

T O W N O F L A D Y S M I T H  
G O V E R N M E N T S E R V I C E S C O M M I T T E E

*Mandate –To advise Council on a broad spectrum of issues related to departmental matters*

Monday, November 17, 2008 at 6:30 p.m.  
Council Chambers, City Hall

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A G E N D A

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•    October 20, 2008	
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**ADJOURNMENT**



# Town of Ladysmith

## GOVERNMENT SERVICES COMMITTEE

Minutes of a meeting of the Government Services Committee held in Council Chambers at City Hall on Monday, October 20, 2008 at 6:30 p.m.

### COUNCIL MEMBERS PRESENT:

Duck Paterson  
Jan Christenson  
Mayor Rob Hutchins

Scott Bastian  
Doug Fraser

### COUNCIL MEMBERS ABSENT:

Rob Johnson

### STAFF PRESENT:

Ruth Malli  
Sandy Bowden  
Joe Friesenhan  
Mark Hermanson

Felicity Adams  
Patrick Durban  
Rebecca Kalina

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The Chair, Councillor Duck Paterson, called the meeting to order at 6:31 p.m.

### AGENDA APPROVAL

2008-154: It was moved, seconded and carried that the agenda for the Government Services Committee meeting of Monday, October 20, 2008 be approved as circulated.

### MINUTES

2008-155: It was moved, seconded and carried that the minutes of the Government Services Committee meeting of Monday, September 15, 2008 be approved as circulated.

### REPORTS

The Committee received written reports on departmental activities from the City Manager; Directors of Parks, Recreation and Culture, Public Works, Corporate Services and the Manager of Development Services.

2008-156: It was moved, seconded and carried that it be recommended to Council that the contractor for the Chemainus Road upgrade be authorized to extend working hours for the project to Monday through Saturday from 7:00 a.m. to 6:00 p.m. daily beginning as soon as possible;

AND THAT the residents of Chemainus Road be advised of the change of hours of construction prior to Saturday, October 25th.

2008-157: It was moved, seconded and carried that the request to reduce or eliminate maintenance and utility costs for the Ladysmith Golf Club be referred to staff to provide an in depth analysis of costs associated with the operation of the Ladysmith Golf Course and report back to the Government Services Committee with a recommendation.

2008-158; It was moved, seconded and carried that it be recommended to Council that the issue regarding the draft Tree Protection Bylaw be referred back to staff and that staff be requested to prepare a report on the feasibility of implementing regulations pertaining to tree retention on bare land.

2008-159: It was moved, seconded and carried that it be recommended to Council that staff not pursue a Green Municipal Fund Transportation grant for the purchase of two electric trolleys for the Town of Ladysmith given the new information provided regarding the grant/loan program.

2008-160: It was moved, seconded and carried that it be recommended to Council that staff be requested to apply for funding under the Innovative Clean Energy Fund Program in the amount of one-third (approximately \$200,000) of the total estimated costs of

specific technical applications of the trolley system for the following objectives:

- i. Develop public transit in Ladysmith.
- ii. Increase the accessibility and quality of life for current and prospective residents.
- iii. Reduce carbon emissions from transportation.

2008-161: It was moved, seconded and carried that it be recommended to Council that staff be requested to apply for funding under the Real Estate Foundation of BC Grant program in the amount of \$100,000 for the following objectives:

- i. Acquire environmentally friendly electric trolleys.
- ii. Administrative and planning costs.
- iii. Community awareness and engagement initiatives.

2008-162: It was moved, seconded and carried that it be recommended to Council that staff be directed to prepare a revitalization tax exemption bylaw for new hotels that are issued building permits in 2009.

2008-163: It was moved, seconded and carried that it be recommended to Council that Town representatives meet with local sports groups to consider options for proposed improvements to Aggie Field.

#### **CORRESPONDENCE**

2008-164: It was moved, seconded and carried that the letter from Premier Gordon Campbell, Board Member of the British Columbia Achievement Foundation, regarding the British Columbia Community Achievement Awards request for nominations be received and referred to Council for further consideration.

#### **ADJOURNMENT**

2008-165: It was moved, seconded and carried that this meeting adjourn. (7:12 p.m.)

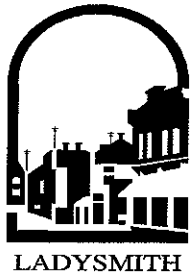
**CERTIFIED CORRECT:**

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Chair (Councillor D. Paterson)

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Corporate Officer (S. Bowden)



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Joe Friesenhan, Director of Public Works  
Date: October 21, 2008  
File No:

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Re: ADDRESS CHANGE

RECOMMENDATION:

That the strata council be advised that a second address sign, "332 Belaire", be installed at the East corner of the property facing Belaire Street.

BACKGROUND / HISTORY:

Council, at their regular meeting of October 6, 2008, requested staff to review the current signage at the corner of Dogwood Drive and 332 Belaire and consider either changing the address to a Dogwood Drive address or installing better signage. The parcel in question is a strata development that initially had its access onto Belaire Street prior to development taking place. With the development of the strata parcel, the intersection of Dogwood Drive and Belaire Street was upgraded and the access to the strata was designed to come off Dogwood Drive.

The address of the property on the East side of the strata units is 218 Dogwood and the address of the parcel across the road is 220 Dogwood Drive. This does not allow for another even number to be assigned to the strata property along Dogwood Drive without changing numerous other addresses.

The strata has installed a sign at the entrance along Dogwood identifying the address as 332 Belaire. There is no signage indicating the address along Belaire Street.

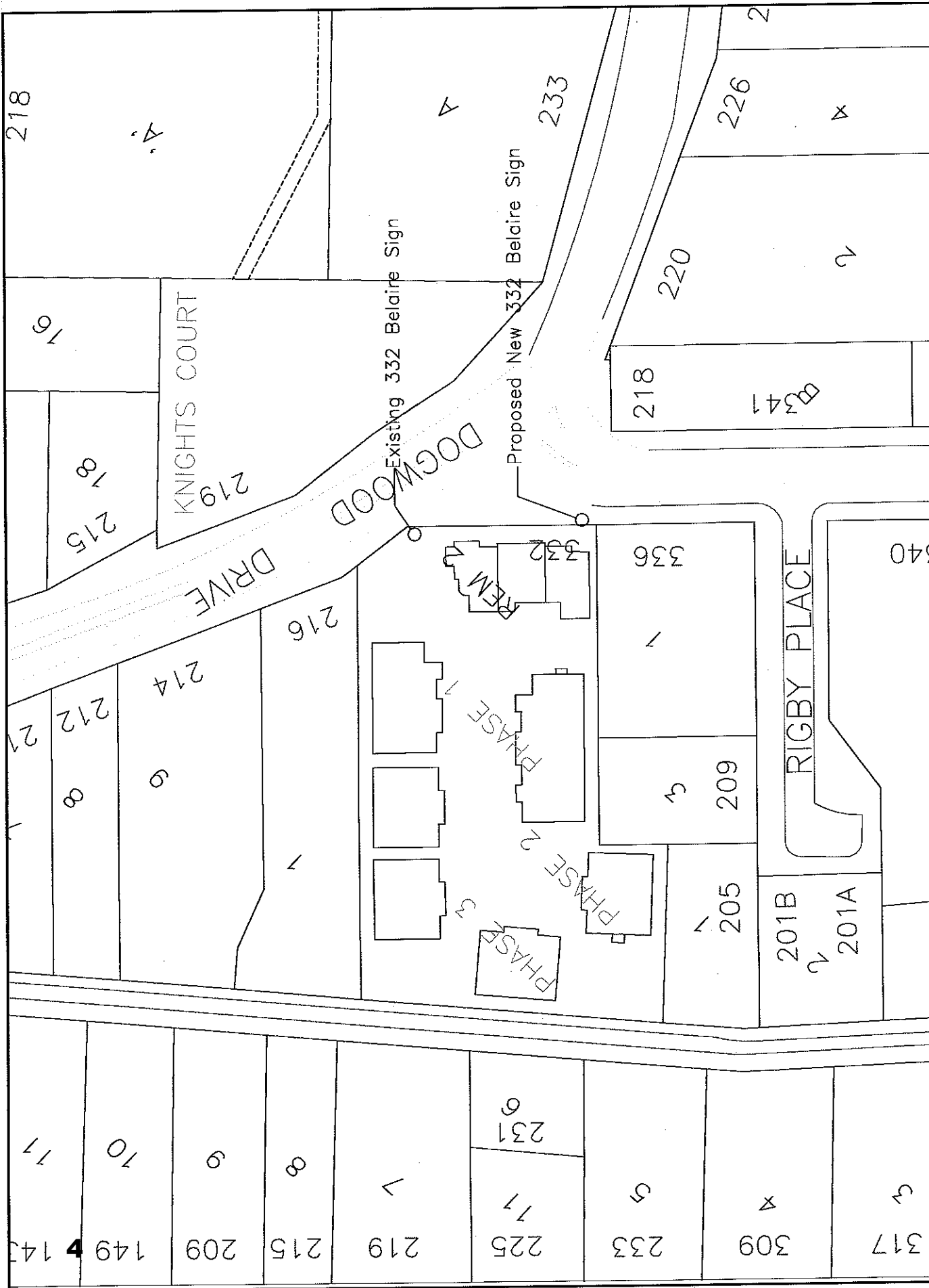
ATTACHMENTS:

Map.

I concur with the  
recommendation

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Ruth Malli, City Manager

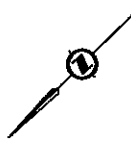


SHEET No: 1  
 SCALE: NTS  
 FILE: ACAD FILES\BASE MAPPIKA\LADYSMITH  
 DRAWN BY: Erg.  
 DATE: October 21, 2008

TOWN OF LADYSMITH  
 TITLE: DETAILS



INFORMATION SHOWN ON THESE DRAWINGS IS COMPILED FROM NUMEROUS SOURCES AND MAY NOT BE COMPLETE OR ACCURATE. THE TOWN OF LADYSMITH IS NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR DEFICIENCIES IN THESE DRAWINGS. CONFIRM UNDERGROUND LOCATION OF UTILITIES WITH UTILITY COMPANIES.



LEGEND	
ADDRESS TEXT	123
LEGAL LOT NO.	12
LEGAL PLAN NO.	123456
RIGHT OF WAY	---



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Manager of Development Services  
Date: November 12, 2008  
File No:

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Re: DCC REVIEW PROJECT – PREFERRED SCENARIO

RECOMMENDATION:

That the Government Services Committee provide direction to Staff on the assist factor for new development cost charges.

BACKGROUND / HISTORY:

At its meeting held August 18, 2008, the Government Services Committee received a report from the consultants working on the review of the DCC Bylaw. The Committee provided direction to staff to proceed with Option 4, and to review the commercial/industrial assist factor.

Current (2000) DCC Rates are as follows:

Land Use	Unit	Total - DCC
Single Family Residential	Per DU	\$8,884.77
Small Lot Single Family	Per DU	\$8,172.11
Multi Family Residential	Per DU	\$7,014.27
Commercial	Per m2 GFA	\$25.00
Industrial	Per m2 GFA	\$8.86

ANALYSIS:

Attached is a memo from the consultants providing revised DCC rates based on:

- 1% assist factor on all DCCs,
- 5%, 10% or 20% assist factor for the Roads DCC and 1% for all other DCCs,
- 5% assist factor for all DCCs.

The next stage in the project is to obtain Ministry feedback and undertake stakeholder review.

I concur with the recommendation:

Ruth Malli, City Manager

ATTACHMENTS:

Memo from S. Hurst, Leftside Partners Inc., dated November 10, 2008



# MEMO

**TO:** FELICITY ADAMS, MANAGER OF DEVELOPMENT SERVICES

**FROM:** SHERRY HURST, LEFTSIDE PARTNERS INC.  
ALLAN NEILSON-WELCH, NEILSON-WELCH CONSULTING INC.

**DATE:** NOVEMBER 10, 2008

**RE:** DCC UPDATE

Attached are the revised DCC rates based on what was referenced in a previous memo as Scenario 4. This scenario includes costs for developing the waterfront in the DCC, as directed by Council, despite the fact that it is acknowledged that the scope and cost of such projects may change. In addition, this option provides for a reduced rate for multi-family uses and commercial uses within the downtown core that recognizes the higher densities permitted in this area, as well as the reduced impacts of individual vehicle trips.

The rates have been adjusted from the last memo based on additional information regarding water and sanitary design densities and flows, as well as the type of industrial uses that are being encouraged (i.e. light industrial) and road rates reflect adjusted pass-by trips and internal capture rates. The resulting rates are as follows:

Land Use	Unit	Roads	Sanitary	Water	Bldg	Parks	Total
Single Family Residential	per dwelling unit	\$3,510.93	\$1,422.95	\$3,335.15	\$1,232.37	\$5,322.06	\$14,823.46
Small Lot Single Family	per dwelling unit	\$3,159.84	\$1,280.66	\$3,001.64	\$554.57	\$4,789.85	\$12,786.55
Multi-Family Residential	per dwelling unit	\$2,148.69	\$1,138.36	\$2,668.12	\$333.66	\$4,257.65	\$10,546.48
Downtown Multi-Family	per dwelling unit	\$1,604.89	\$1,138.36	\$2,668.12	\$267.02	\$4,257.65	\$9,836.05
Commercial	per m <sup>2</sup> of gross floor area	\$74.47	\$3.42	\$8.00	\$4.62		\$90.52
Downtown Commercial	per m <sup>2</sup> of gross floor area	\$42.56	\$3.42	\$8.00	\$2.77		\$56.75
Industrial	per m <sup>2</sup> of gross floor area	\$24.73	\$2.93	\$6.66	\$3.96		\$38.46
Institutional - Care Facility	per bed	\$788.77	\$711.48	\$1,667.58	\$164.32	\$2,661.03	\$5,993.16
Institutional	per m <sup>2</sup> of gross floor area	\$51.51	\$7.73	\$18.12	\$9.70		\$87.06

**See Attached List**

In addition to the adjusted rates above, the following chart illustrates the impact of changing the assist factor on the rates. Assist factors must remain the same for all land use categories within each type of infrastructure. For instance, the Roads DCC can have a different assist factor than the storm water DCC, but all land uses (single family, multi-family, commercial, industrial and institutional) would have the same assist factor within the infrastructure type (i.e. roads).

Given the size of the roads capital works program, the following provides an example of the impact on the combined rates of a 5%, 10% and 20% assist factor on only the roads DCC program, and for comparison, the impact of a 5% assist factor across all DCC programs (instead of just the roads DCC). If Council chooses to increase the assist factor, it should be recognized that the funds would need to come from elsewhere – typically from the general public (property taxes). That cost could be spread out over the life of the DCC program (22 years). The roads DCC program totals \$9,723,250, so a 1% assist factor represents \$97,235, and a 5% assist factor represents a municipal contribution of \$486,163. The cost would be spread across the life of the DCC program.

leftside partners inc.

**NEILSON-WELCH**  
CONSULTANTS TO GOVERNMENT





Land Use	1% Assist on all DCCs	5% Assist on Roads 1% all other DCCs	10% Assist on Roads 1% all other DCCs	20% Assist on Roads 1% all other DCCs	5% Assist on all DCCs
Single Family Residential	\$14,823.46	\$14,670.46	\$14,479.21	\$14,096.71	\$14,161.97
Small Lot Single Family	\$12,786.55	\$12,848.85	\$12,476.72	\$12,132.47	\$12,215.79
Multi-Family Residential	\$10,546.48	\$10,452.85	\$10,335.80	\$10,101.71	\$10,074.96
Downtown Multi-Family	\$9,838.05	\$9,770.47	\$9,688.49	\$9,524.54	\$9,395.54
Commercial	\$90.52	\$87.27	\$83.21	\$75.10	\$86.54
Downtown Commercial	\$56.75	\$54.89	\$52.58	\$47.94	\$54.25
Industrial	\$38.48	\$37.40	\$36.06	\$33.36	\$36.78
Institutional - Care Facility	\$5,993.16	\$5,958.79	\$5,915.82	\$5,829.89	\$5,724.57
Institutional	\$87.06	\$84.82	\$82.01	\$76.40	\$83.20

See Attached List

leftside partners inc.

**NEILSON-WELCH**  
CONSULTANTS TO GOVERNMENT

DCC - SCENARIO 4 (UPDATED)

Land Use	Unit	Roads	Sanitary	Water	Storm	Parks	Total
Single Family Residential	per dwelling unit	\$3,510.93	\$1,422.95	\$3,335.15	\$1,232.37	\$5,322.06	\$14,823.46
Small Lot Single Family	per dwelling unit	\$3,159.84	\$1,280.66	\$3,001.64	\$554.57	\$4,789.85	\$12,786.55
Multi-Family Residential	per dwelling unit	\$2,148.69	\$1,138.36	\$2,668.12	\$333.66	\$4,257.65	\$10,546.48
Downtown Multi-Family	per dwelling unit	\$1,504.89	\$1,138.36	\$2,668.12	\$267.02	\$4,257.65	\$9,836.05
Commercial	per m <sup>2</sup> of gross floor area	\$74.47	\$3.42	\$8.00	\$4.62		\$90.52
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Institutional	per m <sup>2</sup> of gross floor area	\$51.51	\$7.73	\$18.12	\$9.70		\$87.06

FROM:  
 NOV.10, 2008 DCC UPDATE MEMO, S. HU RST

DCC - SCENARIO 4 (ASSIST FACTOR VARIATIONS)

Land Use	1% Assist on all DCCs	5% Assist on Roads, 1% all other DCCs	10% Assist on Roads, 1% all other DCCs	20% Assist on Roads, 1% all other DCCs	5% Assist on all DCCs
Single Family Residential	\$14,823.46	\$14,670.46	\$14,479.21	\$14,096.71	\$14,161.97
Small Lot Single Family	\$12,786.55	\$12,648.85	\$12,476.72	\$12,132.47	\$12,215.79
Multi-Family Residential	\$10,546.48	\$10,452.85	\$10,335.80	\$10,101.71	\$10,074.96
Downtown Multi-Family	\$9,336.05	\$9,770.47	\$9,688.49	\$9,524.54	\$9,395.54
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Institutional	\$87.06	\$84.82	\$82.01	\$76.40	\$83.20

FROM:  
NOV.10, 2008 DCC UPDATE MEMO, S. HURST





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: S. Bowden, Director of Corporate Services  
Date: November 1, 2008  
File No:

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Re: Snow Angels - Nomination Based Community Awards Program

RECOMMENDATION

THAT Council support the Snow Angels nomination based community awards program to officially recognize volunteers in our community who provide snow clearing for neighbours in need during snowfalls;

AND THAT the program include \$500 from the 2009 Public Relations budget to be awarded to five Snow Angels in the amount of \$100 each on Monday, April 6, 2009.

BACKGROUND:

The Snow Angels Awards program has been in existence in Ladysmith since 2006 and has been an overwhelming success. Nominations over the two years of the program have far surpassed staffs' expectations, winners of the award were honoured to be nominated and the nominators we equally excited.

Once again residents would be invited to nominate neighbours or friends (by e-mail or letter to City Hall) for a Snow Angel award. Nominations would be accepted until Monday, March 16, 2008 at which time five entries would be drawn. The nominees would receive a prize of \$100 each presented to them at the April 6, 2009 Council meeting.

ATTACHMENTS:

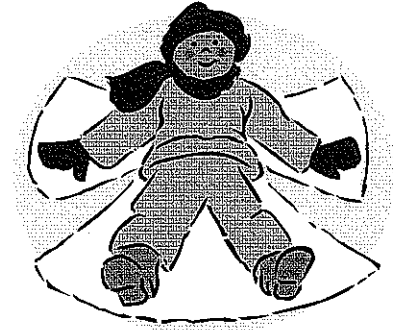
Snow Angels Advertisement

I concur with the  
recommendation

Ruth Malli, City Manager

# *Ladysmith Snow Angels*

*Recognizing neighbours who  
go the extra mile!*



Do you have a neighbour who regularly lends a hand to clear snow from your sidewalk? Did you know that you can nominate them for a Ladysmith **Snow Angel** award?

Some residents find it a challenge keeping their sidewalks free of snow and ice, particularly seniors or a neighbour with a disability. Most Ladysmith residents live within steps of a senior or a neighbour with a disability, and in many cases already provide a helping hand.

Why not nominate your neighbour for an award? Submit a letter or email explaining why you would like to nominate your neighbour (must be a Ladysmith resident) as a **Snow Angel**; and at the end of the winter season your **Snow Angel** will be eligible to win a cash prize! Draws will be made for five cash prizes of \$100 each, draw date scheduled for March 16, 2009. Winners will be honoured at the April 6, 2009 Council meeting.

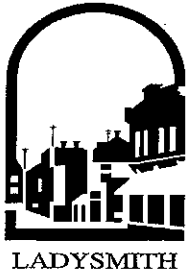
Submit your letters to:

Town of Ladysmith  
Snow Angels Program  
PO Box 220, 410 Esplanade,  
Ladysmith, BC V9G 1A2

Or

Email: [info@ladysmith.ca](mailto:info@ladysmith.ca)

Fax: 245-6411



Town of Ladysmith

**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: November 12, 2008  
File No: 1850-01

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Re: GRANT-IN-AID REQUEST - LADYSMITH CITIZENS ON PATROL VEHICLE FUEL CHARGES

RECOMMENDATION:

That Council authorize a grant-in-aid in the amount of \$1,000 for the Ladysmith Citizens on Patrol (LCOP) to cover fuel charges for the patrol van used for regular LCOP patrols and for the Speed Watch Program within the Town of Ladysmith and that the 5 Year Financial Plan be amended accordingly.

SUMMARY OF KEY POINTS:

On November 10, 2008 the Town received a request from the LCOP for financial assistance for fuel costs associated with their regular patrols and the Speed Watch Program. As noted in their letter (attached) the LCOP was provided with a \$1,500 credit at the Co-op Gas Station in 2008 for fuel charges. Due to escalating fuel costs they have exceeded this amount and it is estimated that they will require an additional \$500 for fuel costs to provide patrol services to the Town for the remainder of 2008.

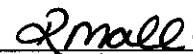
BACKGROUND / HISTORY:

In March of 2008 Council resolved that "...the LCOP be recommended as a regular recipient for a Grant-In-Aid, for their service to the community." In April Council authorized a grant to the LCOP in the amount of up to \$4,500. These funds were used to provide training for the LCOP's traffic control officials. The LCOP did not apply to the Town for a grant prior to 2008.

ANALYSIS:

Council's consideration of a grant in the amount of \$1,000 is requested to ensure that the LCOP's vehicle fuel costs are covered for the remainder of 2008. The Manager of Financial Services has identified a source of funds within the current grant-in-aid budget that would cover the cost of this grant.

I concur with the staff recommendation.



Ruth Malli, City Manager

ATTACHMENT:

Letter dated November 10, 2008 from Gus Armstrong, Coordinator of LCOP



Ladysmith  
Citizens On Patrol  
PO Box 280  
320 Sixth Avenue  
Ladysmith, BC  
V9G 1A2

November 10, 2008

City Manager  
Town of Ladysmith

### CITIZENS ON PATROL – PATROL VAN FUEL ACQUISITION

Prior to JUL05 the Ladysmith Citizens On Patrol (LCOP) used a Town Of Ladysmith van to carry out its patrols. It was indicated to us that as the van was falling into the intensive care area, it was going to be replaced by a pick-up truck, a vehicle not suitable to LCOP needs.

As the Community Policing Station was due for a new donated lease vehicle the NCO i/c the RCMP Detachment negotiated with the donor to make it a van that would be shared with the LCOP for their patrols. This came to be in JUL05 and suitable LCOP decals were included with the others on the van.

The Community Policing Station refuels the van with fuel made available by the Co-Op service station to a maximum of \$1, 500. As fuel prices escalated this year it was evident that with the increased usage of the van by LCOP for both patrol and Speed-Watch the \$1,500 would not see us to the end of the year. Consequently LCOP agreed to refuel the van during July and August at a cost of approximately \$500.

LCOP were advised that the \$1,500 will run out today and were asked to again start refueling the vehicle. It is estimated that it will cost another \$500.

Our primary source of funds comes from the LADYSMITH HOLLAND CREEK COP's CRUNCH (RUN/WALK) carried out on the last Sunday in May by our Volunteers. Our last run/walk in MAY08 resulted in but a marginal profit. Our current balance is such that we are not in a position to refuel the van for the rest of the year and meet our other financial commitments..

Your assistance is requested.

A.S. (Gus) Armstrong  
Coordinator





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Patrick Durban, Director of Parks, Recreation & Culture  
Date: November 12, 2008  
File No:

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RE: LADYSMITH FAMILY & FRIENDS GRANT APPLICATION

RECOMMENDATION

THAT the Government Services Committee recommend that Council support the Ladysmith Family and Friends (LaFF) application for a Major Capital Project Grant under the BC Gaming Branch Program in the amount of \$95,000 for operating their programs in the Agricultural Hall (Aggie Hall) and that their lease be extended to a five-year term, which is a requirement of this program.

BACKGROUND

LaFF has determined that a funding source from BC Gaming may be available to assist with further phases of the Aggie Hall upgrade, which could include a new roof, improving space requirements both for themselves and the Air Cadets, heating upgrades, playground relocation and other related improvements. In partnership with the Town, this application could fund up to 50-percent of the cost to a maximum of \$95,000, with the LaFF contribution being \$45,000 and the Town contribution being \$50,000.

In addition, a condition of the application requires a five-year lease term; LaFF have four years left on their lease, therefore, a one year extension to bring the lease term up to five years is recommended.

ATTACHMENTS:

None

I concur with the recommendation

Ruth Malli, City Manager





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Patrick Durban, Director of Parks, Recreation & Culture  
Date: November 12, 2008  
File No:

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RE: MID ISLE SOCCER GRANT APPLICATION

RECOMMENDATION

THAT the Government Services Committee recommend that Council support the Nanaimo and District Youth Soccer Association / Mid Isle Soccer Association application for a Major Capital Project Grant under the BC Gaming Branch Program in the amount of \$100,000 to assist with proposed upgrades to the Aggie Field; and that if a 5-year lease agreement for fields use is required that this be granted.

BACKGROUND

The Mid Isle Soccer Association (MISA) is committed to the Aggie Field project, which includes artificial turf, and is working in conjunction with the Nanaimo and District Youth Soccer Association (NDYSA) to provide the 50-percent funding for this program, with the NDYSA providing \$72,000 and MISA providing \$28,000. Together with the Towns for Tomorrow application, the Town of Ladysmith commitment and this grant, the project could become a reality.

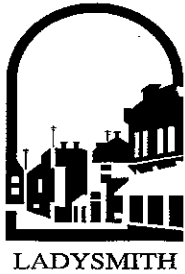
ATTACHMENTS:

None

I concur with the recommendation

\_\_\_\_\_  
Ruth Malli, City Manager





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Patrick Durban, Director of Parks, Recreation & Culture  
Date: November 12, 2008  
File No:

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RE: AGGIE HALL UPGRADE

RECOMMENDATION

THAT the Government Services Committee recommend to Council that the quote by Russell Food Equipment Limited for supply of kitchen equipment for the Aggie Hall in the amount of \$50,687.52, together with an estimate by Elm Electric for electrical upgrades and provision of three-phase power in the amount of \$20,000 be approved and that the Town's purchasing policy be waived in order that this work can be carried out in January 2009.

BACKGROUND

Following extensive review and research on the most acceptable layout and determination of kitchen equipment, with concurrence by the Ladysmith Secondary school staff regarding Russell Food Equipment Limited's quote for costs and brand of kitchen equipment, that the project proceed without further delay.

In addition, Elm Electric has determined that as well as major electrical upgrades, three-phase power is required to service the larger range and stove. It appears this may be feasible by accessing power from the outdoor field lights supply and brought to the building.

ATTACHMENTS:

None

I concur with the recommendation

Ruth Malli, City Manager





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Joe Friesenhan, Director of Public Works  
Date: November 12, 2008  
File No: 4020-20

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Re: REQUEST TO CLEAN UP PROPERTY AT #11 - 245 OYSTER COVE RD

RECOMMENDATION:

That Council authorize Public Works to clean up the property at #11 - 245 Oyster Cove Road and charge the owner for the clean up.

BACKGROUND / HISTORY:

This property has a history of untidy yard complaints. In August 2007, letters were sent to the registered owner requesting clean up. Numerous efforts were made and the owner did cut the weeds. A second complaint arose over the untidy yard again, and this time there were eight pallets of Stone Blocks, numerous lengths of Rebar, the weeds again overgrowing the lot.

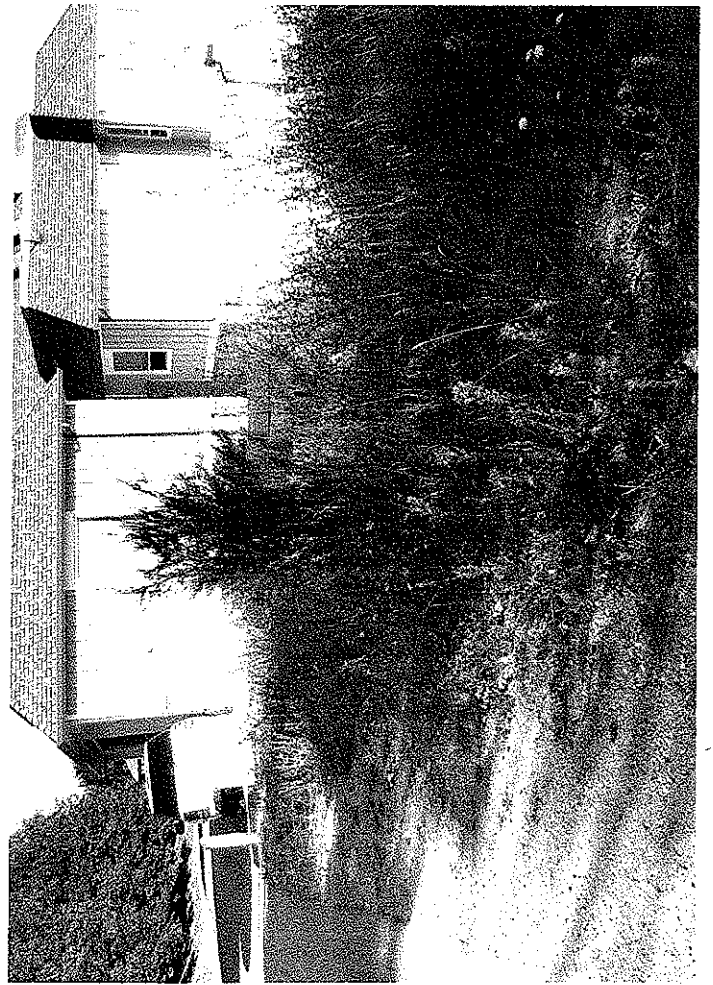
The new complaint was taken September 03, 2008, a letter was sent by registered mail and was not claimed. The owner was spoken to and stated he was going to fix up the lot and then sell the property. September 23<sup>rd</sup> a second letter was sent also by registered mail. A follow up phone call also September 23<sup>rd</sup> resulted in learning the voice mail was full. September 24<sup>th</sup>, voice mail was still full. October 08, voice mail left at the owner's home phone and asked to call this office. October 16<sup>th</sup>, another voice mail message was left to contact this office, pending a report to Council. On October 22, 2008 the owner was spoken to, where he stated he had been in the hospital, needed four days to recover and one week to get to town. A fourteen day timeline was agreed on by the owner to clean up the lot. A visual check November 12<sup>th</sup> showed no action on clean up.

ATTACHMENTS:

Photos

I concur with the  
recommendation

  
\_\_\_\_\_  
Ruth Malli, City Manager



Antony 2006 #1 395 4550a 2006



September 29, 2008

RECEIVED  
SEP 30 2008  
CITY OF LADYSMITH

Trolley Bus Committee

To all Concerned;

I am the owner of Ladysmith Taxi Services, and I wish to comment of the proposed "Trolley Bus" for Ladysmith. Over the past 3 years, I have worked hard to ensure that Ladysmith has a Taxi service that is respectful of its customers and can meet the needs of its residents. In order to do this, I have invested in excess of \$60,000.00 to purchase clean safe vehicles including a specialized van to transport those with disabilities. During the first years of my operation, I have had to subsidize its costs and just now at a point where it is showing signs of profitability. I employ 3 local drivers, one full time and two part time, and I pay various taxes to both the town and the province.

If you introduce the proposed "free" Trolley Bus system you will effectively put both my company and my competitor "Go Taxi" out of business. From my experience and my records, I have to question the viability of the proposed operation of a Trolley Bus. My records indicate that the demand for taxi service averages 20 to 25 trips per day on "good" days and about 50% of those trips as "return trips back to the riders homes. This means an estimate of 15 to 20 people require our services on these good days. Our records also show that our rider ship is often nil on some days especially Sundays. In my opinion these figures would be very similar for Go Taxi.

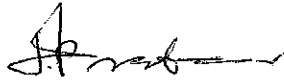
Seniors shopping and going to the doctor's office during the day is the bases of our business. This critical core allows us the justify staying in business so that we can meet the needs of others such as bar patrons who decide that they may have had to much to drink and need a taxi to take them home at midnight, or to rush people to the hospital during the night or the doctors in case of non ambulance needed emergency's.

I have been working on an application that would have increase a number of services for our residents such, as an expansion into Saltair, Airport and Ferry pickup and drop off. With out the base of our daytime customers, I can not see the viability of enhancing my present services, and I doubt that I will be able to continue my existing operation if it would revert back to a money losing operation.

When you are evaluating your plans for the proposed Trolley Bus, please take these factors into consideration. What value is it to the community to duplicate a public carrier service that is already licensed and available to the public if it will likely kill off the existing service?

My senior drivers and I are more than willing to work with you to help determine the number of potential riders and their needs. I believe that a reliable and affordable transportation service is required to serve the community. I don't think that Ladysmith can afford to lose it Taxi Service; it offers so much more than the proposed Trolley Bus. I believe that we have it now but let work together to find the best system that will work for the people and our existing transportation carriers, and that this system should be able to meet all the transportation needs of the community.

Respectfully yours;

  
Ladysmith Taxi

Cc. Mayor and Council  
Town of Ladysmith

**Sandy Bowden**

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**Subject:** Manufactured Homes Policy

**Attachments:** Langford 1.jpg; Langford2.jpg

**From:** Fred & Sue

**Sent:** October 20, 2008 5:47 PM

**To:** undisclosed-recipients

**Subject:**

As concerned owners of Manufactured Homes, we would like you to put on the agenda for the next council meeting Nov.3; discussion of the Langford Policy No 3030-00-1

The sale of Manufactured Home Parks and fair compensation for the owners of such homes. We would also like to know your personal position on the policy mentioned above,

Fred Snyder

Thank You



*att.*



## CITY OF LANGFORD

**SUBJECT:**  
**Manufactured Home Park Redevelopment Policy**

**SECTION: Land Administration**  
**POLICY NO: 3030-00-1 - Mobile**  
**Home Park Land Use**

**New Policy – Council Resolution of October 15<sup>th</sup>, 2007**

1. (a) That Council recognizes manufactured and modular home parks as an important source and supply of affordable housing in the City of Langford;
- (b) That the applicant of any manufactured home park site undergoing redevelopment applications will arrange and pay for the disposal of manufactured homes that cannot legally be relocated;
- (c) That the applicant of any manufactured home park site undergoing redevelopment applications will advise all tenants on options for relocating in the local and regional context in regards to market housing, non-market housing, and other manufactured home park opportunities;
- (d) That approval of any application for the redevelopment of any manufactured home park site be subject to an comprehensive plan for compensation, to the satisfaction of Council, in addition to the mandatory payment under the *Manufactured Home Park Tenancy Act*, wherein payment of a value equivalent to the assessed value of the mobile home are provided to tenants whose manufactured homes cannot be relocated, or where a site for relocation cannot be found;
- (e) That Council will waive the requirements of the Affordable Housing Policy with respect to the provision of affordable housing units where more than 15% of the number of manufactured homes in a manufactured home park site at the time of rezoning are retained as housing units and protected by a Section 219 covenant guaranteeing their ongoing use as affordable housing unless replaced by affordable housing units to the satisfaction of the City;
- (f) Applicant formulate, communicate and begin implementing components of the program as soon as possible after plans for the redevelopment are submitted and a copy of the relocation assistance plan is submitted to staff prior to public hearing.
- (g) The owner must advise all tenants affected by any proposed mobile home park redevelopment that an application for a mobile home site redevelopment has been made within 48 hours of the application to the City. A copy of this notice must be given to the City;
- (h) The owners of any mobile home park site proposing to redevelop to another residential zone provide recent tenants with a first refusal to purchase one of the new residential dwellings;
- (i) The applicant of any mobile home park site undergoing redevelopment applications provide all tenants of the park with a letter of at least 25 calendar days prior to the matter being presented to Council for their consideration. The letter shall advise tenants of their right to address Committee and Council during the process.
- (j) Establish a reserve fund as a support for owners of modular/manufactured in the event of the redevelopment of a modular/manufactured home park to a different use, and that Council allocate an amount equal to 10% of the municipal portion of the property taxes paid by manufactured homes in manufactured home parks to that fund, and that these monies be made available to homeowners through their non-profit manufactured home park associations by way of a municipal grant application.

**(Adds item 1(a) to (f) and item (j))**

**Amends: 3030-003**

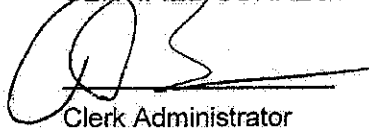
**DATED: February 20<sup>th</sup>, 2006**

**Old Policy read:**

- a) *The owner must advise all tenants affected by any proposed mobile home park redevelopment that an application for a mobile home site redevelopment has been made within 48 hours of the application to the City. A copy of this notice must be given to the City;*
- b) *The owners of any mobile home park site proposing to redevelop to another residential zone provide recent tenants with a first refusal to purchase one of the new residential dwellings;*
- c) *The applicant of any mobile home park site undergoing redevelopment applications provide all tenants of the park with a letter of at least 25 calendar days prior to the matter being presented to Council for their consideration. The letter shall advise tenants of their right to address Committee and Council during the process.*
- d) *Review taxation in Modular Home Parks and direct staff to allocate funds from taxes paid in mobile home parks for use in relocation in the event of redevelopment of the park and staff to research other jurisdictions on Mobile Home Park redevelopment policy.*

ADOPTED BY COUNCIL: October 15<sup>th</sup>, 2007

CERTIFIED CORRECT



Clerk Administrator



CVRD

DEVELOPMENT SERVICES  
POLICIES and PROCEDURES

**Title: Manufactured Home Park Re-Development Policy**

**Approval Date: February 13, 2008**  
**Board Resolution No. 08-055**

**Revision:**

**PURPOSE:**

To provide tenants with the opportunity for greater notification and assistance from development proponents than is currently required under the *Manufactured Home Park Tenancy Act*.

**INTENT:**

To provide Manufactured Home Park tenants with additional notification and assistance than that which is currently provided under the *Manufactured Home Park Tenancy Act*.

**POLICY:**

Prior to acceptance of an application to rezone, the Manufactured Home Park owner/applicant should submit verification that the following **Communication** has taken place with the tenants:

1. An information package has been delivered to tenants and posted on communal boards and in public facilities within the park which outlines:
  - a. That an application to rezone the park will be made to the Regional District.
  - b. The nature of the redevelopment plans being considered.
  - c. The affordable housing options that will result if the rezoning application is approved.
  - d. A tentative timeframe that is trying to be achieved.
  - e. The tenant's rights as per the Manufactured Home Park Tenancy Act and an explanation of the assistance to be provided as a result of the requirements of the Act.
  - f. The CVRD Manufactured Home Park Redevelopment Policy and explanation of the assistance to be provided as a result of the requirements of the Policy.
  - g. The CVRD Zoning Amendment Process.

Information packages should be delivered to each tenant at least 30 days in advance of a rezoning application being submitted to the Regional District.

Prior to consideration of First and Second Reading, the Manufactured Home Park owner/applicant should submit a **Relocation Report** that includes:

1. Demographic profile of residents including age, family size/structure, general income levels, housing needs/relocation option preferences, where this information is attainable.
2. Manufactured home profile, including condition and potential to be moved and compliance with the Building Code.
3. An outline of the affordable housing options available to tenants who will be displaced.



CVRD

## DEVELOPMENT SERVICES POLICIES and PROCEDURES

Prior to Public Hearing, the Manufactured Home Park owner/applicants should submit a **Relocation Plan** that should include the following, which is in addition to the statutory requirements under the *Manufactured Home Park Tenancy Act*:

1. Affordable housing options that will result if the rezoning application is approved.
2. A commitment to provide first right of refusal to existing tenants on the new dwelling units.
3. Arrangement for and paying of disposal fees of manufactured homes that cannot be relocated.
4. Arrangements for moving the tenant to another manufactured home park.
5. A commitment for unconditional compensatory payments of fair market value to tenants for those manufactured homes that cannot be moved or for those that decide to pursue other forms of accommodation.
6. An indication on the preferred options of the tenants.
7. A timeline for implementation of the Relocation Plan which has been developed in consultation with the tenants.

The Regional Board will consider each MHP redevelopment proposal in the context of a viable relocation plan submitted by the MHP owner/applicant, the content of the development application, notification and information provided to the MHP tenants, public input and the staff report.



C·V·R·D

## STAFF REPORT

### ELECTORAL AREA SERVICES COMMITTEE MEETING OF NOVEMBER 26, 2007

**DATE:** November 20, 2007 **FILE NO:**  
**FROM:** Tom Anderson, Manager **BYLAW NO:**  
**SUBJECT:** Manufactured Home Park Redevelopment Policy

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**Recommendation:**

That the Electoral Area Services Committee give consideration to the Manufactured Home Park Redevelopment Policy. And, if it is the desire to proceed with this policy, that a legal opinion be obtained prior to Regional Board approval.

**Purpose:**

To obtain direction from the Committee regarding the possible institution of a policy to protect tenants of zoned Manufactured Home Parks (MHP) that are proposed for redevelopment.

**Financial Implications:**

N/A

**Interdepartmental/Agency Implications:**

N/A

**Background:**

After considerable discussion over the last number of months, along with delegations to the Regional District from manufactured home park tenant groups, the Electoral Area Services Committee passed the following motion:

**“That a staff report be prepared for discussion at an upcoming EASC meeting respecting existing mobile home park concerns.”**

As a consequence of the fact that increasing land prices and lucrative financial opportunities may be gained from redevelopment of existing Manufactured Home Parks, manufactured home park owners are attempting to redevelop long established parks in all high-growth regions of the province.



To help set the context, there are approximately 22 manufactured home parks within the Electoral Areas of the Regional District. Fifteen of the 22 are appropriately zoned for Manufactured Home Parks and 7 are zoned for single family residential, commercial and industrial and are thus legal non-conforming uses. Within these parks there are approximately 800 manufactured home pads. Almost all are rental pads except for a small number, which are on strata titled properties. It can be safely said that many of the residents of these parks are retired and/or are living on fixed incomes. As such, the impact that this movement could have on the supply of this important affordable housing option, is significant.

The *Manufactured Home Park Tenancy Act* is the provincial legislation that regulates manufactured home park owners and their tenants. The Act provides some basic rules and regulations under which the owners and tenants must abide. However, the Act is relatively silent when it comes to providing assistance to tenants who are faced with displacement from an owner wishing to proceed with the redevelopment of their site. The Act states:

- An owner can give twelve-months notice to tenants if the manufactured home park is to be converted to a different use;
- An owner must have all necessary permits and approvals in place before notice is issued (it is not permitted to leave the land vacant or end a tenancy on a site that will not form part of the new development);
- An owner must pay the tenants twelve months' rent upon redevelopment notice;
- A tenant may apply for arbitration within fifteen days of notice, otherwise accepts the notice to terminate tenancy.

The problem with the existing legislation is that:

- There are very few vacancies in other manufactured home parks in which to move existing manufactured homes to.
- Many of the manufactured homes cannot be relocated due to the fact that they no longer meet the present building code regulations.
- There is no provision requiring the owners to provide financial assistance to tenants that are forced to move.

Thus, many tenants are left in a situation where they cannot find another park to move to or their investment in their manufactured home is worthless because it cannot legally be moved to a new site. All in all, an untenable situation for those that are retired and/or living on fixed income.

A number of local governments in the province have responded to this situation by adopting policies geared to providing additional assistance to the tenants that is not required under the existing legislation. In situations where Manufactured Home Parks are on lands that are properly zoned, a Manufactured Home Park Redevelopment Policy should be of significant help to those who may be forced to relocate. Most policies passed recently by other local governments supplement the *Manufactured Home Park Tenancy Act*. They are designed to provide assistance to MHP tenants by providing:

- Advance notice to tenants of development applications and what they're rights are and how they will be assisted,

- An assessment of their housing needs and affordable housing options available if they have to relocate, and
- A plan outlining the arrangements made to assist the tenants' move to new accommodation (including compensation for such).

It should be noted that these policies are only applicable to manufactured home parks which are properly zoned and would require the owner to undertake a rezoning application process in order to change the use on the property. As noted above, there are a number of manufactured home parks within this regional district that exist in a legal non-conforming situation. In these cases, if the owner wishes to redevelop in accordance with existing zoning, then the policy will have no force and effect.

The policy that is attached that Planning staff put forward for consideration, requires the owners of the Manufactured Home Parks to assist in the future residency of the tenants without infringing on the owners' right to consider redevelopment options.

At the Regional Board meeting on November 14, 2007, it was questioned whether it may be prudent to encourage MHP owners to convert their parks to strata developments as a way of realizing profit from their investment rather than proceeding with a rezoning application for some other use which results in the associated upheaval for the tenants in the park.

There are two forms of strata developments that could take place within existing MHP's. A Strata Conversion under the *Strata Property Act* allows for previously occupied buildings to be converted into strata lots provided the buildings which are being converted are in substantial compliance with the building code and other relevant bylaws of the regional district. Given these basic statutory requirements, manufactured homes that do not meet the building code and parks that are not properly zoned, could not be converted to strata lots under this Act. Further, for those parks that are properly zoned with manufactured homes that do meet the building code, this provision may still not be the best solution due to the fact that the lot lines for the subdivision are the building walls. As such, if the manufactured home were to be replaced, a new subdivision would have to take place creating a new lot using the outline of the new structure. This would mean that the driveway, garden area and any outbuildings would be located on common property not within the strata lot which is not an ideal situation.

The second form of strata development is a Bare Land Strata. This is the more common method of subdivision of MHP's. As noted, there is a MHP within the area that has been subdivided in this manner. This is the most desirable method of subdivision in that it subdivides the land not just the building. In the end, the tenant ends up with title to a small portion of land which is large enough to accommodate the manufactured home, driveway, outbuildings and garden area. The roads and other communal facilities are shared as the common property. The key regulatory requirement is that the land is properly zoned for the use intended. The building code requirements would come into effect only when a new structure is brought onto the site. Whether MHP owners would be agreeable to such a proposal, remains to be seen.

It should be noted that the above comments pertaining to Strata Conversions and Bare Land Strata's are very generalized comments and a legal opinion should be sought on a specific situation if either of these options are to be pursued.

In addition to the draft policy, which is attached for consideration, also attached for reference purposes are a number of other local government policies pertaining to the redevelopment of manufactured home parks.

Submitted by,

Tom Anderson,  
Manager  
Development Services Department

TA/ca

**Cowichan Valley Regional District**

**MANUFACTURED HOME PARK  
RE-DEVELOPMENT POLICY**

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**Purpose:**

To provide tenants with the opportunity for greater notification and assistance from development proponents than is currently required under the *Manufactured Home Park Tenancy Act*.

**Intent:**

To provide Manufactured Home Park tenants with additional notification and assistance than that which is currently provided under the Manufactured Home Park Tenancy Act.

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**Policy:**

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  - g. The CVRD Zoning Amendment Process

Information packages should be delivered to each tenant at least 30 days in advance of a rezoning application being submitted to the Regional District.

Prior to consideration of First and Second Reading, the Manufactured Home Park owner/applicant should submit a **Relocation Report** that includes:

1. Demographic profile of residents including age, family size/structure, general income levels, housing needs/relocation option preferences, where this information is attainable.
2. Manufactured home profile, including condition and potential to be moved and compliance with the Building Code.
3. An outline of the affordable housing options available to tenants who will be displaced.

Prior to Public Hearing, the Manufactured Home Park owner/applicants should submit a **Relocation Plan** that should include the following, which is in addition to the statutory requirements under the Manufactured Home Park Tenancy Act:

1. Affordable housing options that will result if the rezoning application is approved.
2. A commitment to provide first right of refusal to existing tenants on the new dwelling units.
- ~~3. Arrangement for and paying of disposal fees of manufactured homes that cannot be relocated.~~
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The Regional Board will consider each MHP redevelopment proposal in the context of a viable relocation plan submitted by the MHP owner/applicant, the content of the development application, notification and information provided to the MHP tenants, public input and the staff report.





# Arts Council of Ladysmith & District

Mayor and Council,  
Ladysmith, B.C.

October 25, 2008

Dear Mayor Hutchins

On Behalf of the Arts Council of Ladysmith, thank you for attending our opening and reception of the 4<sup>th</sup> Annual Multi Media exhibition earlier this month.

As one of the founding members and currently the Vice President of the Arts Council, I would also like to acknowledge the opportunity the town has given us to promote the arts in Ladysmith by the use of the Expos Legacy Building. Volunteer hours from the conception of the gallery to the actual opening are 696 hours. Volunteer hours for the Gallery from September 13, 2006 to September 30, 2008 are 4140 hours. Visitors to the Gallery for the same time period are 6277. In addition, our membership is steadily increasing.

As a participant in the recent Visioning Workshops held by the town, it became obvious that the arts and culture sector played a significant role in what people wanted to see happen in Ladysmith. The Expo Legacy Building provides a wonderful venue for the expansion of the arts.

We are very excited about the possibility that we may acquire additional space in this heritage building. One of our thoughts is to have individual studio space for working artists. Not only would this increase the profile of the building, but it would provide a place to create a thriving, active artistic community and has the potential of attracting many new people and new ideas.

The arts and cultural sector makes a very significant contribution to the Canadian economy while employing many thousands of people. According to statistics, its contribution to the GDP (gross domestic product) in 2003-4 was nearly \$40 billion. In 2003, BC residents spent more on live cultural and performing arts (\$120 million) than on live sports events (\$75 million).

The Arts Council believes a healthy community is one that values and supports the arts. We believe there is a positive link between the economic health and development of a community to the success of arts and culture in that community.

The Arts Council look forward to working with the town to help create an expanded arts centre that will have enormous potential to bring greater prosperity to Ladysmith.

Yours sincerely,

Bonnie Cruickshank  
Vice President

