



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, JANUARY 5, 2009
at 7:00 P.M.**

AGENDA

CALL TO ORDER

Page

1 **AGENDA APPROVAL**

2 **EXECUTIVE SESSION (6:00 p.m.)**

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

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

3 **ARISE AND REPORT**

4 **MINUTES**

Adoption of following minutes:

- Regular Meeting of December 1, 2008
- Special Meeting of December 15, 2008

**1 - 5
7 - 8**

5 **DELEGATIONS**

5.1 Presentation to Winner of Ladysmith Trolley Logo Competition
Ms. Carleigh Yeomans

5.2 Celeste Zimmer, Environmental Education Facilitator – Nanaimo Recycling Exchange
Re: Environmental Education Program

6 **PUBLIC HEARINGS**

None

7 **BYLAWS (OCP / ZONING)**

None

8 **PROCLAMATIONS**

None

9 **DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS**

	<u>Page</u>
9.1 <u>Development Variance Permit 3090-08-07</u> Shoa Organizational Services Ltd. Battie Drive and Thetis Drive (Lots 1 to 30, District Lot 52, Plan VIP (TBD))	9 – 18
10 COUNCIL COMMITTEE REPORTS	
<u>Mayor R. Hutchins</u> CVRD; Task Force on Emergency Preparedness; Trolley Committee; Early Years Partnership	
<u>Councillor S. Bastian</u> Advisory Planning Commission; Protective Services Committee; Trolley Committee	
<u>Councillor J. Dashwood</u> Protective Services Committee; Trolley committee; Liquid Waste Management Committee	
<u>Councillor S. Arnett</u> Economic Development Commission; Parks, Recreation & Culture Commission; Chamber of Commerce	
<u>Councillor D. Paterson</u> Government Services Committee; Parks, Recreation and Culture Commission; Celebrations Committee; Festival of Lights	
10.1 <u>Government Services Committee Recommendations</u> Re: December 15, 2008 Meeting Recommendations	19
<u>Councillor L. Evans</u> Heritage Revitalization Advisory Commission; Community Health Advisory Committee; Social Planning Cowichan	
<u>Councillor B. Whittington</u> Vancouver Island Regional Library Board; Advisory Design Panel; Environment Commission	
11 STAFF / ADVISORY COMMITTEE REPORTS	
11.1 <u>Fire Chief</u> Re: Fire Chief’s Report for October and November, 2008	21 – 22
11.2 <u>Building Inspector</u> Re: Building Inspector’s Report for October and November, 2008	23 – 24
11.3 <u>Approving Officer</u> Re: Bylaw 1663 Russell Road Closure	25 – 30
11.4 <u>Director of Public Works – (Report to be distributed at meeting.)</u> Re: Water Main Break - Arbutus Crescent/Dogwood Drive	
11.5 <u>City Manager</u> Re: Leadership BC – Ladysmith 5 – Start Cultural Connections Project	31 - 33
11.6 <u>City Manager</u> Re: Canadian Action on Energy and Emissions Gold Program Grant	35
12 CORRESPONDENCE	

	Page
12.1 <u>T. Hughes, Coastal Animal Control Services of BC Ltd.</u> Re: Pound Report for October and November, 2008	37 - 38
12.2 <u>J. Barry, Corporate Secretary, Cowichan Valley Regional District</u> Re: Written Consent Requested for CVRD Bylaw No. 3235 – Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2008	39 - 43
13 BYLAWS	
13.1 <u>Town of Ladysmith Highway Closure and Dedication Removal Bylaw 2008, No. 1663</u> Re: May be read for a third time.	26 - 27
14 NEW BUSINESS No new business.	
15 UNFINISHED BUSINESS No unfinished business.	
16 QUESTION PERIOD	

ADJOURNMENT



Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, December 1, 2008 at 7:00 p.m.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins	Duck Paterson
Scott Bastian	Steve Arnett
Jill Dashwood	Lori Evans
Bruce Whittington	

STAFF PRESENT:

	Joanna Winter
Sandy Bowden	Ruth Malli

INAUGURAL COUNCIL MEETING

The Corporate Officer, Sandy Bowden, called the meeting to order at 7:00 p.m.

The Corporate Officer administered the Oaths of Office to the Mayor and Councillors, and congratulated them on their Council positions.

Mayor Hutchins assumed the Chair of the meeting (7:08 p.m.) and proposed the following appointments, calling for resolutions as required.

Appointment: Deputy Mayor

Mayor Hutchins appointed Councillor Duck Paterson as Deputy Mayor

Appointment: Parcel Tax Review

Mayor Hutchins appointed Councillors Scott Bastian, Jill Dashwood and Lori Evans to the Parcel Tax Review Panel.

Appointment: CVRD Director

2008-607 It was moved, seconded and carried that Mayor Robert Hutchins be appointed as a Director to the Cowichan Valley Regional District Board.

Appointment: CVRD Alternate Director

2008-608 It was moved, seconded and carried that Councillor Steve Arnett be appointed as an Alternate Director to the Cowichan Valley Regional District Board.

Appointment: Vancouver Island Regional Library Board Director

2008-609 It was moved, seconded and carried that Councillor Bruce Whittington be appointed as a Director to the Vancouver Island Regional Library Board

2008-610 It was moved, seconded and carried that Councillor Lori Evans be appointed as an Alternate Director to the Vancouver Island Regional Library Board.

Appointment: Standing and Community Committees

Mayor Hutchins made the following appointments to Council Advisory Commissions/Committees

Advisory Design Panel

- Council Liaison: Bruce Whittington
- Alternate: Jill Dashwood

Advisory Planning Commission

- Council Liaison: Scott Bastian
- Alternate: Bruce Whittington

Economic Development Commission

- Council Liaison/Member: Steve Arnett
- Alternate: Duck Paterson

Environment Commission

- Council Liaison: Bruce Whittington
- Alternate: Rob Hutchins

Heritage Revitalization Advisory Commission

- Council Liaison: Lori Evans
- Alternate: Rob Hutchins

Liquid Waste Management

- Council Liaison: Jill Dashwood
- Alternate: Rob Hutchins

Local Government Services Committee (Committee of the Whole)

- Chair: Duck Paterson
- Members: All members of Council

Parks, Recreation & Culture Commission

- Council Liaison: Duck Paterson
- Council Liaison: Steve Arnett
- Alternate: Scott Bastian

Protective Services Committee

- Chair: Scott Bastian
- Council Liaison: Jill Dashwood
- Alternate: Rob Hutchins

Trolley Committee

- Chair: Rob Hutchins
- Council Liaison: Jill Dashwood
- Council Liaison: Scott Bastian

Task Force on Emergency Preparedness

- Council Liaison: Rob Hutchins
- Alternate: Jill Dashwood

Mayor Hutchins made the following Community Liaison Appointments

Celebrations Committee

- Council Liaison: Duck Paterson
- Alternate: Scott Bastian

Chamber of Commerce

- Council Liaison: Steve Arnett
- Alternate: Jill Dashwood

Community Health Centre

- Council Liaison: Lori Evans

- Alternate: Rob Hutchins

Ladysmith Early Years Partnership

- Council Liaison: Rob Hutchins
- Alternate: Lori Evans

Festival of Lights

- Council Liaison: Duck Paterson
- Alternate: Steve Arnett

Social Planning Cowichan Affordable Housing Directorate

- Council Liaison: Lori Evans
- Alternate: Bruce Whittington

Bank Signing Authority

2008-611 It was moved, seconded and carried that the City Manager, Director of Corporate Services, Manager of Financial Services or Manager of Accounting; together with one member of Council, be authorized bank signing authorities effective December 1, 2008

Inaugural Address

Mayor Hutchins presented his inaugural address.

I would like to begin by congratulating each member of Council on your successful election bid. I applaud all candidates for having the courage to let their name stand, and conducting an election campaign that demonstrated both a commitment to, and passion for this community.

For those of you new to local government, I know you will find your time here extremely rewarding. Local government can be a powerful creative force that has a direct positive influence on the lives of all of our citizens. You are fortunate to have the opportunity to provide a leadership role in such a community where the spirit of volunteerism, caring and generosity is so prevailing. I believe the 'sense of pride' in Ladysmith and the 'sense of community' in our town is second to none in the province of British Columbia.

I know that each one of you bring to this table a list of ideas and projects to better our Town that you would like to see completed during your term in office. In the days ahead we will, in consultation with our advisory commissions, our staff, and the community at large, review existing initiatives, establish goals and as a team develop a work plan for the next few years. It is critical that we come together and work as a cohesive team, in order to best seize the opportunities and address the challenges that lay ahead.

We, as all communities across the world, now face unprecedented global environmental changes. Changes, that scream "for a call to action" on the local, provincial, national and international stage. No longer can we continue with past practices, no longer can we be complacent and expect others to lead the way. Individually and collectively, we must dramatically reduce our negative impact on the environment, and we must make a greater effort to restore the balance of nature in our air, on our land, and in our water.

As we move forward we must ensure that every action, every project, every practice, we undertake is viewed through an environmental lens. At the local government level, we need to champion within our community the best practices that will lead to:

- Growing and buying more local food.
- Establishing the use of public transit.
- Shopping local whenever possible.
- Developing sustainable local employment.
- Facilitating the use of the electric vehicle.
- Producing energy through geothermal, biomass, wind, water, and solar.
- Treating our sewerage to tertiary levels.
- Making the goal of zero waste a reality.
- Building up rather than out.
- Ensuring our water supply is sustainable.

The stage has been set for local action. Both at the local and regional level we have established environment

commissions. Just last month, a strategic vision, "12 Big Ideas," was adopted by the Regional District and an Energy Plan was adopted by the Council of the Town of Ladysmith. In the latter portion of 2008, we completed a visioning process within the Town of Ladysmith that calls for a fundamental change in the form and character of future development in our community.

As a Council it is our collective responsibility to help ensure that these visions and actions become part of the culture of our community. We are in a time of immense change. We are also in a period of transition, we will stumble, we will have set-backs, but the ultimate goal of truly becoming a sustainable community is achievable; a community where we meet our needs, but not at the expense of our children or our grandchildren.

At the conclusion of 2008, we are also faced with unprecedented economic events on an international scale. Globally, we have begun to chart a new economic course, to an uncertain destination. The uncertainty surrounding what lies ahead has already left its impact in our small community. Many of our seniors have lost significant amounts of their retirement savings, our forestry industry has been devastated with the economic collapse in the U.S., the real estate market is on pause, the booming development and construction industry is already beginning to stall, our shops on First Ave. have already begun to feel the first touch of a slow down. Whether we indeed enter a full recessionary period or not is yet to unfold.

We have experienced periods of economic recession in the past...in recent memory the recession of the 1980's ravaged our community for some seven to eight years. Most recently, the Asian-flu created financial havoc from 1998 until 2003. In both those recessionary periods the Town of Ladysmith seized the opportunity to invest heavily in building our community that in subsequent years served the Town well...whether it was 1st or 2nd Stage 1st Ave. Revitalization, or the re-make of Transfer Beach Park.

If a slow down does occur in 2009/2010 we must take the opportunity to ensure that we put in place, the best practices for the next inevitable period of rapid growth. We can also seize the opportunity to develop our local economy by fostering green industry. If we are to truly move forward to becoming a sustainable community, we must end the historical separation between economic and environmental initiatives.

As a Council we are collectively supported by a small army of citizens. We are well served by a dedicated staff, who has demonstrated time and time again a tremendous commitment to this community. We are also well served by a host of community volunteers, serving on some ten advisory bodies to Council, whose collective wisdom will help ensure that the course we set is the best it can be possibly be.

Our home town is located on one of the most beautiful islands in the world. It is a place that others from the rest of Canada dream of moving to. We are richly blessed. We have much to be thankful for. I ask you to join with me and work to ensure our actions, our built community, adds to and does not take away from □this rich natural setting.

I ask that we join together and continue to build a community all citizens are proud to call home, a community that is truly fit for our children and our children's children.

AGENDA APPROVAL

Mayor Hutchins called the Regular Meeting of Council to order at 7:22 p.m.
Mayor Hutchins requested Council's consideration of the following addition to the Agenda:
- 'Recognition' under Unfinished Business

2008-612 It was moved, seconded and carried that the agenda be adopted as amended.

MINUTES

2008-613 It was moved, seconded and carried that the minutes of the Regular Meeting of November 3, 2008; the Special Council Meeting of November 17, 2008; and, the Special Council Meeting of November 24, 2008, be adopted as circulated and that the Minutes of the meeting of November 24, 2008 be amended by changing 'Sustainability Initiative' to 'Visioning Initiative' under Questions.

UNFINISHED BUSINESS

Recognition of Service on Council
Mayor Hutchins and Councillor Paterson presented outgoing Councillors Doug Fraser and

Rob Johnson with gifts of appreciation and thanked them for their service during their two terms on the Town of Ladysmith Council.

ADJOURNMENT

2008-614 It was moved and carried to adjourn the meeting at 7:20 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)



Town of Ladysmith

Minutes of the Special Meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, December 15, 2008 at 7:12 p.m.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Scott Bastian
Duck Paterson

Steve Arnett
Jillian Dashwood
Bruce Whittington

COUNCIL MEMBERS ABSENT:

Lori Evans

STAFF PRESENT:

Ruth Malli
Rebecca Kalina

Sandy Bowden

Mayor Hutchins called the meeting to order at 7:12 p.m.

AGENDA APPROVAL

The Mayor requested Council's consideration of the following addition to the agenda:
2.1 - Delegation - Paul Legacy, President, Ladysmith Royal Canadian Legion

2008-615: It was moved, seconded and carried that the agenda for Monday, December 15, 2008 be adopted as amended.

DELEGATIONS

Paul Legacy, President, Ladysmith Royal Canadian Legion, presented the Mayor with a \$500 cheque for the Trolley Fund. Mayor Hutchins thanked Mr. Legacy for the Legion's generous contribution to the fund.

BYLAWS (OCP/ZONING)

2008-616: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 19), 2008 No. 1652 be adopted.

2008-617: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 67), 2008, No. 1653 be adopted.

DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

2008-618: It was moved, seconded and carried that Development Permit 2060-08-16 for 336 Belaire St. (Lot 1, District Lot 56, Oyster District, Plan 27861) be referred back to staff to obtain a legal opinion on permitting the development of an office building containing eight commercial units rather than 9 units as permitted in the Zoning Bylaw and that this matter be brought back to Council as soon as possible.

2008-619: It was moved, seconded and carried that Development Permit 3060-08-22 be issued for Lots 1 to 30, District Lot 52, Plan VIP (TBD) to establish geotechnical conditions for the development of a residential subdivision (Seaside Acres);

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

2008-620: It was moved, seconded and carried that Development Variance Permit 3090-08-08 be approved for 1300 Rocky Creek Rd. (Lot 8, Section 6, D.L. 38, Oyster District, Plan VIP73070) to vary the front yard setback from 1.35 metres to 0.8 metres for the addition to the principal warehouse;

AND THAT the Mayor and Corporate Officer be authorized to sign and seal DVP 08-08.

COUNCIL / COMMITTEE REPORTS

2008-621: It was moved, seconded and carried that the regular meetings of Council be held on the first and third Mondays of each month; the first Monday meeting of each month will be for regular business of Council and the third Monday meeting of the month

will be for high priority or development issues.

A discussion ensued regarding the report dated December 3, 2008 by the Director of Corporate Services regarding the Council Procedures Bylaw. Staff was directed to bring the report back after the presentation to the Cowichan Valley local governments by Eli Mina, Parliamentarian, scheduled for January 17, 2009.

EXECUTIVE SESSION

2008-622: It was moved, seconded and carried that this meeting retire into Executive Session (8:10 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

ARISE AND REPORT

2008-623: It was moved, seconded and carried that the Executive Session of Monday, December 15, 2008 arise with report. (8:23 p.m.) on the following resolutions:

- That staff be authorized to negotiate with the Province a cost-sharing agreement to carry out an environmental and geotechnical evaluation of Town-owned lands located generally between Transfer Beach and Williams Point along Ladysmith Harbour as identified in the proposal dated November 18, 2008 submitted by Golder Associates Ltd., to a maximum of \$121,000;

AND THAT funds for the work be allocated from the budgets of 2008 (\$21,000), 2009 (\$50,000) and 2010 (\$50,000).

- That the proposed Licence of Occupation of Waterfront Lot 651 between the Province of British Columbia and the Town of Ladysmith be approved:

AND THAT the Offer of Tenure be accepted;

AND THAT, subject to legal review, the Mayor and Corporate Officer be authorized to execute the offer of Tenure and the Licence of Occupation.

ADJOURNMENT

2008-624: It was moved and carried to adjourn the meeting at 8:24 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Manager of Development Services
Date: December 22, 2008
File No: 3090-08-07

Re: **Development Variance Permit Application – Shoa Organizational Services Ltd.
Lots 1 to 30, District Lot 52, Oyster District, Plan VIP (TBD) (Battie Drive and
Thetis Drive)**

RECOMMENDATION:

Option 1:

THAT Council directs staff to proceed with the statutory notice for DVP application 08-07.

Option 2: (recommended option)

THAT Council does not support DVP application 08-07 and denies the application.

BACKGROUND / HISTORY:

Council Authority

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.

Notice that a development variance permit may be issued is required to be provided (by mail) to neighbouring properties. The notice area is 60 metres of the boundary of a parcel that is subject to the permit.

Zoning Regulations and Variances

The Zoning Bylaw contains regulations of general application. That is to say that they work generally for parcels in the Town but have not been tested on every parcel. To some extent, zoning regulations are in place to create neighbourly development patterns.

In some circumstances (such as redevelopment of an existing building or structure or some other site specific reason), the regulations are difficult to meet or by varying the regulations, the development outcome would be better. In other cases, there may be a community benefit to a different form of development.

Requests to vary the Town's Zoning Bylaw are typically for height or setback. Variance applications are usually for one parcel and specific details are provided by the applicant to support the request. It is suggested to applicants to discuss their request with the affected neighbours before the formal statutory notice is provided by

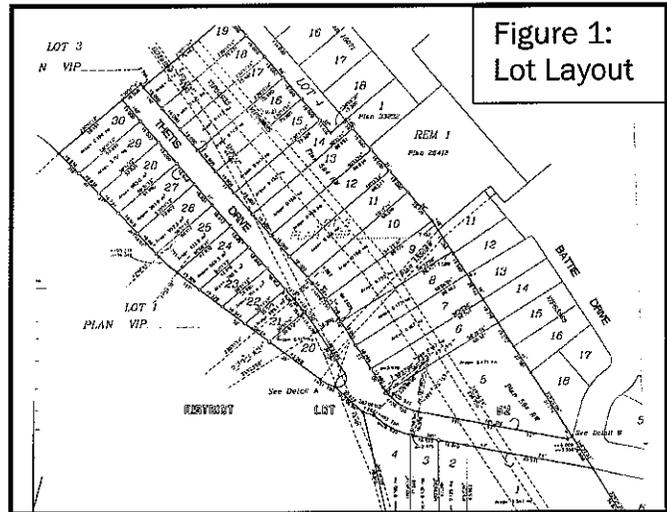
the Town. Council requires that the applicant hold a neighbourhood meeting where a height variance request is greater than 3 metres.

Where there is a pattern of similar variance requests, this can be an indicator that a certain regulation requires changing. Typically, variances for new parcels would not be sought as the parcel should be designed for the purpose intended and therefore new development can meet the zoning regulations.

Applicant's Request

Shoa Organizational Services Ltd. has applied for the following two types of variances for the residences in the new 30 lot subdivision above Battie Drive.

1. To increase the permitted maximum height for each residence from 9.0 metres to 10.0 metres for all of the parcels (see Table 1).
2. To increase the permitted maximum allowable finished floor area for many of the homes in the new subdivision from 240 sq.m. up to 325 sq.m. (see Table 2). 'Finished floor area' is defined in the Zoning Bylaw as the area of the floor on any storey of a building. The attached Figures 2 to 6, submitted with the application, show the housing form that is proposed.



The 30 lots are in the "Urban Residential Zone" (UR-1).

Typically, applicants provide specific information to support the application, such as a specific building height calculation. In this case, the applicant is requesting a height variance for all lots in the subdivision. There has not been enough information provided to determine if the height variance is warranted. For example, a height survey for each of the parcels could be provided. To meet the zoning regulations the designer could look at options such as adjusting the roof pitch or reducing the ceiling height (minimum 10 metres is proposed) or sinking the basement further into the ground.

With respect to the finished floor area variance request, the applicant wishes to build large homes.

Table 1: Height Variance Request

	Permitted residence height (UR-1)	Proposed residence height
Lot #1 to 30	9.0 metres (29.5 ft)	10 metres (33 ft)

Table 2: Finished Floor Area Variance Request

	Max finished floor area (UR-1)	Proposed main floor area
Lot #1	240 m ² (2583.3 ft ²)	325 m ² (3500 ft ²)
Lot #5	240 m ² (2583.3 ft ²)	260 m ² (2800 ft ²)
Lot #6 to 19	240 m ² (2583.3 ft ²)	240.6 m ² (2590 ft ²)
Lot #20	240 m ² (2583.3 ft ²)	241.5 m ² (2600 ft ²)

POLICY ANALYSIS:

A guiding principle in the Official Community Plan (OCP) states that “future neighbourhoods will need to be planned and designed so that they complement the overall character of Ladysmith and provide for attractive and sustaining neighbourhoods” (OCP Section 2.1.7). The OCP also states the need to retain the residential form and character of Ladysmith to maintain the town’s unique identity (OCP Section 1.8.2). The Visioning process recently completed in Ladysmith further emphasizes the community’s desire that new development should “weave heritage character, style and memory into its physical form” (Holland, 2008).

In 2006, Council specifically amended the Zoning Bylaw to decrease the permitted height of a principal building from 10 metres to 9 metres in the UR-1, R-1, and R-2 zones. The staff report (by the previous Manager of Development Services) which explains the rationale for this Zoning Bylaw amendment is attached to this report. The 2006 report states that the full 3 storey building scale is not appropriate for single family or two family dwellings in a neighbourhood setting in Ladysmith.

The proposed large house sizes, submitted by the applicant (see attached Figures 2 to 6) do not reflect the small town character that is intended for Ladysmith residential neighbourhoods. The footprint of the home does not represent a sustainable design, nor does the design draw from the heritage character and style of Ladysmith. Council does not have the authority to regulate the design of single family residences, other than intensive residential development.

It is recommended that Council honour the guiding principles in the OCP and the 2006 amendment to the Zoning Bylaw by not supporting the request to increase the height in the UR-1 zone for the subject 30 lot single family residential subdivision, nor the larger floor area for the new homes.

I concur with the recommendation:



Ruth Malli, City Manager

ATTACHMENTS:

- 2006 Staff Report
- Figures 2 to 6



Town of Ladysmith

STAFF REPORT - 2006

To: Mayor & Council
From: Bruce Anderson, Manager of Development Services
Date: February 15, 2006
File No: 3360-20-06-01

Re: Review of Height Limits - Zoning Bylaw

RECOMMENDATION:

That Council give First and Second Reading to "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 54) 2006, No. 1590" to reduce the height limit for a principal building in the R-1, UR-1, and R-2 zones from 10.0 metres to 9.0 metres. Council may also set a Public Hearing date for March 20, 2006, or give direction to staff to give notice to waive the Public Hearing process should the amendment be considered to conform to the Official Community Plan.

BACKGROUND / HISTORY:

Staff were directed by Council to conduct a review of the height limit for dwellings in the R-1, UR-1 and R-2 zones and have the Advisory Planning Commission review and recommend on the approach to address the issue.

Recent construction of certain single family dwellings within the current 10 metre maximum height limit in the R-1 zone has raised the issue of whether the scale of some of the recent building is appropriate for the community – in particular a full 3 storey single dwelling may not be the expected building response to the Zoning Bylaw height regulations. Typically the expectation is at most a 2.5 storey dwelling. There are some instances where a dwelling has a 2 storey height on the street elevation and a 3 storey height down a sloping rear yard. The overall effect of this example is a 2 storey dwelling. However, with the 10.0 metre height maximum where there is a sloped parcel and using a low pitch roof (4/12 vs. 6/12), a builder is able to achieve a full 3 storey dwelling. While this has not been a common scenario in the past, a few recent examples have demonstrated the potential is there within the Zoning Bylaw regulations. It has been identified that this full 3 storey building scale is not appropriate for single family or two family dwellings in a neighbourhood setting.

Staff review of several Island communities has revealed a range of 7.5 metres to 10.0 metres. The typical seems to be 9.0 metres. Where the lower height limit of 7.5 metres is in place it is typically measuring to mid-point of eaves to peak instead of to the highest point of the structure. Measuring from average natural

grade to the highest point of a structure is the approach for the 9.0 metre height limit in communities.

Staff review of the reduction of the 10.0 metre height limit to a 9.0 metre height limit (as illustrated on attached height diagrams) is the reduced height limit will ensure at most a 2.5 storey dwelling. On this basis a reduction to a 9.0 metre height limit for the R-1, UR-1, and R-2 zones would ensure a full 3 storey structure is not allowed in Ladysmith in these particular zones.

ADVISORY PLANNING COMMISSION

The Advisory Planning Commission at their February 14, 2006 meeting made the following recommendation to Council:

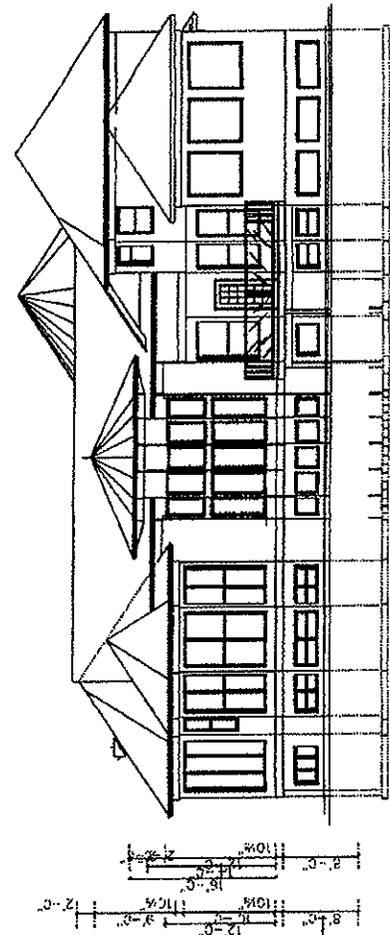
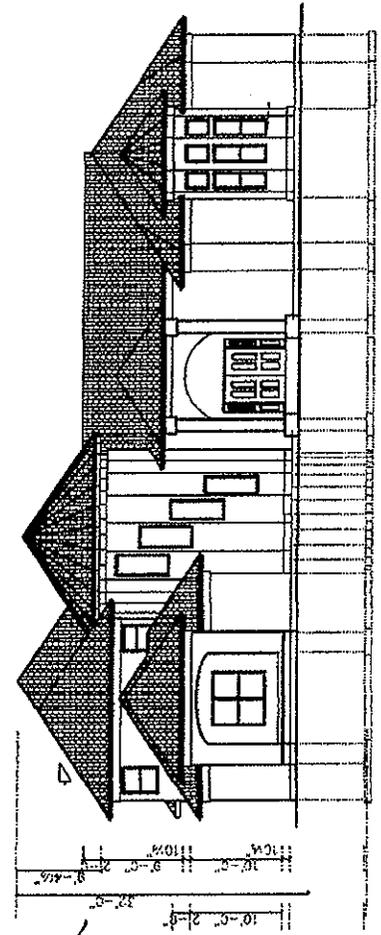
“That the reduction in the height of a principal building in the R-1, UR-1, and R-2 zones be recommended for approval.”

2006

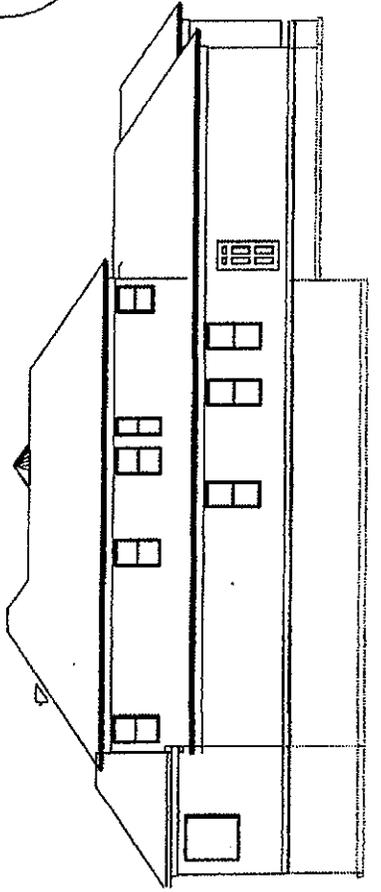


Figure 2
Shoa Organizational Services Ltd.
Lot 1
Proposed House Plans

PLAN LOT 1



32'



15

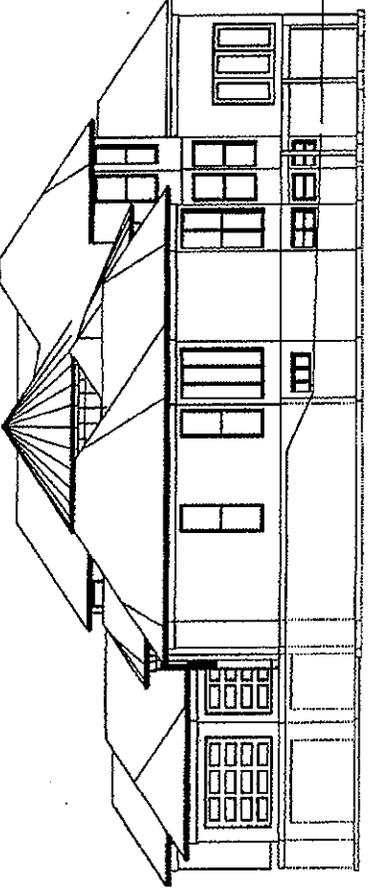


Figure 3
Shoa Organizational Services Ltd.
Lot 1
Proposed House Plans

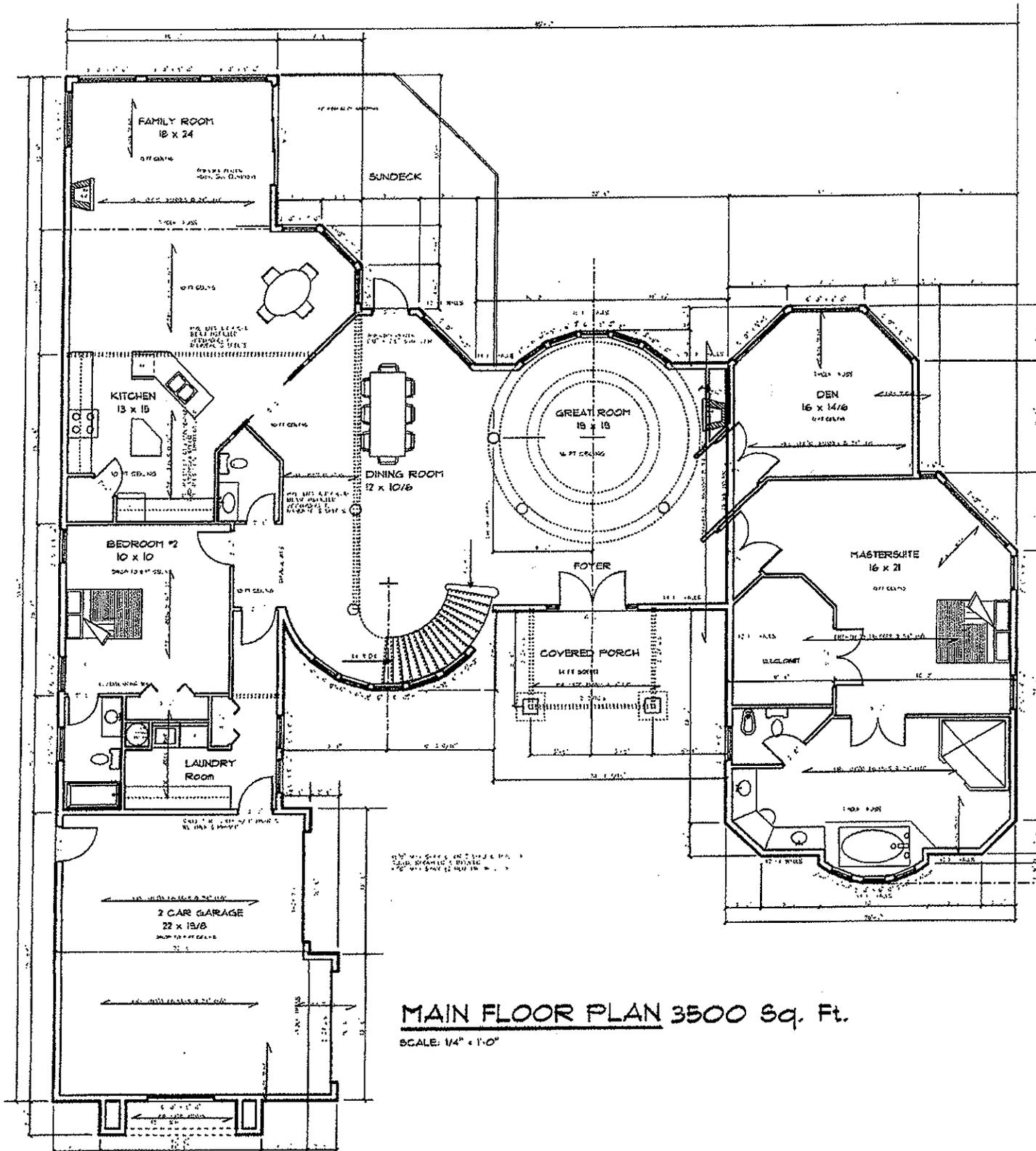


Figure 4
 Shoa Organizational Services Ltd.
 Lot 1
 Main Floor Plan

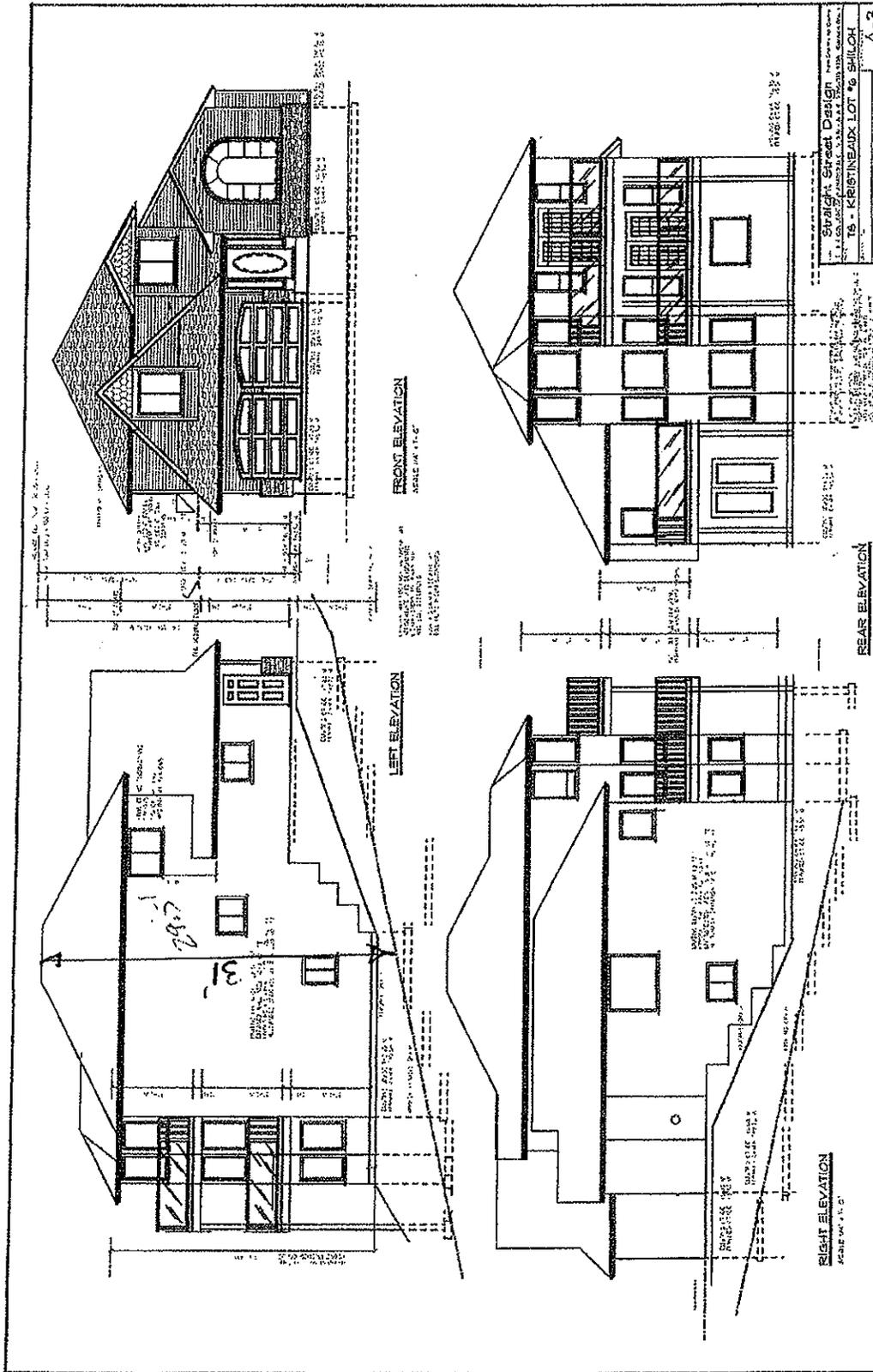


Figure 5
 Shoa Organizational Services Ltd.
 Lot 6 to 19
 Proposed House Plans

Town of Ladysmith

COMMITTEE REPORT



LADYSMITH

To: Mayor and Council
From: Duck Paterson, Chair
Date: December 19, 2008
File No: 0550-20

Re: GOVERNMENT SERVICES COMMITTEE - December 15, 2008

At its meeting on December 15, 2008 the Government Services Committee recommended to Council the following:

- .1) That the Town meet with residents of Hooper Place, adjacent to the Sunset Woods subdivision, to discuss options for removal of the tree buffer between the properties, and other measures to address neighbourhood concerns.
 - .2) That the recommendations of the South Ladysmith Reservoir Preliminary Design Report be included in the 2009 budget considerations.
 - .3) That the issue regarding the replacement of vehicle unit 59 be referred back to staff for further review and that staff be requested to consider environmental impacts in this review.
 - .4) That the report from the Director of Public Works, dated December 10, 2008, regarding feedback from the Chemainus Road public meeting be received and filed.
 - .5) That staff be requested to provide suggestions on compensation for affected residents in the construction zone of Chemainus Road, once issues arising from the construction are discussed with the contractor.
 - .6) That Council authorize the payment of \$17,668.40 to the developer for the Town's share of the storm sewer on 4th Avenue, with 67% of the cost to come from the Roads DCC and 33% from unallocated surplus;
- AND THAT the financial plan be amended to accommodate the expenditure.
- .7) That Public Works be authorized to clean up the property and remove the vehicles and boat at 26 Kitchener Street and to charge the owner of the property for the cleanup, removal and storage.
 - .8) That if the Towns for Tomorrow grant for Aggie Field is unsuccessful, that staff be authorized to submit an application to the program for Phase 1 of a centralized water treatment facility at the Arbutus site.
 - .9) That the letter from W. Stubbington regarding the Ladysmith cemetery be received and referred to Staff for a report, and that the letter writer be advised that the Town concurs with the establishment of a columbarium at the cemetery and that the columbarium is included in the Town's Five Year Plan.



Ladysmith Fire / Rescue

P.O. Box 760 Ladysmith, B.C. V9G 1A5
Phone: 250-245-6436 • Fax: 250-245-0917



FIRE CHIEF'S REPORT MONTH: **October**, 2008

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YEAR'S TOTALS
Burning complaints		1				1	1	3	2	1			8
False Alarms: Alarm Pulled	2	1											3
False Alarms: Citizen Mistake		1	1	1	1	2		2	1				9
False Alarms: Electrical Problems	2	2	1	1	4	3	2	2		4			17
False Alarms: Wrong Dept. called				1									1
Fire: Car					2	2							4
Fire: Chimney	2	3								2			5
Fire: Structure	3		2		2	3	2	1	2				15
Fire: Bush								2					2
First Responder	4	1	2	1	2	2		1	2	2			15
Hydro Line Down	1	1								8			2
Leaking Gas: Natural Gas	1	2			2		1			1			6
Leaking Gas: Vehicle						1				1			1
Motor Vehicle Accident (MVA)		3	2	6	3	4	1	1	1	2			20
Mutual Aid	1		1		1	2	4			1			9
Miscellaneous: (itemized below)	2	2		1	3	3	1	1	6	6			19
MONTH TOTALS (not incl Practises)	18	17	9	11	20	23	12	13	14	28			165
Practises, Totals for each Month*	4	4	4	5	4	4	5	4	5	4			43

EXPLANATION OF MISCELLANEOUS – REPORTED ABOVE: (6)

- 12483 Rocky Cr Rd – smoke in house due to power failure (wood pellet stove vent closed off)
- Tree on house – 658 Alderwood Rd.
- Tree on house 130-5th Ave.
- Water line break Transfer Beach Park
- Water tank blew up 393 Woodley Rd.
- Rescue elderly man who fell into pond at Porter's farm

FALSE ALARMS (location/owner):

- 485 Louise Rd – faulty sensor
- 1135 Carey Pl. – faulty sensor
- 428 Walker - faulty sensor
- 256 Bayview – faulty sensor

COMPARISONS:

Year to Date / 08 165 (excl. practises)
 Year to Date / 07 137 (excl. practises)
 Year to Date / 06 140 (excl. practises)

APPROVED:

Fire Chief



Ladysmith Fire / Rescue

P.O. Box 760 Ladysmith, B.C. V9G 1A5
 Phone: 250-245-6436 • Fax: 250-245-0917



FIRE CHIEF'S REPORT MONTH: **November**, 2008

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YEAR'S TOTALS
Burning complaints		1				1	1	3	2	1	1		10
False Alarms: Alarm Pulled	2	1											3
False Alarms: Citizen Mistake		1	1	1	1	2		2	1		4		17
False Alarms: Electrical Problems	2	2	1	1	4	3	2	2		4	1		23
False Alarms: Wrong Dept. called				1									1
Fire: Car					2	2						1	5
Fire: Chimney	2	3								2			7
Fire: Structure	3		2		2	3	2	1	2				15
Fire: Bush								2					2
First Responder	4	1	2	1	2	2		1	2	2	1		18
Hydro Line Down	1	1								8	1		11
Leaking Gas: Natural Gas	1	2			2		1			1	1		8
Leaking Gas: Vehicle						1				1	1		3
Motor Vehicle Accident (MVA)		3	2	6	3	4	1	1	1	2	4		27
Mutual Aid	1		1		1	2	4			1	1		11
Miscellaneous: (itemized below)	2	2		1	3	3	1	1	6	6	1		26
MONTH TOTALS (not incl. Practises)	18	17	9	11	20	23	12	13	14	28	17		182
Practises, Totals for each Month*	4	4	4	5	4	4	5	4	5	4	4		47

EXPLANATION OF MISCELLANEOUS – REPORTED

ABOVE: (1)

- Possible explosives found - Archives building below Tim Hortons (LS & Dist. Historical Society)

FALSE ALARMS (location/owner):

- 930 Ludlow Rd, cooking
- Royal Canadian Legion, 621-1st Ave. cooking
- Ladysmith Intermediate School (burnt cupcakes)
- Lodge on Fourth (burnt toast)
- 110-3rd Ave, faulty sensor

COMPARISONS:

Year to Date / 08 182 (excl. practises)
 Year to Date / 07 159 (excl. practises)
 Year to Date / 06 155 (excl. practises)

APPROVED:

Ray Delcourt
 Fire Chief

TOWN OF LADYSMITH
BUILDING PERMIT SUMMARY REPORT
MONTH: OCTOBER 2008

Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Adds / Renos	Permits This Month	Permits For Year To Date	Bldg & Plbg Permit Fees This Month	Permit Values This Month	Permit Values This Year
50000		0	400000	3	15000	2	130	3071	465000	12107611

SUMMARY - YEAR TO DATE

	Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Adds / Renos	Permits This Month	Permits For Year To Date	Bldg & Plbg Permit Fees This Month	Permit Values This Month	Permit Values This Year
JAN	\$ 120,000	\$ -	\$ -	\$ 1,137,000	7	\$ 20,300	5	14	\$ 11,165	\$ 1,277,300	\$ 1,277,300
FEB		\$ 738,000		\$ 541,000	2	\$ 11,000	2	5	\$ 8,057	\$ 1,290,000	\$ 2,567,300
MAR	\$ 40,000		\$ 40,000	\$ 576,000	4	\$ 60,000	8	16	\$ 6,956	\$ 825,000	\$ 3,392,300
APR		\$ 125,000		\$ 1,116,000	8	\$ 89,120	8	17	\$ 10,955	\$ 1,330,120	\$ 4,722,420
MAY				\$ 958,000	7	\$ 48,360	7	14	\$ 8,486	\$ 1,006,360	\$ 5,728,780
JUN				\$ 420,000	3	\$ 163,518	4	7	\$ 4,772	\$ 583,518	\$ 6,312,298
JUL	\$ 640,000			\$ 1,112,000	7	\$ 92,500	11	19	\$ 13,013	\$ 1,844,500	\$ 8,156,798
AUG	\$ -		\$ -	\$ 749,300	5	\$ 32,000	6	13	\$ 6,813	\$ 781,300	\$ 8,938,098
SEP	\$ 1,800,000			\$ 889,313	6	\$ 15,200	6	14	\$ 17,832	\$ 2,704,513	\$ 11,642,611
OCT	\$ 50,000		\$ -	\$ 400,000	3	\$ 15,000	2	11	\$ 3,071	\$ 465,000	\$ 12,107,611
NOV											
DEC											
TOTAL	\$ 2,650,000	\$ 863,000	\$ 40,000	\$ 7,898,613	52	\$ 546,998	59	130	\$ 91,120	\$ 12,107,611	

of Demolitions for month = 0 , for YTD = 1

COMPARISONS

# DWELLING UNITS / VALUE	PERMITS ISSUED / VALUE
YEAR TO DATE / 08	YEAR TO DATE / 08
71 \$ 7,898,613	130 \$ 12,107,611
YEAR TO DATE / 07	YEAR TO DATE / 07
63 \$ 9,275,534	129 \$ 14,526,653
YEAR TO DATE / 06	YEAR TO DATE / 06
93 \$ 11,901,212	175 \$ 29,105,888

[Signature]
BUILDING INSPECTOR



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Pat Durban, Director of Parks, Recreation & Culture
Date: December 19, 2008
File No:

RE: RUSSELL ROAD CLOSURE

RECOMMENDATION:

THAT Council consider Highway Closure and Dedication Removal Bylaw 2008, No. 1663 for third reading.

BACKGROUND:

Council had previously directed staff to work with Steeves Forest Consulting Limited to facilitate an exchange of parcels in the Peerless Road area. Part of the proposal is to stop up and close a portion of undeveloped road right-of-way designated as Russell Road.

In the future, the remainder of the undeveloped Russell Road should be eliminated to avoid confusion with emergency agencies because of duplication with an already named Russell Road, which comes off Davis Road.

The intent is to convert this road right-of-way to fee simple land, sell to Steeves Forest Consulting Limited, and allow consolidation to permit further exchange and development of a storm detention pond.

ATTACHMENTS:

Bylaw 1663
Area Plan
Notice of Intent
Two Subject Area Maps

I concur with the recommendation:

Ruth Malli, City Manager

**TOWN of LADYSMITH
BYLAW NO. 1663**

HIGHWAY CLOSURE AND DEDICATION REMOVAL BYLAW 2008, No. 1663

WHEREAS the soil and free hold of every highway in the Town of Ladysmith is vested in the Town of Ladysmith; and

WHEREAS the Council may, by bylaw pursuant to Section 40 of the *Community Charter*, both stop up and close to traffic a highway or portion of it, and remove highway dedication; and

WHEREAS it is deemed expedient to stop up and close to traffic and remove highway dedication to a portion of Russell Road for the purpose of disposing of the land to the adjacent landowner for consolidation with the adjacent landowner's lands; and

WHEREAS all lands and premises immediately adjoining, and in the vicinity of the portion of highway that is stopped up and closed and highway dedication removed, will be adequately serviced by highways giving convenient access to all such premises; and

WHEREAS public notice pursuant to Section 94 of the *Community Charter* has been published in a newspaper circulating in the Town of Ladysmith.

THEREFORE BE IT RESOLVED that the Council of the Town of Ladysmith, in open meeting assembled, HEREBY ENACTS AS FOLLOWS:

1. This Bylaw may be cited for all purposes as "Highway Closure and Dedication Removal Bylaw 2008, No. 1663".
2. That portion of Russell Road dedicated on Plan 33125, all within District Lot 91, shown as Closed Road comprising 0.170 ha on a plan to accompany Town of Ladysmith Bylaw 2008 No. 1663 prepared by McElhanney Associates, Professional Land Surveyors and dated the 21st day of July, 2008 a print of which is attached as Schedule A to "Highway Closure and Dedication Removal Bylaw 2008, NO. 1663", is hereby closed to all traffic.
3. The highway dedication of that part of Russell Road referred to in section 2 is hereby removed.
4. His Worship the Mayor and the Corporate Officer are hereby authorized to execute all the necessary documents as may be required for the due completion of the aforesaid road closure and dedication removal and affix the Seal of the Corporation thereto.

READ A FIRST TIME on the 2nd day of September, 2008

READ A SECOND TIME on the 2nd day of September, 2008

Notice of intention to proceed with this bylaw was published on the 23rd day of December, 2008 and the 30th day of December, 2008 in the Chronicle newspaper, circulating in the Town of Ladysmith, pursuant to Section 94 of the *Community Charter*.

READ A THIRD TIME on the _____ day of _____, 2008

Approved by Ministry of Transportation on the _____ day of _____, 2008

ADOPTED on the _____ day of _____, 2008

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

REFERENCE PLAN TO ACCOMPANY THE TOWN OF LADYSMITH ROAD DEDICATION CANCELLATION BYLAW NO. OF PART OF THE ROAD DEDICATED ON PLAN 33125, DISTRICT LOT 91, OYSTER DISTRICT, (PURSUANT TO SECTION 40 OF THE COMMUNITY CHARTER AND SECTION 120 OF THE LAND TITLE ACT)

BOOK 928-092

SCALE 1:1000



ALL DISTANCES ARE IN METRES UNLESS OTHERWISE NOTED

LEGEND

BEARINGS ARE GRID DERIVED FROM PLAN VP75071 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 10 (UTM WEST LONGITUDE). THIS PLAN SHOWS HORIZONTAL GROUND LEVEL DISTANCES EXCEPT WHERE OTHERWISE NOTED TO COMPUTE GRID DISTANCES. ALL DISTANCES ARE REFERRED TO BY THE CORRECTED FACTOR OF 0.9998628.

- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST SET
- DENOTES STANDARD CAPPED POST FOUND
- DENOTES STANDARD CAPPED POST SET
- R DENOTES RADIUS OF CURVE
- A DENOTES ARC LENGTH OF CURVE
- HA DENOTES HECTARES

PRINT NAME/TITLE _____

PRINT NAME/TITLE _____

WITNESS AS TO BOTH SIGNATURES (PRINT NAME) _____

ADDRESS OF WITNESS _____

OCCUPATION OF WITNESS _____

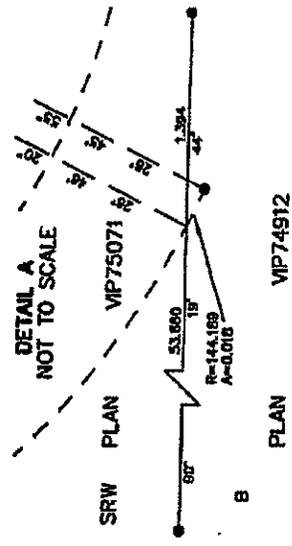
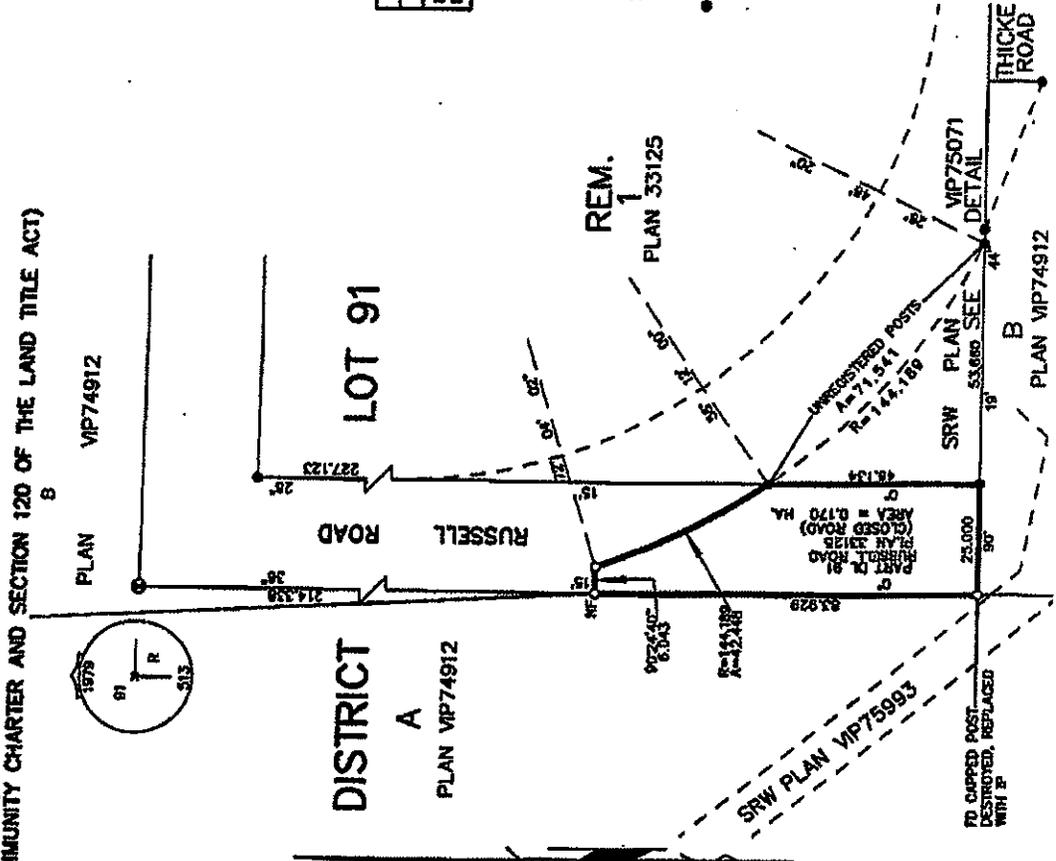
MCLENNAN ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 SUITE 1 - 1331 ESTEVAN ROAD
 NANAIMO, B.C. V8S 3Y3
 OUR FILE: 2232-71501-1-5120

PLAN VIP

DEPOSITED IN THE LAND TITLE OFFICE AT VICTORIA, B.C. THIS DAY OF 200

REGISTRAR

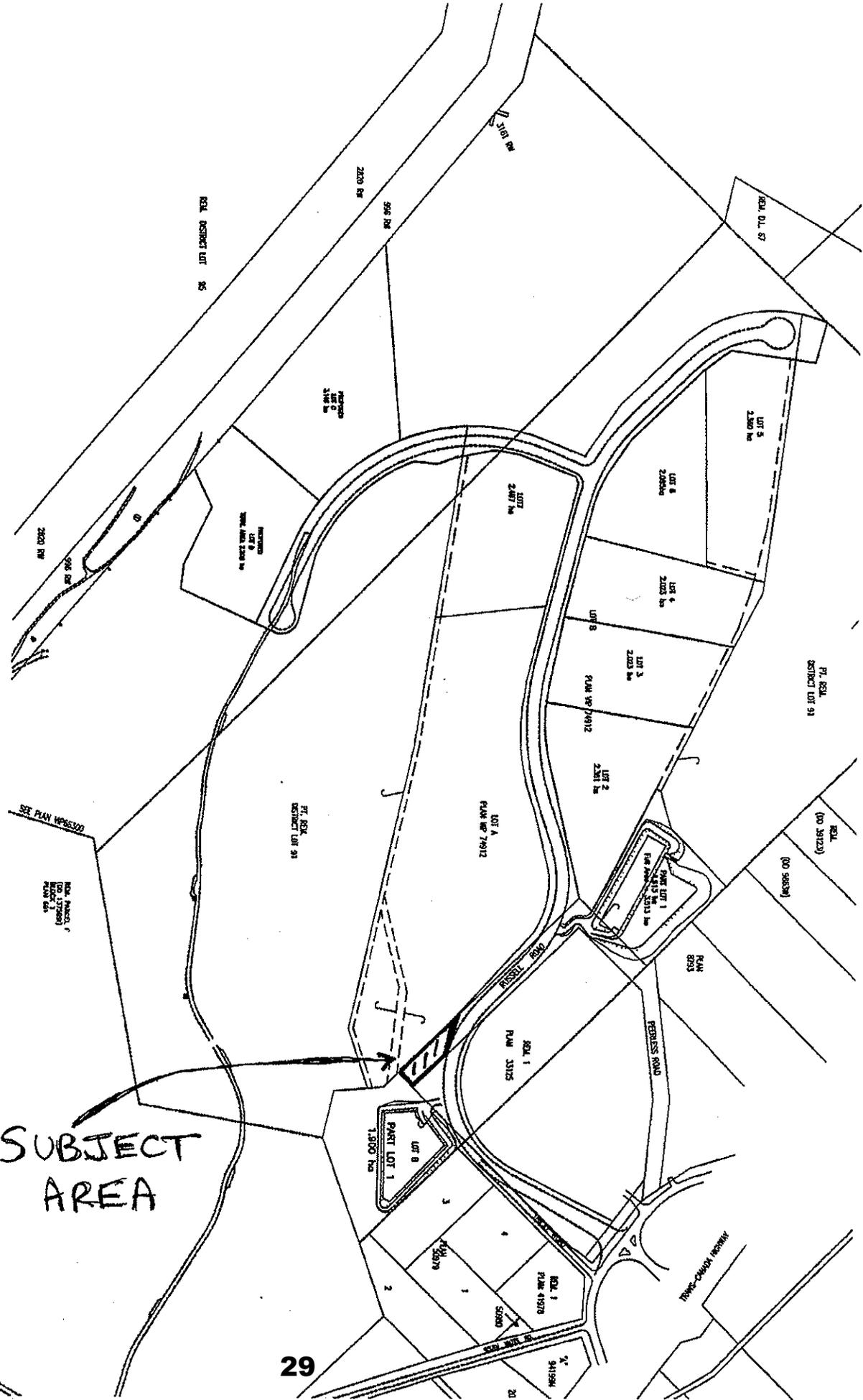
BOOK OF REFERENCE	
LEGAL DESCRIPTION	AREA
PART OF ROAD IN DISTRICT LOT 91, OYSTER DISTRICT DEDICATED BY PLAN 33125.	0170 HA.



THIS PLAN LIES WITHIN THE COMCHAN VALLEY REGIONAL DISTRICT

I, MICHAEL J. TAYLOR, A BRITISH COLUMBIA LAND SURVEYOR, OF THE CITY OF NANAIMO, IN PERSONALLY SURVEYED THE SURVEY REPRESENTED BY THIS PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT. THE FIELD SURVEY WAS COMPLETED ON THE 10 DAY OF JUNE, 2006. THE PLAN WAS COMPLETED AND CHECKED AND CHECKLIST FILED UNDER #8428A, ON THE 21st DAY OF JULY, 2006.

B.C.L.S., C.L.S.

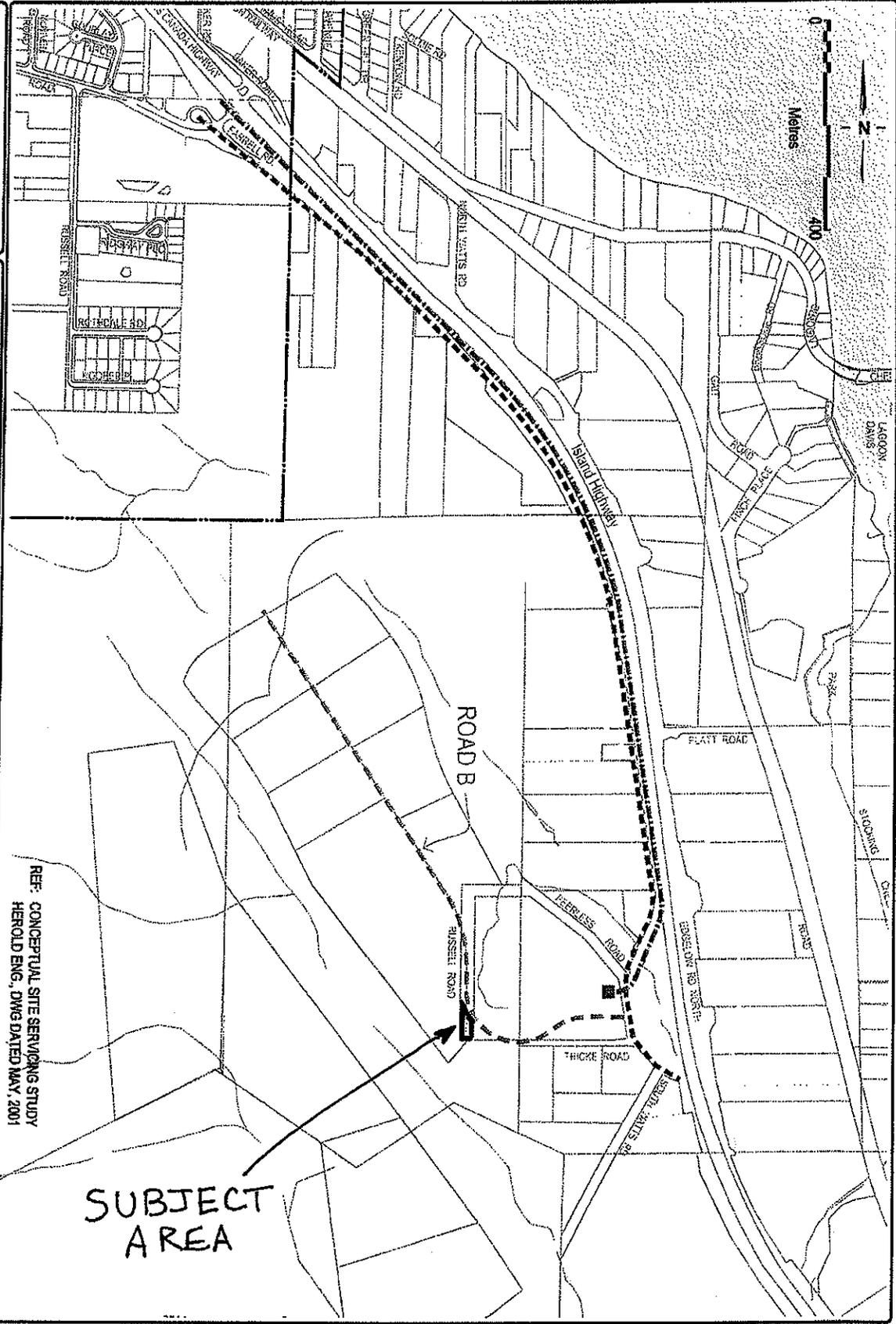


R.G. Fuller & Associates Ltd.
 2145 MICHIGAN WAY, NANAIMO, B.C., V9R 6S1
 TEL: (250) 753-2410 FAX: (250) 753-2412

SCALE: AS NOTED
 DATE: May 28, 2003
 FILE NO.: 1124

CLIENT: LAND AND WATER
 BRITISH COLUMBIA INC.
 PROJECT: PEERLESS ROAD
 INDUSTRIAL PARK

TITLE: SCHEMATIC ILLUSTRATION OF
 PROPOSED WATERMAIN AND SANITARY
 250' PROPOSED WATERMAIN
 250' PROPOSED SANITARY
 SANITARY PUMP STATION





Town of Ladysmith
STAFF REPORT

To: Mayor and Councillors
From: Ruth Malli, City Manager
Date: December 29, 2008
File No:

Re: **LEADERSHIP BC—LADYSMITH 5-STAR CULTURAL CONNECTIONS PROJECT**

RECOMMENDATION:

That Council endorse the proposed Leadership BC-Ladysmith 5 Star Cultural Connections Project to create strengthened community connections between Ladysmith and the Chemainus First Nation community;

And

That Council authorize staff to apply for a grant from the Union of BC Municipalities Community to Community Connections program, to support this initiative.

SUMMARY OF KEY POINTS:

The Town of Ladysmith is a sponsor of the Leadership BC—Ladysmith program, and two staff members (the City Manager and Manager of Human Resources) sit on the Advisory Board. The participants have been divided into groups, and each group is responsible for developing and implementing a project that will benefit the community. One group, 5 Star Cultural Connection, proposes a project to deepen the connection between Ladysmith and the Chemainus First Nation and to further the collaboration between the communities that was formalized through the Community Accord.

The project involves the carving of a First Nations traditional canoe, and a symbolic tribal journey in the canoe from Shell Beach to the Ladysmith Maritime docks, where a large community cultural festival will take place.

The Leadership BC Ladysmith group has requested that Council endorse the initiative, it is a staff recommendation to apply for the funding to support the event.

Project partners are:

Chemainus First Nation (confirmed)
Ladysmith Maritime Society (confirmed)
Town of Ladysmith (proposed)

ATTACHMENTS:

Letter and Project Outline from 5 Star Cultural Connection group

December 21, 2008

Mayor and Council Members of Ladysmith
C/O Ruth Malli
410 Esplanade, PO Box 220
Ladysmith BC
V9G 1A2

Subject: Leadership BC Project Proposal – Town Support Request

Dear Mayor Hutchins and Ladysmith Councillors:

The 5 Star Cultural Connection is very pleased to put forward the following Leadership BC community project proposal for your consideration. We believe this project would be of great value and create strengthened community connections between Ladysmith and the Chemainus First Nations community.

Our fellow team member, Terry Sampson, inspired this project. As a former Chemainus Chief and current council member, he saw the need to bridge the communities of Ladysmith and Chemainus First Nations. Although there currently is collaboration between the communities, this project is an opportunity to deepen the connection. The symbolic connector within this project is a tribal journey via a First Nation's hand carved canoe from Shell beach to the Ladysmith Maritime docks. This canoe journey is a symbolic connecting of the 2 communities. It will provide an occasion for all community members to contribute and participate and leave a lasting legacy in the form of a canoe and an event.

As the research into this project progressed, and other community partnerships were formed, the Ladysmith Maritime Society was approached to be a community partner and they are very excited about being involved. The Maritime Society will not only provide a shelter for the canoe as it is being built at the marina, but also house it upon completion. They have also offered to include it in the Maritime Festival for years to come.

As part of this proposal a First Nation's canoe will be carved and funds will be found. The canoe would be the tangible outcome of this project. In the event the funding isn't found to build the canoe, an existing Chemainus First Nation's canoe will be used.

The Mayor of Ladysmith and the Chemainus First Nation's Council have given us their full support and have agreed to participate in the canoeing journey and celebrations.

To involve local citizens from both communities, a celebration dinner will be held at the Ladysmith Maritime Festival docks. The dinner will reflect the culture and food of both traditions. Entertainment at the celebration dinner will include First Nations dancers and local Ladysmith dancers. As well, while the canoe is being built, there will be an opportunity for citizens and visitors to try their hand at carving and learn about the importance of the canoe in the First Nation's culture.

During this project we believe it would be beneficial to the project's success to work in collaboration with the Town of Ladysmith's Parks, Recreation and Culture. Their knowledge and expertise would provide greater community ties and avenues for communication to Ladysmith citizens.

As a team and citizens, we care deeply about our mutual communities, therefore, we want to actively make it a healthier place to live and we believe this exciting project would be a positive step in that direction.

We look forward to your response.

Sincerely yours,

Will Vandergrift
Harvey Khun Khun
Terry Sampson
Janine Cornett
Linda Granger



Town of Ladysmith

STAFF REPORT

To: Mayor and Councillors
From: Ruth Malli, City Manager
Date: January 2, 2009
File No:

Re: AUTHORIZATION TO APPLY FOR GRANT FROM CANADIAN ACTION ON ENERGY AND EMISSIONS GOLD PROGRAM

RECOMMENDATION:

That Council authorize staff to apply for a grant of \$50,000 from the Community Action on Energy and Efficiency (CAEE) Gold program, for the purpose of implementing innovative energy efficiency and/or greenhouse gas reduction initiatives.

SUMMARY OF KEY POINTS:

Two \$50,000 grants will be awarded to BC communities through the Community Action on Energy Efficiency program (CAEE) administered through the Fraser Basin Council. The grants are to be used for innovative energy efficiency and / or GHG / air quality emission reduction policy and planning initiatives fulfilling at least one CAEE measure.

In July 2007, Council authorized staff to apply for a grant of \$20,000 from the Community Action on Energy and Emissions program to begin laying plans for and taking action on or the following specific CAEE measures:

- Achieve LEED Gold or equivalent energy performance standard for 100% of new civic buildings;
- Achieve Energuide for New Houses rating of 80 for all new homes by 2010;
- Generate 10% of energy needs from community-based, clean energy resources, as defined by the Province's BC Clean Electricity Guidelines, or renewable heating systems or fuels (e.g. bioenergy) by 2020;
- Develop a community energy plan and/or an integrated community sustainability plan
- Community sustainability visioning process, using funding for consultant fees

We were successful in receiving the funds, and have completed the work outlined above. The intended use of the new grant would be to begin taking specific action on energy and/or emission reduction initiatives in consultation with the Environment Commission.

ATTACHMENTS:

None.

COASTAL ANIMAL CONTROL SERVICES OF BC LTD

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

TOWN OF LADYSMITH POUND REPORT

October, 2008

NOV 13 2008

Disposition of Impounded Dogs	Current Month	2008 Totals	
Stray dogs impounded	1	15	
Stray dogs claimed	1	9	
Stray dogs put up for adoption	0	4	
Stray dogs euthanized	0	2	
Stray livestock / cats	0	0	
Calls Received and Investigated	9	88	
Aggressive dogs	3	18	
Dogs at large	6	42	
Noise (barking) complaints	0	22	
Other non specific dog related calls	0	5	
Wildlife / livestock / cats	0	1	
Monthly Pound and Board Fees Collected	\$50.00	\$930.00	
Impound fees	\$50.00	\$750.00	
Daily board fees	\$00.00	\$180.00	
Tickets issued	1	6	
Unlicenced dog	\$00.00	\$0.00	
Dog at large	\$100.00	\$400.00	
Dangerous dog at large	\$00.00	\$500.00	
Licencing Statistics	Tags	25	1014
	Revenue	\$645.00	\$23700.00

Trevor Hughes



Coastal Animal Control Services of BC Ltd

COASTAL ANIMAL CONTROL SERVICES OF BC LTD

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

TOWN OF LADYSMITH POUND REPORT

November, 2008

Disposition of Impounded Dogs	Current Month	2008 Totals	
Stray dogs impounded	1	16	
Stray dogs claimed	1	10	
Stray dogs put up for adoption	0	4	
Stray dogs euthanized	0	2	
Stray livestock / cats	0	0	
Calls Received and Investigated	6	94	
Aggressive dogs	1	19	
Dogs at large	2	44	
Noise (barking) complaints	2	24	
Other non specific dog related calls	1	6	
Wildlife / livestock / cats	0	1	
Monthly Pound and Board Fees Collected	\$195.00	\$1025.00	
Impound fees	\$135.00	\$885.00	
Daily board fees	\$60.00	\$240.00	
Tickets issued	1	7	
Unlicenced dog	\$00.00	\$0.00	
Dog at large	\$00.00	\$400.00	
Dangerous dog at large	\$250.00	\$750.00	
Licencing Statistics	Tags	0	1023
	Revenue	\$0.00	\$23895.00

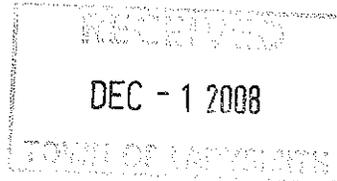
Trevor Hughes



November 27, 2008

File No: Bylaw No. 3235

Town of Ladysmith
PO Box 220
LADYSMITH BC V9G 1A2



Dear Mayor and Council:

**Re: "CVRD Bylaw No. 3235 - Social Planning Cowichan
Annual Financial Contribution Service Establishment Bylaw, 2008"**

The attached Establishment Bylaw No. 3235, to provide an annual financial contribution to assist Social Planning Cowichan with programming and service delivery costs within the Cowichan Valley Regional District, received first three readings by the CVRD Board of Directors at its regular meeting of November 12, 2008.

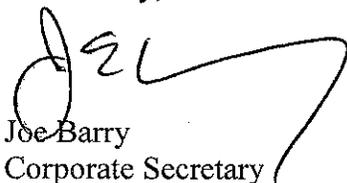
In order to submit CVRD Bylaw No. 3235 to the Inspector of Municipalities for approval, written consent must be obtained from the service area electors. Accordingly, we request that the following resolution be considered and adopted by Council at its next meeting.

"That the Town of Ladysmith consents to the adoption of "CVRD Bylaw No. 3235 - Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2008".

Enclosed is the Staff Report dated November 5, 2008 that was presented to the Board for information.

Please do not hesitate to contact the undersigned should you have any questions regarding this process.

Yours truly,



Joe Barry
Corporate Secretary

rj
Attachments (2)
rosa/bylaws/300-3500/3235munis consent



C·V·R·D

STAFF REPORT

REGULAR BOARD MEETING
OF NOVEMBER 12, 2008

DATE: November 5, 2008

FROM: J.E. Barry, Corporate Secretary

SUBJECT: CVRD Bylaw No. 3235 – Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2009.

Recommendation:

For information.

Purpose:

To introduce CVRD Bylaw No. 3235 – Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2009.

Background:

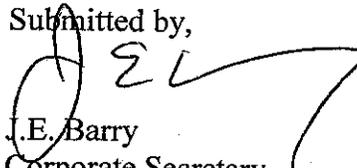
Following the defeat of CVRD Bylaw No. 3161 – Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2008, by a municipal veto, the Board passed the following resolution at the October 8, 2008 meeting:

“That staff prepare a new bylaw for an annual financial contribution to Social Planning Cowichan with the participating areas being the 9 areas that gave consent to Bylaw No. 3161.”

Bylaw No.3235 has been drafted with nine areas being participating areas. If the Board gives three readings to this Bylaw, requests for consent of adoption will be sent to each participating area. Electoral Area Directors can give written consent on behalf of their electors and the three Municipalities can give consent on behalf of their electors by Council resolution.

Following the receipt of consent by each of the areas, Bylaw No. 3235 will be forwarded to the Inspector of Municipalities. Social Planning Bylaws do not require proceeding with an Alternative Approval Process or Referendum. Provided approval is received from the Inspector, the Board can give consideration to adoption early in 2009.

Submitted by,


J.E. Barry
Corporate Secretary



C·V·R·D

COWICHAN VALLEY REGIONAL DISTRICT

BYLAW No. 3235

A Bylaw to Establish a Service to Provide an Annual Financial Contribution to Social Planning Cowichan within the Cowichan Valley Regional District

WHEREAS pursuant to Sections 796 and 800 of the *Local Government Act*, a regional district may, by bylaw, establish and operate any service that the Board considers necessary or desirable for all or part of the regional district;

AND WHEREAS the Board of the Cowichan Valley Regional District wishes to establish an annual financial contribution service to assist Social Planning Cowichan with programming and service delivery costs, within the Cowichan Valley Regional District;

AND WHEREAS the Board of the Cowichan Valley Regional District has obtained the approval of the service area electors in accordance with the *Local Government Act* and the *Community Charter*;

NOW THEREFORE the Board of Directors of the Cowichan Valley Regional District enacts as follows:

1. **CITATION**

This bylaw may be cited for all purposes as "**CVRD Bylaw No. 3235 – Social Planning Cowichan Annual Financial Contribution Service Establishment Bylaw, 2008**".

2. **SERVICE BEING ESTABLISHED**

The service being established under the authority of this bylaw is a service for the purpose of providing an annual financial contribution to assist Social Planning Cowichan with programming and service delivery costs, within the Cowichan Valley Regional District. The service shall be known as the "Social Planning Cowichan Annual Financial Contribution Service".

3. **BASIS OF CONTRIBUTION**

Any funds awarded to Social Planning Cowichan will be based on budget submissions that detail programming costs in each and every year that the contribution is available.

.../2

4. SERVICE AREA BOUNDARIES

The boundaries of the service area are: the City of Duncan; the District of North Cowichan, the Town of Ladysmith; and Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; and G – Saltair/Gulf Islands.

5. PARTICIPATING AREA

The participating areas for this service are: the City of Duncan; the District of North Cowichan; the Town of Ladysmith; and Electoral Areas A – Mill Bay/Malahat; B – Shawnigan Lake; C – Cobble Hill; D – Cowichan Bay; E – Cowichan Station/Sahtlam/Glenora; and G – Saltair/Gulf Islands.

6. METHOD OF COST RECOVERY

The annual cost of providing this service shall be recovered by property value taxes requisitioned and collected on the basis of the net taxable value of land and improvements within the service area.

7. MAXIMUM REQUISITION

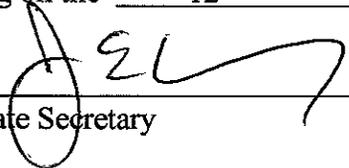
The maximum amount of money that may be requisitioned annually in support of this service shall be the greater of \$70,000. or an amount equal to the amount that could be raised by a property value tax of \$0.00682 per \$1,000. of net taxable value of land and improvements within the service area.

READ A FIRST TIME this 12th day of November, 2008.

READ A SECOND TIME this 12th day of November, 2008.

READ A THIRD TIME this 12th day of November, 2008.

I hereby certify this to be a true and correct copy of Bylaw No. 3235 as given Third Reading on the 12th day of November, 2008.



Corporate Secretary

NOVEMBER 27, 2008

Date

APPROVED BY THE INSPECTOR OF MUNICIPALITIES this _____ day of _____, 2008.

ADOPTED this _____ day of _____, 2009.

Chairperson

Corporate Secretary