



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, MARCH 7, 2016

Call to Order and Closed Meeting
5:00 p.m.
Regular Open Meeting
7:00 p.m.

A G E N D A

CALL TO ORDER (5:00 P.M.)

1. CLOSED SESSION

In accordance with section 90(1) of the *Community Charter*, this section of the meeting will be held *In Camera* to consider the following items:

- the acquisition, disposition or expropriation of land or improvements

2. RISE AND REPORT

REGULAR MEETING (7:00 P.M.)

3. AGENDA APPROVAL

4. MINUTES

- 4.1. Minutes of the Special Meeting of Council held January 26, 2016.....1 - 2
- 4.2. Minutes of the Special Meeting of Council held January 29, 2016.....3 - 4
- 4.3. Minutes of the Regular Meeting of Council held February 15, 20165 - 10

5. DELEGATIONS - NONE

6. PROCLAMATIONS - NONE

7. DEVELOPMENT APPLICATIONS

- 7.1. Development Variance Permit Application – 410 Third Avenue (Forrest) Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A 11 - 36

Staff Recommendation:

That Council consider issuing the Development Variance Permit for Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue) to permit a coach house in the second story of the accessory structure.

- 7.2. Development Permit Application – 410 Third Avenue (Forrest) Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A..... 37 - 41**

Staff Recommendation:

That, subject to Council issuing the Development Variance Permit for Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue), Council consider issuing the Development Permit for this site (Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A [410 Third Avenue]).

- 7.3. Holland Creek Development: Land Use Designation - Arbutus Hump 42 - 83**

Staff Comment:

Council will recall that at the February 15, 2016 Council meeting Council referred consideration of the land use designation of the Arbutus Hump portion of the Holland Creek Development to the next suitable Council meeting following a site tour by Council and the Holland Creek Development Open House scheduled for February 18, 2016. The applicant (Glenn Carey) will be in attendance at tonight’s meeting to respond to questions from Council. Attached is a report prepared by Mr. Carey on the Open House.

Staff Recommendation:

That Council provide direction to staff regarding the review of the land use designation for the Arbutus Hump hillside.

8. BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING) – NONE

9. COMMITTEE REPORTS

9.1. Mayor A. Stone

Cowichan Valley Regional District; Advisory Design Panel; Ladysmith Chamber of Commerce

9.2. Councillor R. Hutchins

Heritage Revitalization Advisory Commission; Liquid Waste Management Committee; Protective Services Committee; Stocking Lake Advisory Committee

9.3. Councillor C. Henderson

Community Health Advisory Committee/Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan – Affordable Housing Directorate; Youth Advisory Committee

9.4. Councillor D. Paterson

Parks, Recreation and Culture Commission; Protective Services Committee; Festival of Lights Committee

9.5. Councillor J. Friesenhan

Liquid Waste Management Committee; Parks, Recreation and Culture Commission

9.6. Councillor C. Fradin

Community Safety Advisory Commission; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association

9.7. Councillor S. Arnett

Municipal Services Committee; Vancouver Island Regional Library Board; Stocking Lake Advisory Committee; Celebrations Committee

10. STAFF REPORTS

10.1. Canada 150 Community Celebrations Committee..... 84 - 86

Staff Recommendation:

That Council:

1. Approve the Draft “Terms of Reference” for the Canada 150 Community Celebration Committee as presented;
2. Appoint a member of Council to sit on the Canada 150 Community Celebration Committee; and,
3. Direct staff to solicit community representation on the Canada 150 Community Celebration Committee per the “Terms of Reference”.

10.2. Waterfront Area Plan Update Project..... 87 - 91

Staff Recommendation:

That Council:

1. Support the scope of work for the Waterfront Area Plan Update and direct staff to proceed with development and issuance of the Request for Proposals.
2. Discuss the Waterfront Area Plan Update project at the March 29, 2016 Community to Community (C2C) workshop with Stz’uminus First Nation, with regard to the Provincial water lots and filled foreshore, particularly DL651 and Slack Point, and invite participation in the project and design charrette.
3. Direct staff to invite the property owners within the Waterfront Area Plan area to join a working committee as part of the project.
4. Direct staff to:
 - invite two nominations from each of the following advisory commissions and organizations: Ladysmith Maritime Society, Arts Council, Ladysmith and District Historical Society, Advisory Design Panel, Advisory Planning Commission, Heritage Revitalization Advisory Commission, Parks, Recreation and Culture Commission, Ladysmith Chamber of Commerce and Ladysmith Downtown Business Association, and
 - place an advertisement in the newspaper for two citizen members. for consideration of appointment by Council to the design charrette team for the Town-owned properties and water lots.

- 5. Appoint two members of Council to the Waterfront Area Plan working committee and design charrette team.

10.3.Grants-in-Aid..... 92 - 98

Staff Recommendation:

That Council consider the 2016 grant-in-aid funding requests received from community groups and organizations and provide direction to staff in this regard.

10.4.Draft Terms of Reference – Ladysmith Area Watersheds Roundtable 99 - 105

Staff Recommendation:

That Council review and support, or provide direction to amend, the Draft “Terms of Reference” for the Ladysmith Area Watersheds Roundtable.

11. BYLAWS

11.1.Town of Ladysmith Council Remuneration and Expense Bylaw 2001, No. 1427, Amendment Bylaw (No. 2) 2016, No. 1901..... 106

The purpose of Bylaw 1901 is to establish rates for Council Remuneration in accordance with the recently adopted recommendations from the Council Remuneration Select Committee.

Staff Recommendation:

That Council adopt Bylaw 1901.

11.2.Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2015, No. 1902.....107 - 108

The purpose of Bylaw 1902 is to amend the Water Services Rates Bylaw 1999, No. 1298.

Staff Recommendation:

That Council give first three readings to Bylaw No. 1902.

11.3.Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2016, No. 1903.....109 -110

The purpose of Bylaw 1903 is to amend the Sanitary Sewer Rates Bylaw 1999, No. 1299.

Staff Recommendation:

That Council give first three readings to Bylaw No. 1903.

12. CORRESPONDENCE

12.1. Ladysmith Community Gardens Society – Request to Install Electricity at Community Gardens 111

Staff Recommendation:

That Council consider if it wishes to direct staff to review the implications, including financial, of arranging for the installation of electricity at the Community Gardens site at High Street and Second Avenue.

12.2. Ladysmith Resources Centre Association 112

Staff Recommendation:

That Council provide direction on whether it wishes to consider the request from the Ladysmith Resources Centre Association to withdraw \$75,000 from funds held in trust by the Town in accordance with the current lease agreement.

13. NEW BUSINESS

13.1. Revenues from Casinos (referral from previous meeting)

13.2. Canada 150 Celebration (referral from previous meeting)

13.3. Notice of Motion – Proposed Review of Communications and Information Technology Use Policies – Councillor Henderson..... 113

In order to encourage healthy and respectful communications with both internal and external customers, Councillor Henderson requests Council's consideration of the following motion:

That Council direct staff to review the Town's Communications Policy and Information Technology Use Policy for the purposes of ensuring both policies effectively define and address the need for respectful and appropriate communications with both internal and external customers, and incorporate best practices, and report back to Council in this regard.

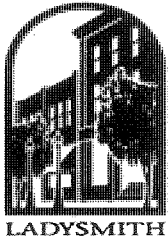
14. UNFINISHED BUSINESS – None

15. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during "Question Period" must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.

- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

ADJOURNMENT



TOWN OF LADYSMITH
MINUTES OF A SPECIAL MEETING OF COUNCIL
TUESDAY, JANUARY 26, 2016
1:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone
Councillor Cal Fradin (entered 1:20 p.m.)
Councillor Carol Henderson
Councillor Duck Paterson

Councillor Steve Arnett
Councillor Joe Friesenhan
Councillor Rob Hutchins

STAFF PRESENT:

Ruth Malli
Erin Anderson
Clayton Postings
Joanna Winter

Felicity Adams
John Manson
Kevin Goldfuss

CALL TO ORDER

Mayor Stone called this Special Meeting of Council to order at 1:03 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2016-025

Moved and seconded:

That Council approve the agenda for the Special Council meeting of January 26, 2016 as amended by the following additions:

- 2.3 Councillor Arnett – Remuneration Increase
- 3.1 Nanaimo Daily News

Motion carried.

**2016 TO 2020
FINANCIAL PLAN
DELIBERATIONS**

Presentation – Council's Strategic Priorities for 2016 to 2019

The City Manager gave a presentation on Council's Strategic Priorities for the period 2016 to 2019. The strategic priorities set the direction for the 2016 to 2020 Financial Plan.

Presentation – 2016 to 2020 Financial Plan Overview

The Director of Financial Services gave a presentation based on Council's previous direction and new strategic priorities. Staff responded to questions from Council and members of the public.

Staff were asked to provide additional information in response to the following requests from Council and members of the audience:

- Details of the proposed increase in materials and supplies
- Estimated revenue from the sale of Town properties
- Statutory requirements for giving notice on the sale of Town properties

- The amount allocated to the Equipment Replacement Reserve in 2016
- Details on the proposed budget increase of 2.17 per cent

CS 2016-026

Moved and seconded:

That Council send a strongly worded letter to the Ministry of Transportation and Infrastructure urgently requesting funding for a sonic pre-emption system at the intersection of Davis Road and the Trans Canada Highway.

Motion carried.

CS 2016-027

Council Remuneration

Moved and seconded:

That the budget for Council remuneration in 2016 be reduced to reflect the request of one member of Council that he not receive the increase.

Motion defeated.

OPPOSED:

Mayor Stone and Councillors Fradin, Friesenhan, Henderson, Hutchins, and Paterson.

Mayor Stone assured Councillor Arnett that his wishes with respect to not receiving a remuneration increase for the remainder of this term will be respected and requested staff to ensure that the forthcoming Council Remuneration Bylaw accommodates Councillor Arnett's wishes.

NEW BUSINESS

Closing of The Nanaimo Daily News

CS 2016-028

Moved and seconded:

That Council send a letter to the Nanaimo Daily News expressing appreciation for 141 years of publishing and community coverage, and regret that the paper is closing its doors.

Motion carried.

ADJOURNMENT

CS 2016-029

Moved and seconded:

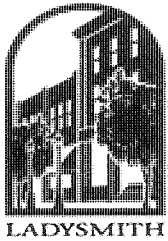
That this meeting of Council adjourn at 2:46 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)



TOWN OF LADYSMITH
MINUTES OF A SPECIAL MEETING OF COUNCIL
FRIDAY, JANUARY 29, 2016
1:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone	Councillor Steve Arnett	Councillor Cal Fradin
Councillor Joe Friesenhan	Councillor Carol Henderson	Councillor Rob Hutchins
Councillor Duck Paterson		

STAFF PRESENT:

Ruth Malli	Felicity Adams	Erin Anderson
John Manson	Clayton Postings	Kevin Goldfuss
Joanna Winter		

CALL TO ORDER

Mayor Stone called this Special Meeting of Council to order at 1:00 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2016-030

Moved and seconded:

That Council approve the agenda for the Special Council meeting of January 29, 2016.

Motion carried.

**2016 TO 2020
FINANCIAL PLAN
DELIBERATIONS**

Presentation and Discussion – 2016 Budget Overview

The Director of Financial Services gave a presentation on the proposed budget for 2016 and the Financial Plan for 2016 to 2020. The presentation included responses to requests for additional information from the special Meeting held on January 26, 2016. The proposed budget calls for an increase of 2.17 per cent.

Moved and seconded:

CS 2016-031

That Council direct staff to investigate and report back on options for the installation of bollards or other safety improvements to prevent vehicles from running onto sidewalks.

Motion carried.

Council requested that S.Sgt. Ken Brissard of the Ladysmith Detachment of the Royal Canadian Mounted Police be invited to attend the February 15, 2016 Council Meeting to discuss the request for an additional administrative support staff position for the detachment.

The following questions were raised by Council and members of the audience:

- Comparisons of detachment staffing costs in communities of a
-

similar size to Ladysmith, including Smithers and Vanderhoof

- Options and respective costs to increase pedestrian safety in the vicinity High Street and Second Avenue
- Options and respective costs for improvements to the crosswalks at the Intersection of First Avenue and High Street

Moved and seconded:

CS 2016-032

That the proposed budget for 2016 be increased to include costs for the development of a bylaw compliance strategy as outlined in the proposed budget.

Motion carried.

Council directed staff to proceed with further developing the 2016 to 2020 Financial Plan as presented, subject to further consideration by Council in response to the additional information requested.

ADJOURNMENT

CS 2016-033

Moved and seconded:

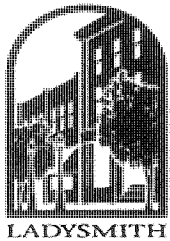
That this meeting of Council adjourn at 3:15 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)



**TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, FEBRUARY 15, 2016
CALL TO ORDER 5:33 P.M. FOR CLOSED SESSION
CALL TO ORDER OF REGULAR OPEN MEETING 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

COUNCIL MEMBERS PRESENT:

Mayor Aaron Stone
Councillor Carol Henderson

Councillor Steve Arnett
Councillor Rob Hutchins

Councillor Joe Friesenhan
Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Cal Fradin

STAFF PRESENT:

Ruth Malli
Erin Anderson
Joanna Winter

Sandy Bowden
John Manson
Kevin Goldfuss

Felicity Adams
Clayton Postings

CALL TO ORDER

Mayor Stone called this Meeting of Council to order at 5:33 p.m. in order to retire immediately into Closed Session.

CLOSED MEETING

CS 2016-047

Moved and seconded:

That Council retire into Closed Session at 5:34 p.m. in order to consider the following items in accordance with section 90(1) of the *Community Charter*:

- Land Matter (s. 90(1)(e))
- Shared Services (s. 90(1)(k))
- Municipal Project (s. 90(1)(g))

Motion carried.

RISE AND REPORT

Council rose from Closed Session at 6:49 p.m. without report.

REGULAR OPEN MEETING

Mayor Stone called the Regular Open Meeting to order at 7:01 p.m. and acknowledged the traditional territory of the Stz'uminus First Nation.

AGENDA APPROVAL

CS 2016-048

Moved and seconded:

That Council approve the agenda for the Council meeting of February 15, 2016 with the following additions:

- 10.3. Correspondence regarding *Viki Lyne II* and Derelict Vessels
- 10.4. Moose Hide Campaign
- 10.5. Casino Revenue
- 10.6. Canada 150 Celebrations

Motion carried.

MINUTES

CS 2016-049

Moved and seconded:

That Council approve the minutes of the Regular Meeting of Council held February 1, 2016.

Motion carried.

DELEGATIONS

Ed Nicholson– Ladysmith & District Historical Society

Update on Society's Progress in Meeting Strategic Plan Goals

E. Nicholson gave a presentation summarizing the activities and accomplishments of the Ladysmith and District Historical Society, including the Ladysmith Museum, the Ladysmith Archives, the Industrial Heritage Preservation Committee, and working with Stz'uminus First Nation to integrate the SFN culture and history into the Society's activities. The organization has launched a new website and continues its project to index all plaques and headstones in the Ladysmith Cemetery.

Council expressed appreciation for the commitment of the Ladysmith and District Historical Society and the many volunteer hours dedicated to preserving the community's heritage.

Matt Palmer, Keith Kohut, Koers and Associates Engineering

Recommendations from the Water Filtration System Pilot Project

Consulting engineers K. Kohut and M. Palmer presented a report on water quality studies on the Town's water supply, along with recommendations for a water supply system for the Town that would meet the criteria established by Island Health.

The Director of Infrastructure Services indicated that the estimate of \$13.3 million for construction of the new Water Filtration Plant contained in the 2016 to 2020 Financial Plan was amended to \$14 million as a result of the U.S. exchange rate. Currently, the project has been broken into phases, with \$11 million budgeted in the 2016 to 2020 Financial Plan, and \$3 million after 2020. This recommended allocation will be reviewed during discussions on the 2016 to 2020 Financial Plan.

2016 TO 2020 FINANCIAL PLAN DELIBERATIONS

S/Sgt. Ken Brissard, Royal Canadian Mounted Police

2016 Staffing Levels and Budget

S/Sgt. Ken Brissard, Commander of the Ladysmith Detachment of the Royal Canadian Mounted Police, provided Council with an overview of detachment staffing needs for 2016, which included a request for an additional administrative support position. This would relieve officers of administrative work and permit them to focus on policing duties.

Moved and seconded:

CS 2016-050

That Council direct staff to include funds in the 2016 to 2020 Financial Plan for an additional administrative position at the

Ladysmith Detachment of the Royal Canadian Mounted Police.

AMENDMENT

Moved and seconded:

CS 2016-051

That Resolution CS 2016-050 be amended to read as follows:

That Council direct staff to include funds in the 2016 to 2020 Financial Plan for an additional administrative position at the Ladysmith Detachment of the Royal Canadian Mounted Police, effective July 1, 2016.

Amendment carried.

Motion as amended carried.

Recess

Moved and seconded:

CS 2016-052

That this meeting of Council recess at 8:10 p.m. for ten minutes.

Motion carried.

Mayor Stone reconvened the meeting at 8:20 p.m.

Draft Financial Plan Document – 2016 to 2020 Financial Plan

The Director of Financial Services presented the full 2016 to 2020 Financial Plan and 2016 budget for Council's consideration. The Financial Plan reflects previous direction and decisions by Council.

Moved and seconded:

CS 2016-053

That Council direct staff to include \$24,000 for two summer students in the 2016 budget to assist in maintenance of Town trails.

Motion carried.

Moved and seconded:

CS 2016-054

That Council request staff to prepare a report on options to increase the water parcel tax to support capital projects in the water supply system.

Motion carried.

Members of the public enquired about the increase in tax revenue from property assessments and a tax reserve fund.

REPORTS

City Manager's Quarterly Report

Council members enquired about the proposed Watershed Round Table and were advised that a report and draft Terms of Reference will be brought forward for consideration at the March 14, 2016 Municipal Services Committee meeting.

Moved and seconded:

CS 2016-055

That Council receive the City Manager's report for the quarter

ending December 31, 2015.

Motion carried.

Video Streaming and Archiving of Regular Council Meetings

Moved and seconded:

CS 2016-056

That Council direct staff to implement Option Two (a two-camera system) for video streaming and archiving of regular Council meetings as outlined in the staff report from the Director of Corporate Services dated February 5, 2016.

Motion carried.

Management of Bio-Solids (Compost) at the Public Works Yard

Moved and seconded:

CS 2016-057

That Council:

1. Direct staff to continue to process bio-solids at the Public Works Yard for the immediate future.
2. Accept a proposal from Transform Compost Systems Ltd. as outlined in their letter dated January 25, 2016, to assist in the management of a capital upgrade project at Public Works to enclose the current bio-solids composting operation in a building.
3. Waive the Purchasing Policy in order to accept a proposal from Transform Compost Systems Ltd. dated January 25, 2016 to assist in the management of a capital upgrade project at the Public Works yard to enclose the bio-solids composting in a building.

Motion carried.

Options for Waste Disposal in the Downtown Core

Moved and seconded:

CS 2016-058

That Council refer consideration of options for disposal of waste in the downtown core to the Development Services Department and Ladysmith Downtown Business Association for feedback.

Motion carried.

OPPOSED:

Mayor Stone

UNFINISHED BUSINESS

Holland Creek Development

Moved and seconded:

CS 2016-059

That Council refer consideration of the land use designation of the Arbutus Hump portion of the Holland Creek Development to the next suitable Council meeting following the Holland Creek Development Public Open House on February 18, 2016.

Motion carried.

BYLAWS

Town of Ladysmith Council Remuneration and Expense Bylaw 2001, No. 1427, Amendment Bylaw (No. 2) 2016, No. 1901

Moved and seconded:

CS 2016-060

That Town of Ladysmith Council Remuneration and Expense Bylaw 2001, No. 1427, Amendment Bylaw (No. 2) 2016, No. 1901 be read a first, second and third time.

Motion carried.

OPPOSED:

Councillor Friesenhan

EXTENSION OF MEETING

Moved and seconded:

CS 2016-061

That this Regular Meeting of Council proceed beyond 11:00 p.m. in accordance with the Council Procedure Bylaw.

Motion carried.

OPPOSED

Councillor Hutchins

CORRESPONDENCE

Carolyn Deakin, City of Port Coquitlam

Build Canada Grant Funding Resolution for Federation of Canadian Municipalities

Moved and seconded:

CS 2016-062

That Council receive and file the correspondence from the City of Port Coquitlam regarding a Build Canada Grant Funding resolution for the Federation of Canadian Municipalities 2016 Annual General Meeting.

Motion carried.

NEW BUSINESS

Hanging Baskets and Banners in the Downtown Core

Moved and seconded:

CS 2016-063

That Council direct staff to explore options for banners that represent the diversity and inclusiveness of the community.

Motion carried.

Moved and seconded:

CS 2016-064

That Council direct staff to proceed with the installation of hanging flower baskets in the downtown core in 2016 and work with community organizations including the Ladysmith and District Arts Council to explore options, including art installations, to replace hanging baskets in the downtown core in 2017.

Motion carried.

Attendance at 2016 Convention, Association of Vancouver Island and Coastal Communities

Moved and seconded:

CS 2016-065

That all members of Council be authorized to attend the annual convention of the Association of Vancouver Island and Coastal Communities from April 8 to 10, 2016 in Nanaimo, and that

accommodation be arranged for Mayor Stone.
Motion carried.

Derelict and Abandoned Vessels in Ladysmith Harbour

Moved and seconded:

CS 2016-066

That Council send a strongly worded letter to the federal Minister of Transport, Sheila Malcolmson, M.P., and Pamela Goldsmith-Jones, M.P., requesting urgent action on the issue of the *Viki Lyne II* and other derelict and abandoned vessels in Ladysmith Harbour.

Motion carried.

Moose Hide Campaign

Councillor Arnett distributed moose hide badges to Council, staff and members of the public, explaining that the Moose Hide Campaign is a grassroots movement of Aboriginal and non-Aboriginal men who are standing up against violence towards women and children.

The following items of new business will be considered at the next Regular Meeting of Council:

10.5. Casino Revenue

10.6. Canada 150 Celebrations

QUESTION PERIOD

Members of the audience enquired about waste disposal in the downtown core, video streaming and archiving of Council meetings and the watershed round table.

ADJOURNMENT

CS 2016-067

Moved and seconded:

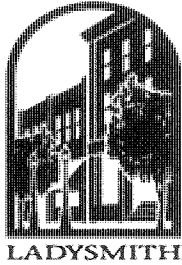
That this meeting of Council adjourn at 11:42 p.m.

Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: March 2, 2016
File No: 3090-15-03

Re: DEVELOPMENT VARIANCE PERMIT APPLICATION – 410 Third Avenue (Forrest)
Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A

RECOMMENDATION(S):

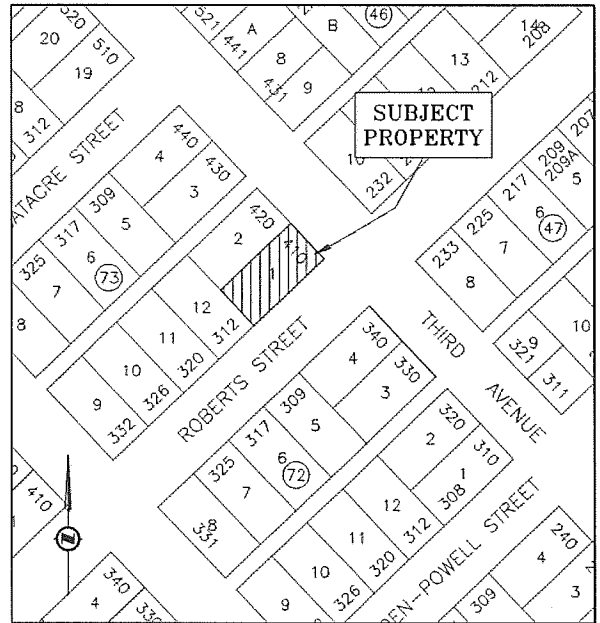
That Council consider issuing Development Variance Permit (3090-15-03) to vary the permitted floor area and height of a coach house dwelling in an existing accessory building on Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue).

PURPOSE:

The purpose of this staff report is to obtain Council direction regarding a development variance permit for the floor area and height of a coach house in an existing accessory building at 410 Third Avenue.

INTRODUCTION/BACKGROUND:

The applicant, Charles Forrest, is proposing variances for the height and floor area of a coach house at 410 Third Avenue. Currently a single unit dwelling and accessory building are located on the property. To permit a coach house in the second storey of the accessory building the applicant is requesting a variance for: 1) the permitted height of a coach house building and 2) the permitted floor area for a coach house dwelling.



At its meeting held February 1, 2016, Council directed staff to proceed with statutory notice for development variance permit application 3090-15-03.

SCOPE OF WORK:

The current stage of this application is to seek Council’s decision on the proposed Development Variance Permit. The subject property is zoned ‘Old Town Residential (R-2)’, is 669m2 in size, and is a corner lot.

The current size and height of the accessory building conformed to the zoning bylaw at the time it was built. The accessory building is 7.43 metres in height and the finished floor area is 84m2 (904ft2).



The proposed coach house meets the requirements of Zoning Bylaw 2014, No.1860 except for two variance requests:

- 1) The accessory building has a floor area of 84m² and the permitted floor area for a coach house is 60m², thus a variance of 24m² is requested for the coach house floor area.
- 2) The building is 7.43 metres in height and the maximum permitted height for a coach house building is 6.6 metres, thus a variance of 0.8 metres is requested.

Table 1: Proposed Variances for Coach House – 410 Third Avenue

	Zoning Bylaw 2014, No.1860	Proposed	Proposed Variance
Height of coach house	6.6 metre maximum	7.43 metres	0.8 metres
Coach house floor area	60m ² maximum	84m ²	24m ²

If the development variance permit application is successful, a development permit will be required for the conversion. A building permit will also be required for the change of use.

ALTERNATIVES:

To not support Development Variance Permit application 3090-15-03.

FINANCIAL IMPLICATIONS:

n/a

LEGAL IMPLICATIONS:

The *Local Government Act* enables Council to vary zoning regulations, except use and density regulations, through the issuance of a development variance permit. This is a discretionary decision of Council. Public notification is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Town of Ladysmith notice regarding Development Variance Permit application 3090-15-03 was sent to neighbouring properties (within 60 metres of the subject property) on February 16, 2016 and a revised letter with corrected height information was sent on February 22, 2016.

At the time of writing this report the Town had received the following written submissions regarding the proposed variance:

- One form letter with 12 signatures of support (4 signatories are within the 60 metre circulation area);
- One form letter with 24 signatures of support (no addresses provided);
- One letter of support for the proposed variances (from within the 60 metre circulation area);
- Two letters, one from within 60 metre circulation area, not supporting the proposed variance for the following reasons:

- The proposed habitable floor area of the coach house is too large;
- The height of the building blocks views for neighbouring property.

The submissions are included with tonight's meeting agenda.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Variance Permit application 3090-15-03 has been referred to the Building Inspector and Infrastructure Services Department. The Infrastructure Services Department has no servicing concerns regarding the property. The Building Inspector advises that a building permit will be required to legally convert the second floor of the accessory building to a residential use. The proposed change of occupancy would require building permit approvals to demonstrate compliance with the B.C. Building Code. Home warranty insurance may also be required from the Homeowner Protection Office.

RESOURCE IMPLICATIONS:

Processing Development Variance Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

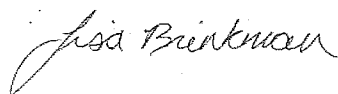
The Vision Report calls for increasing the diversity of housing across the community.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design are strategic Council directions.

SUMMARY:

Council may consider approving a Development Variance Permit to vary the permitted floor area and height of a coach house dwelling in an existing accessory building at 410 Third Avenue.



Report Author: Lisa Brinkman, Senior Planner

I concur with the recommendation:



Felicity Adams, Director of Development Services

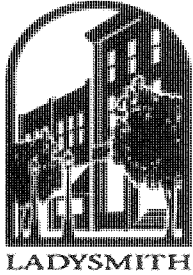


Ruth Malli, City Manager

ATTACHMENT:

DVP Form 3090-15-03





TOWN OF LADYSMITH DEVELOPMENT VARIANCE PERMIT

(Section 498 *Local Government Act*)

FILE NO: 3090-15-03

DATE: March 7, 2016

Name of Owner(s) of Land (Permittee): Charles James Forrest

Applicant: Charles James Forrest

Subject Property (Civic Address): 410 Third Avenue

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 1, Block 73, District Lot 56, Oyster District, Plan 703A – PID: 008-700-117
(410 Third Avenue)

3. Part 6.5 “Coach House Regulations” of “Town of Ladysmith Zoning Bylaw 2014, No.1860, Schedule A – Zoning Bylaw Text” is varied for the subject property as follows:

From:

“Part 6.5 (b) A Coach House Dwelling, where permitted in the Bylaw, shall satisfy all of the following conditions: (ii) Shall not exceed a Gross Floor Area of 60 square metres.”

To:

“Part 6.5 (b) A Coach House Dwelling, where permitted in the Bylaw, shall satisfy all of the following conditions: (ii) Shall not exceed a Gross Floor Area of 84 square metres.”

AND

From:

“Part 6.5 (b) A Coach House Dwelling, where permitted in this Bylaw, shall satisfy all of the following conditions: (iii) Shall not exceed a Height of: 1) 6.6 metres where a Coach House Dwelling is located in the second storey of an Accessory Building;

except where the roof pitch is less than 4:12, in which case the maximum Height shall be 5.7 metres.”

To:

“Part 6.5 (b) A Coach House Dwelling, where permitted in this Bylaw, shall satisfy all of the following conditions: (iii) Shall not exceed a Height of: 1) 7.43 metres where a Coach House Dwelling is located in the second storey of an Accessory Building; except where the roof pitch is less than 4:12, in which case the maximum Height shall be 5.7 metres.”

4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. 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 3090-15-03 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
6. 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.

AUTHORIZING RESOLUTION PASSED BY MUNICIPAL COUNCIL ON THE DAY OF
20 .

Mayor (A. Stone)

Corporate Officer (S. Bowden)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with Charles Forrest other than those contained in this permit.

Signed

Witness

Title

Occupation

Date

Date

RECEIVED
Jan 29/16

October 26th, 2015

To all concerned, Mayor, Council, and Development Department of Ladysmith.

Development Variance Permit Application for
Chuck Forrest @ 410 - 3rd Ave, Ladysmith.
Lot 1 Block 73, District Lot 56, Oyster District Plan 703A

We are in favor of granting Mr. Forrest the needed variances to allow the legalization of his two-story garage to a garage with Coach house dwelling on the second floor.

Outside Circulation Area
address _____ name Maria Jacoba Van Der Meij

Maria Jacoba Van Der Meij
signature

Outside Circulation Area
address _____ name GerD HURTH

GerD HURTH
signature

Outside Circulation Area
address _____ name April Fox

April Fox
signature

Outside Circulation Area
address _____ name Heather Sorechuk

Heather Sorechuk
signature

1-3

RECEIVED
Jan 29/16

October 26th, 2015

To all concerned, Mayor, Council, and Development Department of Ladysmith.

Development Variance Permit Application for
Chuck Forrest @ 410 - 3rd Ave, Ladysmith.
Lot 1 Block 73, District Lot 56, Oyster District Plan 703A

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Outside Circulation Area
address _____ name Roy Sarehuk
signature Roy Sarehuk

Outside Circulation Area
address _____ name Ewen Atkin
signature Ewen Atkin

Within Circulation Area
address _____ name Lisa Zenciran
signature Lisa Zenciran

Within Circulation Area
address _____ name Lathan Warwick
signature Lathan Warwick


RECEIVED
Jan. 27/16

October 26th, 2015

To all concerned, Mayor, Council, and Development Department of Ladysmith.

Development Variance Permit Application for
Chuck Forrest @ 410 - 3rd Ave, Ladysmith.
Lot 1 Block 73, District Lot 56, Oyster District Plan 703A

We are in favor of granting Mr. Forrest the needed variances to allow the legalization of his two-story garage to a garage with Coach house dwelling on the second floor.

Within Circulation Area
address _____ name April + Steve Marrington
signature April Marrington 

Within Circulation Area
address _____ name VICTORIA MATTHEWS
signature V. Matthews

Outside Circulation Area
address _____ name Pat & Dave Smith
signature Patricia G Smith

Outside Circulation Area
address _____ name Pat & Dave Smith.
signature Dave Smith

RECEIVED
OCT 28 2015
CITY OF LETHBRIDGE

I support the following proposals for review:

- A. Review parameters designated in the new coach-house by-laws.
- B. Apply a legal-nonconforming status to existing above garage suites as coach-houses.
- C. Allow the ancillary building at 410 3rd ave, to be occupied and re-designated as a coach-house.

NAME	SIGNATURE	Contact (phone or email)	A	B	C
Ron Daskwood	R. Daskwood		✓	✓	✓
Toni Gouland	T. Gouland		✓	✓	✓
Cindy Durlans	C. Durlans		✓	✓	✓
LORI DUSSEVAULT	L. Dusseault		✓	✓	✓
Jill Daskwood	J. Daskwood		✓	✓	✓
Janet Moore	J. Moore		✓	✓	✓
Sharon Gratlan	S. Gratlan		✓	✓	✓
Note: only Column C relates to this DVP application					

RECEIVED
OCT 28 2015


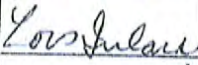
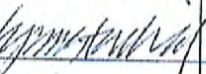
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- B. Apply a legal-nonconforming status to existing above garage suites as coach-houses.
- C. Allow the ancillary building at 410 3rd ave, to be occupied and re-designated as a coach-house.

NAME	SIGNATURE	Contact (phone or email)	A	B	C
N. Epp Evans	<i>N. Epp</i>			✓	✓
Margit Lieder	<i>M. Lieder</i>			✓	✓
Anna Asp	<i>Anna Asp</i>			✓	✓
Dan Smith	<i>Dan Smith</i>			✓	✓
J. Smith	<i>J. Smith</i>			✓	✓
Stuart Barker	<i>Stuart Barker</i>		SB	SB	SB
BEN DEXTER	<i>B. Dexter</i>		B	B	B
Laurie Morgan	<i>L. Morgan</i>		M	M	M
STEVEN MOEHR	<i>S. Moehr</i>		S	S	S
LOUISE EPP	<i>L. Epp</i>		E	E	E
Giuseppe Antin	<i>G. Antin</i>		A	A	A
Vince Kerk	<i>V. Kerk</i>		K	K	K
Mark Corrigan	<i>Mark Corrigan</i>		C	C	C
TANIA ROSS	<i>T. Ross</i>		R	R	R

Note: only Column C relates to this DVP application

RECEIVED
 OCT 28 2015
 B
 C

Name	Signature	Contact (phone or email)		B	C
M. EPP-GIANS				✓	✓
LOIS IRELAND			L.I.	L.I.	L.I.
LYNN STARBIRD			l.com	L.	L.

Note: only Column C relates to this DVP application

RECEIVED
Feb 16

Outside Circulation Area

Good morning Mayor Stone and Ladysmith Council.

Regarding the DVP Application 3090-15-03 410 3rd Avenue, I respectfully request that Council direct staff to not proceed with statutory notice.

I wholeheartedly agree with the Staff Report that a diversity of housing for the community is highly desirable, which is precisely why the Town of Ladysmith and the community engaged in a lengthy and comprehensive review of the Bylaws regulating Secondary Suites, Coach Houses and Home Based businesses. In that the applicant is now proposing a full 33% over his previous Variance proposal for habitable floor area (which was denied), the applicant makes a complete mockery of the hard work and tremendous resources which were required to develop and enact the new Bylaws, which, in my opinion, are fair, reasonable and practical. However, the Bylaws are only of value if they are applied equitably.

I do realize that the opportunity for public comment would typically be included in the Variance process once notification is served, so I appreciate you taking a moment to consider my thoughts on this matter, in advance of your decision.

Best Regards

Cathy Gilroy

Ladysmith BC

Feb. 1/16

February 1st, 2016

In regards to Development Variance Permit Application- 410 3rd Avenue(Forrest)

Mayor and council,

I am hopeful that council will not allow the variance process to continue any further. In the opinion of my family this request does not make sense, the applicant is asking to use a larger space than the one that was turned down in January of 2015.

The owner, as you know, is applying to use the full 84 sq metres of the upper area and in January 2015 was denied in a request to use 60 sq metres. The maximum allowed use is 60 sq metres so to allow an extra 24 sq metres on top of the maximum seems excessive, furthermore, this request is being made in hopes of selling the property to a new owner who will only purchase if they can live in the suite and rent out the home which is not allowed in the R2 zone. The issue is not being rectified for anyone involved and to allow this will only pass the problem on to someone else. The overage in height of the accessory building directly took away my family's ocean view which affected the value of our home. We also feel it is important to note that this "accessory" building has always been fully furnished as a home and used by the owner as a home, again, refusing to follow the rules that the rest of the citizens of Ladysmith follow.

I have attempted to speak to Chuck on numerous occasions about coming to an agreement to live beside each other while respecting my family's privacy, as recent as last week and the response has been "foff". I have emailed the realtor who has not responded either. Chuck has made a great effort to go door to door in our neighbourhood and tell our neighbours that he is in a hard up situation that the town should be responsible for. Please remember that this man chose to build a \$250, 000 home even though he was told he could not live in it. This situation was wrong from the start and has been through a court process that deemed the accessory building a non-residential unit. I believe that it would be a great waste of time and a negative for the town to have council entertain this request after using so many of their resources to fight against this man who has never been willing to follow the bylaws of the day.

The argument that this accessory building was built lawfully 5-6 years ago is also false as the height issue was never in compliance, nor is the residential use that continued for years.

In the opinion of my family, who is most affected by the construction of this accessory building, we hope that council turns down this request.

Regards,

Aaron Lafontaine

Noelle Fetchko

RECEIVED
Feb. 1/15

Outside Circulation Area

Dear Mayor & Council,

Tonight Council can direct staff to proceed with statutory notice for Development Variance Permit application 3090-15-03 for Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue). I believe most councillors always want to gauge what the local neighbourhood (those that are affected) have to say about what goes on their street. Giving notice, and providing a hearing will facilitate that happening.

Once you have heard from the neighbourhood, you will have a good perspective. I hope you will allow their voices to be heard.

Thank you.

Gord Horth

RE: Development Variance Permit Application
Chuck Forrest @ 410 3rd Ave, Ladysmith
Lot 1 Block 73, District Lot 56, Oyster District Plan 703A

RECEIVED

DISTRICT OF LADYSMITH

To all concerned, Mayor, Council, and Development Department.

I am writing in support of the variances needed for Mr. Forrest to have his 2 story garage be legalized to a garage with a coach dwelling on the second story.

First I would like to acknowledge that not all of council has locked their minds on this travesty, and I applaud those of you for your compassion. I'm not going to waste your time explaining why this building is legal, you all have that information. The building permit was issued with professional plans, including the attached drawing of the building. **The building does look just like the drawing.** No stop work orders were ever issued on this property. A Final possession was granted and the builder released the building to Mr. Forrest. This would not have occurred if the building were not legal. This building was and is legal and was built with the best intent, given the town's development plans for the future at that time.

Wrong information was given to Mr. Forrest when the Development Variance permit application was drawn up. The building in question is actually 21' from the main house, as measured from foundation to foundation. The porch on the main house is on stilts, not foundation. Therefore Mr. Forrest only requires 2 variances, the height and the size. Changing the inside to make the square footage smaller is non-sensible, as the outside will still remain the same.

I realize this all started with the loss of view from a second story bedroom window next door. We do not own our views. The neighbor behind us just built a 29' in height addition to his home. Yes, we lost our view. And yes, he had every right to build and develop his property to the full extent that he needs.

Mr. Forrest's plan was much like ours. Build a coach home to live in and rent out the main house to subsidize retirement income. Mr. Forrest has been unable to work because of the stress of this situation leading to his illness. He now relies on a disability pension instead of a proper retirement pension that he had planned to receive in a couple years. He is financially broke and the thought of a happy retirement gone. Yes, his neighbor lost the view from a **legally built building**, so does that give him the right to ruin Mr. Forrest's life?

There are many other secondary suites and yes a few coach suites that were and are still being occupied, either by the owner or rented out. Yet no one is throwing cease and desist orders on them. Unfortunately this became a witch hunt of sorts and Mr. Forrest has been singled out and raked over the coals again and again. Actually never ending as the harassment continues now, six years later.

At one point a person even posted on face book to drive by his building, honk your horn, wave and call out "Hi Chuck!" This they did so Chuck would know that people are still watching him. Childish and harassment. These same people also publically defame council and city employees on public media about dealings with this property.

A mayoralty candidate built himself a metal clad, over height building with a roof top deck, and raised garden beds on municipal property. Then had the nerve to berate Mr. Forrest about his building to the point of reporting on face book, that he was viewing Mr. Forrest right now watching is 42" flat screen TV.

When the court order was placed on Mr. Forrest, you could not, by law, live in a dwelling above a garage. Now our by laws state that there can only be a second story of an accessory building **if that second story is a dwelling.**

Again, at no time from application to final approval was a stop work order placed on this accessory building.

As we talk to more potential coach/garage conversion owners we are finding a general consensus on what they were told when they built their garage. Do what ever you want inside, just no stove. Owner occupy for family or guests to stay. They also feel that they are now grandfathered, therefore do not need to apply for Coach house status. Other potential coach homes that have followed the fiasco and are not going to apply, just to have all the fees and costs go down the toilet when denied. They are choosing to carry on using it as they have been, like most other secondary suites.

Mr. Forrest has the support from the majority of his neighbours now, because they have been given the correct information on his building instead of the hysterical rumors that were spread on social media.

Mr. Forrest is financially and physically broken. If nothing is rectified I'm sure he will have no option but to sue the Town for not allowing him to live in the second story of a 2 story building **as is now permitted.**

The towns' bylaws at the time permitted Mr. Forrest to construct this building as it sits now. This issue will never go away and needs to be resolved. I see 4 options:

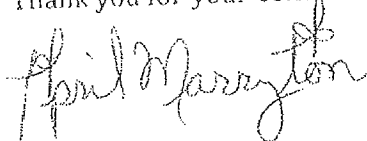
1. An addendum to the Coach House bylaw to reflect the same treatment as the in house suites. All existing ancillary buildings used or designed to be used as a Coach house be given the option to meet the building and safety codes in place at the time of construction. Those structures that were built before the Bylaw was accepted be authorized as legal non-conforming Coach house dwellings.


2. Grant Mr. Forrest his Coach house variances and development permit.

3. Grant a subdivision of the property into 2 lots.

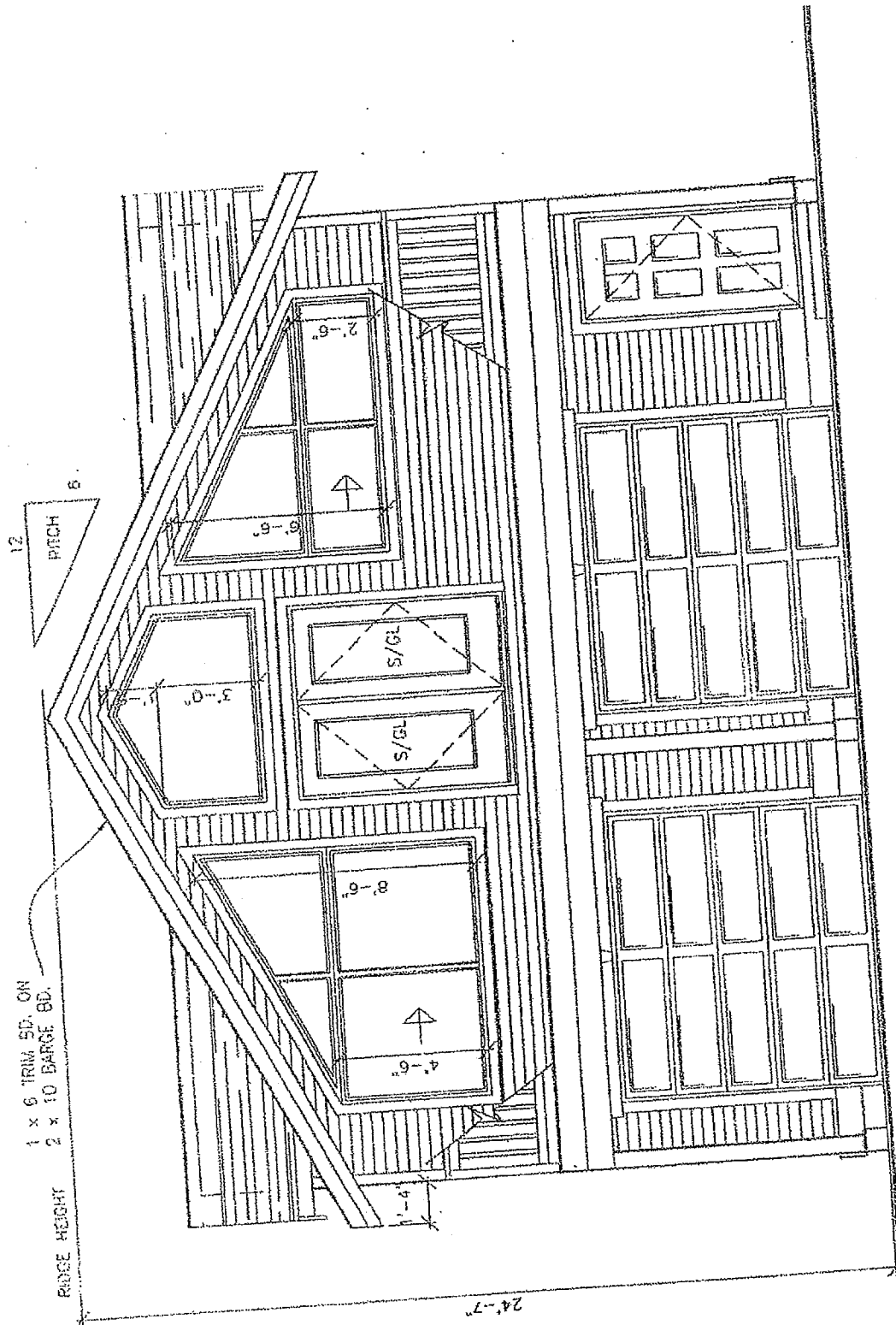
4. At the Towns' expense, remove the building and reimburse Mr. Forrest for the cost of building.

Thank you for your consideration on this matter.


April Marrington


Steve Marrington

Ladysmith



FRONT ELEVATION

(CONFIRM WINDOWS WITH MANUFACTURER)

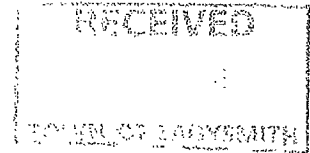
#1 AH

Within Circulation Area

February 26th, 2016

To: The Town of Ladysmith Council and Development Department.

RE: Amended Notice of Development Variance Permit:
DVP 15-03 (410 Third Avenue)
Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A
PID: 008-700-117



I am in favor of granting Mr. Forrest the variances needed to permit the Coach house in the second storey of the existing accessory building.

Too much time, energy and cost has been put into stopping Mr. Forrest from legally being able to reside in his building.

Development with the least impact on the populace starts with legalizing suites. Not just the coach suites that are visible, but all secondary suites, and there are MANY.

Taxes are being lost when these legal buildings are either sitting empty or being occupied under the radar. Property taxes increase and the utility rates to the town double once a suite is legalized!

Let's stop this bickering, Grandfather these legal buildings and suites and move on to the important issues facing this town right now.

A handwritten signature in cursive script, appearing to read "Vicki Matthews".

Vicki Matthews (Within the neighborhood)

Ladysmith



February 26, 2016

To all Concerned, Mayor, Council and Development Department of Ladysmith.

Development variance Permit Application for
Chuck Forrest @ 410 - 3rd Ave, Ladysmith
Lot 1 Block 73, District Lot 56, Oyster District Plan 703A

Please find attached, 3 pages of signatures from Mr. Forrest's neighbors.

**We are in favor of granting Mr. Forrest the needed variances to allow the
legalization of his two-story garage to a garage with Coach house dwelling on
the second floor.**

- Maria Jacoba VanDerMeiy
- Gord Horth
- April Fox
- Heather Sarchuk
- Roy Sarchuk
- Gwen Atkin
- Lisa Zendran
- Nathan Warwick
- April Marrington
- Steve Marrington
- Victoria Matthews
- Pat Smith
- Dave Smith

Within Circulation Area

13 in favor!

Mayor and Council

RECEIVED
FEB 29 2016

February 29, 2016

I am writing this to show support for the passage of the variances on 410 Third Ave. Ladysmith. There are examples of variances of a far greater order of magnitude than this one presented to Council, a number of these in close proximity to 410 Third Ave.

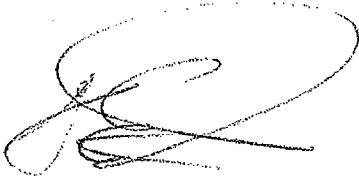
In so far as the aesthetics of the structure and the quality it is of the highest order. It is certainly not an embarrassment in comparison to other buildings within the OLD TOWN designation.

These points allude to the demonizing of both the structure and personally directed at Mr. Forrest. I am not certain why it has conjured up so much fear in some of the population. I feel strongly that there is a lot of misguided thoughts however words either spoken, written or through social media cannot be rescinded. It is because of this you need to know who he is and what values he represents:

- A) Veteran of our Armed services a trained fighter pilot who was charged with the responsibility to support Canada. If necessary to defend the rights of our Democracy one being freedom of speech.
- B) Flew a vast number of missions piloting a spotter plane in advance of water bombers. The purpose was to protect people's lives, jobs, watersheds, forests and animals.
- C) He was forced to leave that position because of a medical condition to go on long-term disability.
- D) He moved here and shortly there after started volunteering his time and money.
- E) Has always paid his taxes even though he is not allowed to live in the dwelling.

In respect to the building it is not going to be demolished and if Mr. Forrest is pressed into forfeiture someone else will purchase the property and seek a variance. I am not certain what possible gain there can be for the Town by rejecting the application. You have a desire for more affordable housing and to bring people into the core, carriage housing is most assuredly a way to achieve it.

The part of this process that is of great concern, that there is a strong likelihood of Mr. Forrest being thrust into personal bankruptcy. This is quite frankly appalling that this could be allowed to happen.

A handwritten signature in black ink, appearing to read 'Gregory R. Edwards'. The signature is stylized with a large, looping initial 'G' and 'R'.

Gregory R. Edwards

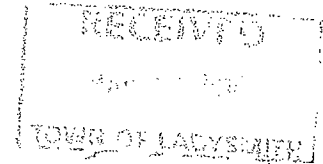
Outside Circulation Area

To Mayor and Council

Town of Ladysmith

Re: Development Variance Permit Application – 410 Third Avenue (Forrest)

Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A



I am writing in support of the Town of Ladysmith granting a Coach House Variance for the property located at 410 3rd Ave., Ladysmith. The owner of the home has built a legal building as per the bylaw for Ancillary buildings at the time it was built. The owner complied with all aspects of the building permit and in the last six years has been compliant with regard to occupancy for all but two months due to health issues and lack of affordable housing. The owner has been in total compliance since the Town sought direction of the Courts.

When Mr. Forrest came to the town, he was told by the then Mayor, the City Manager and Public Works that the town had a vision to have Coach Houses legalized – hopefully in the next two years after he built the structure. Mr. Forrest then worked out of town and felt that by building the structure, all he had to do was wait for Coach Houses to be legalized and then he would simply be able to live in the building as a legal suit. Mr. Forrest sought lodging with family first, then he house sat, then rented an apartment in Nanaimo, then one in Ladysmith. He had lived as a boarder with me for a year and half and now rents in Nanaimo. Mr. Forrest only wanted to be able to legally live on his property once Coach Houses were made legal. Other communities have moved forward with Coach House by-laws, of which many of them are 90 sq. metres. Had Mr. Forrest had any inkling that the height and size would be smaller than what he was allowed to build at that time, he would have made other decisions. He had no way of knowing that something that he was legally allowed to build, would not be given authority to live in when the by-law for Coach Houses was made.

There are approximately 18 2 storey Ancillary buildings in Ladysmith. Many of them have been made into unauthorized suites. Only 410 3rd Ave has been complained about. The building is built out of exceptional materials; it has parking for 4 vehicles on site; it fits in with the form and character of our Town that we deem to be heritage; it fits in with the 2008 Visioning document that was worked on by the Townspeople of Ladysmith and staff and Council; it fits in with infill of infrastructure for less stress on our sewer and water; it is in the old town; it is within walking distance of shopping; it creates affordable housing for a community that has very little to offer ever in the form of rental accommodation; it allows a person to retire and stay in their community instead of having to move away; it fits with the Towns vision and is one of the pillars of sustainability.

By granting the Variance to the property at 410 3rd Ave, precedence has not been challenged. It has already been set with the Coach House property within one block of it and located on Gatacre Street. It has been said that there needs to be more letters written by neighbours to support this application. Neighbours do not want to be pitted against one another; they want quiet enjoyment of their

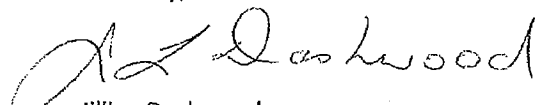
properties. By dragging this out for the last six years, it has created discord within the neighbourhood and throughout the Town of Ladysmith and gives the impression that Ladysmith is ceasing to be seen as an affordable and friendly community. We need to work on a by-law that will allow those properties that were legally built prior to the Coach House by-law as legal, non-conforming. They need to have a permit pulled and need to be made safe. This has successfully been done with in-house suites. We have been a town that has wanted its residents to be happy. We have given Variance to an over height building on the corner of 3rd and Baden Powell, which is quite easily in sight of Mr. Forrest's property. This is yet another precedent.

We need to be able to move on; work with Mr. Forrest with a Development Permit and enjoy his enthusiasm for this community. The property is for sale. By granting this Variance, the property may be sold which with the current circumstances of no Coach House, is very difficult. I implore the Mayor and Council to see fit to have this very proud man have the opportunity to sell his property. There are many potential buyers who have expressed serious interest should the Coach House be made legal.

We have been told that the uphill neighbour lost his view. When the neighbour sold the property (he was one of four owners) – through Real Estate – he was told what was anticipated to be built. If this was to be such an issue, why did the property get sold to Mr. Forrest? The cherry tree that was on the property would have blocked much of the neighbour's view which could not be an ocean view – and which one does not own. The subject property does not block the sunlight, as it is on the northeast side; the building is built with top of the line building materials; there is parking on this corner property for 8 vehicles – four for the Ancillary building alone. The property is well maintained and is pleasant to view.

Let's not destroy this community with neighbours pitted against neighbours. We need to get back to our vision of an affordable, sustainable, friendly community. Please pass this Variance and work with Mr. Forrest on a reasonable Development Permit.

Sincerely,



Jillian Dashwood

RECEIVED
Mar 2/16

Outside Circulation Area

Mayor and Council

Town of Ladysmith

2 Mar 2016

I am writing Mayor and Council in support of granting the Variance Request on the property located at 410 Third Ave.

Several years ago Mr Lafontaine and his wife decided to sell their property, 410 Third Ave, to Mr Forrest. It would appear they regret selling the view they formerly owned. That is unfortunate.

The Ladysmith Community Visioning Workshops identified coach houses as a viable and acceptable option to increase the density of our residential neighbourhoods. Mr Forrest, (and at least 18 other homeowners), saw an opportunity to realize a dream of providing affordable housing, while concurrently paying down a mortgage. He built a garage with provisions to upgrade it when Council, in concert with the community, defined the parameters. Prudent planning dictated that he review specifications used in other Vancouver Island Municipalities to ensure his dream would match the likely requirements. The fact Ladysmith Council chose much smaller sizes could not have been predicted.

Mr Forrest suffered a significant decline in health, precluding further gainful employment. Faced with an uncertain economic future, and unable to find suitable affordable housing in Ladysmith, he decided to move into his garage, hoping Council would soon define coach houses in our town. Such was not to be and a complaint was lodged that he was in breach of the Bylaw which prohibits two residences on one property. Council took the unpleasant, but necessary action to evict Mr Forrest until such time as the viability of coach houses would be determined.

Properties with minimal set-back are not without precedent. As noted in Council Sequence number CS-2013-15, Council granted a Variance Request to a developer to build three narrow homes on High St, (lots 7,8 &9). The set-back was reduced from 3.0 metres to 1.5 metres from the adjacent property. The neighbour at 509 High St lost her entire south west view and all of her winter sunshine. Note too, the total separation between each of the new homes was 3.0 metres. That was but one of many difficult decisions Council makes to remain true to the community vision of increased density, focused on providing affordable housing for young families.

Mr Forrest has a dream of living in his coach house; his declining health may very well preclude him from achieving that dream. Any and all subsequent owners of 410 Third Ave will likely have the same or similar dream. Do you think it prudent to condemn future Councils to revisit Variance Requests on this property, in perpetuity? Why would you miss an opportunity to have at least some of the 18 other

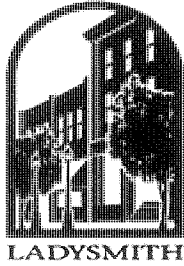
homeowners pay the extra water and sewer rates they should be paying? Do you think it appropriate that Real Estate Agents will have great difficulty getting their clients fair market value on any property with a coach house? (Never mind reducing Agent's potential take home pay) How long would your savings last if you were paying a mortgage... and rent?

It would appear that some in our community spend every waking moment trying to crush the dreams of others. The vitriol directed at Mr Forrest, (and Mayor and Council) reveals that we have some in our Town believing in "neighbour hating neighbour". The shocking fact is some people "demonizing" Mr Forrest are supposed "respected" volunteers and community leaders in Ladysmith! That they would openly defame the character of a disabled Canadian Forces Veteran is a disappointing indictment of their own integrity. We are way past "enforcing bylaws". Our beloved town is at risk of being overwhelmed by bitterness.

We help our neighbours make dreams come true in Ladysmith. We are building a town for young families, doing whatever we can to provide affordable housing. Our citizens gave Council direction that coach houses would be a desirable addition to the mix of available rental stock. Let's build on their dreams and grant this Variance Request.

Bill Drysdale

Ladysmith BC



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: March 1, 2016
File No: 3060-14-06

Re: Development Permit Application 3060-14-06, 410 Third Avenue (Charles Forrest)
Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A

RECOMMENDATION(S):

That subject to Council issuing Development Variance Permit 3090-15-03, Council issue Development Permit 3060-14-06 to permit the issuance of a building permit for the conversion of the second storey of an existing accessory building to a coach house dwelling on Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue);

AND THAT the Mayor and Corporate Officer be authorized to sign the Development Permit.

PURPOSE:

The purpose of this staff report is to present for Council's consideration a Coach House Intensive Residential Development Permit application.

INTRODUCTION/BACKGROUND:

Currently a single unit dwelling and accessory building are located on the property. The applicant has submitted a development permit application to permit the issuance of a building permit for a coach house dwelling unit in the second storey of the accessory building. A development variance permit application is also being considered for the size and height of a coach house building at 410 Third Avenue.

SCOPE OF WORK:

The subject property falls within the 'Coach House Intensive Residential Development Permit Area' (DPA 10). The objective of DPA 10 is to establish good neighbour design standards, as well as encourage building character and sustainable design for coach homes. The proposed coach house design has been reviewed in relation to the DPA 10 guidelines:

Building Character & Design Guidelines

The design guidelines recommend that the massing and scale of the accessory building not overpower the buildings on neighbouring properties. The massing of the accessory building was legal at the time it was constructed. The building has a pitched roof and is 7.43 metres in height. The maximum permitted height for coach house buildings is 6.6 metres, thus the proposal is first subject to the approval of a height variance which is also before Council.

The guidelines address 'overlook' when a coach house dwelling unit is located on the second storey of an accessory building. The dormers and windows facing the side and rear

yard do not exceed 50% of the building length. An upper level deck faces Roberts Street. The existing upper level deck area is 27.8m² (300ft²), thus is not modest in size. It is recommended that the deck area be modified such that the useable area is reduced to 7.5m² by installing matching railings on the existing deck. Making structural changes to the deck was also reviewed and it is recommended that redesign will meet the intent of the guidelines while maintaining the overall design of the existing building.

The exterior colours and materials of the accessory building are not consistent with the primary dwelling. However the quality of the construction, exterior materials, windows, doors and trim is good.

Accessibility and Liveability Guidelines

The proposed coach house is oriented to Roberts Street and there is accessibility to the primary coach house entrance from the street. The address number for the coach house dwelling would need to be in a location so that it is clearly visible from the street.

Landscaping Guidelines

Since the coach house would be located in an existing accessory building no tree removal is required. Drought resistant landscaping exists near the entry of the coach house. The parking area for the accessory building has previously been paved. Recycling, garbage and compost bins are stored in a small building at the rear of the proposed coach house. An at-grade outdoor area of approximately 7.5 m² in size (with paved and permeable surface), exists at the entry to the proposed coach house, and is used as a sitting area. The applicant has planted two tall cedar shrubs to create more privacy for this outdoor area.

Energy and Water Conservation Guidelines

The accessory building already contains a heat pump for heating and cooling the building. The building is solar hot water ready. Low flush toilets and a hot water on-demand system is installed in the building.

ALTERNATIVES:

While the issuance of a Development Permit is not a completely discretionary decision of Council, Council may decide to not issue Development Permit 14-06 where the refusal is based upon a determination that the development permit application does not meet the Development Permit Area guidelines. If the Development Permit is refused then reasons must be given. The determination by Council must be in good faith and it must be reasonable, not arbitrary.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

A development variance permit and development permit is required prior to issuance of a building permit for the change of use.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Development Permit applications do not require statutory notice.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The development permit application was referred to the Infrastructure Services Department for review and they have no servicing issues with the proposal. The Building Inspector advises that a building permit will be required to legally convert the building to a residential use. The proposed change of occupancy would require building permit approvals to demonstrate compliance with the B.C. Building Code. Home warranty insurance may also be required from the Homeowner Protection Office.

RESOURCE IMPLICATIONS:

Processing development permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

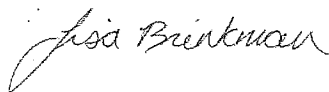
The Sustainable Development Checklist completed by the applicant indicates that the existing accessory building has been constructed with a heat pump, solar hot water potential, low flush toilets, and a hot-water on demand system.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design are strategic Council directions.

SUMMARY:

The owner of 410 Third Avenue has applied for a Coach House development permit. The proposal has been reviewed utilizing the DPA 10 guidelines. The DP 14-02 approval is subject to Council first approving the associated DVP 15-03 application.



Report Author: Lisa Brinkman, Senior Planner

I concur with the recommendation:



Felicity Adams, Director of Development Services



Ruth Malli, City Manager

ATTACHMENTS:

Development Permit 3060-14-06



TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 *Local Government Act*)

FILE NO: 3060-14-06

DATE: March 7, 2016

Name of Owner(s) of Land (Permittee): Charles James Forrest

Applicant: Charles James Forrest

Subject Property (Civic Address): 410 Third Avenue

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 1
Block 73
District Lot 56
Oyster District
Plan 703A
PID# 008-700-117
(referred to as the "Land")
3. This Permit has the effect of authorizing:
 - (a) the issuance of a building permit to install a coach house dwelling unit in an existing accessory building 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; subject to the conditions, requirements and standards imposed and agreed to in section 5 of 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) *Modify the second storey deck of the accessory building, using panels that match the existing deck railing, such that the useable and accessible deck area is a maximum of 7.5m².*
 - b) *Place address numbers for the coach house building such that the address numbers are clearly visible from the street.*
6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act*, and upon such filing, the terms of this Permit (3060-14-06) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. If the Permittee does not substantially start any construction permitted by this Permit within **one year** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
8. The plans and specifications attached to this Permit are an integral part of this Permit.
9. This Permit prevails over the provisions of the Bylaw in the event of conflict.
10. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH
ON THE ____ DAY OF _____ 201__.

MAYOR

CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

OWNER

PLEASE PRINT NAME

HOLLAND CREEK DEVELOPMENT

Comments re Open House Held on February 18/06

- 84 people attended the open house and 41 filled in comment sheets.
- The open house was advertised in the Chronicle , website and was mentioned in other publications. The coverage was much more extensive than the first open house.
- The website has been up for about 6 months with several site reports added recently.
- The public reaction to the project was much more positive than the first open house.
- Most noted concerns on the comment sheets were:
 - The town needs more development (especially for young families)
 - The Holland Creek trail must be protected
- Many other comments re various items were noted but are not listed -- a copy of the comment sheets is attached.
- We received many questions re the two road layouts. The majority appeared to prefer the revised layout however it was not a burning issue as we received only 2 comments -- both supporting the revised layout.
- The issue of the proposed multi family on the lower slopes of Arbutus Hump was not an issue once we explained the situation to residents. Only one person bothered to comment .
- Of the 41 comment sheets 2 were from outside the town. The positions indicated by the confirmed Ladysmith residents were:
 - concerns but not against the project ----- 7
 - definitely in favour of the project ----- 23
 - no comments ----- 5
 - against project ----- 4

Note: The above numbers are subjective ones taken from the comment sheets and verbal opinions expressed at the open house by residents.

MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
			Dogwood Dr.
Are you a resident of the Town of Ladysmith? (please check the box that applies)			
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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Comments:



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Address	Phone
----------------	--------------

[Redacted] 611 (Rm) [Redacted]

Are you a resident of the Town of Ladysmith? (please check the box that applies)

Yes No

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Comments:

Looks Good.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail	
[Redacted]	MEHLEN	[Redacted]	[Redacted]	
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes	No

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Comments:

Go for it



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	LADYSMITH		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Good Luck



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	DOOLE RD.		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> YELLOW POINT

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Comments:

I THINK THIS DEVELOPMENT LOOKS EXCELLENT, AND WOULD BE AN ~~EXCELLENT~~ ^{GREAT} ADDITION TO THE TOWN. I PARTICULARLY LIKE THE INCORPORATION OF SO MUCH GREEN SPACE AND THE FACT THAT PROPERTIES DON'T BACK ON TO ONE ANOTHER. THE FACT THAT THE DEVELOPER HAS TAKEN SO MUCH INTEREST IN PROTECTING THE ENVIRONMENT AND RIPARIAN AREAS IS COMMENDABLE. I SUPPORT THIS DEVELOPMENT.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	white St		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

- Concerned with absence of detail regarding infrastructure + water management.
- Disagree with absence of Higher Density Townhouses and focus on single family. Recent history of development in south end indicates high bias for large high cost houses which will not attract young families who will support current services (schools, recreation, local shopping).



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	White St		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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Comments:

I like the protection of the creeks and the amount of green space. Prefer the single road off Dogwood (curvy).



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	ALZOME		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

NO OBJECTION. MY CONCERNS WERE FOR THE HOLLAND CREEK TRAIL SYSTEM, BUT I SEE THERE WILL BE LOTS MORE TRAIL SYSTEM AVAILABLE.



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

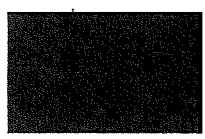
Name	Address	Phone	E-Mail
	Fourmeaux Cres		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes
			No

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Comments:

I am a realtor in town. My husband is a Registered Builder.
 I love the location + the whole concept. Look forward
 to seeing more lots in town. Great presentation.

Thanks.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	LADYSMITH		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

LOOKS GOOD - LIKE SECOND ROAD OPTION BEST,
TOWN NEEDS LOTS AND DEVELOPMENT



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	WHITE ST		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

- Concerned about Road access + congestion @ Dogwood Drive.
- concern about single access/egress for fire/emergency vehicles
- Holland Creek + Heart Creek must be protected as identified in plan; would prefer to see greater riparian setback.



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	RUSSELL		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes
			No

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Comments:

Sounds like an excellent project. Certainly has my full support.



ms

MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	RYAN PLACE		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Concerned about high density right on the property line, but looks like we are neighbours of forest land in theory.



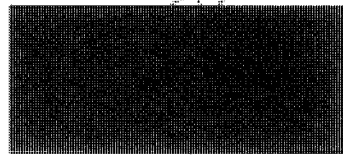
MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	Malone Rd		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

- This project is in an ideal location for young families, close to schools and the Coronation Mall.
- The Davis Road, Hwy 1 and Coronation Mall intersections will require some creative ideas to smooth the increased traffic flow.
- It may come to pass that Dogwood & Davis Rd become a 3way stop.
- I would suggest "pairing" of driveways for adjacent homes to reduce the stops by the garbage truck/recycling truck. It would also increase the street parking for visitors.
- we need young families in our town. They are the ones that will support local businesses that decide to open in our town.
- Thank you for bringing these opportunities to Ladysmith.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	476 Ave		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

- Housing for young families good
- Just Don't mess up Holland Creek Trail



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	Colonia Dr.		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			<input type="checkbox"/> Yes <input type="checkbox"/> No

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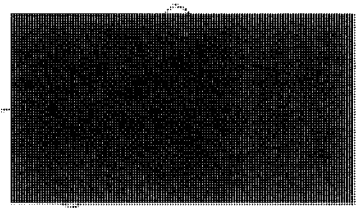
Comments:

My ~~concern~~ only concern with this development is that there are already parts of Ladysmith that have been logged + prepped for building but are not selling — no development at the end of Colonia drive near the top of Holland Creek. Should we not ~~however~~, be thinking about filling those — I guess just a small amount.

I appreciate the density of this development + the option for multi family homes that might be more affordable for ~~the~~ families/people just that are 1st time buyers.

What I ~~would~~ would like to see if this goes forward is that a trail is developed or the Heart Lake trail is redesigned to make it more accessible for all abilities, and ~~that~~ be multi-use for non motorized transportation. ~~This would~~ A trail network will bring more people to this town — look at Cumberland as an example with its trail network. I think it would be a smart move to incorporate this into the taxes the homeowners pay so it is park land + trails.

~~Want to need to have spr~~



MEETING COMMENT SHEET

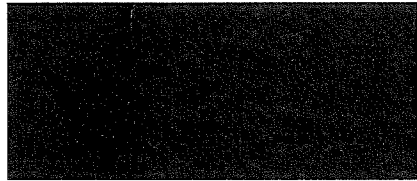
Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/>
			No <input type="checkbox"/>

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Comments:

As a local Real Estate Agent I see the need for more housing and higher densities.



MEETING COMMENT SHEET

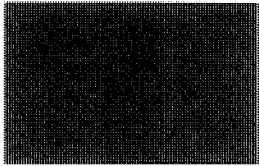
Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	Davidson Rd		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Good presentation - Homework has been done,



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>

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Comments:

- Looks good.
- WANT TO MAKE SURE THERE WILL ALWAYS BE A GOOD TRAIL SYSTEM
- I'D LIKE TO SEE SOME INSTITUTIONAL ZONING FOR ONE OF OUR EXISTING CIRCUITS TO upgrade TO NEW LAND & FACILITIES

THANKS



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	BATTIE DR		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Overall I'm in favour of the development. I'm disappointed to not see more walking trails and park development incorporated into the plan.

It would have been helpful to have had real aerial photos of the site to get a better understanding of where it's located.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
------	---------	-------	--------

	4th Ave		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Looks like a great project. Care shown to preserve the hiking trail and natural areas for the waterways.
Would support this project being approved.



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	Colonia	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Ground water run off seems to be well taken care of in the potential plans. I understand the development will progress slowly ~ that's good. We were assured there would be no impact on Holland Creek trail - also good. I would like to see the development be more people friendly parks, hiking trails, playgrounds.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	R. V. [REDACTED]	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

- concerned about high density housing in behind our property and road access -
- concerned about water supply to residents.
- we have large old fir trees on our property - we hope they will not be compromised.
- concerned about protecting the integrity of the Holland Creek Trail.



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	RYAN PLAGE		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

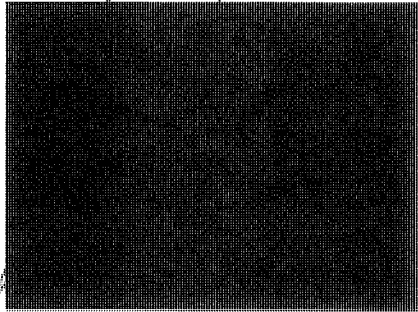
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Comments:

Major concern is population density directly behind our property. Only 2 ^{houses} directly about our property. But on a cul-de-sac of 7.

Please consider a small "Buffer" area (Green Belt) between our property + the proposed properties directly abutting us on the first cul-de-sac.

Overall water supply is of concern as well.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]			
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Ladysmith needs this development. We need more people to help pay for our infrastructure etc. More Tax Revenue is needed and people bring in more business. Lets get this city moving again.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	MACKIE RD	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Riparian zones here for the most part a great improvement over past practices. Two concerns:

- 1) ~~an~~ collector road crossing Heart Creek - this would potential involve a major cut in the steep bank on the north side - consider alternative points of access to the north part of the property.
 - eg. access from the power lines or ? if this has to go ahead do everything possible to protect integrity of riparian area
 - ~~has to look at~~

- 2) ~~an~~ upper local road that crosses Heart Creek - this is not necessary - topography both north & south of this is relatively flat & access along power lines is much better option.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	HAMBROOK ST		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

*I support the development - we need more people
in order to develop the Town.*



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	<i>Highway Rd</i>		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	<i>Stifford Rd</i>	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	GIFFORD RD		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	Walchen Rd		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Love the fact that there are many different types of homes - apt / town house single family. Gives the area a real community feeling. + Aging in place for seniors. Please move forward! Gives work for people living in Ladysmith; a tax base to keep people living here. These developers have heart!

Thank you



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	<i>Hawley Place</i>		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Provides much needed space for development & increase to tax base.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	Hawkey Place	[REDACTED]	[REDACTED]

Are you a resident of the Town of Ladysmith? (please check the box)

Yes No

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Comments:

Sounds and looks very progressive. Hopefully it goes ahead!

MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	Walkem Rd		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Try + tone down development on the hump.
 Cluster the buildings to "blend" into the natural surroundings.

• the bridge over Holland Creek also needs to fit the area.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail	
[Redacted]	Dogwoods	[Redacted]	[Redacted]	
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

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Comments: [Redacted]



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	Colonia Dr	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

Catchment systems look more modern & appropriate.

Slow steady growth in the lower Area shows good growth.

The lower Ridge (Hump) for residential is okay along with water pressure systems built in for fire & domestic use.

Presentation clear.

[Handwritten signature]



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	Malone Rd.		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

I am opposed to any further developments in Ladysmith. I enjoy the quaintness of our little town

And I question the water supply ^{in the future} and the threat to our water shed.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	DUGREE		

Are you a resident of the Town of Ladysmith? (please check the box that applies) Yes No

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Comments:

THIS IS THE THIRD OR FOURTH RECENT LARGE SCALE DEVELOPMENT PROPOSAL AND ALL OF THEM RAISE SIMILAR CONCERNS THAT ARE LARGE ENOUGH TO CHANGE THE FUNDAMENTAL NATURE OF AT LEAST A SECTION OF LADYSMITH. I WANT GENERAL RESOLUTIONS ABOUT THE IMPACT ON

1. LOCAL WATER SUPPLIES - AFTER SUMMER 2015 ARE ONLY MARGINALLY ADEQUATE FOR THE EXISTING POPULATION
2. WASTE WATER TREATMENT - WE PAY TO BUILD THE FACILITY YOU BENEFIT - WILL DEC CHARGES COMPENSATE
3. IMPACT ON SCHOOLS, POLICE, FIRE, HOSPITALS - INCREASED SERVICES WILL BE REQUIRED AND IN LADYSMITH THAT ONLY MEANS ONE THING - MORE/HIGHER TAXES

THE LOGIC OF "ENDLESS GROWTH" ESCAPES ME AND THIS DEVELOPMENT MAKES ABOUT AS MUCH SENSE TO ME AS THE LADYSMITH BUS STATION

- IN GENERAL TERMS I'M OPPOSED -

MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
[REDACTED]	DUNSMUIR	[REDACTED]	[REDACTED]
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

I HAVE LIVED IN LADYSMITH FOR THE PAST 13 YEARS BUT HAVE A CONNECTION GOING BACK 62 YEARS SINCE MY MOTHER GREW UP HERE AND I LAST VISITED MY GRANDPARENTS HERE IN 1953.

I FEEL STRONGLY THAT THIS AREA IS TOTALLY INAPPROPRIATE FOR DEVELOPMENT AS IT IS SUCH A DOMINANT PART OF THE REMAINING GREEN, HIGHLY VISIBLE LANDSCAPE OF LADYSMITH.

THE TECHNICAL PROBLEMS OF WATER, SEWER AND OVERALL INFRASTRUCTURE ASIDE, THIS AREA PROVIDES AN INVALUABLE ESTHETIC VALUE TO LADYSMITH, THE IMPORTANCE OF PROVIDING HOMES "WITH A VIEW" IS NOT NEARLY AS IMPORTANT AS PRESERVING A SIGNIFICANT ECOLOGICAL TREASURE.

I AM TOTALLY OPPOSED TO THIS DEVELOPMENT.



MEETING COMMENT SHEET			
Project:	Holland Creek Development	Meeting Date:	February 18, 2016 4:00-8:00PM
Facilitator:	Holland Creek Partnership	Place/Room:	Eagles Hall, Ladysmith BC

Name	Address	Phone	E-Mail
	SYMONDS		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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Comments:

I AM TOTALLY AGAINST THIS DEVELOPMENT.
 I FAIL TO SEE THE EFFICACY OF
 DESTROYING MORE OF LADYSMITH'S
 DWINDLING NATURAL ENVIRONMENT.
 IS IT REALLY NECESSARY TO DESTROY
 OUR ECOSYSTEMS SO A FEW PRIVILEGED
 HOMEOWNERS CAN "HAVE A VIEW"?
 THIS DEVELOPMENT IS UTTER FOLLY,
 AFFECTING ALL OF US - MORE DEMAND
 ON WATER, SEWER - INFRASTRUCTURE -
 TO WHAT END? WHO WILL SPEAK FOR
 NATURE WHEN THE LAST TREE IS FALLEN.
 LET'S PUT AN END TO SUCH BLATANT
 IGNORANCE FOR THE SAKE OF
 PROFIT.



MEETING COMMENT SHEET

Project: Holland Creek Development	Meeting Date: February 18, 2016 4:00-8:00PM
Facilitator: Holland Creek Partnership	Place/Room: Eagles Hall, Ladysmith BC

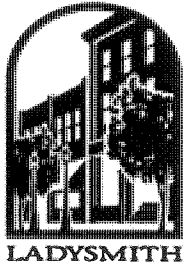
Name	Address	Phone	E-Mail
	SEABIRD RD		
Are you a resident of the Town of Ladysmith? (please check the box that applies)			Yes
			No

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Comments:

ANOTHER ATTEMPT BY A DEVELOPER TO GET RICH OFF OF THE BACKS OF LADYSMITH TAXPAYERS. SOMEBODY WOULD HAVE TO PAY FOR INCREASED WATER SUPPLY. GOD FORBID THEY ARE ALLOWED TO DEVELOPE ARBUTUS HUMP.





Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Clayton Postings, Director of Parks, Recreation and Culture
Date: February 23, 2016
File No:

Re: CANADA 150 COMMUNITY CELEBRATION COMMITTEE

RECOMMENDATION(S):

That Council:

- a) approve the attached Draft "Terms of Reference" for the Canada 150 Community Celebration Committee;
- b) appoint a member of Council to sit on the Canada 150 Community Celebration Committee; and,
- c) direct staff to solicit community representation on the Canada 150 Community Celebration Committee per the "Terms of Reference".

PURPOSE:

The Canada 150 Community Celebration Committee will engage the communities in the planning and implementation of community celebrations of the Canadian Sesquicentennial in 2017, with a focus on (but not limited to) events held from June 21 (National Aboriginal Day) to July 1 (Canada Day) inclusive.

INTRODUCTION/BACKGROUND:

Ladysmith has an opportunity to celebrate Canada's 150th anniversary of Confederation, with activities that contribute to a sense of pride and attachment to Canada. Community projects may recognize exceptional people, places, achievements, and events, and encourage citizens to give back to the community in ways that leave a legacy for the future.

At the July 6th, 2015 Council meeting, Council adopted the following resolution:

That Council approve the establishment of a committee consisting of members of the Ladysmith Community to assist with the planning and community engagement for a sesquicentennial celebration event during the next two years.

The attached Terms of Reference for the Committee have been developed to provide some guidance for the committee.

The next step in the process is to form the Committee which will begin developing a plan relating to the Canadian Sesquicentennial in 2017.

SCOPE OF WORK:

Parks Recreation and Culture will support this project in collaboration with the Committee.

ALTERNATIVES:

Parks Recreation and Culture staff would host on July 1st 2017 the annual Canada Day community celebrations event, with existing capacity and resources.

FINANCIAL IMPLICATIONS:

Current Parks and Recreation budget includes the annual Canada Day event budget of \$4,000.00; most years additional federal grant funding has been received at approximately \$1,000.00 to \$3,000.00. It is anticipated that once the Committee has developed a plan for the 2017 event, any additional resources required will be brought to Council for consideration.

The Town will continue to apply for any available funding provided through federal grants or other available funds, which may offset operating expenses or add additional resources to the event.

LEGAL IMPLICATIONS:

Not Applicable.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The creation of a community committee would assist in developing community engagement and support for these and future events.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Public Works staff and other Town of Ladysmith departments would be invited to participate in this project, depending on capacity and scope of celebrations.

RESOURCE IMPLICATIONS:

Staff time is committed to supporting the planning and hosting of these events.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This event is consistent with Priority Actions # 6 "Culture and Identity – support and promote Ladysmith's arts and cultural events and facilities", and # 8 "Economic Development – increase tourist visits and spending".

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative aligns with Strategic Priorities "Communication and Engagement" and "Partnerships"

SUMMARY:

It is recommended that Council approve the Terms of Reference for the "Canada 150" Community Celebration Committee and that Council appoint a member of Council to sit on this committee.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Canada 150 Community Celebrations Committee – Terms of Reference



Canada 150 Community Celebration Committee – Terms of Reference

Members/Composition

The Canada 150 Community Celebration Committee will be composed of 7 – 10 members, from a cross-section of the Ladysmith and Stz'uminus communities, ideally:

- One member of each community's council (2)
- One member of each community's staff (2)
- Representatives of each community's citizens at large (2)
- Representatives of local businesses and/or non-profit agencies (up to 4)

Term of Membership

Membership on the Ladysmith 150 Committee requires a commitment from the time the committee is established in March, 2016, to the end of December, 2017.

Vision and Mission

The Canada 150 Community Celebration Committee will engage the communities in the planning and implementation of community celebrations of the Canadian Sesquicentennial in 2017, with a focus on (but not limited to) events held from June 21 (National Aboriginal Day) to July 1 (Canada Day) inclusive.

Goals

1. Community celebrations of Canada 150 during the 2017 calendar year that build a sense of pride and attachment to Canada;
2. Community engagement prior to 2017, promoting a deeper understanding of Canada, its people, and what it means to be Canadian;
3. Recognize and promote exceptional Canadian people, places, achievements, and events;
4. Community-building for a lasting legacy beyond 2017.

Deliverables

1. Regular meetings with all committee members in attendance;
2. Establish a Canada 150 Plan for Ladysmith;
3. Raise community awareness of the opportunity(ies) to "give back" through gifts of time and energy;
4. National Aboriginal Day event(s) with broad community participation;
5. Canada Day event(s) with broad community participation.

Jurisdiction

The Canada 150 Community Celebration Committee may not establish objectives beyond the scope of services of the Town of Ladysmith and/or the Stz'uminus First Nation without explicit prior authorization.

Resources and Budget

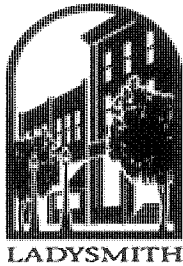
A variety of resources will be required to implement a Canada 150 Plan in Ladysmith, including people, equipment, materials, rooms, funds, skills; a budget reflecting in-kind resources will be established in conjunction with the plan, and depending on receipt of financial assistance from the Canada 150 Fund.

Governance

Decisions will be made by consensus wherever possible; a quorum will consist of a minimum of 5 members, ideally representing both the Ladysmith and Stz'uminus communities.

Communications

Communication by email "reply all" will be the preferred mode between meetings.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: March 7, 2016
File No: 6520-20 WAP

Re: Waterfront Area Plan Update Project

RECOMMENDATION(S):

That Council:

1. Support the scope of work for the Waterfront Area Plan Update and direct staff to proceed with development and issuance of the Request for Proposals.
2. Discuss the Waterfront Area Plan Update project at the March 29, 2016 Community to Community (C2C) workshop with Stz'uminus First Nation, with regard to the Provincial water lots and filled foreshore, particularly DL651 and Slack Point, and invite participation in the project and design charrette.
3. Direct staff to invite the property owners within the Waterfront Area Plan area to join a working committee as part of the project.
4. Direct staff to:
 - invite two nominations from each of the following advisory commissions and organizations: Ladysmith Maritime Society, Arts Council, Ladysmith and District Historical Society, Advisory Design Panel, Advisory Planning Commission, Heritage Revitalization Advisory Commission, Parks, Recreation and Culture Commission, Ladysmith Chamber of Commerce and Ladysmith Downtown Business Association, and
 - place an advertisement in the newspaper for two citizen members.
for consideration of appointment by Council to the design charrette team for the Town-owned properties and water lots.
5. Appoint two members of Council to the Waterfront Area Plan working committee and design charrette team.

PURPOSE:

The purpose of this staff report is to confirm Council direction on the scope of work for the Waterfront Area Plan Update project, including community engagement opportunities.

INTRODUCTION/BACKGROUND:

Council has identified Employment and Tax Diversity as one of its five strategic priorities for the four year period 2016 to 2019. One of the 15 actions to be undertaken as part of this priority area is "update the Waterfront Area Plan and consider a heritage park concept in the

vicinity of the Machine Shop”. One of Council’s 16 strategic priorities for 2016 is to engage with the community to update the Waterfront Area Plan.

Council has previously provided direction that staff report back to Council with proposed costing for a design charrette for Town-owned waterfront properties and Town-leased water lots. A design charrette is included within the proposed scope of work. As well, Council had identified the Waterfront sub-area (undeveloped lands) as the focus of the project. However, as the current direction is to update the Waterfront Area Plan the full-scope of the plan is included.

In 2012, the Town and Stz’uminus First Nation (SFN) signed a Memorandum of Understanding (MOU) for SFN and TOL Relations and Partnerships. This MOU includes two potential joint initiatives with in the area covered by the Waterfront Area Plan. The initiatives are:

(1) *Ladysmith Harbour Clean-Up*

The SFN and Town will work together to utilize their jurisdiction, resources and capacity to work with the Federal and Provincial government agencies and the private sector to take such action as may be necessary to move in the direction of ultimately restoring Ladysmith Harbour to its original state, subject to the limited financial resources of each of the parties.

(2) *DL 651 Partnership*

(a) The SFN and the Town will continue their discussions on utilizing DL 651 for the purposes of cleaning up Ladysmith Harbour and ultimately for the purpose of an expanded marina as a joint project in which both will have a significant role and interest.

(b) The parties will develop the phraseology of a mutually satisfactory DL651 partnership agreement.

It is the understanding of staff, that the SFN are actively pursuing a Provincial lease for marina purposes over the water lot known as DL651 and the adjacent filled foreshore area, including Slack Point. The previous application by the company CP Property Development Ltd. is not proceeding.

For Council’s information, the Machine Shop Users Advisory Group is currently working on developing a “vision” for the Machine Shop. Participants in the Advisory Group include representatives from the Ladysmith Maritime Society, the Ladysmith Arts Council and the Ladysmith and District Historical Society. Two members of staff and the Mayor also sit on the committee. This group is represented in the list of proposed participants outlined in recommendation no. 4 above.

SCOPE OF WORK:

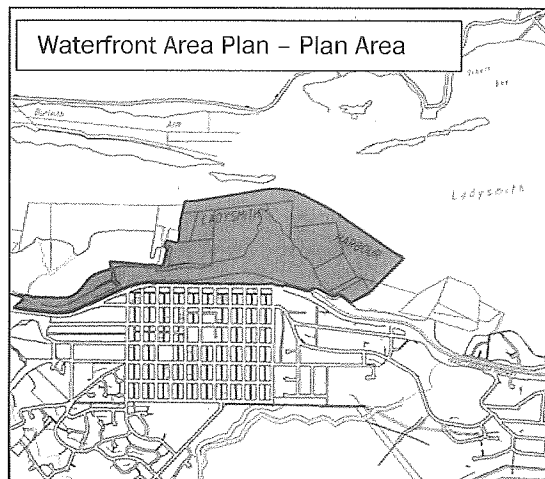
Previous discussions with Council have provided direction on the scope of work.

Waterfront Area Plan Update

The general scope of work would include a full-service planning firm, or group of firms, preparing a new Waterfront Area Plan, including research, community consultation, design charrette, stakeholder engagement, work with land owner interests, policy writing, design guidelines and mapping, and presentations. It is intended that the public engagement work

will be completed in 2016. The project could include a speakers' series about vibrant communities and waterfronts.

The project would involve confirming or changing the 1997 vision with community stakeholders given the 2009 Community Vision, new environmental and geotechnical information for the Town and Crown lands and water lots, market potential and other potential growth areas within or near the Town. It would result in community planning goals, objectives and policies and design guidelines for a new Waterfront Area Plan. Brownfield action planning could be identified as a future plan implementation phase.



Design Charrette for Town-owned properties

The scope of work for the Waterfront Area Plan Update Project would include the designing, managing and undertaking of all aspects of a multi-day collaborative community design charrette for the Town-owned properties and water lots. The purpose of the design charrette will be to visually explore land use and design options for the Town-owned property. The design charrette would involve participation by members of Council and staff, as well as community participants. The broader community would be involved in a feedback loop. A final public presentation would be provided.

ALTERNATIVES:

Council has previously provided direction that staff were to continue to work with FCM Green Municipal Fund to secure funding for the Waterfront Area Plan project. The FCM funding program has specific requirements for eligibility.

Early indication from the GMF Brownfield Program is that the project could be eligible for a Community Brownfield Action Plan grant if it focused on the required brownfield elements. To confirm eligibility an application would be required to be submitted. This funding envelope would provide 50% of the project cost up to \$175,000. This route would support the Town moving through the Brownfield Renewal Program steps with potential access to further grants and loan support for clean-up (public or private sector).

At this time, staff recommends that Council focus on the Design Charrette and the update to the Waterfront Area Plan. Brownfield action planning could occur in a future phase. This work could possibly be undertaken as a joint project with SFN.

FINANCIAL IMPLICATIONS:

The draft 2016-2020 Financial Plan includes \$180,000 to support the update of the Waterfront Area Plan with proposed funding from Gas Tax (\$130,000), reserves (\$20,000) and taxation (\$30,000). It is expected that the design charrette could cost in the \$50,000 range which is included in the proposed budget.

LEGAL IMPLICATIONS:

None at this time.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that there will be a high level of interest in the Waterfront Area Plan project. Significant community consultation, public engagement and education are built into the scope of work for the project.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Director of Development Services would lead the project. A staff committee would be formed as part of the project, including Planning, Engineering, and Parks, Recreation and Culture. Staff would also be involved as participants in the design charrette.

RESOURCE IMPLICATIONS:

This project will take significant staff time to manage the RFP process and select and manage the consultants and participate in the project.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The 2008, the Community Visioning Initiative confirmed the community’s interest in a mixed-use waterfront and the importance of Transfer Beach Park as a beloved community asset. An update to the Waterfront Area Plan was anticipated to integrate the many ideas and elements of character, identity and use that the community developed through the visioning process. Discussion of the vision for the waterfront as part of the Sustainability Vision included a broader area than the area included in the Waterfront Area Plan.

Updating the Waterfront Area Plan is a priority action in the Sustainability Action Plan. A Ladysmith Harbour Remediation Action Plan is also a priority action.

ALIGNMENT WITH STRATEGIC PRIORITIES:

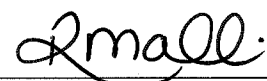
Council has identified Employment and Tax Diversity as one of its five strategic priorities for the four year period 2016 to 2019. One of the 15 actions to be undertaken as part of this priority is to update the Waterfront Area Plan and consider a heritage park concept in the vicinity of the Machine Shop.

One of Council’s 16 strategic priorities for 2016 is to engage with the community to update the Waterfront Area Plan.

SUMMARY:

Council has provided direction that engaging with the community to update the waterfront area plan is a priority for 2016. A scope of work is presented based on Council’s direction to date. Once confirmed by Council staff can proceed with the RFP for the project.

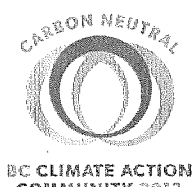
I concur with the recommendation.

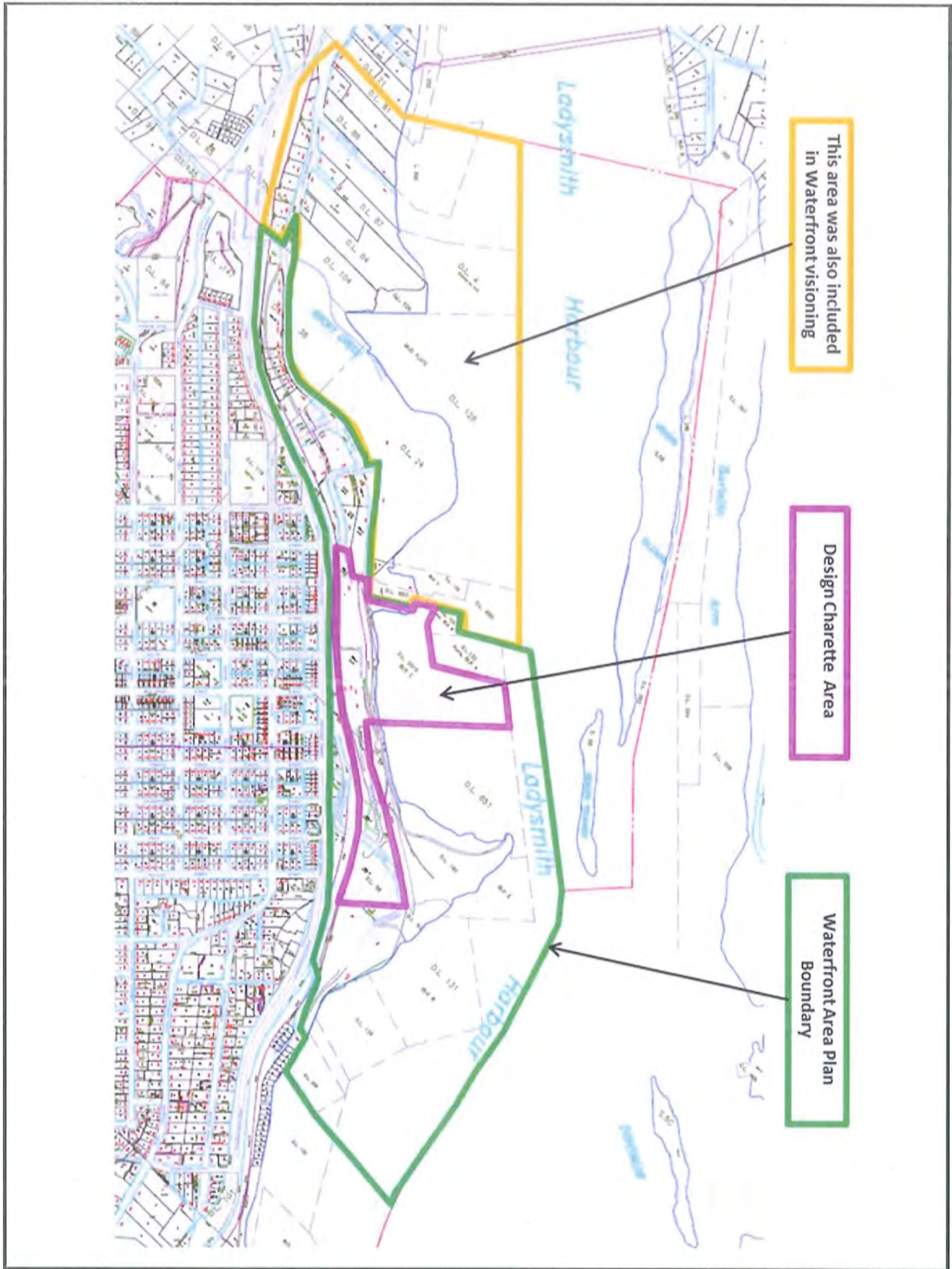


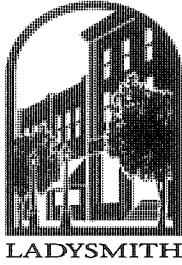
Ruth Malli, City Manager

ATTACHMENT:

Map







Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
 From: Erin Anderson, Director of Financial Services
 Date: March 1, 2016
 File No: 1850

Re: 2016 Grants in Aid Applications

RECOMMENDATION(S):

THAT Council consider the 2016 grant-in-aid funding requests received from community groups and organizations.

INTRODUCTION/BACKGROUND:

Each year, grants for social, cultural, recreational, special events services are provided by Town Council on behalf of residents of the Town of Ladysmith. The purpose of the grant-in-aid program is to assist citizens, financially, to organize themselves around community issues and projects.

Grant in Aids are administered based on the Grant in Aid policy which was approved by Council in 2013. The policy details the types of activities and organizations eligible for the Grant in Aid funding. Only non-profit organizations are eligible for grant funding.

The deadline to apply was the end of February.

With the introduction of the Policy came the requirement of a one page 'end of year' report on how the prior year monies were utilized. This reporting requirement ensures that the organizations are accountable to use the requested funds as indicated in their application. This accountability extends to the tax payer as taxation funds are used to fund the Grant in Aid program. The 2015 year was the second year a year-end report detailing how the monies were spent was required. Staff followed up with numerous organizations after the December 1 reporting deadline as a reminder.

The Grant in Aid policy states if the year-end reporting is received after the December 1st deadline, Council may exclude that organization from the Grant in Aid program for three years. The following organizations were late with their December 1st submission:

Organization	Funding received in 2015	Submitted
Ladysmith Historical Society Museum	\$ 10,000	2015-12-07
Arts Council of Ladysmith & District	1,000	2015-12-07
Arts on the Avenue	1,000	2015-12-07
Ladysmith Show and Shine	500	2015-12-07
Ladysmith Historical Society Archives	15,000	2015-12-07
Ladysmith Maritime Society	1,500	2015-12-15
St John the Evangelist Church	500	2015-12-17
Ladysmith Search & Rescue Society	5,000	2015-12-24
Ladysmith Celebrations Society	8,000	2016-02-22
Ladysmith Family and Friends (LAFF)	2,500	Not received. Project still in the works.
Gordon's Peacock Society	1,500	Not received. Society dissolved.

Festival of Lights (Light-up), Downtown Business Association (Old Tyme Christmas) and Ladysmith Fire/Rescue Society (Santa Parade) submitted their reports after the December 1st deadline, as their event occurred in the month of December.

Attached is a summary list of all applications received. Details of applications are available for review at City Hall. Some of the applicants requesting GIA also receive additional assistance from the Town in the form of property tax exemptions, use of Town-owned buildings at nominal rental costs or assistance in with the organization’s operating costs. This additional assistance is noted on the attached list.

Again in 2016 there is an allotment of \$2,500 for organizations requesting a waiving of fees for use of Town property. As events do have a Town operating costs associated with them, it is prudent to budget the waiving of rental fees.

Ladysmith Resources Centre Association

Each year, Council has requested additional information from the LRCA to support their Grant in Aid Application. This year, LRCA has provided supporting details in their application to back-up their request.

The LRCA is requesting funding for:

Ladysmith Resources Centre Association	2016 REQUESTED	2015 PAID
Family Support	8,000	8,000
General Programs:		
• Seniors Advocacy		
• Dad’s Group	8,000	8,000
• Adventures In Early Literacy		
• Mother Goose		
Victim Services	12,500	11,000
Volunteer Counselling (new)	2,000	-
Youth at Risk	8,000	8,000
Ladysmith Resources Centre Association Total	38,500	35,000

New for 2016 is a request to support Volunteer Counselling services. This service is intended to assist individuals who can’t access other mental health services. In 2015, this program operated with a loss and the LRCA is requesting some assistance in the future.

The LRCA has also begun to look internally at the programs and services it offers. Representatives from LRCA met with staff to share the LRCA’s direction for the coming years. Their new direction includes more scrutiny to the programs offered and which is supported by the establishment of a Performance Assurance Committee.

SCOPE OF WORK:

Once Council approves the organization’s request, funding will be provided to the successful organizations at a later date.

ALTERNATIVES:

Council may choose to approve the amounts requested, modify the amount requested or deny the amount requested.

FINANCIAL IMPLICATIONS:

The 2016 Budget for Grants in Aid is \$112,000. The current requests total \$152,650. Any amounts above the budgeted amount will require an additional property tax increase above the amounts discussed at the Budget meeting on February 15th.

LEGAL IMPLICATIONS:

Authority to provide Grants-in-Aid is derived from the *Local Government Act s.176 (c)*.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Many community groups rely on this funding. Any changes to the funding could impact the services those organizations deliver.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

With direction from Council, the Finance Department leads the GIA process.

RESOURCE IMPLICATIONS:

Much of the staff time has been allocated to the preparation of GIA processes. Once a Council decision is made, minimal time is taken to complete the payment process in May.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This Supporting a safe and healthy community

SUMMARY:

On tonight's agenda for Council consideration are the grant-in-aid requests received from community groups and organization. Details of each application are available for review at City Hall. The total of all grant-in-aid requests received was \$152,650.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS

List of request

Grants in Aid Policy

Organization	2016 REQUESTS	2015 PAID	2014 PAID	2013 PAID	Additional Assistance from Town	Notes
Arts Council of Ladysmith & District	1,500	3,500	3,500	3,500	Yes	Permissive Tax Exemption & Reduced Rent
Arts on the Avenue	-	1,000	1,000	1,000		
Cowichan Family Caregivers Support Society	750		750	750		
Cowichan Therapeutic Riding Association	1,000	1,000	1,000	1,000		
Festival of Lights Society	25,000	12,000	12,000	12,000	Yes	Use of Aggie & Transfer Beach
Gordon's Peacock Society		1,500				
Ladysmith & District Historical Society:						
Archives	18,000	15,000	20,000	20,000	Yes	Permissive Tax Exemption, Reduced Rent, Telephone & Hydro
Museum	10,000	10,000	10,000	10,000		
Preservation Committee	3,000					
Ladysmith Accountability Program				1,000		
Ladysmith Ambassador Program	3,500	1,000	1,000	1,000		
Ladysmith and District Marine Rescue Society	3,500	2,000	5,000	1,500		
Ladysmith Celebrations Society	10,000	8,000	8,000	8,000		
Ladysmith Citizens on Patrol	1,500	1,500	1,500	1,500		
Ladysmith Community Gardens Society	7,000	1,000		1,000		
Ladysmith Downtown Business Association:						
Old Tyme Christmas	2,000	1,000	1,000			
Shop Locally	2,500					
Ladysmith Family and Friends (LaFF)	6,000	2,500			Yes	Aggie Rental, LaFF Financials state \$73k of inkind rent
Ladysmith Fire Rescue	1,700	1,000	1,000	2,500	Yes	Fire Trucks
Ladysmith Intermediate School PAC				1,000		
Ladysmith Little Theatre	2,000					
Ladysmith Maritime Society:						
Festival	1,500	1,500	1,500	1,500		

Organization	2016 REQUESTS	2015 PAID	2014 PAID	2013 PAID	Additional Assistance from Town	Notes
Ladysmith Resources Centre Association:						
Family Support	8,000	8,000	8,000	8,000	Yes	Permissive Tax Exemption & Reduced Rent
General Programs	8,000	8,000	8,000	8,000		
Victim Services	12,500	11,000	11,000	11,000		
Volunteer Counselling	2,000					
Youth at Risk	8,000	8,000	8,000	8,000		
Ladysmith Search & Rescue Society	6,000	5,000				
Ladysmith Sec School - Frank Jameson Bursary	1,500	1,500	1,500	1,500		
Ladysmith Show & Shine	2,000	500	500	500		
Ladysmith Soup Kitchen			2,000			
Old English Car Club Central Island Branch	400					
St John the Evangelist Church	600	500	500	500		
Vancouver Island Crisis Society	700	500	500			
Waiving of fees	2,500	2,500	3,000			



TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

TOPIC: Grants-in-Aid	
APPROVED BY: Council	DATE: Aug 6, 2013
RESOLUTION #: 2013-266	
<i>(Amended)</i>	
Purpose: To establish a policy for Council of the Town of Ladysmith that is designed to assists organizations with projects or special activities, or to allow them to take advantage of development opportunities and events.	
Policy: In granting financial assistance to an organization for a discretionary Grant-in-Aid, the Council of the Town of Ladysmith with take into account the following objectives: <ol style="list-style-type: none">1. The primary purpose of a grant in aid is to provide financial assistance to an organization for a specific project or event that benefits the residents of the Town of Ladysmith. The organization should be registered as, or belong to a parent Society under the laws of British Columbia and/or Canada.2. Preference will be given to organizations that are locally based and whose efforts are community based in nature.3. The Council of the Town of Ladysmith will not grant monies for a 'for profit' organization.	
Procedure: <ol style="list-style-type: none">1. An organization applying for a grant in aid must provide the following information in order to have its application considered by Council:<ul style="list-style-type: none">• Name of the organization• Name of the individual making the application• Description of the project or event for which funding is requested• Indicate whether or not the project or event or service is already provided in the community• Identify the beneficiaries of the project or event or service• Indicate the total cost of the project or event or service• Indicate other sources of funding for the project or event or service• Indicate whether the application to other local governments has been made• Indicate the volunteer labor and in-kind donations to be contributed towards the project or event or service by the members of the organization• Specify the amount of financial assistance required; and• Provide the organization's current annual budget and previous year's financial statements.2. All Grant in Aid applications must be submitted, in writing, to the Finance Department by February 28th in order to be considered by the Council of the Town of Ladysmith for funding in the current year.3. Grant in Aid applications received after February 28th may not be considered for funding in the current year. Further, the organization applying for the Grant in Aid must re-submit their	

TOPIC: Grants-in-Aid

APPROVED BY: Council

DATE: Aug 6, 2013

RESOLUTION #: 2013-266

(Amended)

application should they still be requesting financial assistance for the following year.

4. Organizations submitting an application for a Grant in Aid must complete the prescribed application.
5. Applications for funding will be considered at an open Council Meeting during the budget process. All decisions are final following ratification at the next Regular Meeting of Council.
6. An organization must, using the form provided, report back to Council by December 1st of the same year funding was received regarding how the monies were spent, including a budget sheet and pictures, if available. If a report is not received by the Town on or before December 1st, the organization shall be notified that they may be ineligible for further grant funding for a 3 year period from the year the grant was received.

Conditions of Funding:

1. If applicable, the applicant must acknowledge the support of the Town of Ladysmith in all print and publicity material related to the project including banners and signs on site during the event.
2. Funds must be used for the purpose for which they were requested.
3. In the event that the project is not completed, the Town of Ladysmith reserves the right to request the return of the grant.
4. An organization must prepare, using the form provided, a report regarding how the monies were spent, including a budget sheet and pictures, if available. If a report is not received by the Town on or before December 1st, the organization shall be notified that they be ineligible for further grant funding for a period of 3 years from the year the grant was received.

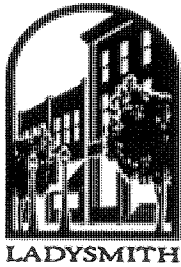
Applications may be mailed to the following address:

**Town of Ladysmith
PO Box 220
Ladysmith, BC V9G 1A2**

Or picked up at City Hall at:

**410 Esplanade
Ladysmith, BC**

05 – 1850 - A



Town of Ladysmith
STAFF REPORT

To: Council
From: Ruth Malli, City Manager
Date: February 23, 2016
File No:

Re: TERMS OF REFERENCE: ROUNDTABLE ON WATERSHED MANAGEMENT

RECOMMENDATION:

That Council review and support, or provide direction to amend, the Draft “Terms of Reference” for the Roundtable on Watershed Management.

PURPOSE:

To provide Council with an update on previous direction, review a draft terms of reference and next steps in the Town’s participation on a community watershed roundtable.

INTRODUCTION/BACKGROUND:

At the March 2, 2015 Council meeting, Council was presented with a proposal for a Roundtable on Watershed Management by Greg Roberts. Mr. Roberts outlined an interest-based approach which would provide a framework for the initiative. He provided a draft resolution for Council’s consideration. Council received the information and supported in principle the draft resolution and referred the presentation and materials to the CVRD, the Stz’uminus First Nation and Town of Ladysmith staff for review and comment.

In the summer of 2015, the community met to discuss the watershed. One of the outcomes of that community discussion was for a small group of interested participants (including the Town) to get together and discuss next steps. The attached DRAFT Terms of Reference for the Roundtable have been developed to provide some guidance for next steps.

Council has set Watershed Protection and Water Management as one of its top five strategic priorities for 2016 by stating that Ladysmith “Be leaders, stewards and advocates for the securing and protecting Ladysmith’s watershed, delivery of safe drinking water and responsible management of water resources”.

This report from staff delivers on actions identified by Council in the Strategic Priorities. Protection of the Watershed: Establish a Watershed Roundtable with community partners. Complete terms of reference and focus areas, such as signage and security (Action #4).

SCOPE OF WORK:

The City Manager represents the Town on the Roundtable and the scope of work falls within existing and allocated resources.

ALTERNATIVES:

Council may direct changes to the Terms of Reference, participation in the Roundtable is voluntary.

FINANCIAL IMPLICATIONS:

Funding exists in the Financial Plan to install signage and security.

LEGAL IMPLICATIONS:

Not Applicable.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There is support in the community for the creation of a Watershed Roundtable. Council has previously provided direction to refer the presentation and materials from this discussion to the Stz'uminus First Nation and the draft Terms of Reference has been referred to SFN.

DEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Other departments involvement with depend on priorities (Public Works for signage).

RESOURCE IMPLICATIONS:

Staff time is committed to support the planning and implementation of this work.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Establishment of community led, stewardship groups is a medium term priority in the Suitability Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

One of the 2016 Priorities is: Protection of the Watershed: Establish a Watershed Roundtable with community partners. Complete terms of reference and focus areas, such as signage and security.

SUMMARY:

It is recommended that Council review and support or provide direction to amend the draft "Terms of Reference" for the Roundtable on Watershed Management.

ATTACHMENTS:

Roundtable on Watershed Management – Terms of Reference

Draft 3
January 2016

Terms of Reference

Ladysmith Area Watersheds Roundtable

VISION:

The Ladysmith Area Watersheds Roundtable (LAWR) is based on a collaborative approach conduit of meaningful education and communication that involves First Nations, governments, land owners, forest companies, commercial interests and citizens' groups working closely and cooperatively on watershed issues.

MISSION:

The LAWR will provide a forum for watershed education, including key issues impacting Ladysmith's watersheds. Through a consensus-building approach, the LAWR will develop strategies and approaches to encourage action aimed at ensuring a healthy and biologically rich watershed for future generations – one that supports healthy drinking water, forestry and other economic activities, agriculture, fisheries, tourism, and recreational needs and acknowledges climate change factors.

ADVISORY IN NATURE:

The LAWR is advisory in nature. It does not have statutory or regulatory authority. Consensus at the roundtable on recommendations, decisions, actions, strategies, projects etc. are not binding on land owners, governments, companies or groups.

The discussion and decisions made at this roundtable do not abrogate agreements between or among First Nations, Federal, Provincial or Local Governments.

The LAWR will be guided by a "common sense" approach. The power of its work and implementation of recommendations will occur because there is consensus on actions that make sense. Those governmental or private sector decision makers operating in the watershed can proceed to implement actions knowing they have the backing of a broadly based stakeholder group.

GEOGRAPHIC SCOPE:

The LAWR will focus on the watersheds of the Ladysmith area including:

- All tributaries of the Holland Creek system from headwaters to estuary
- That portion of the Banon Creek watershed above the point of diversion of Banon Creek to above Holland Lake (a tributary of the Chemainus River but is considered within scope because the Town of Ladysmith has a water licence to divert flow into Holland Lake reservoir)

*Overlap with Banon Watershed Protection Plan (District of North Cowichan)

- Stocking Lake system including creek and estuary
- Heart Lake, Heart Creek, Stanton Creek and associated riparian areas adjacent to Ladysmith
- Bush Creek

PURPOSE:

The purpose of the LAWR is to provide a forum to share information, develop partnerships, pool intellectual resources, and use collaboration and innovation to improve the watersheds and solve problems. It is a results-focused working group that is interdisciplinary and ecosystem based; it blends technical and management working perspectives that reflect a community in the long term viability and health of the watershed.

GOAL:

The goal is to ensure that the ecosystems, streams, wetlands and lakes of the Ladysmith area are maintained in a healthy condition that supports the balancing of stakeholder values towards responsible use of available water supply and continued quality of water for domestic, agricultural, commercial and industrial needs.

OBJECTIVES:

The primary objectives of the LAWR include:

- to develop, over time, a shared understanding of the hydrology and ecology of the watersheds, their diversity, capacity, limitations and opportunities;
- to encourage educational opportunities to increase the public's knowledge of the Ladysmith area watersheds;
- to help understand and adapt the challenges of climate change;
- to continually improve resource management decision-making at the watershed and community level. To develop approaches to maintain recreational access to the backcountry while protecting private land interests and the ecological integrity of the watershed;
- to provide a forum for the development of an integrated watershed management plan;
- to provide a clearing house for ideas and information;
- to promote a respectful and safe environment for discussion of watershed limiting factors and potential solutions for restoration or enhancement;
- to identify, help implement and monitor habitat restoration and enhancement projects;
- as new information or research results become available, utilize speakers to broaden the local knowledge base and help project planning;
- liaise with other stewardship Roundtables and organizations espousing similar principles, objectives and activities, especially where there are important synergies to be gained from close cooperation;
- Liaise with potential stakeholders related to Banon Creek watershed outside of the Ladysmith Area.

MEMBERSHIP:

Membership is inclusive and is open to governments, organisations, the private sector, and individuals who express interest in the process, can add value and support building consensus.

Members will have demonstrated an understanding and acceptance of the LAWR Terms of Reference.

The core group members include:

- Stz'uminus First Nation
- Town of Ladysmith
- Cowichan Valley Regional District
- TimberWest
- Otter Point Timber
- Ladysmith Sportsmen's Club
- Advocates for Holland Creek
- Ladysmith Chamber of Commerce, Ladysmith Downtown Business Association
- BC Horseman Assoc.
- ATV users
- BC Timber Sales
- Fisheries and Oceans Canada
- Island Health
- Saltair Community Water Advisory Committee
- BC Ministry of Natural Resources – Forests, Lands and Natural Resources Operations

It is anticipated that the forum will encourage each member to present their groups background and interests at a meeting, on a rotational basis.

Core members are welcome to make recommendations to the table to invite new members and/or guests.

All meetings are open to the public. Discussion on the main agenda items are limited to members but each meeting will provide an opportunity for public questions or comment to ensure the LAWR is grounded and focused on issues or opportunities important to the community at large.

Members of the LAWR, and of the public, may be removed from LAWR meetings if, as determined by the chair, they are acting in a malicious, threatening, rude, or other manner that is inconsistent with the LAWR Code of Conduct.

DECISION MAKING:

Decision making is to be by consensus.

Consensus is defined as agreement among the designated representatives of each group. The goal is full consensus.

- Full consensus – all LAWR members agree and fully support the decision.
- Working consensus – not all LAWR members fully support the decision but all can agree to live with it.
- Every effort will be made to explore, understand and accommodate the interests of dissenting viewpoint(s).
- A full or working consensus is required before a decision/recommendation will be made by the LAWR.

A “Common Sense” approach will be taken. The objective of the LAWR is to identify common interests that will help to maintain a rich, healthy and biologically diverse watershed.

MEETINGS:

Code of Conduct

- Communication at meetings is to be respectful, considerate, honest, and issue focused.
- All viewpoints are to be encouraged, respected, and considered.
- The participants will make every effort to resolve issues at the table and will avoid seeking alternative decisions outside this process.
- The Chair (unless appointed otherwise by the group) is the spokesperson on all LAWR communications.

Location

- The meetings will be held in Ladysmith at a location to be determined

Scheduling

- Meetings of the core group will be held quarterly and the Ladysmith Watershed Area Roundtable, which will include the public, will be held semi-annually. (Subject to review by the LAWR, First Nations, and Local Government)

Chair

- The Chair will be chosen by the membership and will have a term of two years. Full consensus is the objective; however, as the group is advisory in nature the decision making of the group may arrive at less than consensus.

Roundtable Support

- A person to provide coordination and recording services for the meetings will be provided by one of the membership parties (TBD).

Sharing of Information

- The Chair is responsible for ensuring that an agenda is circulated prior to each meeting.
- The LAWR support person is responsible for recording the outcomes of each meeting and circulating draft and final copies to all participants.
- Periodic public newsletters and/or press releases may be prepared as needed.
- All participants will attend meetings prepared to address agenda items.
- A LAWR website posting these terms of reference, meeting minutes, agendas, and other publically relevant material will be created and maintained by the Town of Ladysmith as a sub-page of the Town of Ladysmith website.

REVIEW OF TERMS OF REFERENCE:

The terms of reference will be subject to review by membership every three years.

TOWN OF LADYSMITH

BYLAW NO. 1901

A bylaw to amend "Council Remuneration and Expense Bylaw 2001, No. 1427"

WHEREAS Council of the Town of Ladysmith has, by bylaw, set the level of remuneration and benefits available to elected officials;

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

1. Council Remuneration and Expense Bylaw 2001, No. 1427 is hereby amended as follows:

1.1. Delete Sections 3(1), 3(2) and 3(3) in their entirety and replace them with the following:

3(1) For 2016 and each subsequent calendar year, there shall be paid in monthly installments, out of annual revenue, an annual remuneration to Council members for discharge of the duties of office, as follows:

- (a) to the Mayor, the amount of thirty thousand, five hundred and fifteen dollars (\$30,515);
- (b) to the Councillors, the amount of fourteen thousand, four hundred and seventy-five dollars (\$14,475).

1.2. Delete Section 5(a) and replace it with the following:

5(a) Mileage accumulated on the Council member's own motor vehicle for travel outside the town of Ladysmith in accordance with established Canada Revenue Agency automobile allowance rates.

1.3. Add a new section 7 to read as follows:

- 7. Should a member of Council choose not to accept all or part of his or her remuneration, he or she must:
 - a) advise the Director of Financial Services in writing;
 - b) specify the requested amount of remuneration; and
 - c) specify the date this request will come into effect.

Such a request cannot be retroactive.

1.4. Renumber Section 7 to Section 8.

2. Repeal

Town of Ladysmith Council Remuneration Bylaw 2001, No 1427, Amendment Bylaw 2011, No. 1784, is hereby repealed.

3. Citation

This bylaw may be cited for all purposes as "Council Remuneration and Expense Bylaw 2001, No. 1427, Amendment Bylaw 2016, No. 1901".

READ A FIRST TIME on the 15th day of February, 2016

READ A SECOND TIME on the 15th day of February, 2016

READ A THIRD TIME on the 15th day of February, 2016

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1902

A bylaw to amend the Water Services Rates Bylaw 1999, No. 1298 of the Town of Ladysmith.

WHEREAS pursuant to the *Community Charter*, The Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

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

Amendment

1. Schedule "A" of "Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2015, No. 1873" is hereby replaced with the attached Schedule A.
2. The provisions of this bylaw shall become effective and be in force as of April 1, 2016.

Citation

3. This bylaw may be cited as "Town of Ladysmith Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2015, No. 1902".

READ A FIRST TIME day of

READ A SECOND TIME day of

READ A THIRD TIME day of

ADOPTED day of

Mayor (A. Stone)

Corporate Officer (S. Bowden)

SCHEDULE "A"

TOWN OF LADYSMITH

Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2016, No. 1902

1 METERED SINGLE UNIT DWELLING

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 26.95	
Next 26 m ³ to 50 m ³	\$ 0.6655	Per m ³
Next 51 m ³ to 75 m ³	\$ 0.7865	Per m ³
Next 76 m ³ to 100 m ³	\$ 0.9680	Per m ³
Next 101 m ³ to 125 m ³	\$ 1.2705	Per m ³
Over 125 m ³	\$ 1.6940	Per m ³

2 METERED SERVICE - all other users

Per billing quarter:

Base Rate, including consumption to 25 m ³	\$ 26.95	
Over 25 m ³	\$ 0.6050	Per m ³

3 NON-METER SERVICE

Per billing quarter: \$ 46.86 Per unit

4 SERVICE CONNECTION RATES

Where a service connection has not been previously provided to a parcel but where the Public Waterworks system front or abuts the parcel:

(A) 19 mm (3/4") service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances: \$2,400 per connection

(B) Larger than 19 mm (3/4") shall be at cost, but no less than: \$2,400 per connection

Where a service connection has been previously provided to a parcel:

(C) service connection including meter, meter box, meter setter, check valves, shut-off valves and other related appurtenances and is the requested size: \$ 100 per connection

(D) upgrading of that service is size including installation of a water meter, meter box, meter setter, check valves, shut-off valve and any other related appurtenances shall be at cost, but not less than: \$2,400 per connection

5 FINES

Every person who violates any provision of this bylaw shall be guilty of an offence punishable on summary conviction and shall be liable to a fine or to imprisonment for not more than 6 months, or both. Each day that a violation of the provisions of this bylaw occurs, exist or is permitted to occur or exists, shall constitute a separate offense. \$ 2,000 per offence

Effective April 1, 2016.

TOWN OF LADYSMITH

BYLAW NO. 1903

A bylaw to amend the Sanitary Sewer Rates Bylaw 1999, No. 1299 of the Town of Ladysmith.

WHEREAS pursuant to the *Community Charter*, The Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services:

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

Amendment

1. Schedule "A" of "Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2015, No. 1874" is hereby replaced with the attached Schedule "A".
2. The provisions of this bylaw shall become effective and be in force as of April 1, 2016.

Citation

3. This bylaw may be cited as "Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2016, No. 1903".

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (A. Stone)

Corporate Officer (S. Bowden)

SCHEDULE "A"

TOWN OF LADYSMITH

Sewer Rates Bylaw 1999, No. 1299, Amendment Bylaw 2016, No. 1903

SCHEDULE OF RATES

CLASSIFICATION		Sewer Charge Per Month
Residences or Apartments:	For each Dwelling Unit	\$16.80
Motels & Auto Courts:	Premises of owner or operator	\$16.80
	For each rental unit	\$ 2.57
Mobile Home Parks:	Public rest rooms and/or service rooms	\$16.80
	For each mobile home with sewer connection	\$16.80
Hotels:	Owners or managers quarters	\$16.80
	Per apartment for rent	\$16.80
	Per room for rent	\$ 2.57
Beer Parlours, Pubs, Licenced Cabarets & Lounges:	For each separately licenced area	\$35.02
Cafes, Restaurants & Dining Rooms:		\$35.02
Offices, Shops and Stores:	Per office, store & store unit not otherwise specified	\$16.80
Store(s) and Suites(s) combined:	Per store unit	\$16.80
	Per suite	\$16.80
Stores(s) and Office(s) combined:	Per store unit	\$16.80
	per office unit	\$16.80
Office Building:	per office unit	\$16.80
Laundry or Laundromat:		\$55.65
Services Stations and Garages:	Without car wash	\$16.80
	With car wash	\$37.43
Public or Social Club with licenced bar:		\$35.02
Church Hall, Public Hall or Lodge Room		\$13.02
Hospitals & Nursing Homes	per bed	\$ 7.82
Schools	per classroom, auditorium or office	\$16.80

Effective April 1, 2016



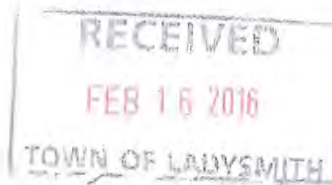
LADYSMITH COMMUNITY

Gardens
SOCIETY

525 Second Avenue,
Box 1653,
Ladysmith, BC
V9G 1B2
250-245-0070

info@ladysmithcommunitygarden.com
www.ladysmithcommunitygarden.com

Town of Ladysmith
PO Box 220
Ladysmith , BC
V9G-1A2



Dear Mayor and Councillors ,

Feb15,2016

I am writing on behalf of the Ladysmith Community Gardens Society to request the town to consider installing electricity at the Community Gardens.

Our Community Gardens is now been in operation for 6years now and we have no power there .
When ever something is needed to be repaired or installed we have to rely on battery operated tools,
which only last for a short period of time.

When we have an event we are borrowing power from across the back alley from one of the businesses.
Not the safest tactic to provide electricity to our events.

We are hoping to rebuild our garden beds this year and it certainly would be convenient to have
electricity for the saws and drills.

I have inquired about this issue with BC Hydro but they have informed me that it is the town's
responsibility to get it installed.

If it is a question of monthly utility costs that is something the society would look at covering.

I hope you will consider this request as it would make it possible to have more events hosted there and
much easier for the Society to maintain the garden beds and shed .

Thank you

Sincerely,

Mrs. Rita Balboni
President of the Ladysmith Community Gardens Society



2380-20

LADYSMITH RESOURCES CENTRE ASSOCIATION

File No:

630 Second Avenue, P.O. Box 1653, Ladysmith BC, V9G 1B2
Phone: 250-245-3079 ~ Fax: 250-245-3798
BC Society Reg. No. S-29335

February 29, 2016

Mayor and Council
Town of Ladysmith

I am writing to request that \$75,000 be withdrawn from funds which are held by the Town of Ladysmith, as per the terms of the LRCA's lease agreement on 630-2nd Ave. As you know, five years ago, \$365,000 from the sale of the LRCA's former location was given to the Town to be held in trust, with monthly draws of \$409 occurring to develop a future building maintenance fund. As of December 31, 2015 the balance still held in trust was \$337,444.58. This proposed withdrawal is in keeping with section 3.01 of the lease agreement which states that, upon renewal of a five-year term, sections 4.01, 8.01 and 13.02 can be reviewed and amended. These funds would be used to cover an anticipated 2016 operating deficit, necessary upgrades to computer systems at the LRCA, strategic planning consultations and a small contingency amount of \$3000 -5000 to use in the development of a communication strategy and promotional materials.

The LRCA has the option to renew the lease on 630-2nd Ave. (as of May 2016) for seven more five-year terms. At the current draw rate, approximately \$172,000 would still be held by the Town 35 years from now. This proposed withdrawal of \$75,000 leaves a healthy buffer as infrastructure in the building comes to the end of its service life.

The past year has been one of intense transition at the LRCA. Most notable was the replacement of our long term Executive Director Dennis Lait with Shannon Wilson. Last year also saw the LRCA Board of Directors assert themselves strongly in terms of governance. One of the key elements in this move toward strong governance has been our Finance Committee (Pat Denham Board Treasurer and CGA, Cathy Hyndman former Coast Realty Controller, Doug Layman CGA and Colleen Butcher MBA). This Committee will develop the allocation plan for this proposed draw for LRCA Board approval. The Finance Committee has brought a level of clarity to the financial position of the LRCA. This clarity informs the 2016 plans of our Fund Raising and Social Enterprise, Communications, Performance Assurance and Strategic Planning Committees, all of which have a lot of work in front of them to make the LRCA a sustainable organization. In short, the proposed draw is the best way to complete the transition as quickly as possible.

Now that our governance structure is up and running, we are looking to a solid future in strategic planning, better outreach and communication, long-term sustainability of existing programs and the addition of new ones that meet the needs of the community. However, we have, as an organization, a feeling of financial weight on our chest. Removing this weight would allow us to charge ahead in all of these areas. Approval of this draw of funds would mean the difference between scrambling to simply balance a budget, and engaging in activities that will not only allow the LRCA to survive, but thrive.

Thank you for your time in considering this request.

Regards,

Marsh Stevens
President, LRCA Board of Directors

~ We gratefully acknowledge the financial support of the Province of BC and the Town of Ladysmith ~
Web: www.lrca.ca

Email: info@lrca.bc.ca

TheTown of Ladysmith presently has two policy documents that govern communications: the **Communications Policy (2010)** and the **Information Technology Use Policy (2007)**.

The Town of Ladysmith **Information Technology Use Policy** states that use of email must respect the rights of individuals to privacy and freedom from harassment and intimidation. It also includes the tip to avoid using email to address sensitive topics like complex projects or issues. It recommends to “schedule a meeting”.

In addition to these policies, I suggest that we should include policy on **Council Communications** similar to that of The City of Duncan which recognizes that: The Mayor is the spokesperson for the City and individual Councillors should check with city staff before responding to or initiating e-mail communications with the public or press, and state whether the views are personal or the official stance of the city

Shared standards in the form of a code of conduct can help set a positive tone, provide consistency and thereby strengthen two way communication and public confidence

Jurisdictions such as Duncan, Lantzville, Courtenay, Whistler and Vancouver have recognized the possible pitfalls of a Council Member independently communicating with the public via email or through social media and emphasize the need for respectful dialogue. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision making.

I Move that Council direct staff to review the Town’s Communications Policy and Information Technology Use Policy for the purposes of ensuring both policies effectively address the issue of respectful and appropriate communications with both internal and external customers and incorporate best practices and report back to Council in this regard.