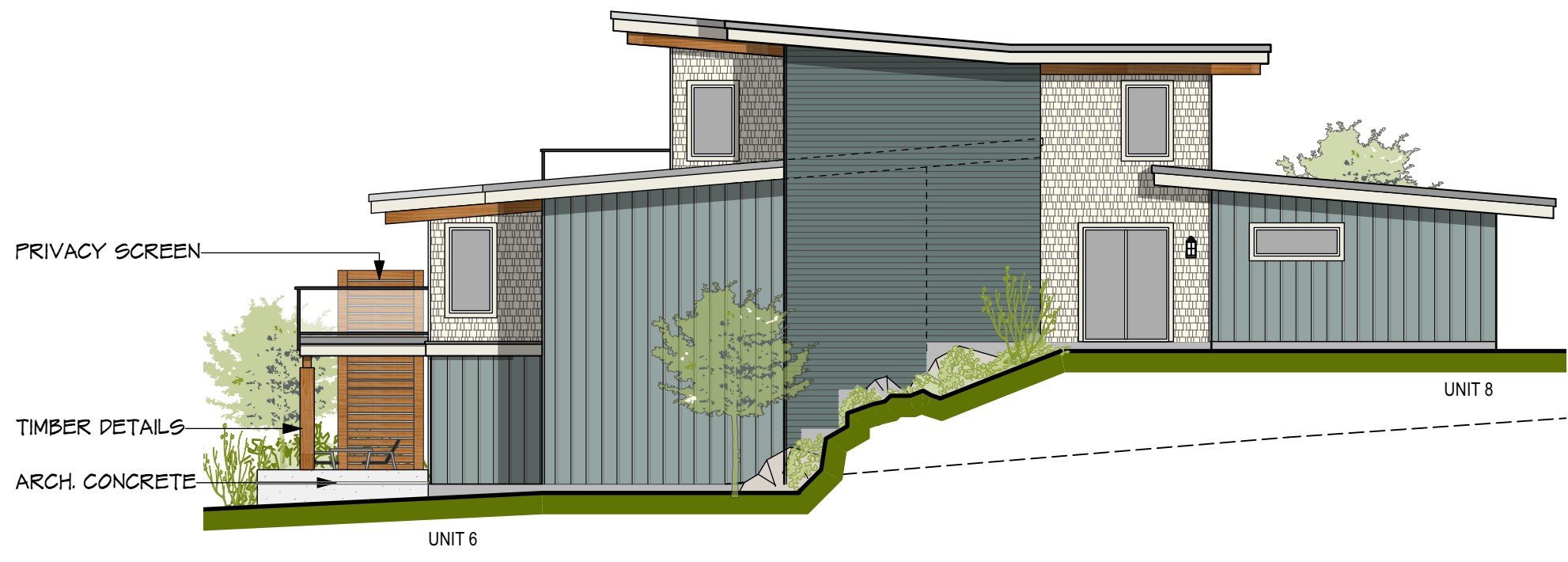
WEST ELEVATION
(FACING INTERNAL ROAD)



SOUTH ELEVATION



EAST ELEVATION
(FACING WATER)



NORTH ELEVATION

DRAWING TITLE:
ELEVATIONS-LOT 6

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

NUMBER:
 1552.19.19

ISSUED:

MEETING: 16 MARCH 2023
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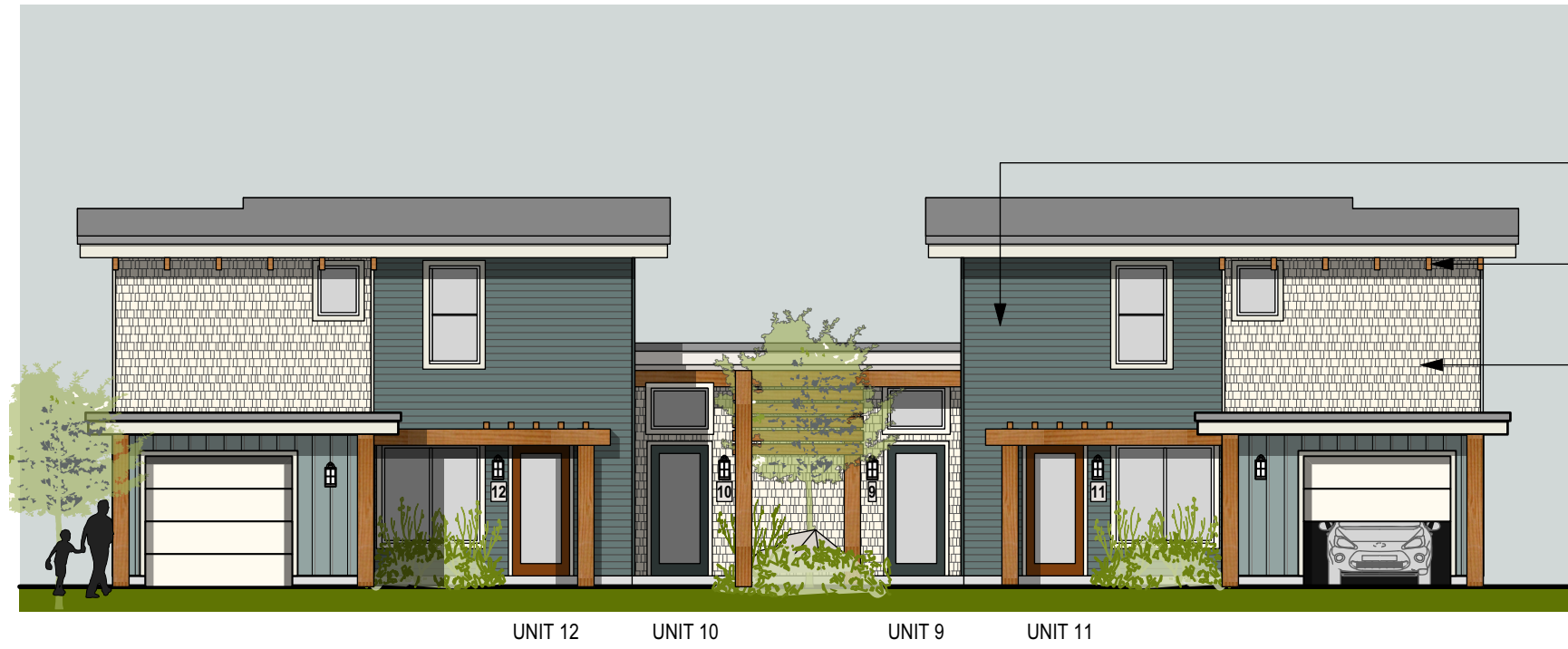
SEAL:

MATERIAL & COLOUR SCHEDULE			
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	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PATIO DOORS WHITE
			FRONT DOOR COLOUR CLAY RED
			FRONT DOOR COLOUR DEEP SEA BLUE BLACK
			ROOFING GREY

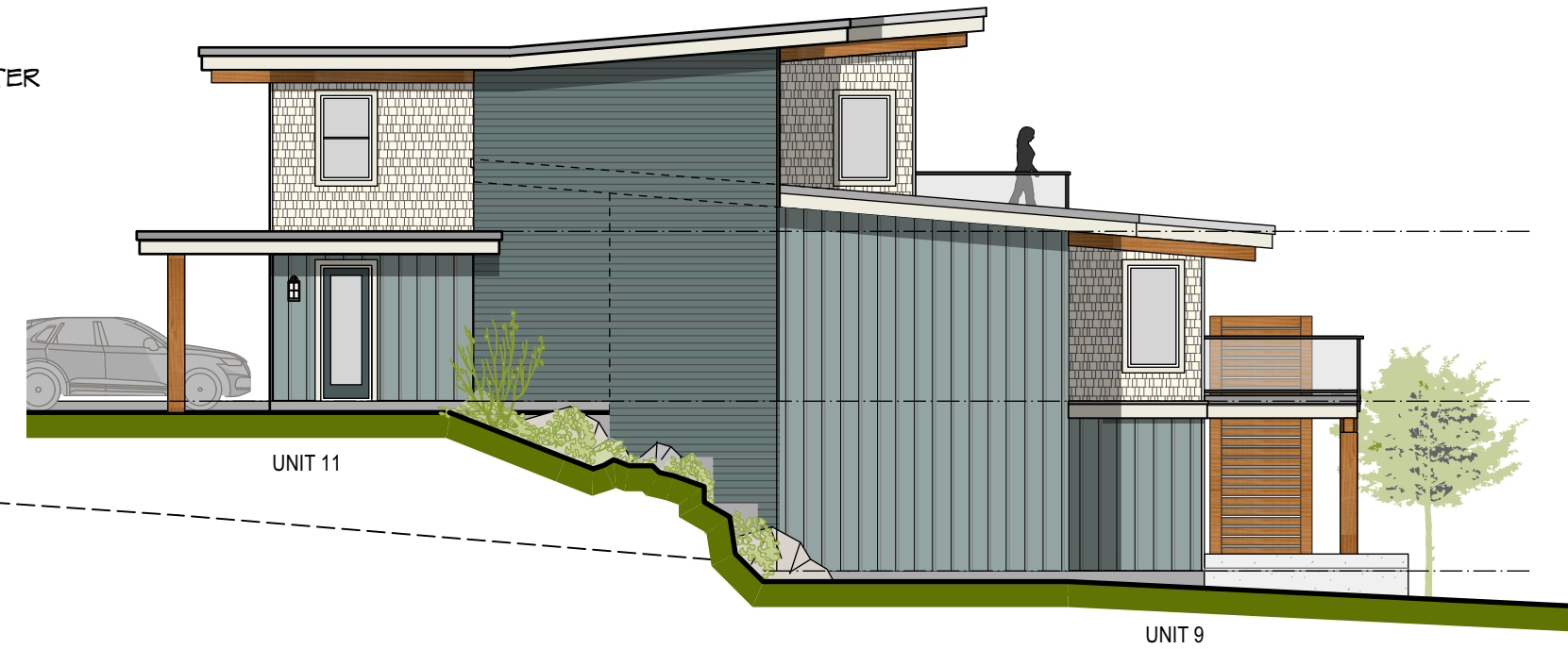
LOT 6 - UNIT 5/6/7/8

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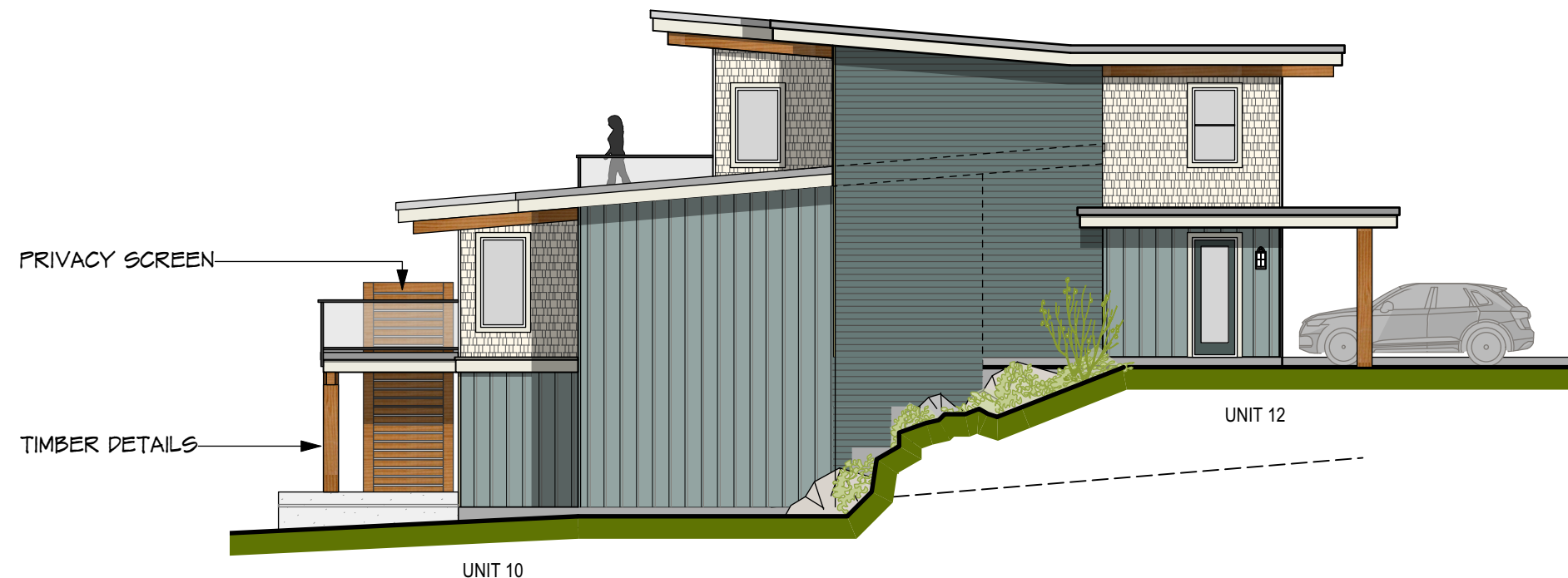
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

DRAWING TITLE:
ELEVATIONS-LOT 6

SCALE:
AS NOTED

DRAWN BY:
C.M./B.B.

NUMBER:
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DPA: 30 JUNE 2023
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SEAL:

MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN UNDERSEAS BLUE		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING ROCKY RIVER BLUE		WINDOW FRAMES/PATIO DOORS WHITE
			FRONT DOOR COLOUR CLAY RED
			FRONT DOOR COLOUR DEEP SEA BLUE BLACK
			ROOFING GREY

LOT 6 - UNIT 9/10/11/12

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS,
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PAGE NO

Lot 6.6

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
LOT 6 GARAGES

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

NUMBER:
 1552.19.19

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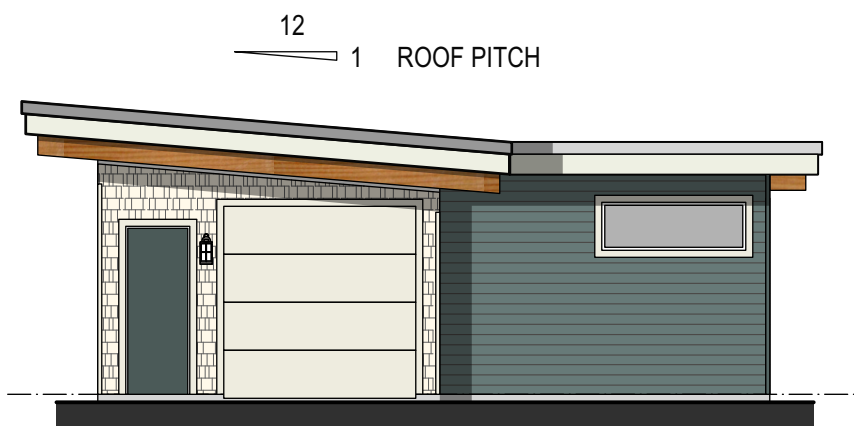
SEAL:

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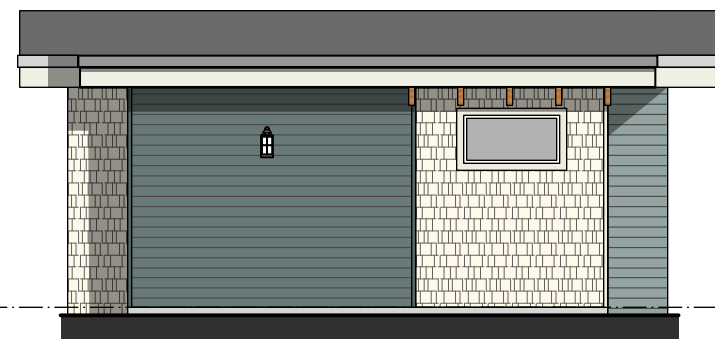
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PAGE NO.

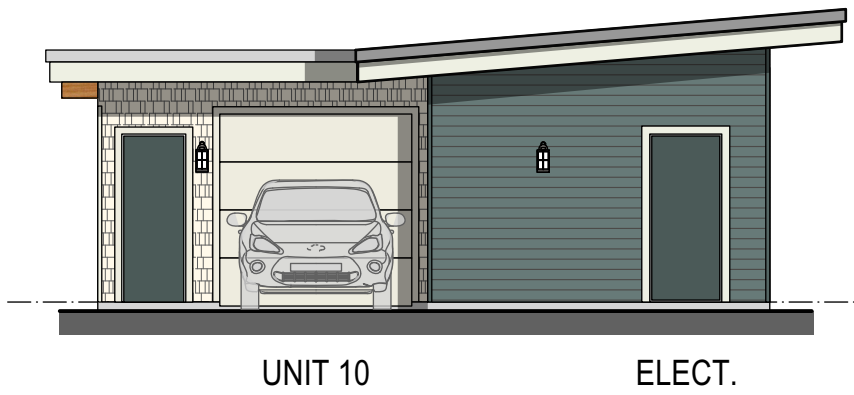
Lot 6.7



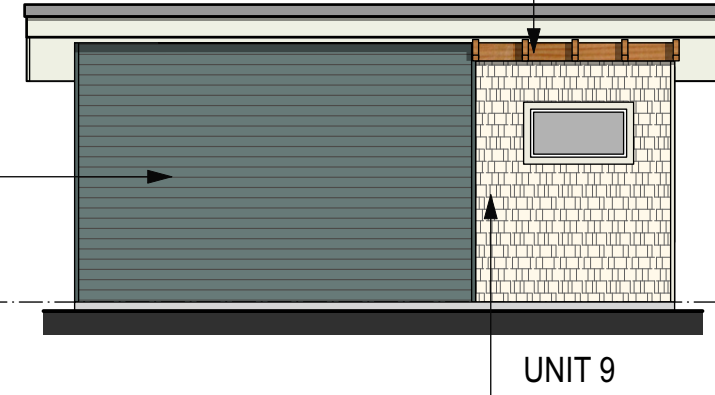
SOUTH ELEVATION



EAST ELEVATION

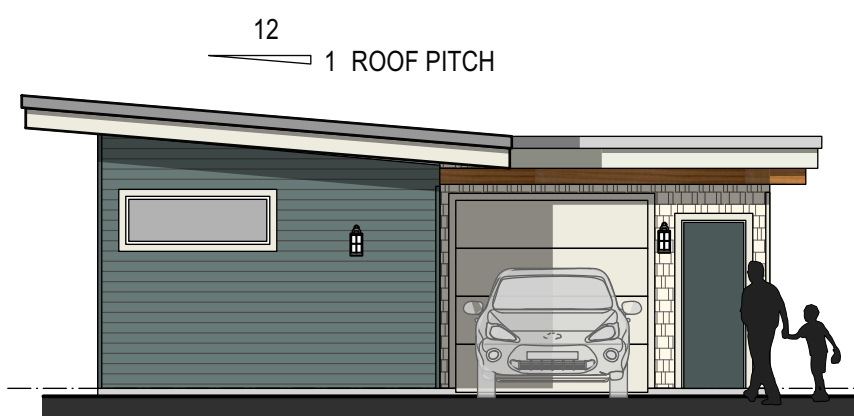


NORTH ELEVATION

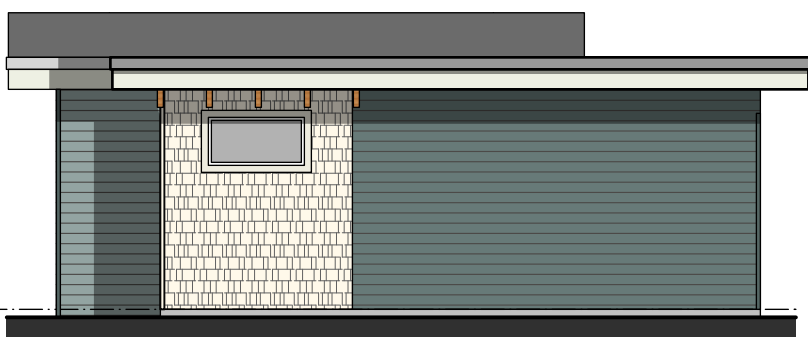


WEST ELEVATION
FACING ROAD

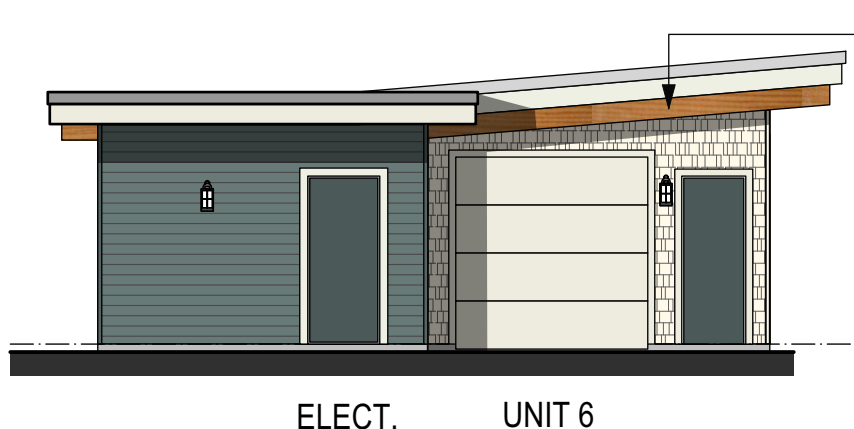
MATERIAL & COLOUR SCHEDULE - LOT 6			
	FIBER CEMENT LAPPED HORIZONTAL SIDING DEEP SEA BLUE		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	WINDOW FRAMES WHITE		MAN DOOR DEEP SEA BLUE BLACK
	ROOFING GREY		



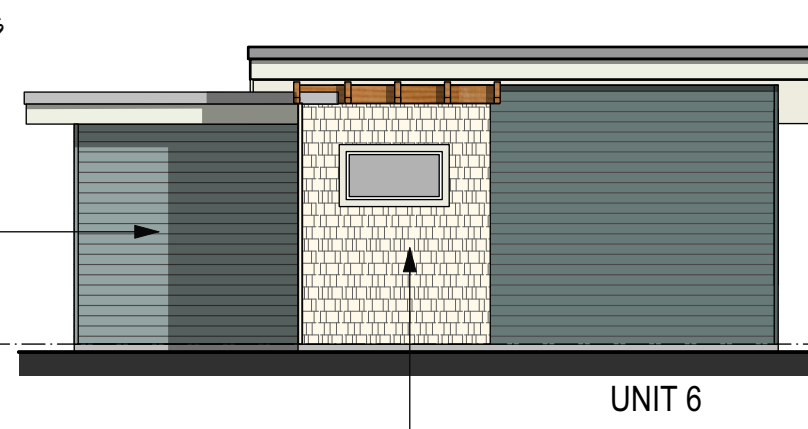
SOUTH ELEVATION



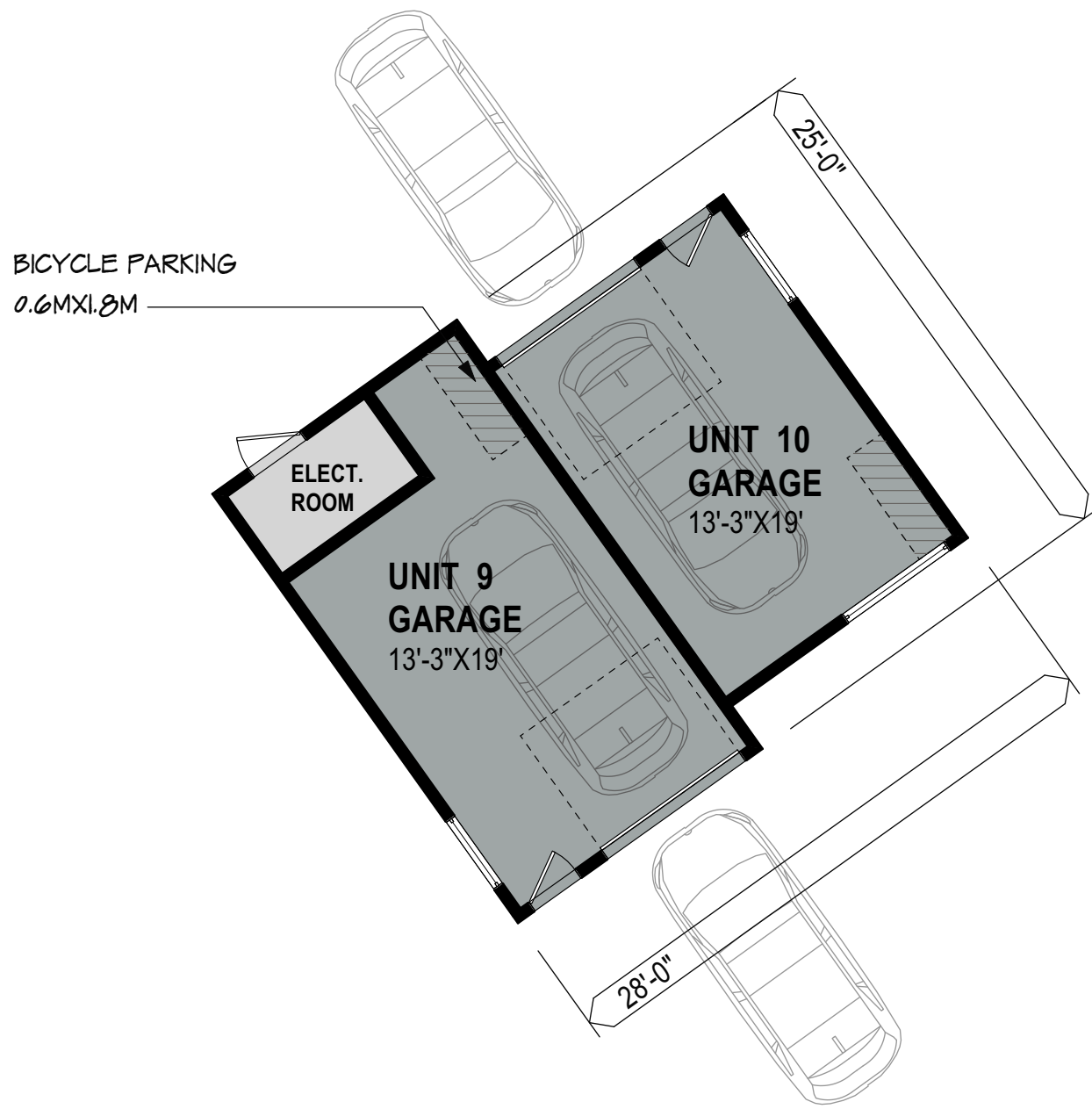
EAST ELEVATION



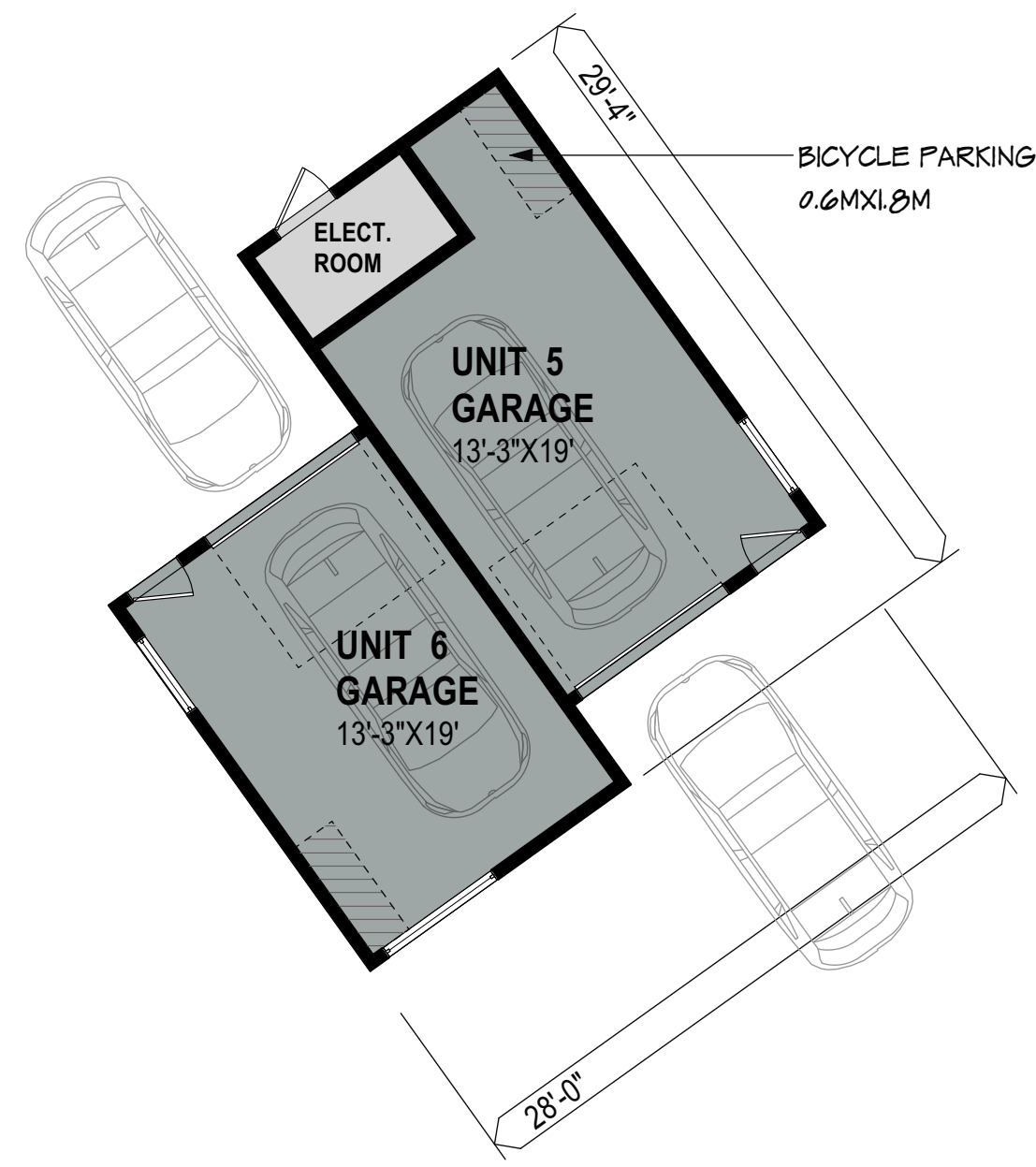
NORTH ELEVATION



WEST ELEVATION
FACING ROAD



GARAGE PLAN
 - UNITS 9 & 10
 - +/-590 SQ.FT. / 55 SQ.M. (EXCL. ELECT. ROOM)



GARAGE PLAN
 - UNITS 5 & 6
 - +/-594 SQ.FT. / 55.2 SQ.M. (EXCL. ELECT. ROOM)

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS-LOT 4

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

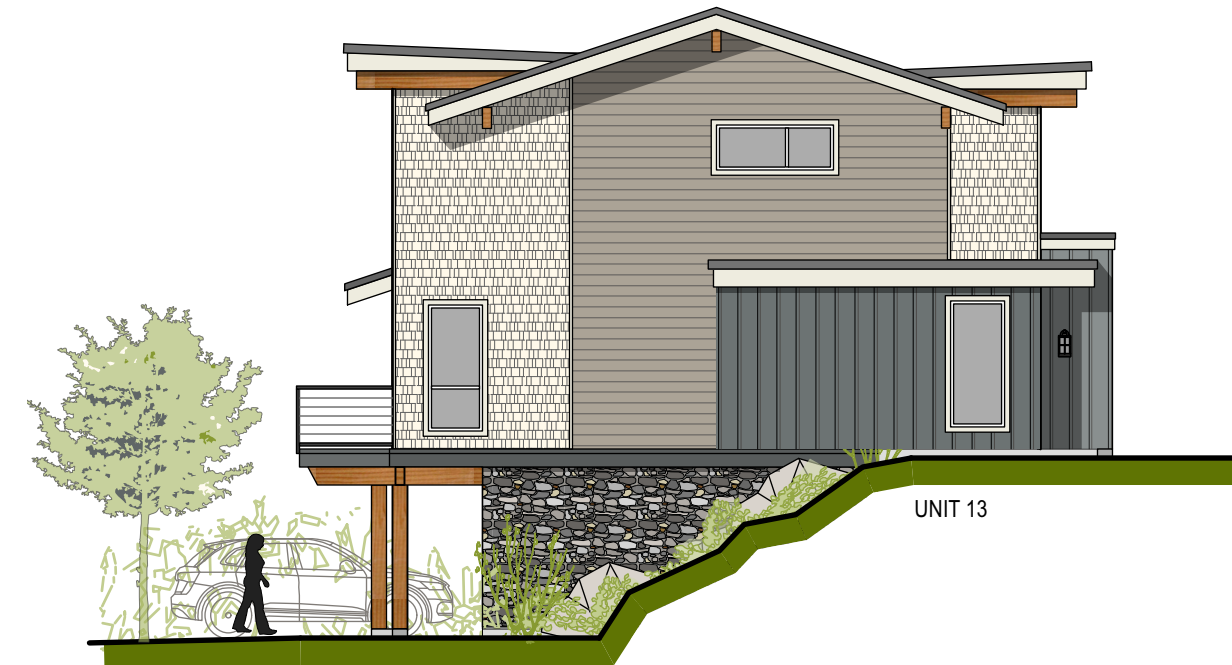
NUMBER:
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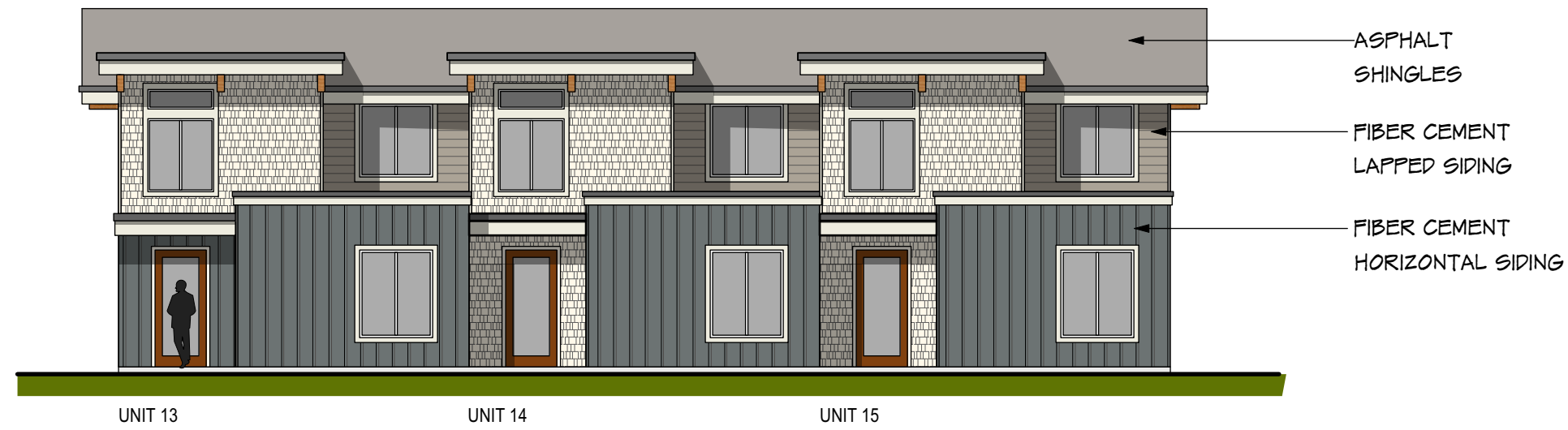
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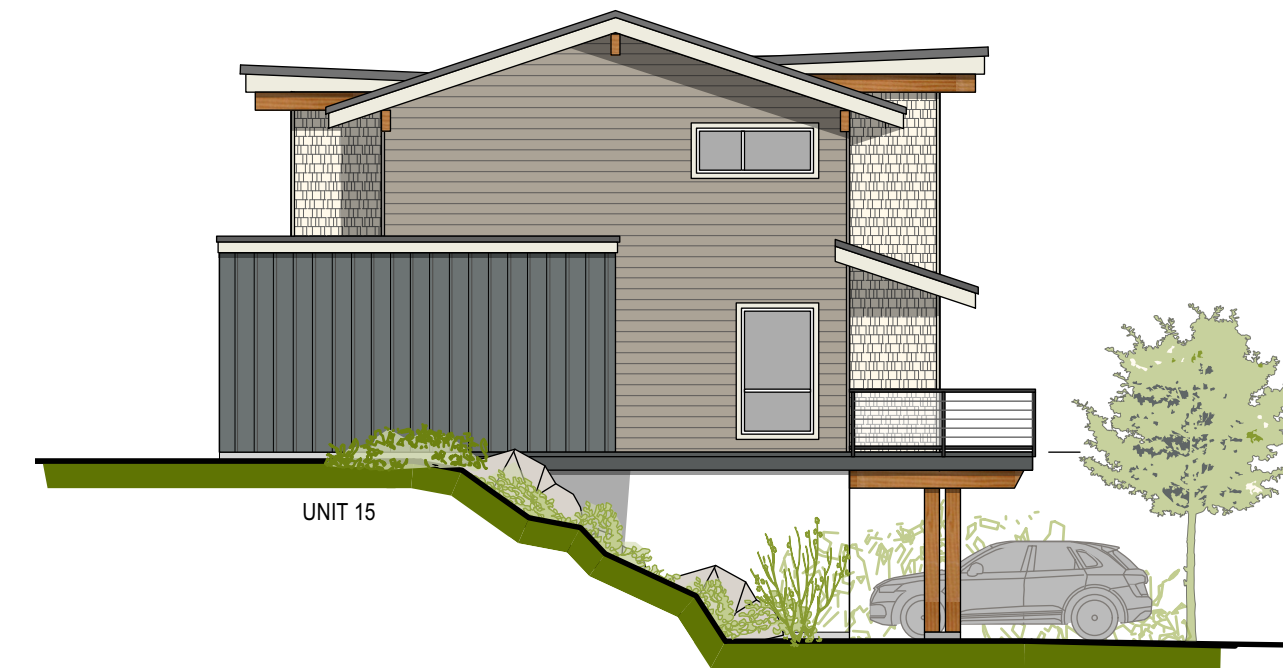
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN GRANITE GREY		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		WINDOW FRAMES/PATIO DOORS WHITE
			FRONT DOOR COLOUR CLAY RED
			ACCENTS/TRIM BAND DEEP SEA BLUE BLACK
			ROOFING CHARCOAL

LOT 4 - UNIT 13-15

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PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.

CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
ELEVATIONS-LOT 4

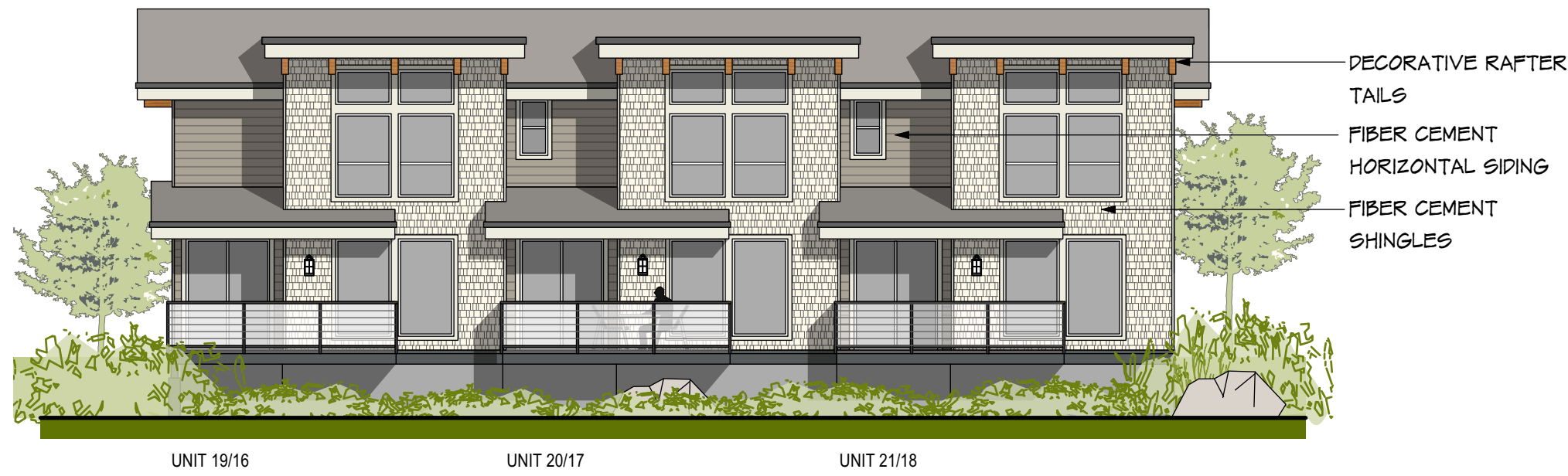
SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

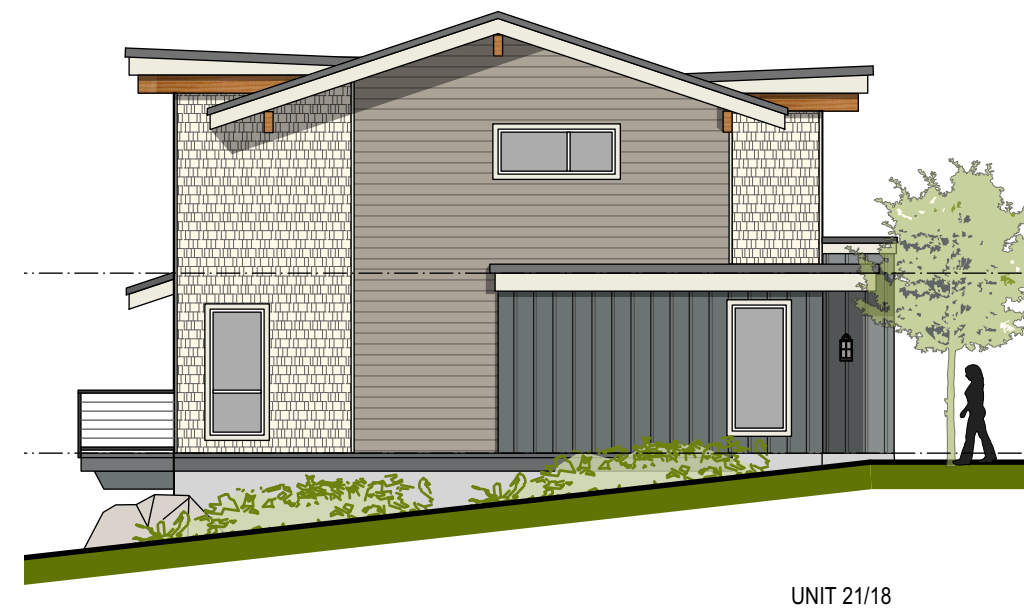
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SEAL:



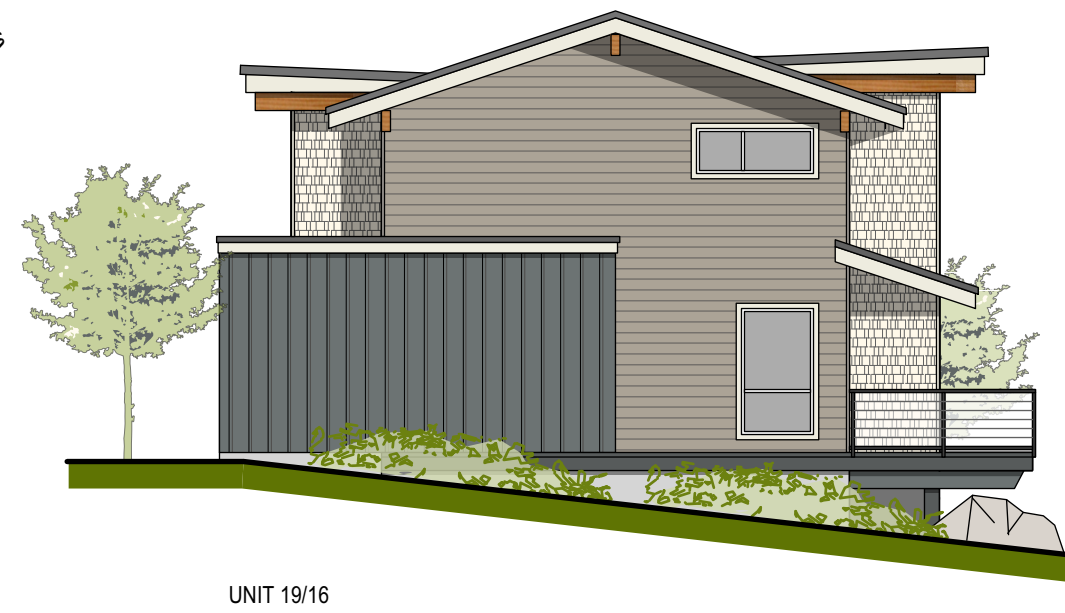
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

MATERIAL & COLOUR SCHEDULE			
	FIBER CEMENT BOARD & BATTEN GRANITE GREY		TRIMS/FASCIAS/GARAGE DOOR WARM WHITE
	FIBER CEMENT SHINGLES WARM WHITE		TIMBER DETAILS NATURAL CEDAR/FIR
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		WINDOW FRAMES/PATIO DOORS WHITE
			ACCENTS/TRIM BAND DEEP SEA BLUE BLACK
			ROOFING CHARCOAL
			FRONT DOOR COLOUR CLAY RED

LOT 4 - UNIT 16-21

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEY DIMENSIONS, LOCATION OF BUILDINGS ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.

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PAGE NO.

Lot 4.4

PROPOSED DEVELOPMENT
1301/1391 ROCKY CREEK ROAD
 LADYSMITH, B.C.
 CLIENT: ROCKY CREEK VENTURES INC.

DRAWING TITLE:
LOT 4 GARAGES

SCALE:
 AS NOTED

DRAWN BY:
 C.M./B.B.

NUMBER:
 1552.19.19

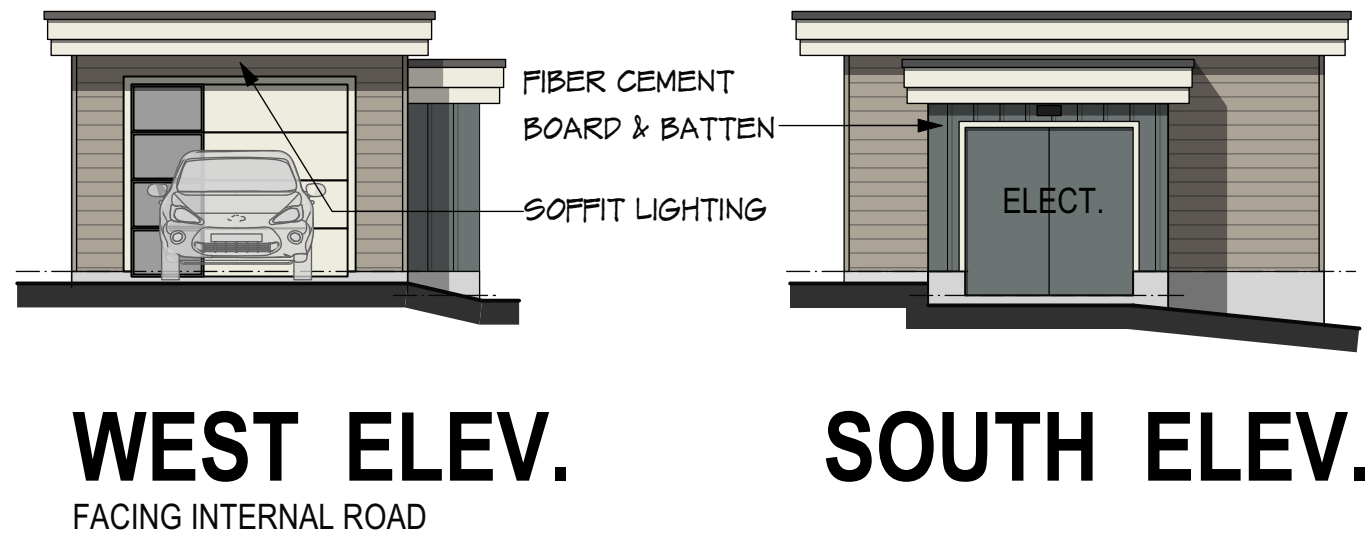
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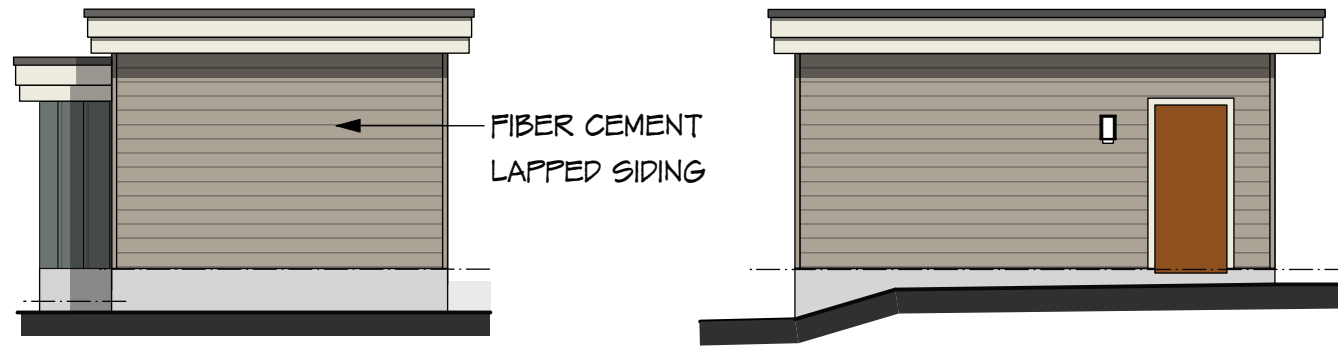
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PAGE NO.
Lot 4.5



WEST ELEV.
 FACING INTERNAL ROAD

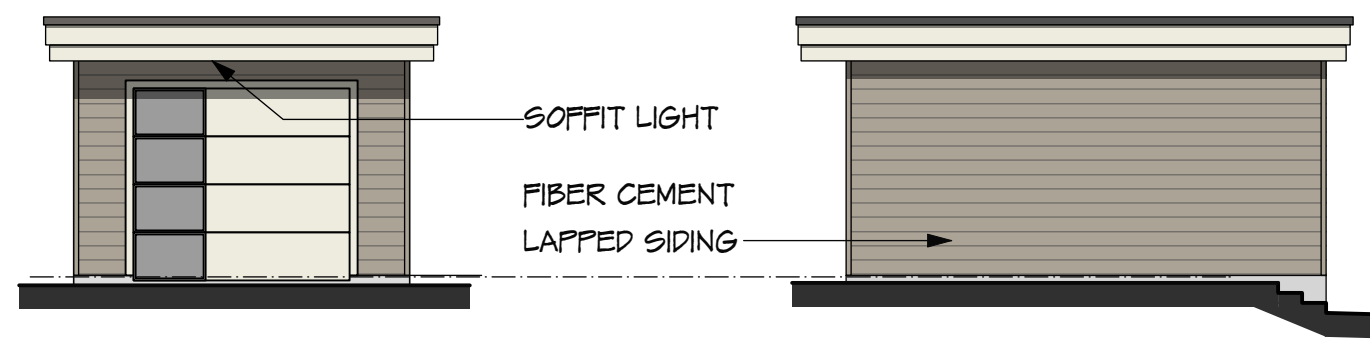
SOUTH ELEV.



EAST ELEV.

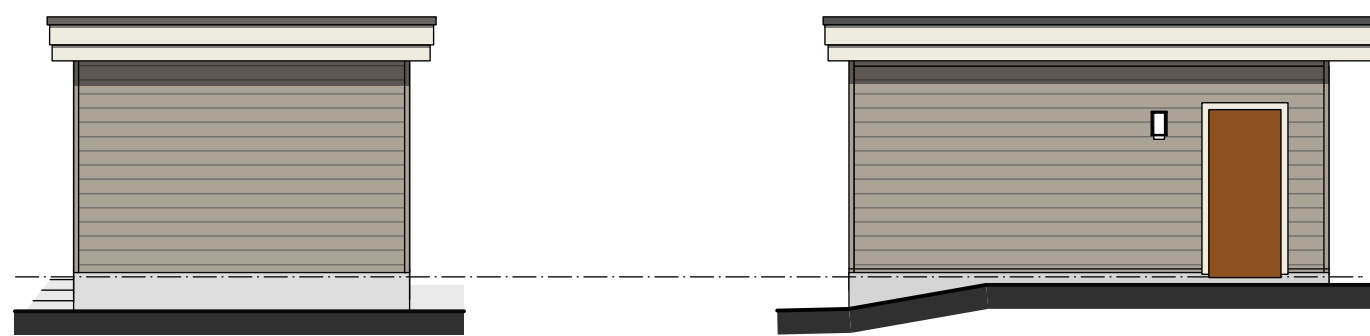
NORTH ELEV.

MATERIAL & COLOUR SCHEDULE- LOT 4			
	FIBER CEMENT LAPPED HORIZONTAL SIDING SAND		TRIMS/FASCIAS/GARAGE DOOR - WARM WHITE
	FIBER CEMENT BOARD & BATTEN GRANITE GREY		MAN DOOR CLAY RED
			ELECT. DOOR GR. GREY



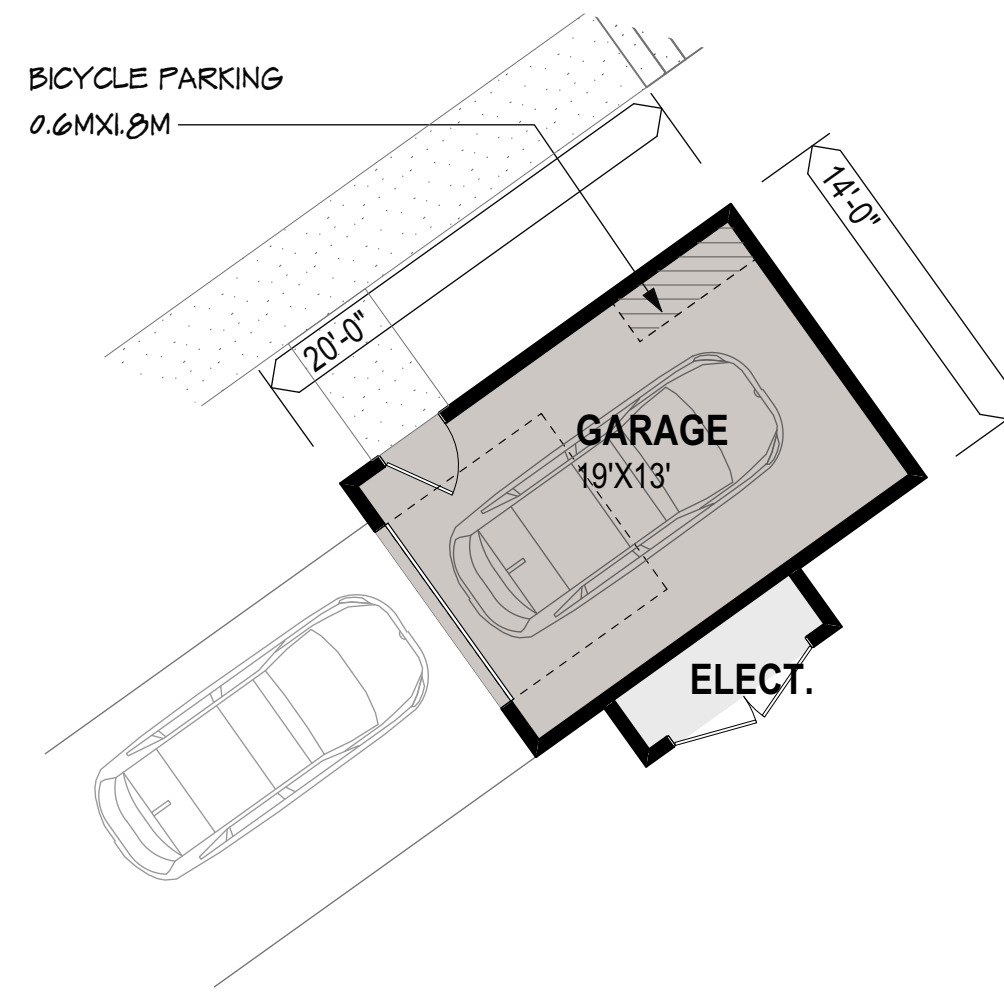
WEST ELEV.
 FACING INTERNAL ROAD

SOUTH ELEV.

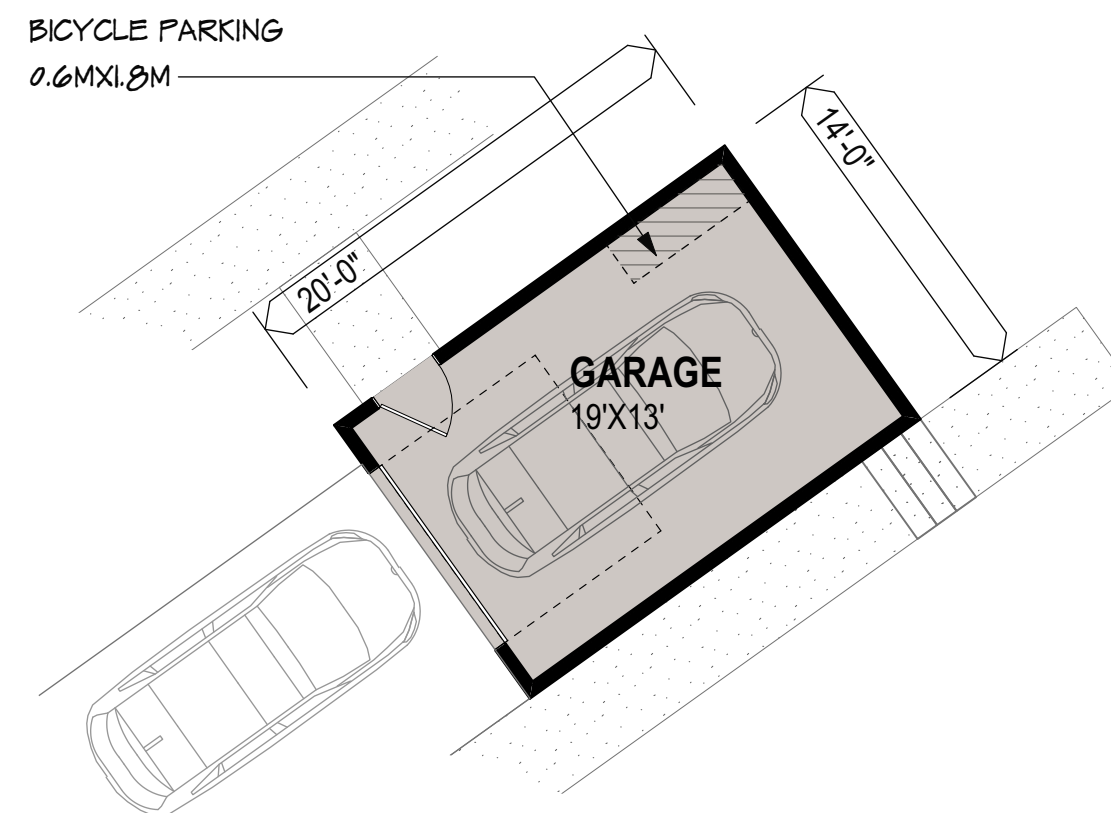


EAST ELEV.

NORTH ELEV.



GARAGE PLAN
 - TYPICAL UNITS 16 & 19
 - UNIT 19 SHOWN
 - 280 SQ.FT. / 26.1 SQ.M. (EXCL. ELECT. RM)



GARAGE PLAN
 - TYPICAL UNITS 17/18/20/21
 - UNIT 18 SHOWN
 - 280 SQ.FT. / 26.1 SQ.M.

Date: July 24, 2024
To: Town of Ladysmith
Development Services
Attn: Andrew Wilson, Planner
Julie Thompson, Planner

RE: DEVELOPMENT PERMIT APPLICATION 1301 & 1391 ROCKY CREEK ROAD, LADYSMITH B.C., TOWNHOUSE DEVELOPMENT LOTS 4,5 & 6.

PROJECT DESCRIPTION:

This application is for the construction of 21 townhomes on three lots in a newly created subdivision on Rocky Creek Road. Two of the subject properties (Lots 5 & 6) front the water to the east with the third parcel (Lot 4) adjacent and south. This is the first phase of development of this site.

Units are arranged in groups of 2, 3 and 4 both side by side and stacked. They will be 2 and 3 storey structures of conventional wood frame construction.

ZONING:

Comprehensive Development 7- Rocky Creek Road, Mixed-Use Residential (CD 7)

SITE (parent parcel):

Notable features of this site include;

The parent parcel has topography that is generally described as a consistent moderate slope from Rocky Creek Road to an embankment of varying height fronting the harbour.

The site was previously a mobile home park with some identifiable remnant features.

Lots 4 and 6 will front on a new public road. Lot 5 is accessed via a panhandle driveway.

[Redacted text block]

(Redacted pursuant to Section 18.1(1) of the Freedom of Information and Protection of Privacy Act.)

Tree protection areas have been identified.

A public walkway is to be constructed along the top of the waterfront embankment

SITE ORGANIZATION:

Lot 4 is perhaps the most conventional townhouse development with 3 groups of 3 units arranged on either side on an internal driveway. The units fan out along a curved drive responding to and establishing view corridors between and over units within and on an adjacent lot. Parking is provided within attached or detached garages, on driveway aprons and at a visitor parking node.

Lot 5 consists of 2 duplexes offset horizontally and vertically to maximize views. Vehicle access is via a panhandle driveway shared with Lot 6 units. Parking is in double enclosed garages and on driveway aprons. A visitor parking node is provided.

Lot 6 Two fourplexes are proposed. The units are stacked and terraced to provide increased unit widths and unobstructed views from primary living spaces. All units are grade level access. Detached garages will define an entry courtyard. Building massing allows for views between and over from upland properties.

DPA 4 MULTI UNIT RESIDENTIAL:

The following describes aspects and features of this proposal as it relates to the Objectives and Guidelines of DPA 4

1. Building Design

As this is only part of a larger scale development and given that no adjacent housing forms provide immediate context this first phase will begin to establish a recognizable scale and building image. Conceptually the building forms are clean and contemporary with finishes and colours that draw from more traditional beach side communities. Textural, light and bright, with local and natural material influences. A vernacular design typology has been avoided.

2. Building Siting and Massing

The massing and siting are as described in Site Organization. Typically, buildings are small scale, low profile, stepped, and / or terraced with lowest floors integrated into the landscape. Adjacent and upland views are protected and respected.

Rev 1:

From a streetscape perspective, building forms vary and are distinguished by number of storeys, (lot 4, 2&3 storeys) stepped and separated upper most floors (lot 6), garage elements that are either integrated, attached or detached (lots 4,5,6). The variety of form is derived primarily in response to topography, point of entrance, protection and creation of site lines between, around and over neighbouring buildings. No two facades are the same along the street edge. Colour application is considered, cohesive and complementary (see 8. Materials and Colours)

3. Building Frontage

All facades are given equitable treatment. The massing inherently results in both vertical and horizontal articulation. Driveway accesses to the street are limited. Garage doors do not dominate front facades.

4. Roof Form

Low slope shed, gable and flat roofs are proposed for the rationale previously stated. Fascia and ridge lines vary; elevated elements are incorporated. Interrupted lines and layered elements make each residence identifiable.

5. Windows and Doors

All unit entries are well defined and weather protected. Window compositions are consistent with the building form, are generous and strategically place for views, natural light capture, ventilation and avoidance of privacy infringement.

6. Lighting

While not fully resolved the lighting programme will incorporate unobtrusive soffit lights, and decorative wall mounted sconces combined with low level landscape lighting to ensure adequately lit paths of travel. All lighting is to be full cut off.

No signage is anticipated beyond street addresses and unit numbering

7. Livability

Privacy of decks, provision of courtyards, negating sightlines between units and overlook have all been considered. Where necessary, wooden screens and landscape materials are incorporated to further separate and screen.

Noise from nearby Industrial activity has been considered. As the design develops, construction assemblies will be determined with sound attenuation in mind to help mitigate noise. This will also apply to landscape screening and plant materials to provide additional relief at outdoor spaces.

8. Materials and Colours

In keeping with a beach theme, materials and colours are selected accordingly. All buildings incorporate similar material and colour palette in varying applications. Materials consist of;

Shingles. Fiber cement for durability. Traditional and familiar 'cottage' appearance and applied to highlight feature elements.

Board and Batten. Fiber cement for durability. Similar to shingles this is a common coastal material and application. This is typically applied to lower floor elements, anchoring the building to the site and contrasting adjacent materials

Lapped siding. Applied to field areas as a neutral material.

Rock. Applied to upland units as a foundation expression.

Exposed timber structure and details.

Colours appropriately include; sand, sea blue, undersea blue, moss, sage, rocky river blue, combined with warm whites and greys. Timber components retain a natural finish.

9. Mechanical, Electrical and Security Equipment

No sizeable roof top mechanical equipment is anticipated. Any ground level equipment such as heat pumps will be strategically placed so as not to have any audible or visual impact.

10. Accessibility and Connectivity

An intricate network of walkways is proposed that defines paths of travel and connect streets, public sidewalks, drives, residential entries and unit to unit connectivity. Gradients are kept to a minimum, stairs where required, will have short flights <1.0m.

11. Vehicle and Bicycle Parking

Resident parking is provided within oversized single car or two car enclosed garages. Additional parking is available in driveway aprons and visitor parking nodes. Garages are sufficiently large to accommodate long term bike storage.

Driveway connections from the public street to townhomes is limited to one per lot (3). This is achieved with shared access via lot panhandle and common private drive aisles. Most driveways are curvilinear with a soft landscaped edge. Contrasting surface material interrupts larger hard surface areas and define or reinforce areas where pedestrian movement takes precedence.

12. Landscape

See design rationale as prepared by the Landscape Architect.

13. Energy Conservation and GH Gas Emissions Reduction

Passive design strategies are implemented, specific to provision for natural light, ventilation and avoidance of excessive heat gain.

Mechanical systems, building design and environmental separation will be informed with energy modelling.

14. Rain Water Management

See design rationale as prepared by the Landscape Architect.

15. Water Conservation

See design rationale as prepared by the Landscape Architect.

16. Recycling and Solid Waste Management.

Waste removal protocols will be established by strata management. Storage of totes and waste bins in anticipation of a 3-tier waste programme can be accommodated in individual garages.

17. Safety

Walkways previously described help define public and private spaces. Courtyards and open spaces are generous and without alcoves. Illumination and lines of sight are CPTED principles that have been applied.

We trust the foregoing provides insight into some of the design concepts that have influenced this development proposal and trust it meets expectations for the Town of Ladysmith.

Respectfully submitted,



Brian Kapuscinski
Architect – AIBC

ROCKY CREEK ROAD VARIANCE RATIONALE

Zoning Bylaw 2014, No.1860

REFERENCE: 5.2. Number, Location and Siting of Buildings and Structures.

- c) *No Accessory Building or Structure shall be located in any required front, side or rear Setback for Accessory Buildings or Structures or in any Front Yard.*

Variance request:

To permit 2 accessory buildings in front yards on Lot 6.

Rationale:

The proposed accessory buildings are detached garages providing sufficient space for 1 car and ancillary storage. They also function as an important design tool to:

- a) address sloped site conditions by allowing the relative floor height of living space and garage to be offset. i.e. the garage can relate easily to road or driveway with minimal gradient. The house can relate better to natural grade providing level entries and easy yard space access.
- b) allows common utility service rooms to be centralized and separate from units.
- c) Create private landscaped courtyard entries.
- d) Permit greater natural light penetration to living spaces where garages might otherwise be attached.

Specific to Lot 6, two accessory garages are located within the front yard. We note that the garages are small scale and low profile so as not to dominate the streetscape. Garage entrances are perpendicular to the road.

REFERENCE: 5.9. Accessory Buildings, Structures and Uses.

- a) *Not more than two Accessory Buildings shall be permitted on a Parcel, or as, otherwise expressly provided for in this Bylaw.*

Variance request:

To allow 4 additional accessory buildings on Lot 4.

Rationale:

To ensure that each unit has one enclosed garage and to achieve the design objectives previously stated.

Six units to the low side of the driveway will have a detached garage. Garages for the upland side are integral to the units. Accessory buildings for other uses such as garden sheds, bulk storage etc. are not proposed.



REFERENCE: 10.10.5. R-3 Medium Density Residential (R-3) / Siting, Sizing and Dimension of Uses, Buildings and Structures 5d).

- d) No *Principal Buildings or Structures* shall be located closer to the *Parcel Line* than the minimum *Setback* shown in the Table below:

PARCEL LINE	MINIMUM SETBACK
<i>Front Parcel Line</i>	6.0 metres
<i>Interior Side or Exterior Side Parcel Line</i>	4.5 metres
<i>Rear Parcel Line</i>	4.5 metres

Variance request:

To reduce required side yard setbacks from 4.5 to no less than 3.0m. Refer to Site Plan for highlighted areas (3).

Rationale:

This development is a small-scale, low-density housing format familiar to many neighbourhoods. A proposed side yard setback of 3.0m equates to or is greater than that prescribed for zones supporting similar residential uses. e.g. closely aligns with R-3A zone siting criteria and housing form. Similar setback requirements are also evident in R-2 Zones.

The design and siting of the buildings ensures that there is no overlook or privacy infringements from adjacent dwellings.

Separation of buildings with proposed reduced setbacks remains compliant with Building Code requirements for fire protection in areas in excess of 10 minute fire department response times.

Rationale:

Despite Lot 6 being relatively large, the northern portion is constrained by irregular lot configuration and site sensitive areas with restrictive protection zones. This limits the buildable portion to an area nearest the road. While the principal building maintains a comfortable setback, a portion of the detached garage for Building B encroaches into the front yard setback. As previously described this garage is small scale, low profile and is not entered directly from the street. Landscaping is proposed between the wall face and street edge (i.e. no hardscape).

ATTACHMENT F

Table 1: Summary of DPA 4 Multi-Unit Residential guidelines and staff comments.

DPA 4 Guidelines	Staff Comments
1. Building Design	
Scale/neighbourhood identity	<ul style="list-style-type: none"> The architectural theme and massing of the proposed buildings complement residential buildings in the neighbourhood.
Exterior design aesthetics, materials, and colours	<ul style="list-style-type: none"> Building facades are articulated by the use of varying materials, finishes, balconies and rooflines. Three exterior finish schemes are proposed for the townhouse and duplex buildings which show a variation in board and batten siding colour. Natural wood timber accents create an aesthetically pleasing visual contrast for all buildings.
Design aesthetic of neo-traditional, Pacific Northwest, or eco-responsive themes	<ul style="list-style-type: none"> The proposal uses some neo-traditional contemporary elements. The townhouses are accented with decorative timber details.
Resembles single unit dwellings	<ul style="list-style-type: none"> The townhouse building facades are well articulated and individual units are clearly identified.
Variation in building designs	<ul style="list-style-type: none"> Building typology provide variation in overall design. The townhouse and duplex buildings are articulated by varying colours on the facades. The architectural plans show all buildings on each lot contain one uniform colour. Three colour variations are proposed, one for each of the three lots.
2. Building Siting and Massing	
Height and massing variation and roofline treatments between buildings	<ul style="list-style-type: none"> The topography of the land and a mix of 2 and 3-storey stepped or terraced building design creates a variation in building height elevations.
Multi-storey buildings setback and terraced above 3 rd level	N/A
Building design stepped with topography, nestled into hillside, with cuts and fills blending with the topography	<ul style="list-style-type: none"> 3-storey duplex and townhouse buildings are 2 storeys at the front and 3 storeys at the rear due to the grade change and slope.
Passive heating/cooling from landscaping	<ul style="list-style-type: none"> Tree planting of deciduous trees is proposed on South elevations. The Landscape Plan is a condition of the DP.
3. Building Frontages	
Building frontages articulated and visually broken-up	<ul style="list-style-type: none"> All buildings are articulated horizontally by steps and broken up into smaller, distinctive units through the use of varying colour schemes.

Facades modulated through design methods	<ul style="list-style-type: none"> • Building step-backs, changes in façade materials, and proposed window penetrations contribute to a modulated design.
Orientation towards street	<ul style="list-style-type: none"> • The proposed buildings are all oriented towards private laneways.
Streetscapes and building facades are not dominated by garages.	<ul style="list-style-type: none"> • The proposed 4-unit townhouses have front garages for two units and detached garages for the other 2 units. Design articulation provides visual interest not dominated by the garages. • The applicant has applied for a variance to permit detached garages in the front yards.
4. Roof Form	
Sloping roof forms encouraged.	<ul style="list-style-type: none"> • Low slope shed and flat roofs are proposed for all buildings.
Roofline modulation to provide visual interest	<ul style="list-style-type: none"> • No roofline modulation is provided on the proposed Lot 4 triplexes, however horizontal modulation contributes to variation of these buildings. A decorative rafter is proposed on these offset sections.
5. Windows & Doors	
Building entrances are clearly defined. Townhouses have separate, street-oriented entrances and recessed doorways	<ul style="list-style-type: none"> • All building entrances are defined by entry special decorative concrete patios, connecting paths and landscaping. • Townhouses have separate entrances with strong unit identity and recessed doorways.
Windows are architecturally compatible with building	<ul style="list-style-type: none"> • Windows are complimentary to the design of the buildings and are accentuated with trims and contrasting colours.
6. Signs, Canopies & Lighting	
Compatible signage	<ul style="list-style-type: none"> • Any signage will require a sign permit.
Canopies or other building projections should provide weather protection	<ul style="list-style-type: none"> • Building entrances are recessed and covered and do not require additional canopies or projections.
Adequate lighting to illuminate sidewalk areas adjacent to buildings	<ul style="list-style-type: none"> • The proposed lighting plan includes exterior lighting on buildings and landscape lighting to ensure adequately lit paths of travel.
Light fixtures should be concealed	<ul style="list-style-type: none"> • Exterior lighting fixtures will include unobtrusive soffit lights, decorative wall mounted sconces, and low-level landscape lighting.
Exterior lighting should follow dark sky principles	<ul style="list-style-type: none"> • Outdoor lighting will be full cutoff which is designed to direct light downward and outward.
7. Liveability	
Visual privacy of interior living maintained	<ul style="list-style-type: none"> • Privacy has been considered in site plan and interior layouts.

Building and site design to mitigate noise impacts of roads and highways	<ul style="list-style-type: none"> • Buildings are set back from the ring road. Landscaping provides some noise mitigation. • Noise from nearby Industrial activity has been considered in the design. • Landscape screening provides some noise relief.
Private outdoor living spaces should be provided for each dwelling unit	<ul style="list-style-type: none"> • All buildings are designed so each dwelling unit has an outdoor garden patio. • Shared amenities for the property are proposed to include pedestrian pathway link to the Marina trail.
8. Materials & Colours	
Building materials should be durable and high quality and cohesive with the neighbourhood.	<ul style="list-style-type: none"> • Three Townhome design schemes are proposed for the exterior finishes with a variation of colours of board and batten hardie panel, fiber cement shingles, and lapped horizontal siding. Natural cedar/fir timber accents are used for all townhomes and duplexes. • Rock facing on the lower storey is proposed for the upland units 13-15.
9. Mechanical, Electrical & Security Equipment	
Mechanical equipment should be strategically located and screened.	<ul style="list-style-type: none"> • No roof top mechanical equipment is proposed. • Ground level equipment such as heat pumps will be located strategically to limit noise and visual impact.
10. Accessibility & Connectivity	
Building and sites should be designed to be accessible to all users.	<ul style="list-style-type: none"> • All buildings have accessible entrances at ground level. • Townhomes have stairs and are less accessible.
Public walkways and entrances should provide a seamless, functional, and safe pedestrian network.	<ul style="list-style-type: none"> • Pedestrian connections run through the site. Walkways connect all buildings. • Accessible pathways through the site connect to the Ladysmith Marina Trail.
11. Vehicle & Bicycle Parking	
Vehicle parking should be located to the rear or side of buildings. Street fronting parking entries, carports, or garage doors are discouraged.	<ul style="list-style-type: none"> • Units 5-12 propose street fronting parking due to the sloping topography and site features. • Units 1-4 and 13-21 propose parking fronting on the private laneway.
Shared vehicle access and shared surface parking areas is encouraged.	<ul style="list-style-type: none"> • Shared visitor parking areas are provided for each of the three lots for a total of 7 visitor parking spaces.
Surface parking areas should delineate driving, parking, and pedestrian area though the use of materials, colours, and patterns. Parking areas should	<ul style="list-style-type: none"> • Surface materials proposed include sawcut concrete for the sidewalk, asphalt road, permeable pavers for the visitor parking and turn around, coloured and sawcut concrete for driveways, aggregate for the internal pedestrian path, and decorative pavers for the patios and entrances.

be visually enhanced with landscaping.	<ul style="list-style-type: none"> • Landscaping is provided around all parking areas.
Off-street parking spaces shall be equipped with one set of electric vehicle charging equipment per 20 spaces.	<ul style="list-style-type: none"> • Electric charging stations is not a requirement as no lot exceeds 20 parking spaces.
Bicycle parking should be provided for every building.	<ul style="list-style-type: none"> • Unit garages are large enough to accommodate long-term bicycle storage. • 6 short-term and 21 long-term bicycle spaces are proposed for the development and meets the requirements of the Zoning Bylaw (6 short term and 21 long-term are required). • Visitor bicycle parking is proposed in highly visible locations next to visitor parking spaces.
Parking areas, driveways and walkways should have adequate areas for snow storage and drainage.	<ul style="list-style-type: none"> • There are ample areas for snow storage.
12. Landscape	
Site planning should be guided by the preservation of existing trees, shrubs, groundcover, and other natural features.	<ul style="list-style-type: none"> • Tree retention areas are to be identified as part of tree protection covenant conditions. All conditions of the covenant must be met prior to building or development.
Disturbed natural areas should be restored to replicate the natural setting.	<ul style="list-style-type: none"> • Disturbed areas are to be replanted with native trees, grass and wildflowers, and drought tolerant shrubs as per the Landscape Plan.
Front yard not used for access should be landscaped.	<ul style="list-style-type: none"> • All front yard areas will be landscaped.
Only lawn should not be supported.	<ul style="list-style-type: none"> • Proposed lawn areas are enhanced with landscaped ground cover, shrubs, and trees.
Retaining walls should be terraced or stepped and plant material incorporated into the wall design.	<ul style="list-style-type: none"> • N/A
Concrete retaining walls should include textured concrete on the face of the wall. Untreated large concrete and concrete block walls are not supported.	<ul style="list-style-type: none"> • Retaining walls are not proposed for this development.
Design and materials used in fences and retaining walls should complement the building design and neighbourhood character.	<ul style="list-style-type: none"> • Proposed cedar fencing is complementary to the site design.

Surface parking and storage areas should be screened.	<ul style="list-style-type: none"> • Surface parking and storage areas are screened with trees and shrubs.
Multi-purpose landscapes, preferably communal garden areas, should be integrated into the design.	<ul style="list-style-type: none"> • No multi-purpose landscape areas are proposed.
Landscaped roofs are encouraged.	<ul style="list-style-type: none"> • N/A
Landscape groundcover plants should be used rather than extensive mulch or gravel. Use of artificial turf should not be supported.	<ul style="list-style-type: none"> • Bark or other combustible mulch is not proposed. • Artificial turf is not proposed as per the guidelines.
Use native, drought tolerant plants. Landscaping that does not require permanent irrigation is encouraged.	<ul style="list-style-type: none"> • The landscape plan incorporates native and adaptive, drought tolerant plant species. • A high efficiency drip irrigation system is proposed to provide adequate watering during the establishment period.
Landscape buffers should be provided as per Zoning Bylaw.	<ul style="list-style-type: none"> • Landscape buffers conform to the Zoning Bylaw.
Adequate monetary security may be required to ensure that landscaping will be completed and established.	<ul style="list-style-type: none"> • DP 23-14 requires a bond of \$251,527 in three phases to ensure landscaping is carried out in accordance with the landscape plan. • A report from a Landscape professional is required prior to release of the required landscape security.
All landscaping should conform to BC Landscape Standard	<ul style="list-style-type: none"> • A landscape plan for the site has been prepared by a Landscape Architect and conforms to BC Landscape Standards.
Onsite monitoring should be undertaken by a landscape professional during installation.	<ul style="list-style-type: none"> • A report from a Landscape professional is required prior to release of the required landscape security.
13. Energy Conservation and GHG Emission Reduction	
Greater floor to ceiling heights where possible	<ul style="list-style-type: none"> • Ceiling heights have not been increased as suggested by the guidelines.
Passive design strategies should be used wherever possible.	<ul style="list-style-type: none"> • Passive design strategies have been considered and will be implemented where possible • The location of windows and the floor plan layouts maximize natural light and natural ventilation. • Numerous trees are proposed in the landscape plan which will provide some shading to the proposed buildings.
Construction waste management plan should be implemented.	<ul style="list-style-type: none"> • A waste management plan has been prepared and is attached to DP 23-14.
14. Rain Water Management	

<p>Integrated rain water management.</p>	<ul style="list-style-type: none"> • A stormwater management memo was provided and is attached to DP 23-14. • The stormwater management memo states the following: <ul style="list-style-type: none"> ○ Stormwater can be directed into the ocean. ○ Site stormwater infiltration will not be required. ○ Onsite storm water runoff from the proposed parking lots will be treated with oil/water separators. • All proposed areas of hardscape and lawn are graded to drain into adjacent planted areas where possible.
<p>Rainwater catchment or green roofs are encouraged.</p>	<ul style="list-style-type: none"> • No rainwater re-use systems are proposed.
<p>Permeable surfaces should be used. Minimize asphalt and impervious concrete surfacing.</p>	<ul style="list-style-type: none"> • Decorative areas of permeable pavers are proposed for the visitor parking spaces and within drive isles.
<p>15. Water Conservation</p>	
<p>Water-saving irrigation systems are encouraged.</p>	<ul style="list-style-type: none"> • The landscape plan specifies an efficient design-build automatic irrigation system with high efficiency spray heads, weather sensors and an automatic rain gauge.
<p>Innovative wastewater management systems are encouraged.</p>	<ul style="list-style-type: none"> • No wastewater management systems are proposed.
<p>16. Recycling, Organics & Solid Waste Management</p>	
<p>Waste and recycling storage should be inside buildings or integrated into site design.</p>	<ul style="list-style-type: none"> • Waste and recycling storage are located within the garages of each individual unit. • Waste removal will be established by strata management.
<p>Outdoor enclosures should be located away from public view and screened from overhead views.</p>	<ul style="list-style-type: none"> • N/A
<p>17. Safety</p>	
<p>Visually well-defined areas with clear purpose or function and maximizes visibility, light, and openness.</p>	<ul style="list-style-type: none"> • Outdoor spaces and courtyards are located in open and safe areas. • Walkways define public and private spaces. • CPTED principles have been considered during the design stage including illumination and lines of sight.

Committee of the Whole Recommendations to Council February 4, 2025

At it's January 28, 2025 meeting, the Committee of the Whole recommended:

1. That Council approve the allocated amounts of the 2025 Grant in Aid requests as follows:

Art Council of Ladysmith and District	6,938
Big Brothers Big Sisters of Central Vancouver Island	1,688
Friends of Holland Creek Society	2,000
Ladysmith & District Historical Society	1,500
Ladysmith & District Marine Rescue Society	2,438
Ladysmith Celebrations Society	7,500
Ladysmith Chemainus Swim Club Society	2,400
Ladysmith Community Garden Society	5,000
Ladysmith Downtown Business Association	3,750
Ladysmith Family & Friends	1,875
Ladysmith Festival of Lights Society	1,875
Ladysmith Little Theatre	-
Ladysmith Pilots Baseball Club	5,000
Ladysmith Pride Society	7,500
Mid-Island Air Search and Rescue Society	3,120
Old English Car Club of BC - Central Island Branch	563
Take A Hike Youth Mental Health Foundation	2,500

2. That Council approve the allocated amount of \$2000 as the 2025 Grant in Aid for the Cops for Cancer/Tour de Rock organization.
3. That Council approve the allocated amount of \$2250 as the 2025 Grant in Aid for the Ladysmith Show and Shine organization.



COMMITTEE OF THE WHOLE MEETING MINUTES

Tuesday, January 28, 2025

6:31 P.M.

Ladysmith Seniors Centre
630 2nd Avenue

Council Members Present:

Councillor Jeff Virtanen, Chair
Councillor Ray Gourlay
Councillor Amanda Jacobson

Acting Mayor Tricia McKay
Councillor Duck Paterson

Council Members Absent:

Councillor Marsh Stevens

Staff Present:

Allison McCarrick
Erin Anderson
Chris Barfoot
Jake Belobaba
Tim Tanton

Chris Geiger
Sue Bouma
Nick Pescod
Hayley Young

1. CALL TO ORDER AND ACKNOWLEDGEMENT

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

2. AGENDA APPROVAL

CW-001

That the agenda for this January 28, 2025 Committee of the Whole meeting be approved.

Motion Carried

3. MINUTES

3.1 Minutes of the Committee of the Whole Meeting held November 12, 2024

CW-002

That the minutes of the Committee of the Whole meeting held November 12, 2024 be approved.

Motion Carried

4. PRESENTATIONS

4.1 RCMP 4th Quarter 2024 Report

Acting Detachment Commander Tracy Dubnyk of the Ladysmith RCMP presented the 4th Quarter Report for 2024. She compared the statistics to the previous year, explaining the reasons behind any increases and highlighting preventative measures, such as encouraging citizens to lock their cars and keep valuables out of sight.

Acting Commander Dubnyk also announced that this would be her last month in the role. She will introduce Staff Sergeant Trevor Bush, who will be taking over the permanent position of Detachment Commander, at the February 4th Regular Council Meeting.

CW-003

That the Committee receive the RCMP Report for the months October, November and December of 2024.

Motion Carried

5. REPORTS

5.1 2025 Grant in Aid Requests

CW-004

That the Committee consider separately the Grant in Aid requests for Cops for Cancer/Tour De Rock and the Ladysmith Show & Shine Society due to Councillor Patterson's involvement with the organizations.

Motion Carried

The Committee discussed the grant-in-aid requests for 2025 and made tentative allocations to the various organizations prior to finalizing their decisions.

Councillor Paterson recused himself at 7:18 p.m. prior to discussions about the Cops for Cancer/Tour de Rock and Ladysmith Show & Shine Society's' grant allocations.

Councillor Paterson returned to the meeting at 7:21 p.m.

CW-005

That the Committee recommend that Council approve the allocated amounts of the 2025 Grant in Aid requests as follows:

Art Council of Ladysmith and District	6,938
Big Brothers Big Sisters of Central Vancouver Island	1,688
Friends of Holland Creek Society	2,000
Ladysmith & District Historical Society	1,500
Ladysmith & District Marine Rescue Society	2,438
Ladysmith Celebrations Society	7,500
Ladysmith Chemainus Swim Club Society	2,400
Ladysmith Community Garden Society	5,000
Ladysmith Downtown Business Association	3,750
Ladysmith Family & Friends	1,875
Ladysmith Festival of Lights Society	1,875
Ladysmith Little Theatre	-
Ladysmith Pilots Baseball Club	5,000
Ladysmith Pride Society	7,500
Mid-Island Air Search and Rescue Society	3,120
Old English Car Club of BC - Central Island Branch	563
Take A Hike Youth Mental Health Foundation	2,500

Motion Carried

Councillor Paterson recused himself at 7:23 p.m. prior to the Committee voting on grant allocations to Cops for Cancer/Tour De Rock and the Ladysmith Show & Shine Society.

CW-006

That the Committee recommend that Council approve the allocated amount of \$2000 as the 2025 Grant in Aid for the Cops for Cancer/Tour de Rock organization.

Motion Carried

CW-007

That the Committee recommend that Council approve the allocated amount of \$2250 as the 2025 Grant in Aid for the Ladysmith Show and Shine organization.

Motion Carried

Councillor Paterson returned to the meeting at 7:24 p.m.

5.2 Building Inspector's Report to December 31, 2024

CW-008

That the Committee receive the Building Inspector's Report for the months September to December 2024.

Motion Carried

5.3 Ladysmith Fire/Rescue Reports for August to December 2024

CW-009

That the Committee receive the Ladysmith Fire/Rescue Reports for the months August, September, October, November and December 2024.

Motion Carried

5.4 Coastal Animal Control Services Reports for July to December, 2024

CW-010

That the Committee receive the Coastal Animal Control Services Reports for the months July, August, October, November and December 2024.

Motion Carried

5.5 2023-2026 Strategic Priorities Update

CW-011

That the Committee receive the 2023-2026 Strategic Priorities Update dated January 28, 2025.

Motion Carried

6. NEW BUSINESS

6.1 Food Bank Fundraiser

Councillor Paterson encouraged Council to participate in the fundraiser for the food bank by collecting donations of toilet paper.

7. ADJOURNMENT

CW-012

That this Committee of the Whole Meeting be adjourned at 7:35 p.m.

Motion Carried

CERTIFIED CORRECT

Chair (Councillor J. Virtanen)

Corporate Officer (S. Bouma)

STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director, Parks Recreation & Culture
Reviewed By: Allison McCarrick, Chief Administrative Officer
Meeting Date: February 4, 2025
File No: 0750-20
Re: Museum Ramp Replacement Project

RECOMMENDATION:

That Council direct staff to include \$55,000 in the 2025 capital budget for a ramp at the property located at 721 1st Avenue, currently occupied by Ladysmith and District Historical Society, with the funding to come from prior year surplus.

EXECUTIVE SUMMARY:

This report proposes the installation of a modular accessible ramp at the 721 1st Avenue property where the Ladysmith and District Historical Society (LDHS) operates the Ladysmith Museum. The previous ramp was removed in late 2023 due to significant rot and structural concerns. The plan was to replace it with a ramp of similar design and size, however, a building permit requirement and new accessibility codes necessitated a new design, leading to increased costs. The project will support the current occupant's commitment to providing equal access to cultural, educational, and historical resources for all members of the community. Additionally, the modular design offers flexibility, as the ramp can be repurposed for other locations if future modifications are required, making it a cost-effective and sustainable solution.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

The proposed project involves the installation of a modular accessible ramp at the 721 1st Avenue property. The ramp will comply with local accessibility standards, ensuring that individuals with mobility challenges, including those who use wheelchairs, walkers, or strollers, can easily enter and enjoy the museum's exhibits and facilities. This improvement will help fulfill the museum's commitment to inclusivity and ensure that it remains a welcoming space for all community members.

Previously, the Town had hoped that the Ladysmith and District Historical Society would be able to contribute financially to the project. However, after further discussions and consideration of the society's current budget constraints, Town staff are requesting access to surplus funds to

complete the project without requiring additional funding from the local non-profit. This approach will allow the project to proceed promptly, ensuring the timely improvement of accessibility at the museum without placing a financial burden on the society. The cost of the modular ramp is quoted at \$46,000 (plus applicable taxes) and an additional \$9,000 to complete the necessary site preparation. The overall budget has decreased from what was originally presented due to preliminary work that was completed in the previous year and the modular system requiring less site preparation.

The modular nature of the ramp allows for future adaptability. Should the museum undergo changes or the existing building needs to be removed, or if accessibility needs shift, the aluminum ramp can be relocated and reused elsewhere, minimizing waste and cost. This approach also aligns with the local government’s sustainability goals by promoting the reuse of resources and reducing long-term expenditures.

ALTERNATIVES:

Council can choose to:

1. Not install the ramp at this time and continue to seek additional funding from other sources necessary to complete the project.
2. Not proceed with an accessible ramp installation at the Museum (this option is not recommended).

FINANCIAL IMPLICATIONS:

In 2024, this project was proposed at a cost of \$60,000 with the Town funding \$36,000 and the LDHS, \$24,000. In light of the recent servicing agreement negotiations, the LDHS notified the Town that they cannot contribute to the Town-owned facility.

Recognizing that without a ramp, all visitors cannot access the building, staff are recommending that the Town fund the total project. There are existing funds from other completed 2024 capital projects that can make up the funding difference.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The modular accessible ramp will re-establish an inclusive access point to the museum.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This project will be overseen by the Facility Maintenance team within the Parks, Recreation & Culture Department.

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 |

Waterfront Area Plan

Not Applicable

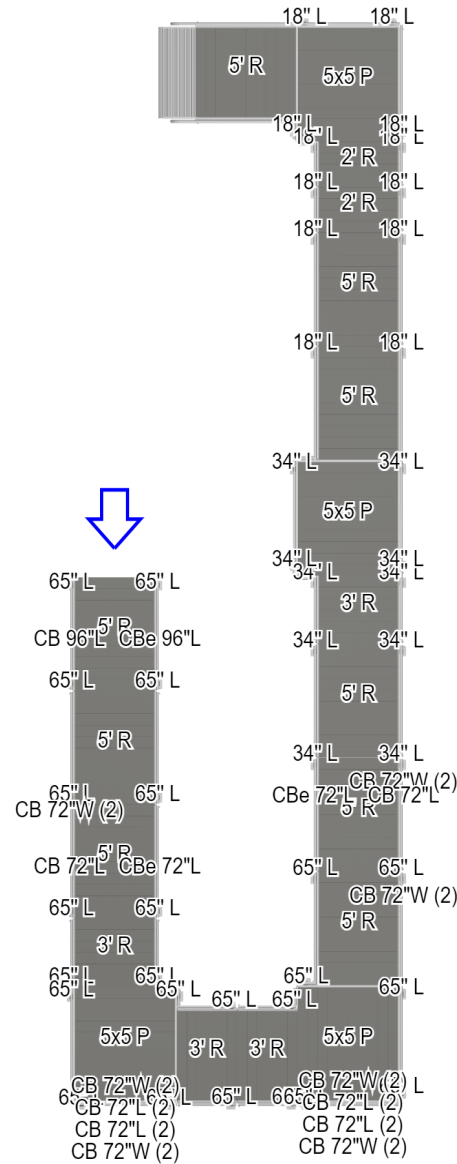
I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

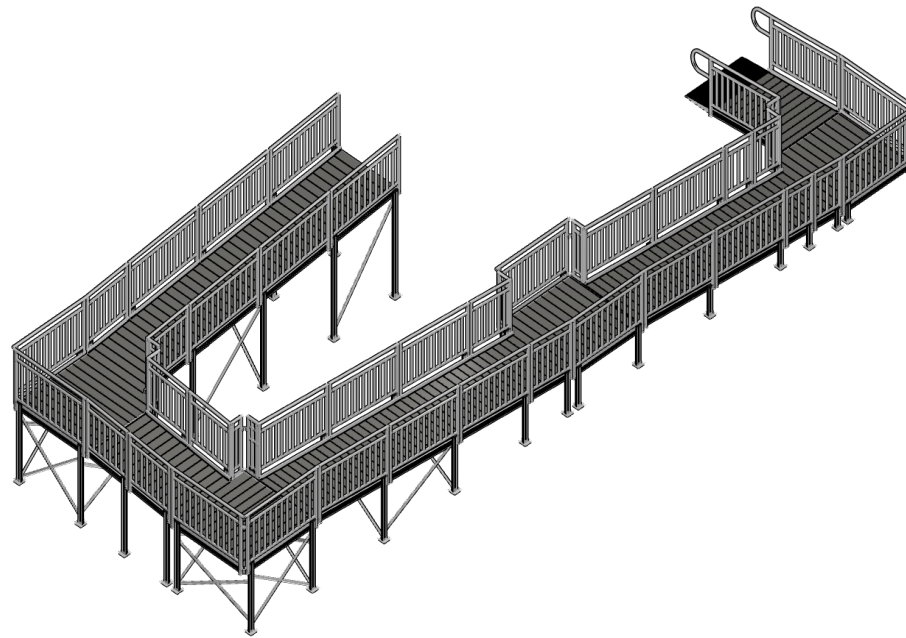
ATTACHMENTS:

A. Museum Modular Ramp Design and Layout

ATTACHMENT A



ATTACHMENT A



STAFF REPORT TO COUNCIL

Report Prepared By: Chris Barfoot, Director Parks, Recreation & Culture
Reviewed By: Allison McCarrick, Chief Administrative Officer
Meeting Date: February 4, 2025
File No: 0750-20
Re: City Hall Air Quality Improvements

RECOMMENDATION:

That Council direct staff to include in the 2025 Capital Plan a Heat Recovery Ventilation (HRV) system project in the amount of \$40,000 with the funds to come from the COVID Safe-restart reserve.

EXECUTIVE SUMMARY:

City Hall has experienced increased occupancy and changes in office configurations, resulting in challenges with air quality and heating efficiency. Elevated carbon dioxide levels and inadequate ventilation have been verified and noted in a report (Attachment A).

To address these issues, facility maintenance staff suggest a Heat Recovery Ventilation (HRV) system be installed. This project has not been budgeted for, but it meets the criteria to use funds from the Provincial COVID Safe-restart reserve. The HRV will enhance air quality by supplying fresh air and removing stale air, while recovering heat from outgoing air to improve energy efficiency. This system will support a healthier work environment, reduce heating costs, and create operational savings. Although this project wasn't included in the proposed 2025 financial plan, it is recommended to complete this work.

PREVIOUS COUNCIL DIRECTION:

N/A

INTRODUCTION/BACKGROUND:

Over time, the number of staff working in City Hall has increased and the configuration of the building's office spaces has evolved, reaching maximum capacity. These changes have placed additional strain on the existing heating systems, which are not always optimally designed to serve the different zones of the building. This has led to challenges in maintaining consistent air quality, particularly as higher occupancy can result in elevated carbon dioxide levels. As a result, there is a growing need for a solution that addresses both air quality and energy efficiency.

Lewkowich Engineering Associates Ltd. (LEA) attended the site on December 16, 2024, to conduct air quality testing at City Hall. They collected measurements for Temperature, Relative Humidity (RH), Carbon Dioxide (CO₂), Carbon Monoxide (CO), Dust/Aerosol Particulate (PM₁₀), and Total Volatile Organic Compounds (TVOCs) using direct-reading instruments. The testing confirmed that, while the air quality is generally acceptable, improvements could be made to the building's fresh air intake system. Testing indicated the carbon dioxide levels were slightly above 1000 parts per million with the ideal range for an occupied building being between 400-1000 parts per million.

To improve these conditions, staff are recommending the installation of a Heat Recovery Ventilation (HRV) system. An HRV is designed to improve indoor air quality by continuously supplying fresh outdoor air while simultaneously exhausting stale indoor air. What sets HRV units apart is their ability to recover heat from the outgoing air, transferring it to the incoming fresh air, which reduces the need for additional heating and improves the overall energy efficiency of the building.

The purpose of installing an HRV unit is twofold:

1. **Enhanced Air Quality:** By increasing ventilation, the HRV system will effectively lower carbon dioxide levels, ensuring a healthier environment for staff and visitors. This is crucial in reducing the risks associated with poor air quality, such as fatigue, headaches, and reduced productivity.
2. **Improved Energy Efficiency:** With the HRV's heat recovery capabilities, the system will help maintain a comfortable indoor temperature while reducing the building's overall energy consumption. The HRV will allow for a balanced flow of fresh air without wasting energy on heating or cooling the incoming air.

In summary, an HRV system will not only enhance air quality and employee well-being but will also contribute to energy savings and operational efficiency.

ALTERNATIVES:

Council can choose to:

1. Not install an HRV unit, and instead, rely on accessing fresh air from other methods such as opening windows (Not Recommended).
2. Postpone the installation of the HRV unit and direct staff to seek funding from other sources. This alternative could create unnecessary delays in addressing the concern of the air quality in the building.

FINANCIAL IMPLICATIONS:

This project was not included in the proposed 2025 general capital plan, but it is highly recommended to be completed as soon as possible for optimal air quality and energy efficiency. The installation of an HRV system is estimated to cost approximately \$40,000 with the monies proposed to come from the Provincial funds received for COVID projects. These funds have usage

restrictions and there is expected to be just over \$900k remaining should this project be approved.

LEGAL IMPLICATIONS:

Although not a legal requirement, air quality was noted as a concern through the Town's Occupational Health and Safety assessments. Air testing revealed that the levels are within safe limits. However, with the elevated carbon dioxide levels, the consultants have recommended ongoing monitoring and adjustments to improve air quality.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Parks, Recreation & Culture Facility Maintenance will manage the project.

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 recommendation.

Allison McCarrick, Chief Administrative Officer

ATTACHMENTS:

- A. LEA City Hall Indoor Air Quality Report

ATTACHMENT A

INDOOR AIR QUALITY ASSESSMENT REPORT

Site Address:

410 Esplanade Avenue
Ladysmith, BC

Prepared For:

Town of Ladysmith

December 2024

File No.: E0555-316

Prepared by:
Mikayla Drapeau, B.Sc.
Reviewed by:
Johanne Picard, B.Sc., RPIH

Lewkowich Engineering Associates Ltd.

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250-756-0355 (Office)
250-756-3831 (Fax)
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Permit to Practice Number: 1001802



LEA Lewkowich
Engineering
Associates Ltd.



1. Introduction:

This report presents the results of our inspection and sampling for mould contamination, including basic indoor air quality parameters at the aforementioned site. The field work was conducted by Johanne Picard B.Sc., RPIH (LEA Environmental Health & Safety).

The purpose of this investigation is to determine the overall indoor air quality and to assess related occupational health hazards potentially presented to occupants of the building.

2. Site Conditions:

The structure is a split-level municipal building, overlying a basement, dating from 1951. The occupied area of the building is 260± m². The building HVAC consists of electric ductless heat pumps.

3. Test Methodology:

We attended the site on December 16th, 2024 (13:00-14:30 hrs) and collected Temperature, Relative Humidity (RH), Carbon Dioxide (CO₂), Carbon Monoxide (CO), Dust/Aerosol Particulate (PM₁₀), and Total Volatile Organic Compound (TVOC) measurements using direct-reading instruments.

Testing for airborne fungal spores was also undertaken on the upper level by the photocopier, and lower level outside the photocopier room. A control sample was collected in outdoor air.

See Table 3.1 for summary of sampling parameters and instrumentation used during the assessment.

Table 3.1 Summary of Sampling Parameters & Instrumentation

Parameter	Instrument	Remarks
Temperature & Relative Humidity (RH)	Extech SD800 Data-logging Monitor and FLIR MR77	Temperature and Relative Humidity as comfort factors
Carbon Dioxide (CO ₂)	Extech SD800 Infrared Data-logging Monitor	Carbon Dioxide as a measure of ventilation efficiency
Carbon Monoxide (CO)	Reed R9400 CO Monitor	Carbon Monoxide as indicator of entrained contaminants (exhaust) or internally generated (gas-powered appliances)
Particulate (PM ₁₀)	TSI SidePac AM510 Particulate Analyzer	Respirable Particulate (Dust) as a respiratory irritant
Volatile Organic Compounds (TVOCs)	ppbRAE 3000 VOC PID Monitor	Volatile Organic Compounds for off-gassing of building materials, paints, resins, cleaning products, air fresheners and combustion products
Fungal Spores	Buck BioAire™ Sampling Pump & Allergenco-D™ Sampling Cassettes	Testing for airborne fungal spores

4. Sample Data & Discussion:

The following table represents the readings for the measured parameters at the time of our site visit.

NOTE: THE MEASUREMENTS CHARACTERIZE A SNAPSHOT IN TIME AND MAY NOT REPRESENT TYPICAL CONDITIONS.

Table 4.1 Summary of Parameters – Measured 16 December 2024

Location	Temp (°C)	RH (%)	CO ₂ (ppm)	CO (ppm)	PM ₁₀ (µg/m ³)	TVOC (ppm)
Outdoor	6	70	412	0	-	0.050
Upper Photocopier	20	52	1268	0	1	0.210
Lower Outside Photocopier	22	49	1105	0	1	0.279
Trish’s Office	20	49	1190	0	-	0.300

4.1 Temperature & Relative Humidity (RH):

Temperature and Relative Humidity are comfort factors that may affect occupants’ *perception* of air quality. For example, a low temperature may evoke occupant complaints of drafts; low RH may provoke upper airway irritation. Conversely, elevated temperature and/or RH may cause occupants to complain of ‘closeness’, ‘stale air’ and general lethargy.

ASHRAE Standard 62-2019 sets the optimal comfort range at 20 to 22°C and 25-55% Relative Humidity. Recorded temperatures indoors were within the optimal range during sampling. Relative humidity in the building was below 65%, above which fungal contamination is more likely to occur.

Ambient (outdoor) temperature and relative humidity were 6-8°C and 70%, respectively.

4.2 Carbon Dioxide (CO₂):

Carbon Dioxide levels within a building are generally regarded as reliable indicators of indoor air quality and HVAC system performance in terms of ventilation efficiency (i.e. fresh air volume and flow rate). Current atmospheric CO₂ levels are approximately 422 PPM (measured 412 PPM). WCB (8-hour) exposure limit is 5000 PPM.

CO₂ levels throughout the building (1105-1268 PPM) were above 1000 PPM, The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guideline, above which is generally interpreted to indicate inadequate ventilation (outside air) in the supply air.

4.3 Carbon Monoxide (CO):

Carbon monoxide levels in a building usually occur as contaminants entrained into the building’s HVAC systems (typically from vehicle exhaust) or from inadequately ventilated burning of fuels, such as from a gas appliance. Health Canada’s guideline for the indoor limit of CO is 5 ppm.

Carbon Monoxide was not detected in the tested spaces.

4.4 Dust/Aerosol (Airborne Particulate):

Dust is often the dominant contaminant in surveyed buildings, and probably accounts for most upper airway irritation complaints. In most cases, total and PM₁₀ (respirable) particulate concentrations are a combination of entrained (outside) and re-suspended (inside) particulate. The Health Canada Guideline for dust in commercial buildings is 40 µg/m³ (long term exposure).

Measured particulate levels inside were 1 µg/m³, therefore airborne particulate data does not suggest that dust/aerosol contamination or related potential risk to occupants exists.

4.5 Volatile Organic Compounds (VOCs):

Volatile organic compounds (VOCs) form a large group of chemicals commonly found in both indoor and outdoor air, potentially affecting air quality.

VOCs can infiltrate indoor air from many sources, including cooking (especially frying); smoke from cigarettes, candles and incense; composite wood products such as some furnishings and flooring materials; building materials, such as paint, glues and varnish; household products, such as air fresheners and cleaning products; infiltration from attached garages, such as from vehicle exhaust; and combustion sources such as improperly vented fireplaces, wood stoves, gas stoves and furnaces.

There is considerable controversy over what levels of VOC cause comfort complaints and health effects, and as a result what standards should be set. The issue is further complicated by the widely varying permissible exposure limits for the many organic compounds and the fact that exposure limits such as the ACGIH Exposure Limits are probably not a suitable standard outside of industrial conditions. See the following Table for a guideline used in this investigation for general air quality.

Table 4.5.1 VOC Guidelines for General Air Quality

Level	Hygiene Rating	Recommendation	Exposure Limit	TVOC (PPM)
Unhealthy	Situation not acceptable	- Use only if unavoidable - Intense ventilation necessary	Hours	2.2 – 5.5
Poor	Major objections	- Intensified ventilation and/or airing necessary - Search for sources of VOCs	< 1 month	0.66 – 2.2
Moderate	Some objections	- Intensified ventilation and/or airing recommended - Search for sources of VOCs	< 12 months	0.22 – 0.66
Good	No relevant objections	- Ventilation and/or airing recommended	No limit	0.065 – 0.22
Excellent	No objections	- Target value	No limit	0 – 0.065

Bundesgesundheitsblatt – Gesundheitsforschung Gesundheitsschutz 2007, 50:990–1005, Springer Medizin Verlag 2007. (DOI 10.1007/s00103-007-0290-y)

When corrected (using the outdoor value), indoor test results ranged from 0.160-0.250 PPM, corresponding to concentrations in the Good to Moderate range.

These levels indicate that increased ventilation is recommended. Also look for potential sources of VOCs and remove or reduce them in these areas. At the time of the investigation, fragrances were detected in the building.

4.6 Bio-Aerosol Testing:

Health Canada Guideline 93-EHD-166 recommends, in part, that spore sampling is not indicated unless evidence of mould, or conditions favourable to formation and/or amplification of mould reservoirs are observed. Accordingly, air sampling was undertaken to determine the presence of mould contamination.

Sampling was completed in two areas of the occupied space and one control sample was collected in outside air. Analysis was performed by LEA Environmental Health & Safety using microscopic examination procedures based on ASTM: D7391-09, "Standard Test Method for Categorization and Quantification of Airborne Fungal Structures in an Inertial Impaction Sample by Optical Microscopy". *Note: we did not inspect for hidden mould.*

Laboratory analytical QA data is attached.

4.6.1 Bio-Aerosol Data Analysis Criteria:

The criteria described below were employed to determine where further investigations are required. Note that numerical data cannot be used as the primary determinant of whether a mould problem exists and should always be used together with visual inspection data and other available information such as the building history. Generally, indoor airborne mould concentrations are compared with those of outdoor. The presence of one or more species of mould indoors, but not outdoors, suggests presence of a growth source in the building.

These guidelines are mainly summarized from those developed by the German Federal Environmental Agency (Umweltbundesamt, 2002), Health Canada (Indoor Air Quality in Office Buildings: A Technical Guide, 1993), and information from the McCrone Institute.

In the assessment of the sample results, six 'tests' were applied to the numerical data, as described below:

- I. For spore types which may reach high concentrations in the outside environment (eg. *Ascospores, Alternaria/Ulocladium, Basidiospores, Cladosporium*), the total counts of these spore types in indoor air should be lower than, or equal to 1 to 1.4 times the outside counts. Spore concentrations in indoor air higher than this threshold suggests that an indoor source is possible and further investigation is indicated. *Note: Ascospores and Basidiospores are produced by mushroom species.*
- II. For *Penicillium/Aspergillus* spore types, a difference in concentration between indoor air and outside air equal to, or above $300 \pm$ spores/ m^3 suggests that an indoor source is possible and further investigation is indicated.
- III. For *Chaetomium spp.*, if a difference between indoor and outside counts is higher than or equal to $5 \pm$ spores, then an indoor source is possible and further investigation is indicated.
- IV. For *Stachybotrys spp.*, if a difference in concentration between indoor air and outside air exceeds $2 \pm$ spores, then an indoor source is likely and further investigations are required immediately.
- V. For other, unidentified, fungal spores that do not belong to the *basidiospore* or *ascospore* types, a difference in concentration between indoor air and outside air equal to, or above $400 \pm$ spores/ m^3 suggests that an indoor source is possible and further investigation is indicated.

- VI. Hyphal fragments: If the difference in concentration between indoor air and outside air does not exceed $150 \pm$ fragments/ m^3 , then an indoor source is unlikely.

Further to the criteria described above, we have implemented an additional set of guidelines based on past experience. These are outlined as 'low' (2500 spores/ m^3), 'moderate' (5000 spores/ m^3) and 'high' (10,000 spores/ m^3), at which point further remediation or investigation may be required.

Note: These latter guidelines exclude seasonal spores found outdoors such as Ascospores and Basidiospores.

4.6.2 Bio-Aerosol Sample Data & Discussion:

Based on the criteria described in Section (4.6.1), indoor aerosol spore counts were low and compared favorably with the outside control sample counts and speciation in the tested areas. Please see the appended table for the compiled data.

In our opinion, these data do not suggest that incipient or residual fungal contamination and related potential risk exist for occupants.

Note: the incidence of *Cladosporium* (107 spores/ m^3) in the upper level and *Penicillium/Aspergillus* (80 spores/ m^3) in the lower level is negligible with regards to contamination, however, it suggests its presence and is potentially an indoor source. Visible mould was not observed.

Also worth noting, when comparing the concentrations detected with the guideline mentioned above in Section (4.6.1) the levels are well below the 'low' criteria of 2500 spores/ m^3 . However, individuals with increased sensitivity to fungi may be symptomatic at these very low levels.

5. Recommendations:

The overall indoor air quality is acceptable; however, it can be improved by increasing air circulation and introducing fresh air.

The carbon dioxide levels should be monitored over time as occupancy load varies throughout the day. Ideally, for occupied spaces a level of 400-1000 PPM is desired.

The Volatile Organic Vapour levels in the building are mostly at the upper end of the "good"/lower end of the "Moderate" ranges, recommending increased ventilation.

6. Report Use and Limitations:

In preparing this report Lewkowich Engineering Associates Ltd. (LEA Environmental Health & Safety) reviewed historical records, conducted interviews with certain private and public officials, and conducted an on-site visual inspection of the property. We examined and relied upon documents referenced in the report and have relied on oral statements made by certain individuals but we have not conducted an independent examination of the facts contained in referenced materials and statements. LEA Environmental Health & Safety assumes the genuineness of the documents and that the information provided in documents or statements is true and accurate.

LEA Environmental Health & Safety has prepared this report in a professional manner, using that level of skill and care normally exercised for similar projects under similar conditions by reputable and competent consultants and in accordance with our normal terms and conditions. LEA Environmental Health & Safety shall not be responsible for conditions or consequences arising from relevant facts that were concealed, withheld, or not fully disclosed at the time the report was prepared.

PROJECT: Indoor Air Quality Assessment – 410 Esplanade Avenue, Ladysmith, BC
FILE NO.: E0555-320
DATE: December 23, 2024



We also note that the facts and conditions referenced in this report may change over time and the conclusions and recommendations set forth herein are applicable only to the facts and conditions as described at the time of this report. Conclusions and recommendations were made within the operative constraints of the scope, budget, and schedule for this project. We believe the conclusions stated herein to be factual, but no guarantee is made or implied.

The methods employed for collection and analysis of samples are those of the American Conference of Governmental Industrial Hygienists (ACGIH), the National Institute for Occupational Safety and Health (NIOSH), provincial WCB, and/or other accepted scientific practices. The data and commentary presented herein reflects these standards, however no other warranty is offered or implied respecting the acceptance of this report by any Regulatory authority.

7. Closure:

Should you require further information, please contact us. Thank you for the opportunity to be of service to you.

Yours truly,

LEA ENVIRONMENTAL HEALTH & SAFETY

Prepared by:

A handwritten signature in blue ink, appearing to read 'Mikayla'.

Mikayla Drapeau, B.Sc.
E-mail: mdrapeau@lewkowich.com

Reviewed by:



Johanne Picard, B.Sc., RPIH
E-mail: jpocard@lewkowich.com

Attachments: (1) Spore Trap Data Summary

Spore Trap Certificate of Analysis

Client: Town of Ladysmith
 Project Site: 410 Esplanade Avenue, Ladysmith, BC
 Project Number: E0555-316
 Project Type: Indoor Air Quality

Debris Rating*

0 - 0%
1 - 5%
2 - 5-25%
3 - 25-75%
4 - 75-90%
5 - >95%

Sample ID	5923304	5923335	5923353			
Sample Location	Outdoor	Upper (Photocopier)	Lower (O/S Photocopier)			
Sampled By	LEA(JP)	LEA(JP)	LEA(JP)			
Analyzed By	LEA(JP)	LEA(JP)	LEA(JP)			
Date Sampled	16-Dec-24	16-Dec-24	16-Dec-24			
Date Analyzed	18-Dec-24	18-Dec-24	18-Dec-24			
Sampling Information						
Temperature	°C	8	20			
Relative Humidity	%	70	52			
Total Sampling Time	min	10	10			
Air Flow Rate	lpm	15	15			
Sample Volume	L	150	150			
Analysis Summary						
Background Debris	2	2	2-3			
Skin Cell Rating	1	3	3			
Dominant Spore Type	Basidiospore	Basidiospore	Basidiospore			
Mycelia Fragments per m ³	0	0	0			
Pollen per m ³	0	0	0			
Spore Trap Profile-Concentration						
	Raw Count	Spores/m ³	Raw Count	Spores/m ³	Raw Count	Spores/m ³
Alternaria	0	0	0	0	0	0
Ascospore Group	40	267	0	0	4	27
Basidiospore Group	328	2187	72	480	64	427
Bipolaris/Drechslera Group	0	0	0	0	0	0
Chaetomium	0	0	0	0	0	0
Cladosporium	0	0	0	0	16	107
Curvularia	0	0	0	0	0	0
Epicoccum	0	0	0	0	0	0
Fusarium	0	0	0	0	0	0
Ganoderma	0	0	0	0	0	0
Nigrospora	0	0	0	0	0	0
Penicillium/Aspergillus Group	0	0	12	80	4	27
Pithomyces	0	0	0	0	0	0
Rust group	0	0	0	0	0	0
Smut, Periconia, Myxomycete	4	27	0	0	0	0
Stachybotrys/Memnoniella Group	0	0	0	0	0	0
Torula	0	0	0	0	0	0
Ulocladium	0	0	0	0	0	0
Zygomycete Group	0	0	0	0	0	0
Other Mitospores	0	0	0	0	0	0
Total Spores	372	2480	84	560	88	587

* A debris rating greater than 3 may result in an underestimation of spore count due to increased interference.

STAFF REPORT TO COUNCIL

Report Prepared By: Tim Tanton, Director of Infrastructure Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: February 4, 2025
File No:
Re: **Downtown Parking Requests from Local Businesses**

RECOMMENDATION:

That Council:

1. Deny the Oct 24, 2024 request from the Temperance Hotel for dedicated hotel parking on the public street;
2. Direct staff to remove the overnight parking prohibition from two parking spaces on 1st Avenue adjacent to Temperance Hotel; and
3. Direct staff to develop a fee structure for the use of Town streets for Council consideration.

EXECUTIVE SUMMARY:

Staff seek Council direction on two downtown parking matters:

1. A request from the Temperance Hotel (32 High Street) to remove the overnight parking prohibition on 1st Avenue and dedicate on-street parking spaces for the exclusive use of their guests; and
2. Occupation of on-street parking spaces by adjacent businesses for seating.

PREVIOUS COUNCIL DIRECTION:

Date	Resolution #	Motion
Jun 16/20	CS2020-185	That Council give first, second and third reading to Streets and Traffic Bylaw 1988, No. 1309, Amendment Bylaw #7 2020, No. 2041 to eliminate fees for sidewalk patios and to create an exemption to the requirement for a permit for small sidewalk patios and retail displays. (adopted Jun 16/20)
Oct 6/20	CS2020-291	That Council give first three readings to “Streets and Traffic Bylaw 1998, No. 1309, Amendment Bylaw #8 2020, No. 2054” allowing the Director of Development Services to issue permits authorizing sidewalk patios between October 31 st and March 1 st . (adopted Oct20/20)



INTRODUCTION/BACKGROUND:

The 2023 Downtown Parking Utilization Study¹ determined that the supply of parking spaces in the Downtown is adequate to meet current demand but limited in a few isolated areas during peak times (e.g. the 400 and 500 blocks of 1st Avenue during the middle of the day). The parking spaces in the vicinity of the Temperance Hotel and Zack's Lounge tend to see the highest utilization in the Downtown, occasionally nearing or exceeding the 85% utilization threshold² during the middle of the day. Drivers looking to visit businesses on these blocks during busy times may not be able to find parking adjacent to their destination and instead need to park in less utilized parking areas such as 2nd Avenue, Gatacre Street or Roberts Street.

Parking at Temperance Hotel

The request for on-street parking for the exclusive use of Temperance Hotel guests would remove some of the public parking available downtown. Staff are concerned that if the current request is approved then other businesses may make similar requests in the future. This could put significant additional pressure on the downtown parking supply and could be perceived as assistance to business, which is prohibited in the *Community Charter* (s.25). For this reason, staff recommend denial of this request.

The Hotel owner has also requested that the prohibition of overnight parking be removed from spaces on 1st Avenue. Though this would not be for the exclusive use by the patrons of the Temperance Hotel, it would make it convenient for hotel clients to park closer to their room. Staff suggest that allowing overnight parking in two on-street spaces on 1st Avenue adjacent to the hotel would be a reasonable compromise. If other uses like overnight RV parking become a future problem, the decision can be revisited.

Restaurant Seating Areas in Public Street

During the COVID pandemic Ladysmith and many other municipalities in Canada allowed businesses (usually restaurants) to create extended seating areas in parking spaces (also called sidewalk patios or parklets). This made sense at the time since it allowed greater social distancing and encouraged businesses to remain open.

Only one restaurant in Ladysmith (530 1st Avenue – Zack's Lounge) went ahead and created extended seating, which currently occupies four parking spaces on the public street. The permit for the deck was first issued in 2020 and has been renewed each year. The current deck area is outlined in red in the aerial photo below.

¹ See: <https://www.ladysmith.ca/business-development/business-resources/downtown-parking/downtown-parking-study-2023>

² This is the commonly used industry number that represents an optimal balance between parking supply and demand. See Part C of the OCP.



For comparison, an aerial photo of the same area before the deck installation is shown below, with the deck area outlined in red.



Many other municipalities are now revisiting the COVID-inspired sidewalk patios which were approved during the pandemic.

Staff concerns about the current situation include:

1. Without fees for use, other businesses may see sidewalk patios as an inexpensive way to increase floor area which could lead to conflicts with businesses that would rather see these areas used for parking;

2. Not all businesses meet the eligibility requirements for sidewalk patios due to the configuration of the road fronting their businesses. These businesses may feel that this is inequitable—i.e. some businesses can expand into the road right of way free of charge and others cannot; and
3. Road right of ways serve many purposes beyond driving, parking sidewalks and sidewalk patios, such as construction staging, special events and garbage collection. A fee structure is needed to account for all of these uses and optimize utilization of public streets.

Zack’s Lounge has invested considerable funds in designing and constructing the existing wooden deck structure in the parking space area. Staff suggest a reasonable compromise is to allow continued permit renewals for this deck, but to implement fees for use of the public street. Staff are not recommending that current rules allowing sidewalk patios be eliminated, rather that businesses that install sidewalk patios pay a fee to use this space.

ALTERNATIVES:

Parking at Temperance Hotel:

Council can choose to:

1. Maintain prohibition on overnight parking; or
2. Grant approval for dedicated spaces for hotel use only.

Restaurant Seating Areas in Public Street:

Council can choose to:

1. Discontinue approvals of restaurant seating in the public street; or
2. Continue to approve restaurant seating in the public street at no charge to the applicant.

FINANCIAL IMPLICATIONS:

An amendment to the Fees and Charges bylaw will be presented at a future meeting should Council direct staff to investigate a fee structure for extensive use of municipal lands or parking stalls.

LEGAL IMPLICATIONS:

Section 25(1) of the *Community Charter* reads:

- 25** (1)Unless expressly authorized under this or another Act, a council must not provide a grant, benefit, advantage or other form of assistance to a business, including
- (a)any form of assistance referred to in section 24 (1) [*publication of intention to provide certain kinds of assistance*], or
 - (b)an exemption from a tax or fee.

Staff are concerned that the continued provision of space in the public street without any fee or charges may be in contravention of Section 25(1) of the *Community Charter* and therefore should not be permitted. Aside from cost concerns, staff observe that most businesses in the downtown

core are quite constrained by space, and providing space on the public street for free could reasonably be viewed as assistance to a business.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Both the Temperance Hotel and Zack’s Lounge have been notified that this report will be on the February 4 Council agenda.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Core Infrastructure | <input checked="" 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. October 24, 2024 email from Temperance Hotel.
- B. Permit for Zack’s Lounge Seating

Attachment A

From: Stefan and Denise <temperancegroup76@gmail.com>

Sent: Thursday, October 24, 2024 9:56:34 PM

To: Council <towncouncil@ladysmith.ca>

Subject: Temperance Hotel overnight parking request

Hello Mayor and Council!

My name is Denise Bergquist and I am one of the owners of the Temperance Hotel - 32 High Street.

We are looking for some resolution for parking around our newly opened Boutique Hotel!

As you are aware, we celebrated opening in May of this year, and we have been very busy ever since - bringing many visitors and Tourists to our beautiful Downtown, successfully hosting a staggering amount of guests in our first five months of operation.

Currently on 1st Ave in front of the Temperance are signs erected that state no-overnight parking. Stefan and I did a walk around Downtown to compare signage and noticed that most of 1st Ave does not have this, especially where there are residences.

We need to be more accommodating to our guests, and we would hope the Town would agree! Guests have indicated unsureness and concern over where to park - especially with no designation and the no-overnight signage. Parking too far away is not an option considering the activity that happens downtown after dark.

We are so grateful and thrilled with the support we have had from the Ladysmith locals and the Town staff with this project, and equally happy that we were able to save this Heritage Building and provide this much needed upgrade for this part of downtown. We consider it to now be one of the brightest and best corners of all Downtown, a building to be proud of by all!

Solutions?

1. We would like to request designated parking for the Hotel Guests on 1st Ave. Running the only Hotel on main street benefits many in Ladysmith, especially the Downtown Businesses. Guests check in time is 3:00pm and check-out is 11:00am.

Attachment A

2. We would also like to request the removal of the no-overnight parking in front of the building.

Please advise if there is a formal request process or if we need to attend a meeting to discuss!

Please let us know if you require more information and we thank-you very much for considering our requests!

Sincerely Stefan and Denise

temperancehotel.ca

**SCHEDULE "G"
SIDEWALK PATIO PERMIT NO. 22-01
DURATION OF PERMIT: JANUARY 1 TO DECEMBER 31**

Pursuant to "Town of Ladysmith Streets and Traffic Bylaw, 1998, No. 1309" permission is hereby granted to: Justin Gueulette (1140357 BC Ltd.)

Name: _____
3199 Yellow Point Road, Ladysmith, BC V9G 1C6 250-240-5046

(address) (phone number)

for a sidewalk patio permit adjacent to:
Business Premise Address: 530, 532 & 534 First Avenue
Legal Description: Lot 2, Block 27, District Lot 56, Oyster District, Plan 703 (PID: 008-550-891)

in accordance with the attached Schedules and the following additional terms and conditions:

Bylaw 2041

1. The permit area approved by this permit is shown on the attached approved plans. The Town of Ladysmith received the required fee in the amount of \$ _____ for the approved permit area.

2. Construction details and furniture layout on the attached, approved plans must be completed and used, respectively.

3. No area other than the permit area may be used as a sidewalk patio.

Bylaw 2042

4. The permit area may only be used for a sidewalk patio between January 1st and December 31st of each year, including of this calendar year.

5. This permit automatically ceases if the permittee has his/her associated business licence or liquor licence suspended or revoked.

6. The permittee will keep the permit area and associated improvements in a clean, tidy and safe condition during the term of the permit.

7. The permittee will keep the required third party liability insurance valid during the term of this permit.
Insurance Company: Westland Insurance Group Ltd. Policy No. WIP1309026

8. This permit may be altered or revoked by the Director of Development Services, if for public safety reasons the Director of Development Services deems it necessary to alter or revoke it.

9. The Director of Development Services or any of the Municipality's employees or contractors may enter the permit area at any time without notice or the payment of compensation to deal with any emergency situations which requires the use of the permit area as part of the emergency.

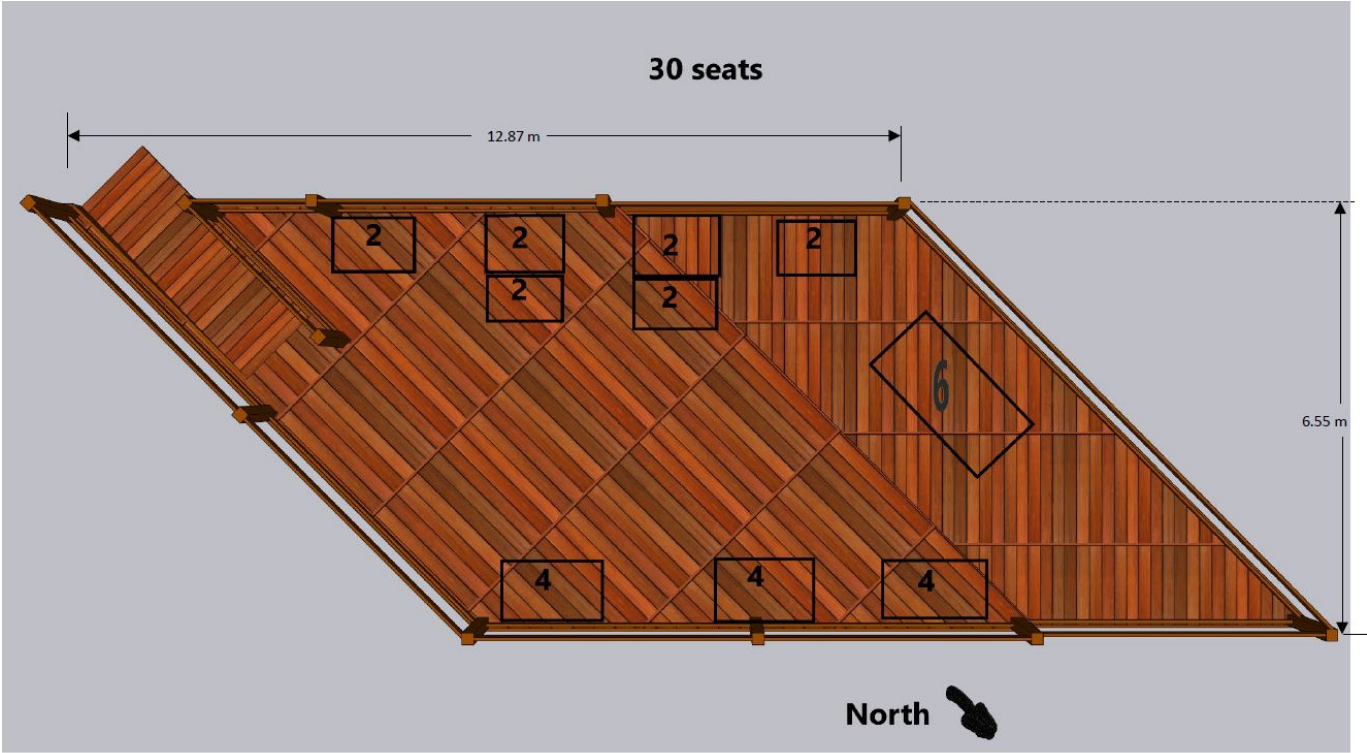


(Director of Development Services)

SCHEDULE "H" DESIGNATED PATIO AREA



A SCHEDULE "B"
PATIO ENCLOSURE DESIGN



Patio enclosure design – wood frame with black metal pickets.

GENERAL

HEL-001

1. ALL DESIGN HAS BEEN COMPLETED IN ACCORDANCE WITH THE 2018 EDITION OF THE BRITISH COLUMBIA BUILDING CODE, INCLUDING ALL ADDENDA.
2. ALL CONSTRUCTION MUST BE IN ACCORDANCE WITH THE 2018 EDITION OF THE BRITISH COLUMBIA BUILDING CODE, INCLUDING ALL ADDENDA, ALL REFERENCED CODES AND ALL FEDERAL AND MUNICIPAL REGULATIONS AND BY-LAWS.
3. ALL REFERENCED CODES AND STANDARDS SHALL BE AS REFERENCED IN THE 2018 EDITION OF THE BRITISH COLUMBIA BUILDING CODE.
4. DESIGN CRITERIA: kPa (psf)

SNOW LOADS		WIND LOADS		SITE CLASS	
Sa	2.4 kPa (50.1 psf)	q10	0.31kPa (6.47 psf)	-	ASSUMED
Sr	0.4 kPa (8.40 psf)	q50	0.40kPa (8.35 psf)		
Is	ULS 1.0/SLS 0.90	Iw	ULS 1.0/SLS 0.75		
SEISMIC LOADS		SPECTRAL ACCELERATION			
Rd	3.0	Sa (0.2)	Sa (0.5)	Sa (1.0)	Sa (2.0)
Ro	1.7	1.02	1.10	0.587	0.353
le	ULS 1.0			0.110	0.039
					0.482
					0.738
PGA PGV					
SPECIFIED ROOF LOADING					
DEAD LOAD	= 0.72kPa (15.0psf)				
SNOW LOAD	= 2.32kPa (48.33psf)				
NET WIND UPLIFT	= 1.00kPa (20.9psf)				
DEFLECTION CRITERIA					
LIVE LOAD	= L/360				
TOTAL LOAD	= L/240				

5. THESE DRAWINGS INCLUDING DIMENSIONS SHALL BE READ IN CONJUNCTION WITH ALL OTHER PROJECT DRAWINGS AND SPECIFICATIONS. CONTRACTOR SHALL REPORT ANY DISCREPANCIES TO THE STRUCTURAL ENGINEER FOR CLARIFICATION PRIOR TO COMMENCING CONSTRUCTION. CONTRACTOR SHALL BE FAMILIAR WITH ALL PROJECT DRAWINGS INCLUDING THOSE OF OTHER DISCIPLINES AND SHALL MAKE ALLOWANCES FOR ALL ITEMS SHOWN ON OTHER DRAWINGS THAT AFFECT THIS CONTRACTOR'S WORK.
6. THESE DRAWINGS SHOW THE COMPLETED STRUCTURE ONLY. PROVIDE TEMPORARY BRACING AND SHORING FOR THE CONSTRUCTION LOADING CONDITIONS AND STABILITY OF THE STRUCTURE DURING CONSTRUCTION. CONSTRUCTION LOADS SHALL NOT EXCEED DESIGN LOADS.
7. THE CONTRACTOR SHALL RETAIN A PROFESSIONAL ENGINEER REGISTERED IN THE PROVINCE OF BRITISH COLUMBIA TO DESIGN AND TAKE RESPONSIBILITY FOR ANY TEMPORARY SHORING, BRACING OR OTHER DESIGNS REQUIRED TO COMPLETE CONSTRUCTION.
8. THE CONTRACTOR SHALL SUBMIT WRITTEN RECOMMENDATIONS FOR FLATWORK PERFORMED DURING COLD (BELOW +5°C) AND HOT (ABOVE +25°C) WEATHER. THE RECOMMENDATIONS SHALL BE PREPARED, SEALED AND SIGNED BY A PROFESSIONAL ENGINEER REGISTERED IN THE PROVINCE OF BRITISH COLUMBIA. A SCHEDULE 'S' SHALL ALSO BE SUBMITTED UPON REQUEST. FLATWORK INCLUDES SLABS ON GRADE, SUSPENDED SLABS, TILT-UP PANELS, MASONRY AND CONCRETE TOPPING.
9. UNDER NO CIRCUMSTANCES SHALL DRAWINGS BE SCALED.
10. CONTRACTOR AND ALL SUB-TRADES SHALL VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCING FABRICATION.

FIELD REVIEWS

HEL-005

1. THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH A MINIMUM OF 24 HOURS (1 WORKING DAY) ADVANCE NOTICE FOR FIELD REVIEWS.
2. THE FOLLOWING FIELD REVIEWS ARE CONSIDERED TO BE THE MINIMUM NUMBER OF STRUCTURAL FIELD REVIEWS REQUIRED FOR THE PROJECT:
TIMBER: FRAMING SHALL BE REVIEWED PRIOR TO COVERING ANY FRAMING AND BEFORE ADDITIONAL LOADS SUCH AS CONCRETE TOPPING AND MECHANICAL EQUIPMENT ARE APPLIED.
3. IF THE ENGINEER IS NOT PROVIDED WITH THE OPPORTUNITY TO PERFORM THE REQUIRED FIELD REVIEWS, FINAL CERTIFICATION OF THE PROJECT WILL NOT BE ISSUED.

WOOD FRAME CONSTRUCTION

HEL-029

1. ALL WOOD FRAMING, INCLUDING BRIDGING, NAILING AND OTHER DETAILS SHALL BE AS INDICATED ON THE STRUCTURAL DRAWINGS AND COMPLY WITH CAN/CSA-086 AND THE CURRENT BRITISH COLUMBIA BUILDING CODE.
2. ALL NAILS SHALL MEET ASTM F1667 REQUIREMENTS FOR ENGINEERED CONSTRUCTION NAILS.
3. WOOD SCREWS SHALL MEET THE REQUIREMENTS OF ASME B18.61.
4. BOLTS SHALL HAVE PRE-DRILLED HOLES 1-2mm LARGER THAN THE BOLT DIAMETER.
5. LAG SCREWS SHALL CONFORM TO CSA B34. PRE-DRILLED HOLES FOR LAG SCREWS MAY BE LUBRICATED WITH SOAP OR OTHER NON-PETROLEUM BASED LUBRICANT.
6. ALL CONNECTORS AND FRAMING ANCHORS SPECIFIED ON THE DRAWINGS ARE BY SIMPSON STRONG-TIE. UNLESS NOTED OTHERWISE, ALTERNATES MUST BE PRE-APPROVED IN WRITING BY THE ENGINEER OF RECORD PRIOR TO ORDERING. INSTALLATION OF COMPONENTS AND ASSEMBLIES, INCLUDING STRONG-WALL SHEAR WALLS AND STRONG FRAMES, SHALL BE IN ACCORDANCE WITH THE MANUFACTURERS WRITTEN INSTRUCTIONS AND/OR SHOP DRAWINGS.
7. THE USE OF FINGER JOINTED WOOD SHALL BE RESTRICTED TO VERTICAL MEMBERS UNLESS PRIOR APPROVAL IS GIVEN BY THE ENGINEER OF RECORD. FINGER JOINTED WOOD SHALL BE GRADE STAMPED IN ACCORDANCE WITH NLGA SPS 1
8. SHEAR WALLS SHALL BE CONSTRUCTED AS DETAILED ON THE DRAWINGS. ALL COUPLERS FOR HOLD DOWN RODS SHALL HAVE MIN 125% CAPACITY OF CONNECTING RODS AND SHALL HAVE "WITNESS" HOLES AS PER SIMPSON STRONG-TIE CNW COUPLER NUTS OR EQUIVALENT.
9. FLOOR SHEATHING AND ROOF SHEATHING TO BE AS DETAILED ON THE DRAWINGS. PANEL EDGE NAILING PATTERN SHALL ALSO APPLY TO DRAG STRUTS AND DIAPHRAGM EDGES.
10. THE FOLLOWING MINIMUM SHANK DIAMETERS SHALL APPLY TO NAILS SPECIFIED ON THE STRUCTURAL DRAWINGS. IN PARTICULAR SHEAR WALL SHEATHING, AND FLOOR AND ROOF DIAPHRAGMS:

NAIL SIZE	MINIMUM SHANK DIAMETER
57mm (2.25")	2.52 mm (0.099")
65mm (2.50")	3.33 mm (0.131")
76mm (3.00")	3.76 mm (0.148")
83mm (3.25")	3.76 mm (0.148")
89mm (3.50")	4.12 mm (0.162")
11. DIAPHRAGM AND SHEARWALL NAILS SHALL BE FULL HEADED NAILS.
12. DIAPHRAGM AND SHEARWALL NAILS SHALL NOT BE LESS THAN 10mm (3/8") FROM THE EDGE OF THE PANEL OR EDGE OF THE FRAMING MEMBER.
13. DIAPHRAGM AND SHEARWALL NAILING SHALL NOT BE OVER-DRIVEN BY MORE THAN THE FOLLOWING:

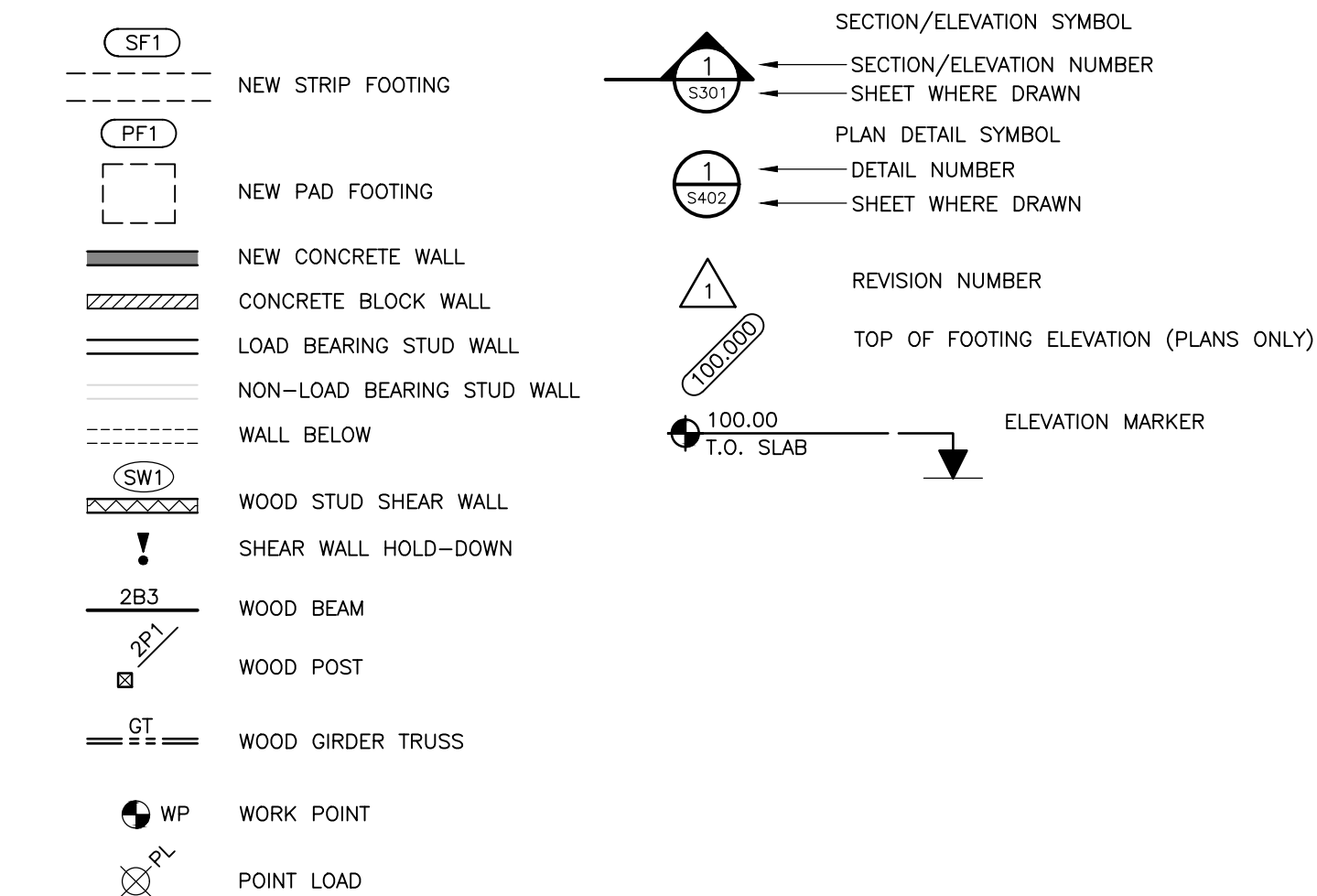
PANEL THICKNESS	OVER-DRIVE
9.5mm (3/8")	1.4mm (0.056")
12.5mm (1/2")	1.9mm (0.075")
15.9mm (5/8")	2.4mm (0.094")
19.0mm (3/4")	2.9mm (0.113")
14. ALL STRUCTURAL LUMBER SHALL COMPLY WITH CSA-0141 AND SHALL BE KILN DRIED TO MAXIMUM 19% MOISTURE CONTENT PRIOR TO INSTALLATION.
15. ALL WOOD FRAMING TO BE SPF#2 OR BETTER UNLESS NOTED OTHERWISE, BEARING THE GRADE STAMP OF AN AGENCY CERTIFIED BY THE CANADIAN LUMBER STANDARDS ACCREDITATION BOARD.
16. PLYWOOD FOR ROOFS, FLOORS AND WALLS SHALL BE EXTERIOR GRADE DOUGLAS FIR PLYWOOD TO CSA-0121 OR CANADIAN SOFTWOOD PLYWOOD TO CSA-0151. OSB MAY BE SUBSTITUTED FOR PLYWOOD ON INTERIOR SHEAR WALLS ONLY. OSB SHALL BE EXTERIOR GRADE CONFORMING TO CSA 0325. SUBSTITUTION MUST BE APPROVED BY THE PROJECT ENGINEER IN WRITING.

PLYWOOD THICKNESS	EQUVALENT OSB MARK
3/8"	2R24
1/2"	2R32 /2F16 OR 1F16
5/8"	2R40 /2F20
17. PLYWOOD PANELS FOR FLOORS AND ROOFS SHALL BE LAID WITH A HALF-SHEET STAGGER AND BE FASTENED TO SUPPORTS WITH 65mm (2 1/2") COMMON NAILS AT 150mm o/c (6") ALONG PANEL EDGES AND 300mm (12") o/c ALONG INTERMEDIATE SUPPORTS UNLESS NOTED OTHERWISE ON THE PLANS. THICKNESS AS NOTED ON THE DRAWINGS.
18. PLYWOOD PANELS FOR WALLS SHALL BE LAID WITH A HALF-SHEET STAGGER AND BE FASTENED TO SUPPORTS WITH 65mm (2 1/2") COMMON NAILS AT 75mm o/c (3") ALONG PANEL EDGES FOR BLOCKED EDGES, 150mm o/c (6") FOR UNBLOCKED EDGES, AND 300mm (12") o/c ALONG INTERMEDIATE SUPPORTS UNLESS NOTED OTHERWISE ON THE PLANS. PLYWOOD THICKNESS AS NOTED ON THE DRAWINGS.
19. SHEARWALL PANELS SHALL NOT BE GLUED IN PLACE UNLESS PRIOR APPROVAL IS RECEIVED FROM THE ENGINEER OF RECORD.
20. PLYWOOD FOR DIAPHRAGMS AND SHEARWALLS SHALL HAVE A 2mm GAP BETWEEN PANELS.
21. EXTERIOR WALLS TALLER THAN 2400mm (8'-0") SHALL HAVE ALL PANEL EDGES BLOCKED WITH 38x89 (2x4) ON THE FLAT.
22. 'ACO' (AMINE COPPER QUAT) PRESSURE TREATED WOOD SHALL BE USED WHERE SPECIFIED ON THE DRAWINGS, WHERE TIMBER COMES IN DIRECT CONTACT WITH CONCRETE OR MASONRY, AND WHERE IT IS EXPOSED TO THE WEATHER. CUT SURFACES OF TREATED TIMBER ARE TO RECEIVE A BRUSH APPLIED COAT OF COLOURED PRESERVATIVE. WORK SHALL BE IN ACCORDANCE WITH CSA-080 SERIES-08. 'CCA' (CHROMATED COPPER ARSENATE) IS NOT TO BE USED. TREATED WOOD PRODUCTS SHALL BEAR THE STAMP OF THE CANADIAN WOOD PRESERVERS BUREAU (CWPB).
23. FASTENERS FOR USE IN ACO TREATED TIMBER SHALL BE HOT DIP GALVANIZED IN ACCORDANCE WITH ASTM A653. CONNECTORS SHALL HAVE A G185 GALVANIZED DESIGNATION OR MEET ASTM A123. ALTERNATIVELY ALL METAL CONNECTORS INCLUDING NAILS, BOLTS, HANGERS, HOLD-DOWNS, STEEL STRAPS, POST BASES, ETC. SHALL BE STAINLESS STEEL TYPES 304 OR 316. REFER ALSO TO THE PRESERVATIVE MANUFACTURER'S WRITTEN RECOMMENDATIONS.
24. WALL STUDS SHALL NOT BE NOTCHED, DRILLED OR OTHERWISE DAMAGED SO THAT THE UNDAMAGED PORTION OF THE STUD IS LESS THAN TWO-THIRDS OF THE DEPTH OF THE STUD IF THE STUD IS LOADBEARING OR 40mm (1 1/2") IF THE STUD IS NON-BEARING, UNLESS THE WEAKENED STUDS ARE SUITABLY REINFORCED. SUCH REINFORCEMENT SHALL BE APPROVED BY THE PROJECT ENGINEER PRIOR TO THE REINFORCING BEING CARRIED OUT.
25. TOP AND BOTTOM PLATES IN WALLS SHALL NOT BE NOTCHED, DRILLED OR OTHERWISE DAMAGED SO THAT THE UNDAMAGED WIDTH IS LESS THAN 50mm (2"), UNLESS THE WEAKENED PLATES ARE SUITABLY REINFORCED. SUCH REINFORCEMENT SHALL BE APPROVED BY THE PROJECT ENGINEER PRIOR TO THE REINFORCING BEING CARRIED OUT. IF PLATES ARE TO BE USED AS DRAG STRUTS SEE DETAILS.
26. ALL POSTS, INCLUDING 2-PLY POSTS, ARE TO BE CARRIED DOWN TO BEARING AND SOLID BLOCKED AT EACH FLOOR LEVEL.
27. EXCEPT AT SHEARWALLS, ANCHOR BOLTS SHALL BE 16x200 LONG @ 1200o/c (36"x48" @ 48"/o/c) MAXIMUM. LOCATE BOLTS WITHIN 300mm OF EACH WALL END AND EACH SIDE OF OPENINGS WHICH EXTEND TO THE TOP OF CONCRETE. REFER TO SHEARWALL SCHEDULE FOR SHEARWALL ANCHOR BOLTS.
28. ALL BOLTS USED IN WOOD FRAME CONSTRUCTION SHALL CONFORM TO ASTM A307 OR SAE J429 GRADE 2. THREADED ROD SHALL BE TO ASTM F1554 GRADE 36 (36 ksi YIELD STRENGTH). USE OF OTHER BOLTS MUST BE PRE-APPROVED BY THE ENGINEER OF RECORD.

LIST OF ABBREVIATIONS

ALT	---	ALTERNATE	LVL	---	LAMINATED VENEER LUMBER
ARCH	---	ARCHITECTURAL	LV	---	LENGTH VARIES
BCE	---	BOTTOM CHORD EXTENSION	MAX	---	MAXIMUM
B/S	---	BOTH SIDES	MECH	---	MECHANICAL
BLL	---	BOTTOM LOWER LAYER	MIN	---	MINIMUM
BUL	---	BOTTOM UPPER LAYER	NIC	---	NOT IN CONTRACT
C/W	---	COMPLETE WITH	NF	---	NEAR FACE
E	---	CENTRE LINE	No	---	NUMBER
CLR	---	CLEAR	NTS	---	NOT TO SCALE
CIP	---	CAST IN PLACE	O/A	---	OVERALL
CONC	---	CONCRETE	o/c	---	ON CENTRE
COL	---	COLUMN	O/F	---	OUTSIDE FACE
CONT	---	CONTINUOUS	OPP	---	OPPOSITE
CJ	---	CONTROL JOINT	OWSJ	---	OPEN WEB STEEL JOIST
CP	---	COMPLETE PENETRATION	PL	---	PLATE
DJ	---	DRAG JOIST	PP	---	PARTIAL PENETRATION
DP	---	DEEP	PT	---	PRESSURE TREATED (LUMBER)
DL	---	DEAD LOAD	PSL	---	PARALLEL STRAND LUMBER
DS	---	DRAG STRUT	RD	---	ROOF DRAIN
DT	---	DRAG TRUSS	REINF	---	REINFORCE(MENT)
DWG	---	DRAWING	R/W	---	REINFORCE WITH
E/E	---	EACH END	SCL	---	STRUCTURAL COMPOSITE LUMBER
E/F	---	EACH FACE	SDBL	---	SUPERIMPOSED DEAD LOAD
E/S	---	EACH SIDE	STIR	---	STIRRUP
ELEC	---	ELECTRICAL	STL	---	STEEL
EM	---	EMBEDDED	SM	---	SIMILAR
E/W	---	EACH WAY	S/W	---	SHORT WAY
EX	---	EXISTING	THK	---	THICK
(E)	---	EXISTING	T&B	---	TOP AND BOTTOM
FD	---	FLOOR DRAIN	T&C	---	TENSION AND COMPRESSION
FF	---	FAR FACE	T&G	---	TONGUE AND GROOVE
GALV	---	GALVANIZED	TJ	---	TIE JOIST
GT	---	GIRDER TRUSS	THK	---	THICK
H.1.E.	---	HOOKED ONE END	TLL	---	TOP LOWER LAYER
H.2.E.	---	HOOKED TWO ENDS	TUL	---	TOP UPPER LAYER
HORIZ	---	HORIZONTAL	T.O.	---	TOP OF
INT	---	INTERIOR	TYP	---	TYPICAL
LG	---	LONG	U/S	---	UNDERSIDE
LL	---	LIVE LOAD	UNO	---	UNLESS NOTED OTHERWISE
LLH	---	LONG LEG HORIZONTAL	VERT	---	VERTICAL
LLV	---	LONG LEG VERTICAL	VIF	---	VERIFY IN FIELD
L/W	---	LONG WAY	W/	---	WITH
			WP	---	WORK POINT

SYMBOLS LEGEND



STRUCTURAL DRAWING LIST

S01	GENERAL NOTES
-----	---------------

STRUCTURAL DRAWING ISSUE RECORD

ISSUE No.	ISSUE DATE (YYYY.MM.DD)	ISSUED FOR	DRAWING NUMBER														
			S01														
01	2020.07.14	BUILDING PERMIT	●														

ISSUES		
No.	DATE	ISSUED FOR
01	2020.07.14	BUILDING PERMIT

SUB CONSULTANT

ISSUED FOR BUILDING PERMIT

NOT FOR CONSTRUCTION

**ZACK'S LOUNGE
TEMPORARY PATIO**

HEROLD ENGINEERING
 3701 Shenton Rd, Nanaimo, BC V9T 2H1
 Tel: 250-751-8558 Fax: 250-751-8559
 Email: mail@heroldengineering.com

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GENERAL NOTES	
DESIGNED SM	ENGINEER'S SEAL
DESIGN REVIEW EC	
DRAFTED EC	
DRAFTING REVIEW	
PROJECT No. 5112-005	CLIENT DRAWING No. n/a
SCALE AS SHOWN	PERMIT No. n/a
HEL DRAWING No. S01	REVISION 01

SCHEDULE "J"

PATIO CONSTRUCTION PLANS



MKM Projects Ltd.
PO Box 601, Qualicum Beach BC
250.594.4494

Jordan Almond
Principal

Kyle Meston
Construction Manager

Zack's Lounge
Ladysmith BC

PROJECT
Zack's Lounge Modular Patio

DRAWN BY
KM

ISSUE
17.09.2020

RE-ISSUE
NA

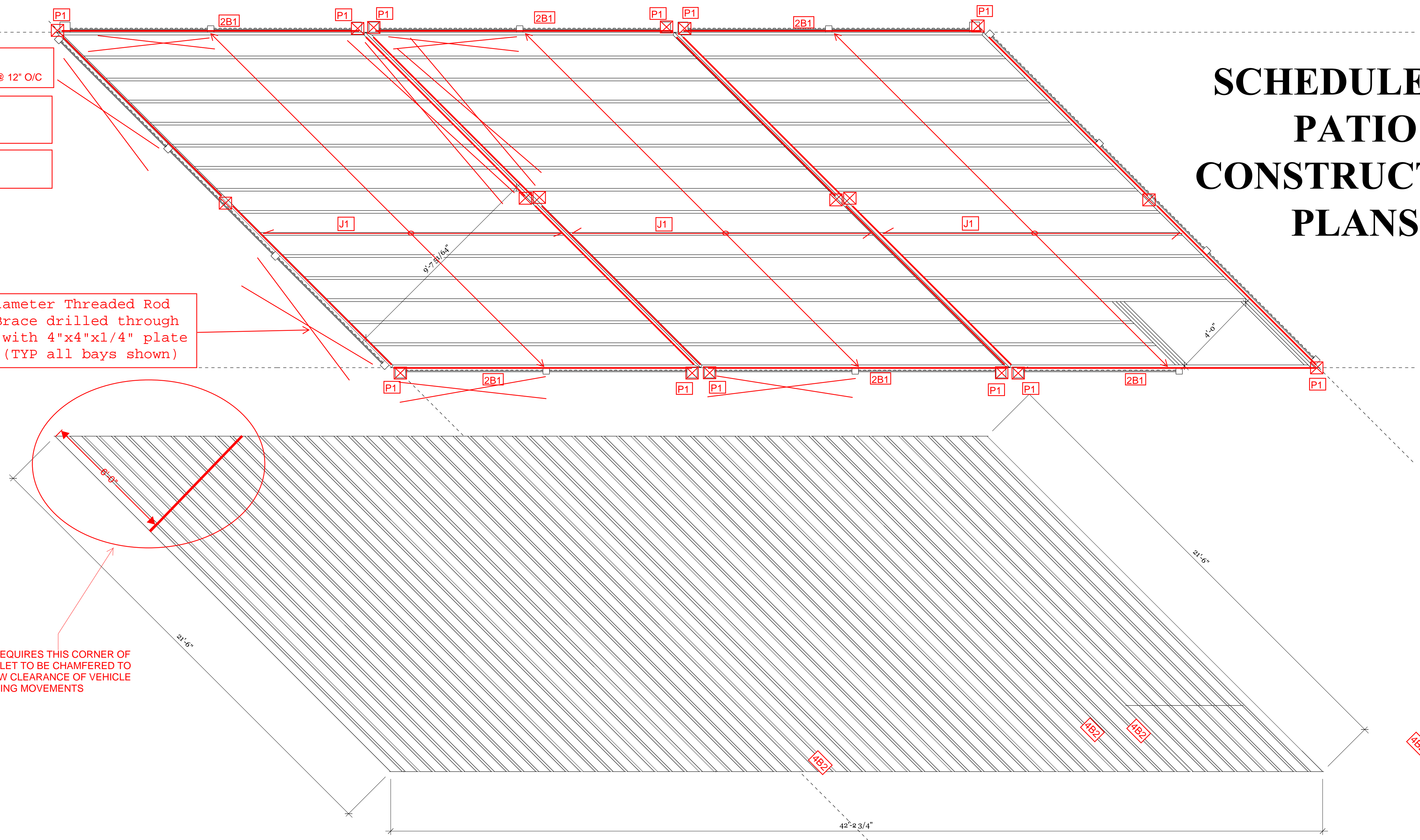
DESCRIPTION
Plan/Elevation View

SCHEDULE "J" PATIO CONSTRUCTION PLANS

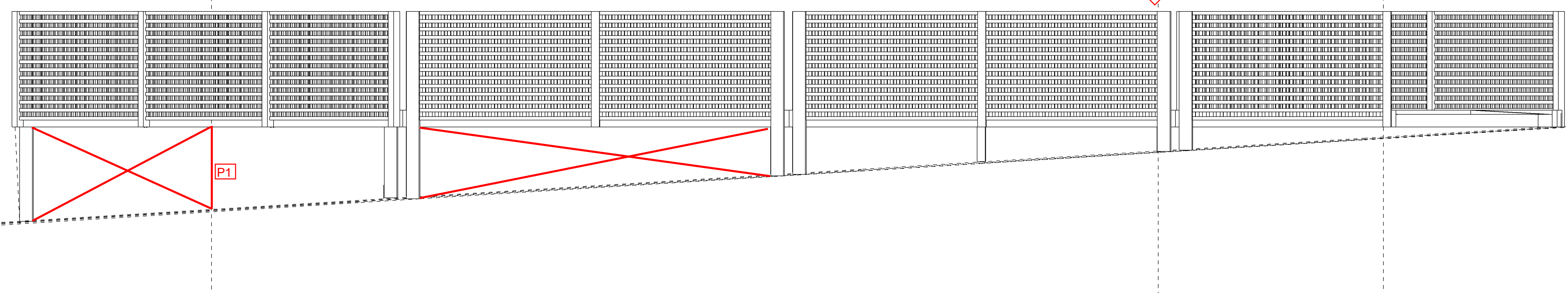
- JOIST SCHEDULE
J1 - 2x12 DFIR No1/No2 UNTREATED @ 12" O/C
- BEAM SCHEDULE
B1 - 2x10 DFIR-L No1/No2
B2 - 2x12 DFIR-L No1/No2
- POST SCHEDULE
P1 - 6x6" DFIR-L No1/No2

3/4" Diameter Threaded Rod
Cross Brace drilled through
column with 4"x4"x1/4" plate
washer (TYP all bays shown)

Tol. REQUIRES THIS CORNER OF
PARKLET TO BE CHAMFERED TO
ALLOW CLEARANCE OF VEHICLE
TURNING MOVEMENTS



Plan View
1/4" = 1'0"



Elevation
1/4" = 1'0"



SCHEDULE “K” SNOW AND ICE REMOVAL PLAN

Snow and Ice Removal Plan Statement

- At the time of a snow or ice event this snow and ice removal plan is implemented.
- The patio will remain closed for use until the snow has melted or the snow and ice removal work can be completed .
- The snow will be removed and stored along the sides of patio, not to interfere with the sidewalk and 1st Avenue.
- Snow and ice mitigation supplies such as sand and salt will be applied to slippery surfaces to prevent slips and falls.
- If the patio is open during a snow event, hourly inspections will be completed and logged to ensure patron safety. If the accumulations are unmanageable, the patio will be closed.
- Snow and ice mitigation supplies such as sand and salt will be stocked and maintained during winter months.

STAFF REPORT TO COUNCIL

Report Prepared By: Jake Belobaba, Director of Development Services
Reviewed By: Allison McCarrick, CAO
Meeting Date: February 4, 2025
File No: 6520-20
Re: **Early Budget Approval: Uplands Remediation**

RECOMMENDATION:

That Council grant early budget approval for the 2025 capital project titled Waterfront Projects in the amount of \$250,000 to conduct additional foreshore drilling and testing to support the Town’s application for obtaining a Certificate of Compliance for the Uplands.

EXECUTIVE SUMMARY:

This report seeks early budget approval to conduct further testing on “Lot 17G” to support the Town’s application for a Certificate of Compliance (COC) for the Uplands.

PREVIOUS COUNCIL DIRECTION:

Resolution	Meeting Date	Resolution Details
CS 2020-153	2020-05-19	That Council: <ol style="list-style-type: none"> 1. Receive the Regulatory Path to Closure and Stage 1 Preliminary Site Investigation prepared by Golder Associates provided in Appendix A of the staff report from the Director of Development Services dated May 19, 2020; 2. Direct Staff to amend the 2020-2024 Financial Plan to include up to \$400,000 from general surplus and development reserves to cover the cost of a detailed site investigation over the course of 2020-2021; and 3. Direct staff to: <ol style="list-style-type: none"> a. submit an application on behalf of the Town to the Federation of Canadian Municipalities to obtain funding for a detailed site investigation of the uplands and to obtain the services of a consultant, if required, to prepare the grant application; and b. seek the services of a qualified environmental engineering firm to complete a detailed site investigation of the uplands.
CS 2020-265	2020-09-01	That Council award the contract for the detailed site investigation and remediation plan for the uplands of the Waterfront Area to Golder Associates Ltd for \$279,866 excluding GST.



Resolution	Meeting Date	Resolution Details
CS 2021-052	2021-02-16	That Council authorize the Mayor and Corporate Officer to sign the FCM Green Municipal Fund Grant Agreement GMF 17055 titled “Uplands Environmental Assessment and Remedial Action Plan” for remediation of Town-owned property referred to as the “uplands” in the Waterfront Area Plan.
CS 2021-316	2021-10-05	That Council direct staff to prepare an amendment to the 2021-2025 Financial Plan to increase the Waterfront Remediation – Phase 1 budget by \$87,920 with the funds to come from prior year surplus, in order to accelerate the project and reduce overall project costs related to the Provincial Certificate of Compliance.

INTRODUCTION/BACKGROUND:

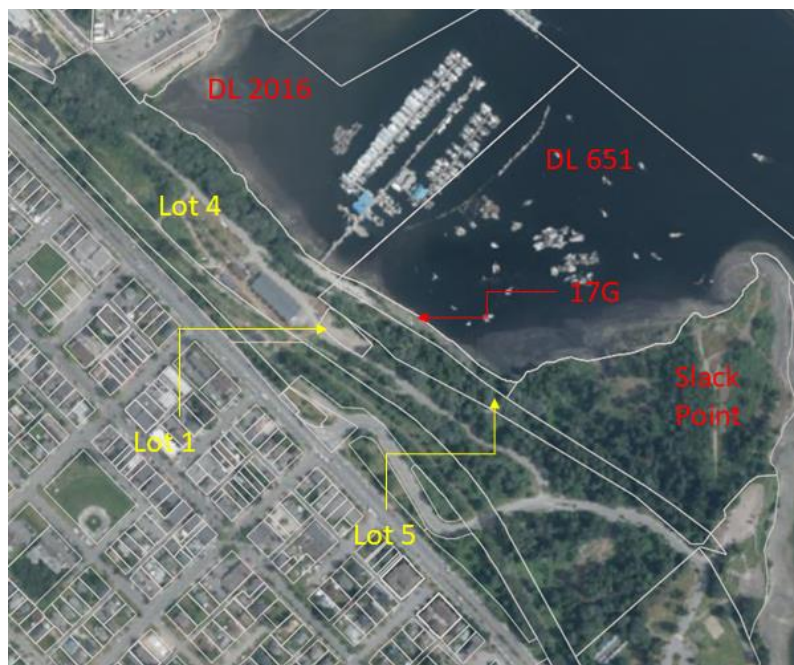
On May 19, 2020, Council directed staff to undertake a Detailed Site Investigation (DSI) for the Uplands and amended the 2020-2024 Financial Plan to allocate \$400,000 for this purpose. Council also directed staff to apply to the FCM Green Municipal Fund to offset the costs of the DSI. Golder (Now WSP) was awarded the DSI contract on September 20, 2020 and commenced work shortly after. The Town also received \$168,400 in funding from the FCM program in February of 2021.

The DSI concluded in the fall of 2021 within budget parameters and with promising results; testing revealed extensive physical or phased remediation was not needed. Subsequently, Council authorized a “direct to Certificate of Compliance (COC)” approach in October of 2021 (see resolution CS 2021-316 and accompanying staff report).

Each year since 2018, the Capital Plan has included an allocation of \$250,000 for Waterfront Projects. Since the DSI was completed, these funds have been used to fund remediation costs for the Uplands, such as the further testing and reports needed to support the COC

application that occurred throughout 2022. In December of 2023, WSP prepared and submitted a preliminary “Protocol 6” (P6) application to the Province. Generally, to obtain the type of COC the Town is seeking, the extent of contamination must be determined in terms of concentration (i.e. concentrations must remain below acceptable thresholds for an extended period of time) and area (i.e. the extent of contaminated land must be identified). In the case of the latter, the area must be determined regardless of property boundaries, meaning if the contamination “plume” crosses property lines, it must be delineated to determine if contamination is migrating from its source location.

Figure 1: Uplands (Yellow) and Provincially-owned Lots (Red)



A P6 application is a special permission from the Province to not delineate where delineation is impractical, impossible or unsafe. Following the testing and analysis that occurred between 2020 and 2023, the Town's consultant felt that it was not necessary for contamination to be delineated on Lot 17G, the narrow strip of provincially-owned land between the Town owned uplands (Lots 1, 4 and 5) and "DL 651" (see figure 1). The consultant felt that contamination on 17G was the result of contaminated fill rather than migration and that the most practical approach would be for delineation and remediation of provincial and Town-owned land to occur separately.

The Town's P6 application was submitted to the Province's Contaminated Sites Branch on December 22, 2023. In July of 2024, the Contaminated Sites Branch asked the Town to consult with the Provincial Ministry of Water Lands and Resource Stewardship (WLRS) and the Town sought input accordingly. Although WLRS agrees contamination on 17G is attributable to contaminated fill placement, WLRS expressed concerns that contamination may have migrated from the Uplands to 17G.

Following receipt of the above-noted feedback from the Province, WSP recommended pausing the Town's P6 application and conducting additional testing on 17G. The Town has requested permission from the Province to access the land to do this and the Province has agreed. In keeping with the resolution to allocate \$400,000 each year to the Waterfront Area Plan, staff have included \$250,000 in the 2025 Capital Plan for Waterfront Projects which, when combined with the \$50,000 surplus in this account remaining from 2024, is enough to cover the estimated \$200,000 needed for additional testing and any additional fees needed for reports and COCs

PROPOSAL:

Since the 2025-2029 Financial Plan has not been adopted, staff are requesting early budget approval of the 2025 Capital Plan for Waterfront Projects so further testing can commence as soon as possible; the sooner WSP can begin testing, the sooner the Town can obtain a COC for the Uplands.

The project was presented in the 2025 General Capital Plan with the funding for this project to come from the Real Property Reserve. WSP has prepared a drilling and testing plan and is prepared to commence further testing on Lot 17G as soon as they are authorized to do so by the Town. Testing will include installing monitoring wells, the installation of instruments within those wells, and ongoing testing and monitoring of soil and groundwater. Installation is expected to only take 1-5 days with minimal disruptions and once the wells and monitoring equipment are installed, existing uses on 17G can occur as usual. WSP has estimated this work will cost approximately \$200,000 with the cost increasing or decreasing slightly depending on site conditions. If testing produces extremely favorable results, the remaining \$100,000 in the Capital Plan for Waterfront Projects can be used to cover the cost of finalizing the Town's COC application and provincial application fees, with any remaining amounts reallocated to other capital projects needed to implement the Waterfront Area Plan.

ANALYSIS:

Without further delineation, the Town will not receive a COC. Without a COC the Town cannot redevelop the Uplands. Delineation on 17G has been a requirement since the DSI was completed—the Town simply sought an exemption from this requirement. Given the Province’s response a P6 application is no longer a practical option without further testing.

Testing to date suggests migration from the Uplands to 17G is unlikely. The proposed testing will confirm if migration has occurred and, if it has, determine what steps are necessary to address the migrating contamination and obtain a COC for the Uplands. In any event, testing will determine what the next step in the remediation process will be (e.g. isolated physical remediation, a COC application, or resuming the P6 application). Although the need for additional testing is not ideal, it was always an identified possibility, and the Town is still making meaningful progress towards a COC. Regardless of the results of the testing, reinitiating the delineation process is necessary and the most direct path to obtaining a COC. Staff note that most of the work of obtaining a COC has already been done and the Town’s application materials can simply be supplemented with the findings of the proposed testing. This additional cost is a necessary and cost-effective step to see the initiated remediation process through to its completion, as abandoning or pausing the process will increase remediation costs and timeframes significantly.

ALTERNATIVES:

Council can choose to:

1. Cease remediation and redevelopment of the Uplands.

FINANCIAL IMPLICATIONS:

The \$250,000 allocated in the proposed 2025 budget has been funded from the real Property Reserve, not taxation. Staff note that to date, the Town has spent \$864,701 on remediation of the Uplands, \$168,400 of which was covered by Federation of Canadian Municipalities funding and none of which came directly from taxation. Given the size, past history and comparative contamination levels of adjacent properties, these remediation costs are extremely low. Extensive physical remediation—which can be in the tens (or hundreds) of millions of dollars—has not been needed, nor is it expected to be needed to obtain a COC for the Uplands.

Some of the Town’s funds for remediation may also be recoverable through “Polluter Pays” legislation (see legal implications).

LEGAL IMPLICATIONS:

Under the *Environmental Management Act*, remediation costs are recoverable from past polluters and staff have been investigating this as an option. In any event, this option cannot be exercised until remediation of the Uplands is complete, i.e. the Town obtains a COC.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

I approve the report and recommendation.

Allison McCarrick, Chief Administrative Officer

BYLAW STATUS SHEET February 4, 2025

Bylaw #	Description	Status
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 and third reading December 19, 2023. MOTI approval received January 15, 2024. Awaiting covenant.
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. Waiting on applicant to submit Development Permit per Council Resolution.
2161	"Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2023, No. 2161". To expand the mobile home park at 10940 Westdowne Road.	First and second readings, November 21, 2023. Second reading rescinded, second reading as amended, December 5, 2023. Public Hearing and third reading December 19, 2023. Awaiting covenant.
2167	"Town of Ladysmith Animal Control Bylaw 2024, No. 2167". To manage and regulate the keeping of animals in the Town.	First, second and third readings, May 21, 2024. Consequential amendments must be made to the Zoning Bylaw prior to approval. Awaiting consequential amendments to the Zoning Bylaw.
2169	"Town of Ladysmith Zoning Amendment Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2169".	First and second readings, December 17, 2024. Public Hearing and third reading January 21, 2025.
2173	"Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw, No. 2173".	First and second readings, December 17, 2024. Public Hearing and third reading January 21, 2025.
2190	"Official Community Plan Bylaw 2022, No. 2200, Amendment Bylaw 2024, No. 2190".	First and second readings, December 17, 2024. Public Hearing and third reading January 21, 2025.