

# 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, APRIL 6, 2009  
at 4:00 P.M.**

## CALL TO ORDER

- |   | <u>Page</u>  |
|---|--|
| <b>1 AGENDA APPROVAL</b>  |  |
| <b>2 2009 – Financial Plan – (4:00 p.m. to 6:00 p.m.)</b><br>R. Malli, City Manager   |  |
| <b>3 EXECUTIVE SESSION (6:00 p.m.)</b>  |  |
| In accordance with Section 90(1) of the <i>Community Charter</i> , the first section of the meeting will be held In Camera to consider the following items:   |  |
| <ul style="list-style-type: none"><li>• personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity</li><li>• litigation or potential litigation affecting the municipality</li></ul> |  |
| <b>4 RISE AND REPORT</b>  |  |
| <b>5 MINUTES</b><br>Adoption of following minutes:  |  |
| <ul style="list-style-type: none"><li>• March 2, 2009</li><li>• March 3, 2009</li><li>• March 16, 2009</li><li>• March 17, 2009</li><li>• March 30, 2009</li></ul>  | <b>1-8</b><br><b>9</b><br><b>11-13</b><br><b>15-16</b><br><b>17-18</b> |
| <b>6 DELEGATIONS</b>  |  |
| 6.1 <u>2009 Snow Angel Awards</u><br>Presentation of Snow Angel Awards by Mayor Hutchins to Cody Logan, Keith Hill, Greg Young, Richard Lambier and Eleanor Swift; and Dave Seccombe and Karen Mullin.  |  |
| 6.2 <u>Jacob Ellis, Warren Jones and Ron Austen, Cowichan Valley Regional District</u><br>Re: Regional Recreation Funding Report  |  |
| 6.3 <u>Leadership BC – Ladysmith – Five Star Cultural Connection</u><br>Re: Progress Report on the Five Star Cultural Connection Community Project  |  |

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<b>7 PUBLIC HEARING</b> None.	
<b>8 BYLAWS (OCP / ZONING)</b>	
8.1 <u>OCP Amendment and Rezoning Application – 3360-98-01 – 379 Davis Road</u> (J. Phillips) – Lot A, District lot 43, Oyster District, Plan VIP69091	<b>19-23</b>
8.2 <u>Zoning Amendment Application – 3360-08-04 – 1142 Trans Canada Highway</u> (M. Huntjens) – Lot 6, DL 139, Oyster District, Plan 7217	<b>25-28</b>
8.3 <u>Zoning Amendment Application – 3360-09-01 – 11 and 17 Warren Street</u> (Pabla) - Lot 7 and 8, Block 5, DL 24, Oyster District, Plan 703A	<b>29-30</b>
<b>9 PROCLAMATIONS</b>	
9.1 <u>Mayor Hutchins has proclaimed April, 2009 as:</u> “Oral Health Month” in the Town of Ladysmith.	
<u>Mayor Hutchins has proclaimed the third week of April, 2009 as:</u> “Prevention of Violence Against Women Week” in the Town of Ladysmith.	
<u>Mayor Hutchins has proclaimed May 3 – 9, 2009 as:</u> “Drinking Water Week 2009” In the Town of Ladysmith.	
<b>10 DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS</b>	
10.1 <u>Development Variance Permit – DVP 3090-08-07</u> Shoa Organizational Services Ltd. – Lot 1, Lot 5 and Lots 6 to 19, District Lot 52, Oyster District, Plan VIP 86055 (Thetis Drive)	<b>31-40</b>
10.2 <u>Development Variance Permit – DVP 3090-08-02</u> M. Fox – Parcel a (DD176N) of Lot 9, Block 47, DL 56, Oyster District, Plan 703A (321 3 <sup>rd</sup> Ave)	<b>41-46</b>
<b>11 COUNCIL COMMITTEE REPORTS</b>	
<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	

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<b><u>Councillor D. Paterson</u></b> Government Services Committee; Parks, Recreation and Culture Commission; Celebrations Committee; Festival of Lights	
11.1 <u>Government Services Committee Recommendations from the March 16, 2009 Meeting</u>	<b>47-49</b>
<b><u>Councillor L. Evans</u></b> Heritage Revitalization Advisory Commission; Community Health Advisory Committee; Social Planning Cowichan	
11.2 <u>Heritage Revitalization Advisory Commission Recommendation</u> Re: Heritage Tourism Workshop - Final Report	<b>51-65</b>
<b><u>Councillor B. Whittington</u></b> Vancouver Island Regional Library Board; Advisory Design Panel; Environment Commission	
<b>12 STAFF / ADVISORY COMMITTEE REPORTS</b>	
12.1 <u>Fire Chief</u> Re: Fire Chief's Report for February, 2009	<b>67</b>
12.2 <u>Building Inspector</u> Re: Building Inspector's Report for February, 2009	<b>69</b>
12.3 <u>Director of Corporate Services</u> Re: Festival of Lights – Proposed Early Winter Lighting Display to Celebrate the Olympic Torch Relay	<b>71-72</b>
12.4 <u>Manager of Development Services</u> Re: Tourism Signage	<b>73-80</b>
12.5 <u>Director of Corporate Services</u> Re: Recommendations from the Environment Commission	<b>81-84</b>
12.6 <u>Director of Public Works</u> Re: Purchase of Turbidity Meter	<b>85</b>
<b>13 CORRESPONDENCE</b>	
13.1 <u>T. Hughes, Coastal Animal Control Services of BC Ltd.</u> Re: Pound Report for February, 2009	<b>87</b>
13.2 <u>C. Fisher, Festival Chair, Maritime Festival</u> Re: Request for Use of Parking Site	<b>89-90</b>
13.3 <u>D. Welch, Policy &amp; Programs Officer, UBCM</u> Re: Built Environment & Active Transportation Grant (Phase – 2) – Approval and Terms and Conditions	<b>91-94</b>
13.4 <u>Dr. R. Carson, MC, FRCP</u> Re: Ladysmith's Need for a Dialysis Unit	<b>95-96</b>
13.5 <u>Minister K. Krueger, Ministry of Community Development</u> Re: Investments to Ladysmith by the Provincial Government	<b>97-100</b>

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13.6 <u>D. Welch, Policy &amp; Programs Officer, UBCM</u> Re: 2009 Newly Elected Community to Community (C2C) Forum Funding Approved	<b>101</b>
13.7 <u>W. Eller, Ladysmith Chamber of Commerce</u> Re: Visitor Information Centre / Chamber of Commerce Premises	<b>103-104</b>
<b>14 BYLAWS</b>	
14.1 <u>Town of Ladysmith Development Procedures Bylaw 2008, No. 1681 Amendment Bylaw</u> May be read a first, second and third time.	<b>105-107</b>
14.2 <u>Town of Ladysmith DCC Water Appropriation Bylaw 2009, No. 1677</u> May be adopted.	<b>109-110</b>
14.3 <u>Town of Ladysmith DCC Sewer Appropriation Bylaw 2009, No. 1678</u> May be adopted.	<b>111-112</b>
14.4 <u>Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679</u> May be adopted.	<b>113-114</b>
14.5 <u>Town of Ladysmith Roads Appropriation bylaw 2009, No. 1683</u> May be adopted.	<b>115-116</b>
<b>15 NEW BUSINESS</b> None.	
<b>16 UNFINISHED BUSINESS</b> None.	
<b>17 QUESTION PERIOD</b>	
<b>ADJOURNMENT</b>	



## Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, March 2, 2009 at 7:00 p.m.

### **COUNCIL MEMBERS PRESENT:**

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

### **STAFF PRESENT:**

Ruth Malli	Sandy Bowden
Felicity Adams	Rebecca Kalina

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Mayor Hutchins called the meeting to order at 5:57 p.m.

### **EXECUTIVE SESSION**

2009-109: It was moved, seconded and carried that this meeting retire into Executive Session (6:00 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- 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;
- 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;

### **AGENDA APPROVAL**

The Mayor requested Council's consideration of the following addition to the agenda:  
12.7 - Strategic Community Investment Funds

2009-110: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, March 2, 2009 be approved as amended.

### **MINUTES**

2009-111: It was moved, seconded and carried that the Council minutes of February 2 and 16, 2009 be approved as circulated.

### **PUBLIC HEARINGS**

PUBLIC HEARING - Bylaw 1672 and 1673

#### **APPLICANT AGENT**

GPM Developments Ltd. Chuck Meagher

PUBLIC ATTENDANCE: 18

A Public Hearing for Bylaws 1672 and 1673 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, March 2, 2009 at 7:01 p.m.

Mayor Hutchins welcomed the public and noted that the public input portion of the hearing would take place in two parts - Part 1 would entertain questions clarifying the project or bylaw and Part 2 would afford attendees an opportunity to provide comments to council on the proposed development.

F. Adams, Manager of Development Services, provided an overview of the application from GPM Development Ltd. for Lot 3, Block 1399, Oyster District, Plan VIP75559 except Part in Plan VIP80608. The property is located west of the Hydro right of way off Colonia Drive and Hanington Road. The purpose of the application is to permit a 190 unit multiple family development on the subject property.

F. Adams, Manager of Development Services, advised that Bylaw 1672 will:

- Change the Official Community Plan designation for the subject properties from Single Family Residential to Multi-Family Residential.
- Add the subject property to the Multi-Family Residential Development Permit Area (DPA4) and the Hazard Lands Development Permit Area (DPA7)
- Include the subject property within the urban containment boundary
- Designate the subject property as Multi-Family Residential in the Holland Creek Area Plan;

She further noted that Bylaw 1673 will change the Zoning designation for the subject property from Urban Rural Residential (UR-1) Zone to Medium Density Residential (R-3-A) Zone to permit a 190 unit residential development with a maximum height of 14 metres (4 storey).

The Public Hearing notice was printed in the Chronicle newspaper on February 17, and 24, 2009 and posted on community notice boards throughout Town and on the Town's website. Notices were also mailed and delivered to properties within 60 metres of the subject site and a copy was made available at the front counter of City Hall for the two week notice period. There were no written submissions and one telephone enquiry was received in connection with this Public Hearing. The OCP amendment was referred to School District 68 and no comments were received. The applicant held a public information meeting about the proposal on March 25, 2008.

The Mayor introduced the applicant, GPM Developments Ltd – Chuck Meagher. Representatives of GPM Developments Ltd. provided an overview of the development.

Mayor Hutchins called for questions a first time and stated that written submissions could be submitted to the recording secretary.

J. Rose inquired if there is a demand for houses at this time and expressed concerns regarding the visibility of the development from the Holland Creek Trail.

GPM Representative noted that it will be 2 to 3 years before much of the work will proceed on the development so the market may be better at that time. The densification of the development will make the cost of the units more affordable. The visual impact from Holland Creek Trail will be minimal. Part of the trail is on the property and that area has been dedicated as park land.

M. Quaife inquired about what lands will be donated as park land.

GPM Representative advised that approximately 2.6 acres of land will be donated as park land and also noted that GPM will improve the trail located on the site.

D. Harrison inquired if there will be a system for oil retention on the storm water runoff.

GPM Representative advised that such a system will be implemented and that traditional best practices will be followed for storm water run off, such as, bio-swales, rain garden and products that look after sediments and oils.

B. Drysdale expressed concerns regarding emergency access to the area.

GPM Representative noted that there will be a reservoir on the site which will have sufficient capacity to respond to fire emergencies.

P. Fraser inquired if the primary access to the development will be Malone Road and also inquired about the hydro right of way.

GPM Representative advised that easements will be established with hydro and the owner of the property, and will proceed once the zoning is approved.

P. Fraser inquired if the first Phase will be accessed via Colonia.

GPM Representatives commented that is difficult to say at this time. It will also depend on the other developer in the area.

Mayor Hutchins called for questions a second time.

Mayor Hutchins called for questions a third time.

Mayor Hutchins called for comments a first time.

J. Rose noted that the Holland creek Trail Committee recommends that a buffer zone between the development and the trail be retained. The Committee raised funds to purchase a portion of the land so that a buffer could be created. She noted that she is not opposed to development but she feels strongly about having buffer zones to shield the development from the trail.

P. Fraser noted that Colonia is not designed for the amount of traffic that will be created by this new development and is concerned about the primary access to the development.

D. Vetch expressed concern about traffic flow on Colonia and inquired about the location of the bridge.

GPM Representative reviewed the location of the building site in relation to the bridge.

D. Vetch expressed concern about the affects of the current development on Holland Creek Trail and noted that he is concerned with the noise emanating from the construction site. He noted his opposition to the proposed development.

M. Quaife expressed her concern regarding the affects on the trail from the current development and stated she is not supportive of the application in front of Council.

B. Cruickshank expressed her opposition to the proposed development.

Mayor Hutchins called for comments a second time.

Mayor Hutchins called for comments a third time.

Mayor Hutchins called for any written submissions. No letters were forthcoming.

Hearing no further comments, Mayor Hutchins declared that the Public Hearing for Bylaws 1672 and 1673 was closed. (7:45 p.m.).

#### **BYLAWS (OCP/ZONING)**

Councillor J. Dashwood vacated Council Chambers at 8:08 p.m. due to a potential conflict of interest with the following item.

2009-112: It was moved, seconded and carried that Council delete the requirement for grey water reuse in the proposed Calonia Ridge Development (3360-06-13) and replace it with a covenant requirement for the following: the installation of individual water meters, low-flow toilets, low-flow washing machines and low-flow showerheads and provide in Phase 1 of the development a system to collect and use rain water for toilet flushing and landscape irrigation purposes;

AND THAT the Phase 1 water use mitigation strategies be evaluated for use in future phases of the development.

2009-113: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 23), 2008, No. 1672 be read a third time.

2009-114: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 71), 2008, No. 1673 be read a third time.

Councillor J. Dashwood returned to Council Chambers at 8: 10 p.m.

Council recessed for a break at 8:10 p.m. and the meeting resumed at 8:27 p.m.

**PROCLAMATIONS**

The Mayor proclaimed March 2009 as "Community Social Services Awareness Month" and "Canadian Red Cross Month" in the Town of Ladysmith.

**DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS**

**DEVELOPMENT VARIANCE PERMIT APPLICATION 3090-08-07**

2009-115: It was moved, seconded and carried that Staff be directed to proceed with the statutory notice for Development Variance Permit Application No. 08-07 for lots 1 and lots 5 to 19; District Lot 52, Oyster District, Plan VIP 86055 (Thetis Drive) to vary the height;

AND THAT Staff work with the Developer to bring forward a proposal to mitigate the view impact from below the proposed development.

**HIGHWAY SIGN VARIANCES IN THE TOWN OF LADYSMITH**

2009-116: It was moved, seconded and carried that the Staff report from F. Adams, Manager of Development Services, dated February 24, 2009 regarding highway sign variances in the Town of Ladysmith be received.

**COUNCIL / COMMITTEE REPORTS**

Councillor S. Bastian advised that the Protective Services Committee met in February at which time the Fire Chief reported on the buildings in Town which do and do not have fire alarm systems. He informed Council that COPPS will not be holding the Holland Creek Crunch this year. He also noted that he attended BC Tourism Conference in Vancouver in February.

Councillor J. Dashwood distributed a written report regarding the Fire Department.

Councillor S. Arnett noted that the Economic Development Commission met on February 16, 2009. The EDC will be looking at creating a higher profile for Ladysmith.

Councillor D. Paterson noted that the Celebrations Committee will meet on Thursday, March 5, 2009 and further advised that the Festival of Lights AGM will be held on March 9, 2009.

**GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS**

2009-117: It was moved, seconded and carried that the City Manager's Report, dated February 11, 2009, regarding her review of 2008 be received.

2009-118: It was moved, seconded and carried that the Director of Public Work's 2008 Annual Report dated January 23, 2009 be received.

2009-119: It was moved, seconded and carried that the 2008 fourth quarter reports from the Manager of Development Services, dated February 2, 2009, the Director of Corporate Services, dated February 10, 2009, and the Director of Parks Recreation and Culture, dated February 1, 2009, be received.

2009-120: It was moved, seconded and carried that Staff be requested to prepare a report proposing a snow clearing policy which includes the issuing of fines for failure to comply with the sidewalk snow clearing regulations and to review the possibility of Town staff clearing snow and ice from sidewalks identified as major pedestrian routes and that the report also include an implementation plan.

2009-121: It was moved, seconded and carried that a two-percent increase to the Parks, Recreation & Culture Fees be approved beginning April 1, 2009.

2009-122: It was moved, seconded and carried that the Heritage Revitalization Advisory Commission (HRAC) be supported to develop a full project plan for a Community Heritage Register and Statement of Significance Project;

AND THAT the project focus on heritage resources within Development Permit Area 2-Downtown primarily First Avenue between Roberts Street and High Street;

AND FURTHER THAT when it is developed, the HRAC forward the full project plan to Council for consideration as a 2009 project.

2009-123: It was moved, seconded and carried that the annual tenders for services be awarded to the low tenderer at the unit prices tendered as follows:

Concrete Supply - Bedrock Redi-Mix Ltd.  
Asphalt & Paving - Hub City Paving  
Gravel Supply - Island Aggregate Ltd.  
Septic Services - Coast Environmental Ltd.  
Survey & Layout - McCallan Construction Survey Ltd.  
Equipment Rental (Heavy Equipment) - David Stalker Excavating Ltd.  
Chlorine & Chemical Supply - Brenntag Canada Inc.

AND THAT the tender for the supply of trucking be awarded to TRT Contracting Inc.

2009-124: It was moved, seconded and carried that Council support in principle the Spirit of BC Committee approaching the Vancouver Olympic Committee to determine the requirements for establishing a Town of Ladysmith initiated 2010 Olympic / Paralympic Homestay Program.

2009-125: It was moved, seconded and carried that:

1) the development of a land use policy in support of manufactured home parks, as a means to supply affordable housing, be part of the Official Community Plan review,

2) staff be directed to prepare an amendment to the Town of Ladysmith Development Procedures Bylaw 2008, No. 1667 to require applicants intending to redevelop a site causing displacement of tenants to include with the rezoning application a communications plan, information about the redevelopment proposal, and tenant financial assistance and relocation plan similar to the District of Sooke Manufactured Home Park Redevelopment Policy; and,

3) staff be directed to create a zone for Mobile/Manufactured Home Parks.

2009-126: It was moved, seconded and carried that before the Town is willing to consider the Baker Road boundary extension proposal, that the applicant consult with neighbouring properties in the area of Baker Road and provide the results of the consultation to the Town.

2009-127: It was moved, seconded and carried that Staff be authorized to apply for three positions under the Canada Summer Jobs 2009 Program for the Parks, Recreation & Culture summer daycamps.

2009-128: It was moved, seconded and carried that the proposed schedule of "Global" commission meetings for 2009 be approved and that Staff be directed to make the necessary arrangements for the meetings including notifying all advisory commission members, securing an appropriate location for the meetings etc.

2009-129: It was moved, seconded and carried that the minutes of the Government Services Committee meeting on Monday, February 16, 2009 be approved as circulated.

2009-130: It was moved, seconded and defeated that staff be requested to proceed with the statutory notice for DVP 3060-09-01 (Cacchioni) Lot 11, 12 and 13, District Lot 139, Oyster District, Plan 7217 (1156 - 1154 - 1152 Trans Canada Highway).  
(MOTION DEFEATED)

2009-131: It was moved, seconded and carried that Development Variance Permit 3060-09-01 (Cacchioni) for Lot 11, 12 and 13, District Lot 139, Oyster District, Plan 7217 (1156 - 1154 - 1152 Trans Canada Trail be denied.

**PARKS, RECREATION & CULTURE COMMISSION RECOMMENDATIONS**

Councillor D. Paterson vacated Council Chambers at 9:00 p.m. due to a potential conflict of interest.

2009-132: It was moved, seconded and carried that the Kinsmen Club project to install an information kiosk and washroom at the westerly corner of Sixth Avenue and Methuen Street be approved and that the Town provide the services to the washrooms.

Councillor D. Paterson returned to Council Chambers at 9:04 p.m.

2009-133: It was moved, seconded and carried that the previous lease agreement between George Liaros Catering and the Town of Ladysmith be extended for the Transfer Beach Park Concession for a further three-year term with the lease rates to be reviewed.

2009-134: It was moved, seconded and carried that the request from the Parks, Recreation and Culture Commission for Council's consideration of amending Bylaw No. 1528 (Parks, Recreation and Culture Commission Bylaw) to delete the requirement for representatives from Electoral Areas G and H on the Commission, and to amend the number required for a quorum from five to four be referred to a future Council meeting, and that Staff be requested to seek comments from Areas G and H regarding the proposed amendment to the bylaw.

Councillor L. Evans noted that she recently received a tour of the Lodge on 4th and La Villa Rosa as a potential assisted living facility. She also advised that she attended the Heritage Revitalization Advisory Commission workshop on February 28, 2008 and reported that approximately 20 people attended with a good representation from the community.

#### HERITAGE REVITALIZATION ADVISORY COMMISSION RECOMMENDATION

2009-135: It was moved, seconded and carried that when a park pavilion is built at Transfer Beach Park, it be named the Kay Grouhel pavilion.

Councillor B. Whittington advised that he will be attending the Vancouver Island Regional Library Board meeting in late March. He also noted that the Environmental Commission will meet on March 5, 2009 and will finalize recommendations that will be forwarded to Council.

## REPORTS

### FIRE CHIEF'S REPORT

2009-136: It was moved, seconded and carried that the Fire Chief's Report for January 2009 be received.

### BUILDING INSPECTOR'S REPORT

2009-137: It was moved, seconded and carried that the Building Inspector's Report for January 2009 be accepted.

### SEWAGE TREATMENT FACILITY AWARD

2009-138: It was moved, seconded and carried that the tender for the headworks construction for the sewage treatment facility be awarded to Rocky Point Metalcraft Ltd. for the low tendered price of \$2,819,013.67 and that the project be funded from grants, DCC's and reserve funds.

### GRANT APPLICATION - PIPELINE - ARBUTUS RESERVOIR TO SOUTH END LADYSMITH

2009-139: It was moved, seconded and carried that Staff be directed to submit a grant application for the Canada-British Columbia Building Canada Fund Program - Communities Component (BCF-CC) for the installation of a centralized water treatment facility and Stocking Lake water supply system upgrade.

## MACHINE SHOP INQUIRES

2009-140: It was moved, seconded and carried that Staff be directed to proceed with the statutory notification for the following proposed leases for the use of the following areas of the Town owned Machine Shop Building (610 Oyster Bay Drive) to :

Unit D - Dennis Brown  
Unit F - Pacific Clay Works  
Unit G - Janice Richards  
Unit I - Ladysmith Maritime Society  
Unit L - Arts Council

## CANADA DAY CELEBRATION GRANT APPLICATION

2009-141: It was moved, seconded and carried that Staff be directed to submit an application for a Celebrate Canada Committee For BC grant in the amount of \$3,600 for a Canada Day event.

## EARTH HOUR MARCH 28, 2009

2009-142: It was moved, seconded and carried that the Town register for Earth Hour which takes place on March 28, 2009 from 8:30 p.m. to 9:30 p.m. and advertise the event on the Town's website and in the local newspaper.

## CORRESPONDENCE

### COASTAL ANIMAL CONTROL JANUARY 2009 POUND REPORT

2009-143: It was moved, seconded and carried that the January 2009 Pound Report form T. Hughes of Coastal Animal Control Services be received and filed.

### HERITAGE BC GRANT

2009-144: It was moved, seconded and carried that:

a) the grant in the amount of \$1,200 for the Heritage Workshop Program under the Heritage BC Workshop Program be received and that a letter of thanks for the grant be forwarded to the Rick Goodacre, Executive Director of Heritage BC.

B) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.

C) the 5 year financial plan and budget be amended accordingly.

### TREASURY BOARD DECISION

2009-145: It was moved, seconded and carried that the letter from Mayor J. Ruttan of Nanaimo dated February 3, 2009 regarding the Treasury Board's decision to roll back the planned wage increase for the member of the RCMP be received and that a letter of support for the RCMP be forwarded to the President of the Treasury Board of Canada, The Honourable Vic Toews.

### ARTS COUNCIL OF LADYSMITH & DISTRICT REQUEST FOR ADDITIONAL SPACE IN MACHINE SHOP

2009-146: It was moved, seconded and carried that the letter from D. Brown, President of the Ladysmith & District Arts Council dated February 13, 2009 regarding additional space in the Machine Shop building be received and that staff advise the letter writer of the status of the request.

### CHERRY LANE STRATA REQUEST

2009-147: It was moved, seconded and carried that the letter from K. Cameron the Chair of the Cherry Lane Strata dated February 8, 2009 for separate addresses for each unit in the strata be referred to staff for review and report.

#### REQUEST FOR USE OF TOWN LOGO

2009-148: It was moved, seconded and carried that the correspondence dated February 10, 2009 from Peter Blumel regarding his request to use the Town Logo on a post card be received;

AND THAT Staff be directed to develop a policy regarding the use of the Town Logo;

AND THAT Mr. Blumel be advised that he is authorized to use the Ladysmith Tourism Logo "A View To Sea" for this project.

#### STRATEGIC COMMUNITY INVESTMENT FUNDS

2009-149: It was moved, seconded and carried that the Mayor and Corporate Officer be authorized to sign the Strategic Community Investment Funds Agreement.

#### **BYLAWS**

2009-150: It was moved, seconded and carried that the Town of Ladysmith Council Procedure Bylaw 2008, No. 1666 be adopted.

2009-151: It was moved, seconded and carried that the Town of Ladysmith Cemetery Care Trust Fund Appropriation Bylaw 2009, No. 1674 be adopted.

2009-152: It was moved, seconded and carried that the Town of Ladysmith DCC Roads Appropriation Bylaw 2009, No. 1669 be adopted.

2009-153: It was moved, seconded and carried that the Town of Ladysmith DCC Parks Appropriation Bylaw 2009, No. 1676 be adopted.

2009-154: It was moved, seconded and carried that Town of Ladysmith Development Procedures Bylaw 2008, No. 1667 Amendment Bylaw 2009, No. 1681 be referred to the April 6, 2009.

2009-155: It was moved, seconded and carried that the Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2009, No. 1682 be read a first, second and third time.

#### **EXECUTIVE SESSION**

The Regular Session of Council adjourned and the Executive Session of Council resumed at 9:50 p.m.

#### **ARISE AND REPORT**

2009-156: It was moved, seconded and carried that the Executive Session of Council arise without report (10:30 p.m.).

#### **ADJOURNMENT**

2009-157: It was moved, seconded and carried that the meeting be adjourned (10:30 p.m.)

**CERTIFIED CORRECT:**

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

\_\_\_\_\_  
Corporate Officer (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 Tuesday, March 3, 2009 at 4:00 p.m.

### **COUNCIL MEMBERS PRESENT:**

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

### **STAFF PRESENT:**

Ruth Malli	Sandy Bowden
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Mayor Hutchins called the meeting to order at 4:05 p.m.

### **EXECUTIVE SESSION**

2009-158: It was moved, seconded and carried that this meeting retire into Executive Session (6:00 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];

### **ARISE AND REPORT**

2009-159: It was moved, seconded and carried that the Executive Session of Tuesday, March 3, 2009 arise without report (9:45 p.m.).

### **AGENDA APPROVAL**

2009-160: It was moved, seconded and carried that the agenda for the Special Tuesday, March 3, 2009 be adopted as circulated.

### **ADJOURNMENT**

2009-161: It was moved, seconded and carried to adjourn the meeting at 8:45 p.m.

### **CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)





## Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, March 16, 2009 at 7:00 p.m.

### **COUNCIL MEMBERS PRESENT:**

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

### **STAFF PRESENT:**

Ruth Malli	Sandy Bowden
Rebecca Kalina	Felicity Adams

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Mayor Hutchins called the meeting to order at 7:05 p.m.

### **AGENDA APPROVAL**

2009-162: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, March 16, 2009 be approved as circulated.

### **BYLAWS (OCP/ZONING)**

#### **OCP AMENDMENT AND REZONING APPLICATION 3360-98-01**

2009-163: It was moved, seconded and carried that Staff be directed to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 68), 2008, No. 1657" by including in the text of the General Commercial (C-2) zone a clause that states the following uses are not permitted at 379 Davis Road: recreation facility, funeral parlour, assembly hall and library, theatre and transportation terminal, as well as replace "restaurant, including drive-in" with "restaurant".

#### **ZONING AMENDMENT APPLICATION 3360-08-04**

2009-164: It was moved, seconded and carried that Staff be directed to prepare a bylaw to amend the Zoning Bylaw to permit four residential units on Lot 6, DL 139, Oyster District, Plan 7217 (Huntjens 3360-08-04);

AND THAT Council supports a land-use agreement which includes the applicant's commitment to install a water meter in each residential unit; to install triple glaze windows for all windows in each unit; to use natural materials for the external façade of the units; to retain a registered landscape architect to design a comprehensive landscape plan (at the development permit stage) that encourages the use of native species and onsite tree retention, limits impermeable surfaces, and utilizes a rainwater irrigation system; and to contribute \$2,000. towards the amenity fund.

F. Adams, Manager of Development Services, vacated Council Chambers at 7:15 p.m.

### **REPORTS**

#### **SNOW ANGEL AWARD DRAW**

Mayor Hutchins drew the following 5 names as the Snow Angel Award Winners for 2008/2009 :

Richard Lambier  
Keith Hill  
Cody Logan  
Dave Seccombe and Karen Mullin

Eleanor Swift and Greg Young

The winners will be presented with the awards at the Council meeting on Monday, April 6, 2009.

#### DEVELOPMENT COST CHARGES (WATER) RESTRICTED RESERVE

2009-165: It was moved, seconded and carried that Town of Ladysmith DCC Water Appropriation Bylaw 2009, No. 1677 be read a first, second and third time.

#### DEVELOPMENT COST CHARGES (SEWER) RESTRICTED RESERVE

2009-166: It was moved, seconded and carried that Town of Ladysmith DCC Sewer Appropriation Bylaw 2009, No. 1678 be read a first, second and third time.

#### REAL PROPERTY RESERVE APPROPRIATION

2009-167: It was moved, seconded and carried that Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679 be read a first, second and third time.

#### DEVELOPMENT COST CHARGES (ROADS) RESTRICTED RESERVE

2009-168: It was moved, seconded and carried that Town of Ladysmith DCC Roads Appropriation Bylaw 2009, No. 1683 be read a first, second and third time.

#### ARCHAEOLOGICAL IMPACT ASSESSMENT (AIA) - LADYSMITH HARBOUR

2009-169: It was moved, seconded and carried that Staff be directed to proceed with commissioning an Archaeological Impact Assessment of the Town-owned lands identified on the map entitled "Composite Plan of Parcels within and adjacent to Ladysmith Harbour" prepared by Patrick Ringwood Corporation (distributed at the meeting) in consultation with the Chemainus First Nation and the Crown Lands Opportunities Branch, and that funding in the amount of \$10,000 be allocated for this project, and further that the 2009 Financial Plan be amended accordingly.

### **BYLAWS**

2009-170: It was moved, seconded and carried that Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2009, No. 1682 be adopted.

### **EXECUTIVE SESSION**

2009-171: It was moved, seconded and carried that this meeting retire into Executive Session (7:35 p.m.) pursuant to Section 90(1) of the Community Charter 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;
- discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];
- 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;

### **ARISE AND REPORT**

2009-172: It was moved, seconded and carried that the Executive Session of Council arise with report (9:14 p.m.).

#### 2009 STRATEGIC PRIORITIES

2009-173: It was moved, seconded and carried that the following strategic priorities be

endorsed for 2009:

City Manager:

1. New Civic Space
2. Community Marina
3. Implementation of the Vision Document
4. Waterfront Development: Geotech and Environmental Assessment; Archaeological Study
5. Confirm Vision, Mission, Values with Council

Corporate Services Division:

1. Communications Strategy
2. Town-Operated Trolley System
3. Small Craft Harbours Lease/License of Occupation (breakwater)
4. Canada's Top 100 Employers/Service Providers
5. Bylaw Review (from an Environmental Perspective)

Core Services Division:

1. Finalize Wastewater Treatment Plant
2. Waterline – Holland to Stocking Lakes: UV Light Treatment
3. Stabilize Bank at Amphitheatre
4. Maintain Municipal Roads
5. Organic Waste Collection – Commercial, Multi-Family

Community Services Division:

1. Sport Fields (Aggie, Lot 108)
2. FJCC Heating, Ventilation and Lighting Upgrades
3. Holland Creek Trail Safety Issues
4. Environmental Initiatives
5. School District – Field Development and Joint Use

Development Services:

1. Holland Creek Area Plan
2. Affordable Housing
3. Implementation of Tourism Plan – UBCM Phase II Activities
4. EDO Resource Review
5. Development Cost Charge (DCC) Bylaw Review (Phase 1)

**ADJOURNMENT**

2009-174: It was moved, seconded and carried that the meeting be adjourned (9:14p.m.)

**CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)





## Town of Ladysmith

Minutes of the Special Meeting of Council of the Town of Ladysmith held in the multi-purpose room at Ladysmith Secondary School on Tuesday, March 17, 2009 at 6:00 p.m.

### **COUNCIL MEMBERS PRESENT:**

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

### **STAFF PRESENT:**

Ruth Malli	Felicity Adams
Sandy Bowden	Lisa Brinkman
Patrick Durban	Rebecca Kalina
Julie Tierney	Diane Webber

Mayor Hutchins called the meeting to order at 6:15 p.m.

### **AGENDA APPROVAL**

2009-175: It was moved, seconded and carried that the agenda for the Special Council meeting for Tuesday, March 17, 2009 be approved as circulated.

### **COUNCIL / COMMITTEE REPORTS**

The Mayor welcomed attendees to the first Global Commission meeting.

Mayor Hutchins provided an overview of the purpose, process and final report of the community sustainability visioning process. He noted that the focus areas will be the downtown, waterfront and Holland Creek areas. He advised that Council has proposed starting to implement the vision with the Holland Creek area and to use the information gathered in the visioning workshops as a starting point to work with citizens and developers on a sustainable new community.

Mayor Hutchins presented the Town's 2009 Strategic Priorities:

#### City Manager:

1. New Civic Space
2. Community Marina
3. Implementation of the Vision Document
4. Waterfront Development: Geotech and Environmental Assessment; Archaeological Study
5. Confirm Vision, Mission, Values with Council

#### Corporate Services Division:

1. Communications Strategy
2. Town-Operated Trolley System
3. Small Craft Harbours Lease/License of Occupation (breakwater)
4. Canada's Top 100 Employers/Service Providers
5. Bylaw Review (from an Environmental Perspective)

#### Core Services Division:

1. Finalize Wastewater Treatment Plant
2. Waterline – Holland to Stocking Lakes: UV Light Treatment
3. Stabilize Bank at Amphitheatre
4. Maintain Municipal Roads
5. Organic Waste Collection – Commercial, Multi-Family

Community Services Division:

1. Sport Fields (Aggie, Lot 108)
2. FJCC Heating, Ventilation and Lighting Upgrades
3. Holland Creek Trail Safety Issues
4. Environmental Initiatives
5. School District – Field Development and Joint Use

Development Services:

1. Holland Creek Area Plan
2. Affordable Housing
3. Implementation of Tourism Plan – UBCM Phase II Activities
4. EDO Resource Review
5. Development Cost Charge (DCC) Bylaw Review (Phase 1)

Representatives of the Environment Commission, Advisory Design Panel, Heritage Revitalization Advisory Commission, Parks, Recreation & Culture Commission and Economic Development Commission provided brief overviews of each commission/committee and associated goals and objectives.

**ADJOURNMENT**

2009-176: It was moved, seconded and carried that the meeting be adjourned at 6:50 p.m.

The Commission/Committees then proceeded to hold their own monthly meetings at various locations in the Ladysmith Secondary School.

**CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (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, March 30, 2009 at 4:00 p.m.

### COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins  
Jillian Dashwood  
Duck Paterson

Scott Bastian  
Lori Evans  
Bruce Whittington

### COUNCIL MEMBERS ABSENT:

Steve Arnett

### STAFF PRESENT:

Ruth Malli  
Rebecca Kalina  
Mark Hermanson

Sandy Bowden  
Joe Friesenhan

Mayor Hutchins called the meeting to order at 3:55 p.m.

### EXECUTIVE SESSION

2009-177: It was moved, seconded and carried that this meeting retire into Executive Session at 3:45 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;
- 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;
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

### AGENDA APPROVAL

The Mayor requested Council's consideration of the following addition to the agenda:  
- Ratification of Motion - Fire Department Generator

2009-178: It was moved, seconded and carried that the agenda for the Special Council meeting of Monday, March 30, 2009 be adopted as amended.

### REPORTS

#### FINANCIAL DISCLOSURE - SEPARATE CAMPAIGN BANK ACCOUNT

Councillor D. Paterson read a statement on behalf of Councillor J. Dashwood and himself regarding their failure to open separate campaign bank accounts during the 2008 local government election. He noted that this was an oversight and was not intentional. He apologized for the error on behalf of Councillor Dashwood and himself.

#### RATIFICATION OF MOTION - HORSESHOE PITCH

2009-179: It was moved, seconded and carried that the Transfer Beach horseshoe pitch be named the 'Stew Battie Memorial Horseshoe Pitch' in honour of Stew Battie, a long-time resident of Ladysmith who was instrumental in establishing the horseshoe pitch.

#### RATIFICATION OF MOTION - FIRE DEPARTMENT GENERATOR

2009-180: It was moved, seconded and carried that the expenditure of \$15,227.50 be authorized for a 60 kw Generac generator for the Fire Department through BC Bid and that funds be allocated from the Fire Department Reserve Fund and further, that the Financial Plan be amended accordingly.

## 2009 FINANCIAL PLAN

R. Malli, City Manager, reviewed the objectives, schedule and format of the budget review meetings. She distributed a report entitled "2009 - 2013 Financial Plan March 30, 2009" and reviewed it with Council. The report provides the background, framework and regulatory context for the Town of Ladysmith Financial Plan for 2009 to 2013.

J. Friesenhan, Director of Public Works, presented an overview of the proposed 2009 budget for the Town's water and sewer system. Council approved in principle the water and sewer budget as presented.

### **EXECUTIVE SESSION**

The Regular Session of Council recessed at 5:53 p.m. to return to the Executive Session of Council.

### **ARISE AND REPORT**

2009-181: It was moved, seconded and carried that the Special Executive Session of Monday, March 30, 2009 rise without report at 4:02 p.m.

### **ADJOURNMENT**

2009-182: It was moved, seconded and carried that the meeting be adjourned at 6:55 p.m.

**CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Manager of Development Services  
Date: March 10, 2009  
File No: 3360-98-01

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Re: **OCF AMENDMENT AND REZONING - 379 DAVIS ROAD - JOAN PHILLIPS**  
Lot A, District Lot 43, Oyster District, Plan VIP69091

**RECOMMENDATION:**

That Council rescind second reading of Bylaw 1657 and give second reading to Bylaw 1657 as amended;

And that Council set a public hearing date of June 1, 2009 for rezoning application 3360-98-01 (Phillips).

**PURPOSE:**

The purpose of this report is to provide a revised zoning amendment bylaw for the consideration of Council and to set a public hearing date.

**BACKGROUND:**

Council passed the following motion at the March 16, 2009 Council meeting:

"It was moved, seconded, and carried that staff be directed to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 68), 2008, No. 1657" by including in the text of the 'General Commercial (C-2)' zone a clause that states the following uses are not permitted at 379 Davis Rd.: recreation facility, funeral parlour, assembly hall and library, theatre, and transportation terminal, as well as replace 'restaurant, including drive-in' with 'restaurant'."

**SCOPE OF WORK:** n/a

**ALTERNATIVES:** n/a

**FINANCIAL IMPLICATIONS:** n/a

**LEGAL IMPLICATIONS:**

The 'Local Government Act' requires that a new public hearing be held if Council alters the use, increases the density, or without the owner's consent decreases the density of any area from that originally specified in the Zoning Bylaw.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Notice regarding the public hearing will be: 1) placed in two consecutive issues of the local newspaper; 2) delivered to all parcels within 60 metres of 379 Davis Rd., and 3) posted on a sign at 379 Davis Rd.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:** n/a

**ALIGNMENT WITH STRATEGIC PRIORITIES:** n/a

**SUMMARY**

The applicant J. Philips, wishes to rezone the subject property at 379 Davis Rd. from 'Suburban Residential (R-1)' to 'General Commercial (C-2)'. Staff was directed to amend Bylaw 1657 to limit the permitted commercial uses at 379 Davis Road. The next step in the process is to hold a public hearing.

I concur with the recommendation:



\_\_\_\_\_  
Ruth Maffi, City Manager

**ATTACHMENTS:**

Bylaw 1657

**TOWN OF LADYSMITH**

**BYLAW NO. 1657**

A bylaw to amend "Town of Ladysmith Zoning Bylaw, 1995, No. 1160"

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**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the zoning bylaw;

**AND WHEREAS** after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

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

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is hereby further amended as follows:
  - (i) Section 17.1 Add the following clause: "Despite Section 17.1 for the subject property legally described as Lot A, District Lot 43, Oyster District, Plan VIP69091 (379 Davis Road) the following uses are not permitted:
    - (a) recreation facility;
    - (g) funeral parlour;
    - (j) assembly hall and library;
    - (m) theatre, excluding drive-in;
    - (n) transportation terminal including taxi dispatch office; but not including storage and maintenance of transportation equipment;

Also, for the subject property legally described as Lot A, District Lot 43, Oyster District, Plan VIP69091 (379 Davis Road) to replace (k) restaurant including drive-in with (k) restaurant only."

- (2) The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by:
  - (i) placing "C-2" (General Commercial) on the subject property (legally described as Lot A, District Lot 43, Oyster District, Plan VIP69091, 379 Davis Road) as shown on 'Schedule A' attached to and forming part of this Bylaw.

**CITATION**

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 68), 2008, No. 1657".

**READ A FIRST TIME** on the 5th day of August, 2008

**READ A SECOND TIME AS AMENDED** on the

**PUBLIC HEARING** held pursuant to the provisions of the *Local Government Act*

**READ A THIRD TIME**      on the                      day of  
**ADOPTED**                      on the                      day of

\_\_\_\_\_  
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: March 26, 2009  
File No: 3360-08-04

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Re: **ZONING AMENDMENT APPLICATION: 1142 Trans Canada Highway**  
Subject Property: Lot 6, DL 139, Oyster District, Plan 7217 (M. Huntjens)

**RECOMMENDATION:**

That Council give first and second reading to Bylaw 1684; set a public hearing date of May 4, 2009; and waive the requirement for a neighbourhood information meeting.

**PURPOSE:**

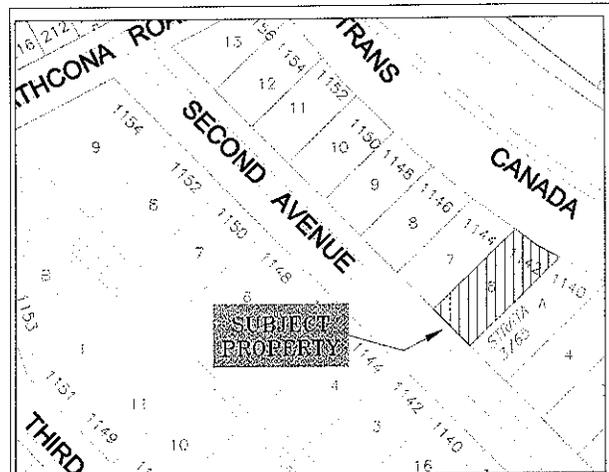
The purpose of this report is to provide a draft zoning amendment bylaw for the consideration of Council and to set a public hearing date.

**BACKGROUND:**

Council made the following resolution at its meeting on March 16, 2009:

"THAT Council directs staff to prepare a bylaw to amend the Zoning Bylaw to permit four residential units on Lot 6, DL 139, Oyster District, Plan 7217 (Huntjens 3360-08-04).

And that Council supports a land-use agreement which includes the applicant's commitment to install a water meter in each residential unit; to install 'triple glaze' windows for all windows in each unit; to use natural materials for the external façade of the units; to retain a registered landscape architect to design a comprehensive landscape plan (at the development permit stage) that encourages the use of native species and onsite tree retention, limits impermeable surfaces, and utilizes a rainwater irrigation system; and to contribute \$2000.00 towards the amenity fund."



**SCOPE OF WORK:** n/a

**ALTERNATIVES:**

To require a neighbourhood information meeting prior to holding a public hearing.

**FINANCIAL IMPLICATIONS:** n/a

**LEGAL IMPLICATIONS:** n/a

**CITIZEN PUBLIC RELATIONS IMPLICATIONS:**

In October 2008 Council referred the application to the Advisory Planning Commission (APC) and Advisory Design Panel (ADP). Both the APC and ADP support the rezoning to "Medium Density Residential" (R-3-A). The ADP will further consider design at the Development Permit stage.

The Development Procedures Bylaw, Bylaw 1667, requires that rezoning applicants hold a neighbourhood information meeting 30 days prior to the holding of a public hearing. It is recommended to waive the requirement for a neighbourhood information meeting as the applicant has been proactive in discussing his intentions with adjacent neighbours and the subject parcel of land is designated for multi-family use in the Official Community Plan.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:** n/a

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The application to rezone the subject property to multi-family use is consistent with the direction of the Official Community Plan. The applicant has committed to several green building and green site design concepts which will be secured in a covenant registered on title.

**SUMMARY:**

It is recommended to give 1<sup>st</sup> and 2<sup>nd</sup> reading to Bylaw 1684 and set a public hearing date to move forward the application to rezone 1142 Trans Canada Highway to permit 4 residential units.

I concur with the recommendation:



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

**ATTACHMENTS:**

Bylaw 1684

**TOWN OF LADYSMITH**

**BYLAW NO. 1684**

A bylaw to amend "Town of Ladysmith Zoning Bylaw, 1995, No. 1160"

**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the zoning bylaw;

**AND WHEREAS** after the close of the Public Hearing and with due regard to the reports received, the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

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

- (1) The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing:

"Medium Density Residential (R-3-A) Zone" on the subject property Lot 6, District Lot 139, Oyster District, Plan 7217 (1142 Trans Canada Highway) as shown on Schedule 1 attached to this Bylaw.

**CITATION**

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 72), 2008, No. 1684".

**READ A FIRST TIME** on the day of

**READ A SECOND TIME** on the day of

**PUBLIC HEARING** held pursuant to the provisions of the *Local Government Act*

on the day of

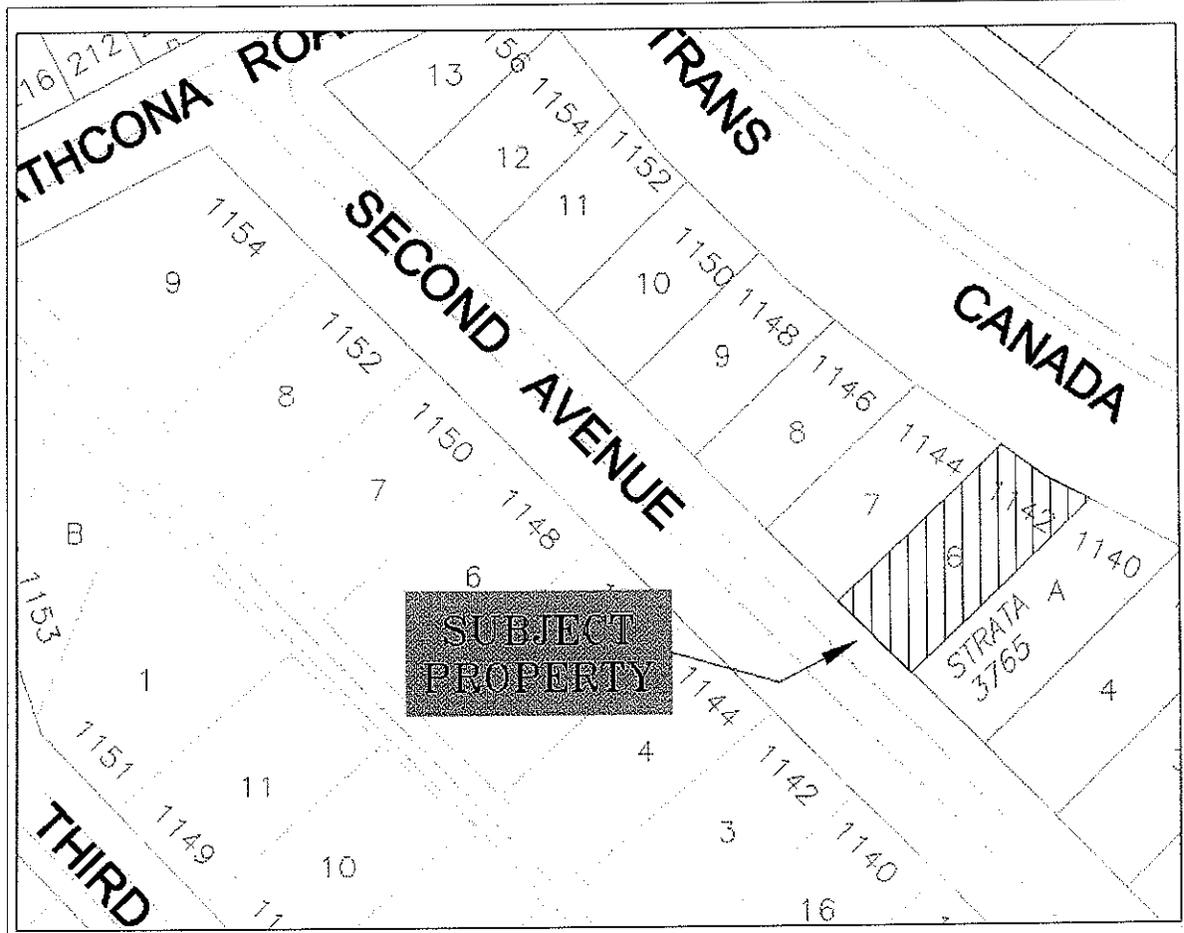
**READ A THIRD TIME** on the day of

**ADOPTED** on the day of

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

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

Bylaw 1684 – Schedule 1





Town of Ladysmith

**STAFF REPORT**

To: Ruth Malli, City Manager  
 From: Felicity Adams, Manager of Development Services  
 Date: March 25, 2009  
 File No: 3360-09-01

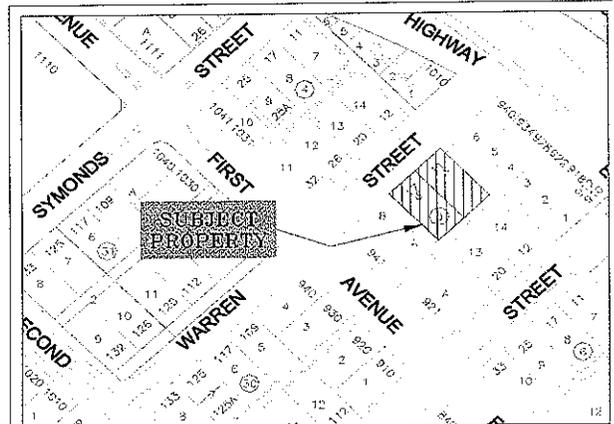
Re: ZONING AMENDMENT APPLICATION: 11 and 17 Warren Street - Pabla  
 Subject Property: Lot 7 and 8, Block 5, DL 24, Oyster District, Plan 703A

**RECOMMENDATION:**

That Council refer Zoning Bylaw Amendment application 3360-09-01 (Pabla) to the Advisory Planning Commission and Advisory Design Panel for review and comment.

**PURPOSE:**

The purpose of this report is to i) introduce a new rezoning application for the subject properties at 11 and 17 Warren Street to permit 10 residential apartments above and approximately 422m<sup>2</sup> (4542 ft<sup>2</sup>) of commercial/office space below, (see Table 1); and ii) seek direction on referrals to Council advisory bodies.



**BACKGROUND:**

The immediate neighbourhood is characterized by a mix of residential and commercial zoning. The applicant is designing a building that will complement and fit with the adjacent Browsersium designs. To the north-east of the subject properties is the Browsersium site which is zoned General Commercial (C-2) (in which a development permit was approved in 2008 for 15 residential units and 390m<sup>2</sup> of commercial space). To the east, west and south-west of the subject property is single family development. The combined area of the two subject properties is 1337 m<sup>2</sup> (10800 ft<sup>2</sup>).

*Table 1: Current and Proposed Zoning*

	<i>Current</i>	<i>Proposed</i>
<i>OCP</i>	Downtown Mixed-Use	Downtown Mixed-Use
<i>DPA</i>	DPA 2 and DPA 4	DPA 2 and DPA 4
<i>Zoning</i>	R-2	C-2 General Commercial
<i>Use:</i>	Residential (one dwelling)	10 residential units and 422m <sup>2</sup> of commercial/office space.
<i>Servicing</i>	Municipal services	Municipal services

**ANALYSIS:**

The proposal is supported by the Official Community Plan (OCP). The OCP designates the subject property and all properties in the area as 'Downtown Mixed-Use'. The OCP states that the 'Downtown Mixed-Use' designation is to encourage multi-family residential uses as either an alternative to, or in combination with commercial uses. The proposal is for a commercial floor space ratio of 0.3 and 60 units per hectare for the residential units which is within the maximums permitted in the OCP. The General Commercial Zone (C-2) would permit the commercial/residential mix proposed.

**ALTERNATIVES**

That Council proceed no further with Zoning Bylaw Amendment application 3360-09-01 (Pabla).

**FINANCIAL IMPLICATIONS** n/a

**LEGAL IMPLICATIONS** n/a

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

It is recommended by staff to refer the rezoning application to the Advisory Planning Commission (APC) and the Advisory Design Panel (ADP) for review and comment.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS** n/a

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The proposal to rezone 11 and 17 Warren St. to permit commercial and residential will allow for the development of the downtown core and implements an OCP direction to encourage multi-family uses in combination with commercial uses in the downtown area. Additionally, the applicant is being encouraged to develop a green building design and green site design.

**SUMMARY**

An application has been received to rezone 11 and 17 Warren St. to permit a mixed use development. The applicant's objective is to design a project that will complement and fit with the adjacent Browsersium development. It is recommended to refer the rezoning application to the APC and the ADP for consideration.

I concur with the recommendation.

*Ruth Malli*

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

**ATTACHMENTS:**

none



**Town of Ladysmith**  
**STAFF REPORT**

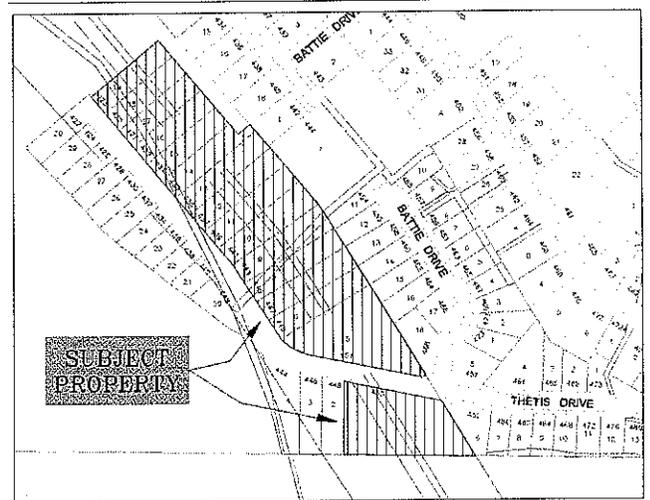
To: Ruth Malli, City Manager  
 From: Felicity Adams, Manager of Development Services  
 Date: March 31, 2009  
 File No: 3090-08-07

Re: Development Variance Permit (DVP) Application  
Shoa Organizational Services Ltd. - Lot 1, Lot 5, and Lots 6 to 19,  
District Lot 52, Oyster District, Plan VIP 86055 (Thetis Drive)

**RECOMMENDATION:**

That Council approve Development Variance Permit 3090-08-07 for Lot 1, Lot 5 and Lots 6 to 19, District Lot 52, Oyster District, Plan VIP 86055 (Thetis Drive) subject to the applicant registering on the certificate of title for each lot a covenant which establishes design guidelines for the rear of each dwelling to ensure that there is significant variation between each of the rear elevations, and that staff be authorized to review and approve the design guidelines;

And that the Mayor and Corporate Officer be authorized to sign DVP 08-07.



**PURPOSE:**

The purpose of this report is to obtain Council direction regarding a DVP application to vary the permitted height for proposed dwellings on lot 1, lot 5 and lots 6 to 19 in a new subdivision on Thetis Drive. See Table 1.

**Table 1: Typical Height Variances Requested**

	Permitted residence height (UR-1)	Proposed residence height	Variance requested	Proposed height from curb level of Thetis Drive.
Lot #1	9 metres (29.5ft)	11.48 metres (37.7 ft)	2.48 metres (8.1ft)	n/a
Lot #5	9 metres (29.5ft)	10.89 metres (35.7ft)	1.89 metres (6.2ft)	5.7 metres (18.7 ft)
Lot #12	9 metres (29.5ft)	10.97 metres (35.9ft)	1.97 metres (6.5ft)	5.7 metres (18.7 ft)
Lot #19	9 metres (29.5ft)	9.10 metres (29.9ft)	0.10 metres (0.3ft)	5.7 metres (18.7 ft)

**BACKGROUND:**

On March 2, 2009 Council passed the following motion:

"It was moved seconded and carried that Staff be directed to proceed with the statutory notice for Development Variance Permit Application No. 08-07 for lots 1 and lots 5 to 19; District Lot 52, Oyster District, Plan VIP86055 (Thetis Drive) to vary the height;

AND THAT staff work with the developer to bring forward a proposal to mitigate the view impact from below the proposed development."

**ANALYSIS:**

The subject lots are in the "Urban Residential Zone" (UR-1). Height regulations in the Zoning Bylaw are the same for level and sloping lots. Other communities provide different means to determine height in steep slope areas.

***Lot 1***

The applicant is proposing a height of 11.48 metres for the proposed lot 1 dwelling, thus requesting a variance of 2.48 metres. The applicant's rationale for the variance is as follows:

"The height of 9 meters as determined by the zoning bylaw is based upon the average of the existing grades the corners of the building. The main floor level and garage floor levels are set at the existing grades at the west side of the lot, however at the east side of the lot there is low pocket and these grades are 2 meters below the basement level and will need fill and levelling. It is these eastern corners that bring down the average grade calculation. As there is a riparian area setback required on this property there is no other location on the property for the house."

It is recommended to support the height variance request for lot 1 as 'Schedule A - Lot 1 Front Elevation' shows that the variance of 2.48 metres is primarily for a roof peak which adds to the character of the home.

***Lots 5 to 19***

The applicant has supplied three sample height measurements for the section of lots 5 to 19. The height of lot 5, 12, and 19 were carefully measured (see Table 1) to show how the lots are less steep towards lot 19. Thus, the variance for lot 5 is 1.89 metres and as the grade levels towards lot 19 the actual height variance is marginal at 0.10 metres. Due to the steep topography of lots 5 to 19 on the north-east side of Thetis Drive, it is difficult for the applicant to design a home that can meet the permitted height of 9 metres. An approach used for steep lots in the City of Nanaimo is to permit dwelling height to be measured from the curb level of the highest street abutting the property.

The City of Nanaimo steep slope zone sets a maximum height of 5 metres measured from the curb level of the highest street abutting a property. It is recommended to use this approach for lots 5 to 19 to allow a maximum height of 5.7 metres from the curb level of Thetis Drive.

To mitigate the view impact from below the proposed development and to secure certain design objectives, it is recommended to require that the applicant register a covenant on the certificate of title with design guidelines for the rear elevations and possibly landscape recommendations for the rear lot area. While the applicant has

provided two sample rear elevations as shown in Figure 1 and Figure 2 staff believe that improved designs are achievable. As such, the applicant has been asked to provide suggested design guidelines which will create rear elevations that have more variation than what is shown in Figure 1 and 2. The objective of the covenant and design guidelines would be to ensure that side by side placement of identically designed rear elevations is avoided. A private building scheme is registered on the title of the lots, however it does not address this level of design detail.

**ALTERNATIVES:**

Council may approve the permit as presented, approve it with amendments, or refuse to approve the permit.

**LEGAL IMPLICATIONS:**

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

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Notice that a development variance permit may be issued was sent to neighbouring properties. The notice area is 60 metres of the boundary of the parcels that are subject to the permit. At the date of this staff report, five letters were received from residents of the neighbourhood objecting to the proposed height variance request. Concerns regarding DVP application 08-07 include: 1) Windows and decks may overlook into the rear yards of Battie Drive residents; 2) Potential shading of properties along Battie Drive due to proposed three-storey dwellings on Thetis Drive; and 3) Inappropriate scale of housing for Ladysmith.

\*Please note that the distance between the rear of the proposed dwellings and the rear property line of the lots on Battie Drive is 60 metres (200 ft).

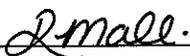
**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:** n/a

**ALIGNMENT WITH STRATEGIC PRIORITIES:** n/a

**SUMMARY:**

Staff have been working with the applicant since December 2008 to identify and analyze a height DVP application for proposed dwellings on lot 1, and lots 5 to 19 on Thetis Drive. It is recommended to support the height variance requests with the condition that the applicant provide a covenant with design guidelines to address the view impact of the three-storey rear elevations.

I concur with the recommendation:

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

**ATTACHMENTS:**

Figure 1 and 2  
DVP 08-07 Lot 1  
DVP 08-07 Lot 5  
DVP 08-07 Lots 6 to 19



**Figure 1: Rear Elevation Sample A (lots 5 to 19)**



**Figure 2: Rear Elevation Sample B (lots 5 to 19)**

TOWN OF LADYSMITH  
DEVELOPMENT VARIANCE PERMIT - 08-07 (Lot 1)  
DATE: April 6, 2009

TO:	Shoa Organization Services Ltd., Inc. No. 0631320
ADDRESS:	4978 Fillinger Crescent, Nanaimo B.C., V9V 1J1

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Town of Ladysmith described below and any and all buildings, structures and other development thereon:  
  
Lot 1, District Lot 52, Oyster District, Plan VIP86055 (PID 027-766-799)
3. Section 7.2 "Conditions of Use" in the Urban Rural Residential (UR-1) Zone of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:  
  
From:  
Section 7.2 (2) "The height of a principal building shall not exceed 9.0 metres; except where a principal building roof pitch is less then 4:12, then the maximum height shall be 7.5 metres."  
  
To:  
Section 7.2 (2) "The height of the principal building shall not exceed 9.0 metres; except for the roof peaks of the single family dwelling as shown on Schedule A which may be 11.48 metres; except where a principal building roof pitch is less then 4:12, then the maximum height shall be 7.5 metres. "
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:
  - a) Schedule A - Lot 1 Front Elevation
6. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION passed by Municipal Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

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

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with Shoa Organization Services Ltd., Inc. No. 0631320 other than those contained in this permit.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Title

\_\_\_\_\_  
Occupation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



Schedule A - Lot 1 Front Elevation  
 DVP 3090-08-07 (Lot 1) - Shoa Organization Services Ltd., Inc.  
 No. 0631320

**TOWN OF LADYSMITH  
DEVELOPMENT VARIANCE PERMIT - 08-07 (Lot 5)  
DATE: April 6, 2009**

<b>TO:</b>	Nawab Ahmed Khan and Barbara Khan
<b>ADDRESS:</b>	30087 Township Road 254 Calgary, Alberta T3L 2P7

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Town of Ladysmith described below and any and all buildings, structures and other development thereon:  
  
Lot 5, District Lot 52, Oyster District, Plan VIP86055 (PID 027-766-837)
3. Section 7.2 "Conditions of Use" in the Urban Rural Residential (UR-1) Zone of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:  
  
From:  
Section 7.2 (2) "The height of a principal building shall not exceed 9.0 metres.; except where a principal building roof pitch is less than 4:12, then the maximum height shall be 7.5 metres."  
  
To:  
Section 7.2 (2) "The height of the principal building shall not exceed 5.7 metres from the curb level of the highest street abutting the property as shown on Schedule A; except where a principal building roof pitch is less than 4:12, then the maximum height shall not exceed 3 metres from the curb level of the highest street abutting the property."
4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof and are signed and dated by the Deputy Corporate Officer.
5. The following plans and specifications are attached:
  - a) Schedule A - Lot 5 Side Elevation
6. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Deputy Corporate Officer.

**AUTHORIZING RESOLUTION** passed by Municipal Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

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

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

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Title

\_\_\_\_\_  
Occupation

\_\_\_\_\_  
Date

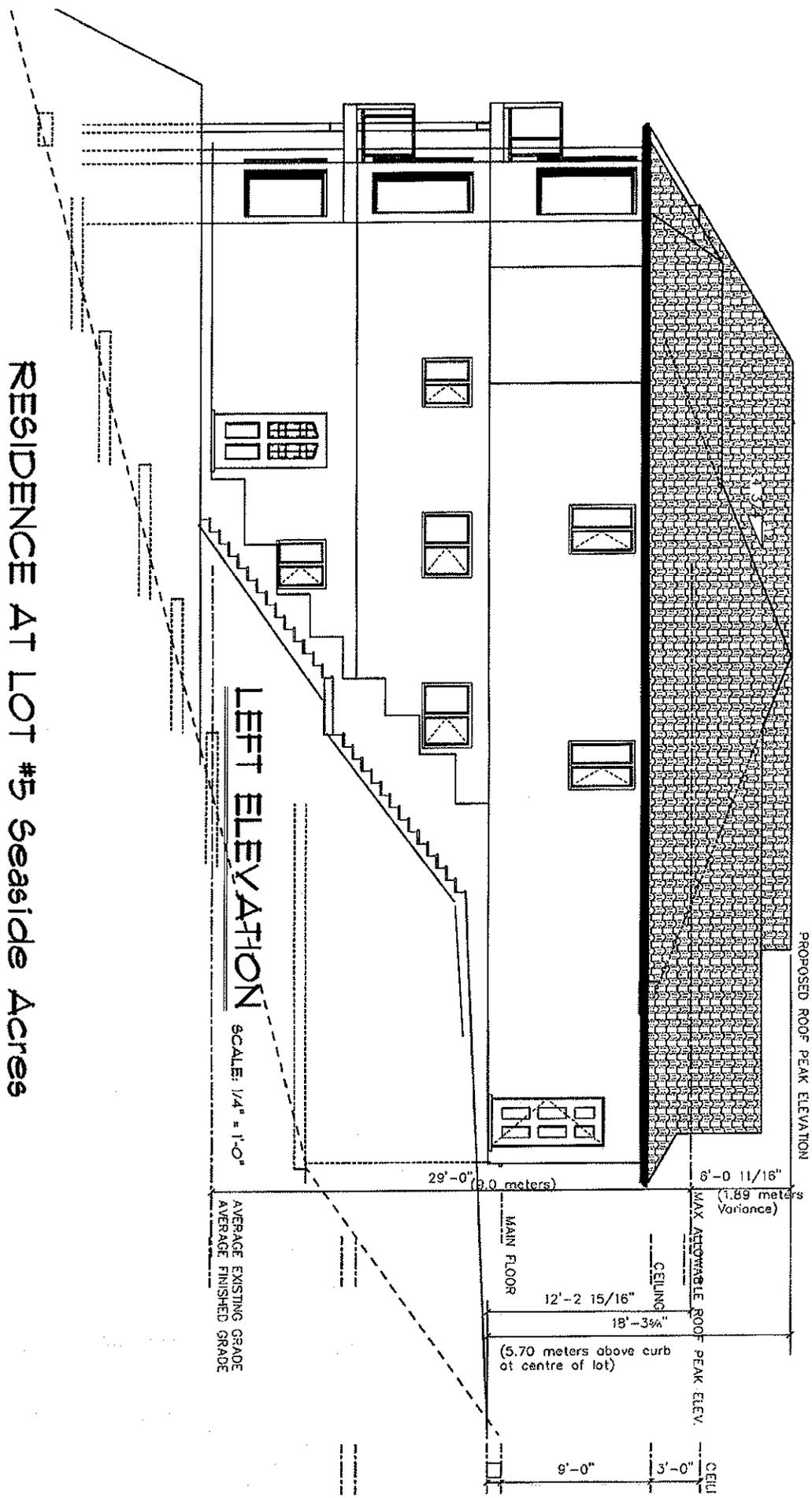
\_\_\_\_\_  
Date

# RESIDENCE AT LOT #5 Seaside Acres

## LEFT ELEVATION

SCALE: 1/4" = 1'-0"

AVERAGE EXISTING GRADE  
AVERAGE FINISHED GRADE



PROPOSED ROOF PEAK ELEVATION

MAX ATTAINABLE ROOF PEAK ELEV.  
(1.89 meters Variance)

MAIN FLOOR

CEILING

CEILING

(5.70 meters above curb at centre of lot)

Schedule A - Lot 5 Side Elevation  
DVP 3090-08-07 (Lot 5) - Nawab Ahmed Khan and Barbara Khan

TOWN OF LADYSMITH  
DEVELOPMENT VARIANCE PERMIT - 08-07 (Lots 6 to 19)  
DATE: April 6, 2009

TO:	Shoa Organization Services Ltd., Inc. No. 0631320
ADDRESS:	4978 Fillinger Crescent, Nanaimo B.C., V9V 1J1

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

Lots 6 to 19, District Lot 52, Oyster District, Plan VIP86055

Lot 6 - PID 027-766-845	Lot 13 - PID 027-766-918
Lot 7 - PID 027-766-853	Lot 14 - PID 027-766-926
Lot 8 - PID 027-766-861	Lot 15 - PID 027-766-934
Lot 9 - PID 027-766-870	Lot 16 - PID 027-766-942
Lot 10 - PID 027-766-888	Lot 17 - PID 027-766-951
Lot 11 - PID 027-766-896	Lot 18 - PID 027-766-969
Lot 12 - PID 027-766-900	Lot 19 - PID 027-766-977

3. Section 7.2 "Conditions of Use" in the Urban Rural Residential (UR-1) Zone of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:

From:

Section 7.2 (2) "The height of a principal building shall not exceed 9.0 metres; except where a principal building roof pitch is less than 4:12, then the maximum height shall be 7.5 metres."

To:

Section 7.2 (2) "The height of the principal building shall not exceed 5.7 metres from the curb level of the highest street abutting the property as shown on Schedule A; except where a principal building roof pitch is less than 4:12, then the maximum height shall not exceed 3 metres from the curb level of the highest street abutting the property."

4. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
5. The following plans and specifications are attached:
  - a) Schedule A - Sample Side Elevation for Lots 6 to 19
6. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION passed by Municipal Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

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

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

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with Shoa Organization Services Ltd., Inc. No. 0631320 other than those contained in this permit.

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Witness

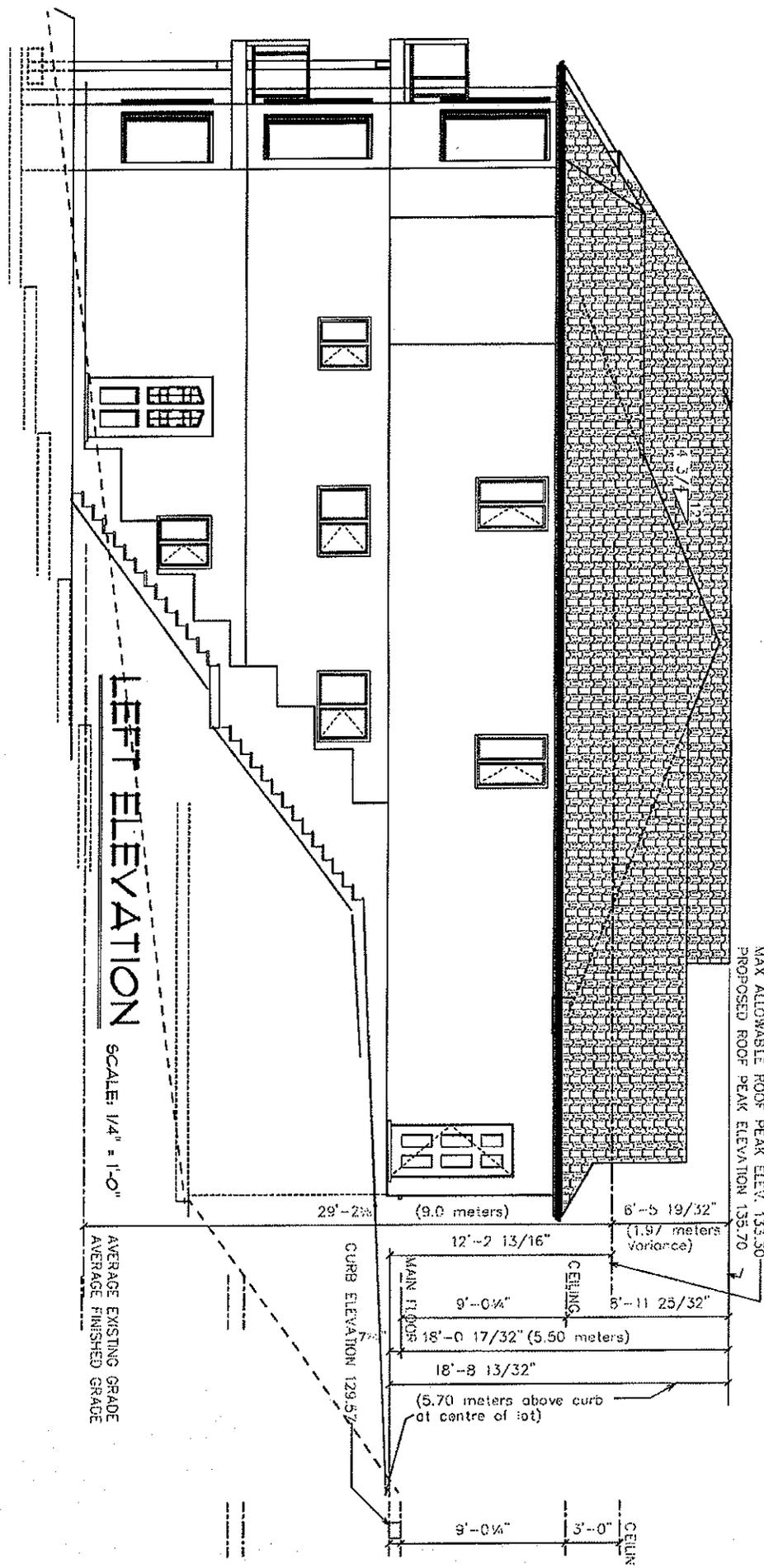
\_\_\_\_\_  
Title

\_\_\_\_\_  
Occupation

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

# RESIDENCE AT LOT #12 Seaside Acres



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

AVERAGE EXISTING GRADE  
AVERAGE FINISHED GRADE

MAX ALLOWABLE ROOF PEAK ELEV. 133.50  
PROPOSED ROOF PEAK ELEVATION 133.70

29'-2 3/8" (9.0 meters)  
12'-2 13/16"  
6'-5 19/32" (1.97 meters Variance)  
9'-0 1/4"  
5'-11 25/32"  
MAIN FLOOR  
18'-0 17/32" (5.50 meters)  
18'-8 13/32"  
(5.70 meters above curb at centre of lot)  
CURB ELEVATION 129.57  
9'-0 1/4"  
3'-0"  
CEILING

Schedule A - Sample Side Elevation for Lots 6 to 19  
DVP 3090-08-07 (Lots 6 to 19) - Shoa Organization Services Ltd.,  
Inc. No. 0631320



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Manager of Development Services  
Date: March 4, 2009  
File No: 3090-09-02

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Re: Development Variance Permit Application – 321 3<sup>rd</sup> Ave. – Mary Fox  
Parcel A (DD176N) of Lot 9, Block 47, DL 56, Oyster District, Plan 703A

**RECOMMENDATION:**

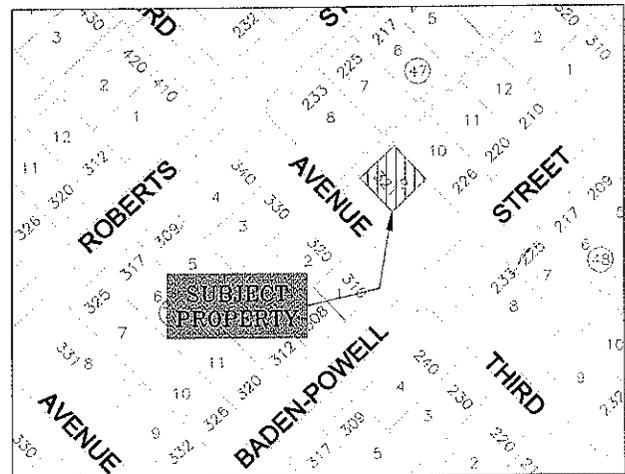
That Council directs staff to proceed with the statutory notice for Development Variance Permit application 09-02 for Parcel A (DD176N) of Lot 9, Block 47, DL 56, Oyster District, Plan 703A (321 3<sup>rd</sup> Ave).

**PURPOSE:**

The purpose of this report is to obtain Council direction regarding a DVP application.

**BACKGROUND:**

On March 3<sup>rd</sup>, 2008 Council approved a Development Variance Permit (DVP) for the subject property at 321 3<sup>rd</sup> Avenue. This DVP permitted the existing dwelling with original roofline to be raised to 9.5 metres (a variance of 0.5m) for a second storey and the main house to remain at 3 metres from the front lot line (a front yard setback variance of 3m). The owner has completed the raising of the dwelling as shown in the photo in Schedule A.



The applicant, Mary Fox is requesting 3 additional variances to the Zoning Bylaw as shown in Table 1. The variances are i) to add dormers to 4 sides of the existing roof, ii) to construct a covered entry along the front face of the house, and iii) to construct a balcony on the full roof of the studio. A sketch of the proposed house is shown in Schedule B depicting the proposed dormers, front covered entry, and balcony above the studio. See also Schedule C: Site Plan.

**ANALYSIS:**

The subject property is zoned 'Urban Residential Zone' (R-2). The property is relatively flat and contains one dwelling. The main house was built in approximately 1918 and the attached studio may have been built in the 1960s. The front yard setback of 3 metres and the height of 9.5 metres for the raised dwelling was legalized by DVP 07-10 as noted above. Given the year it was built, the footprint of the existing studio workshop is considered 'legally non-conforming'; the side yard setback does not

conform to the current Zoning Bylaw requirement which is 1.5 metres for the east side.

**Table 1 : Variance Requests for 321 3<sup>rd</sup> Ave.**

	Zoning Bylaw 1160	Requested DVP 09-02	Variance DVP 09-02	DVP 07-10 (previous DVP issued in 2008)
Max. Height	9 m	9.5 m with dormers	0.5 m	9.5 m for original roofline
Min. Frontyard Setback	6 m	1.5 m for covered porch	4.5 m	3 metres for main house
Min. Sideyard Setback	1.5 m	0.31 m for existing studio and new uncovered balcony on studio roof.	1.19m	n/a

**Variance 1:**

The applicant is requesting to add dormers to the original roofline to enhance the appearance of the house. The applicant states that the roof dormers would break up the roof pitches and add a detail at a higher level to enhance the exterior design. Also, that the dormers would allow redevelopment of the attic space to provide a third storey for a second bedroom and second bathroom.

**Variance 2:**

The applicant requests the full width covered entry to: 1) integrate the studio into the overall house plan, 2) create a more welcoming appearance from the street and 3) shade the windows which display her pottery. The proposed canopy is 1.5 metres from the front property line.

**Variance 3:**

The applicant requests a balcony over the full roof of the studio which would be 33m<sup>2</sup> (360ft<sup>2</sup>) in size and would require a sideyard variance of 0.31 metres. To construct a new balcony above the studio the required setback is 1.5 metres from the east sideyard lot line, and this would permit a balcony that is approximately 21 m<sup>2</sup> (228 ft<sup>2</sup>) in size.

**ALTERNATIVES**

That Council not support DVP application 09-02 and deny the application.

**FINANCIAL IMPLICATIONS**

n/a

**LEGAL IMPLICATIONS**

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

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS**

The applicant has provided 8 letters of support for the height and front-yard variance from residents of the neighbourhood. The neighbour to the south (closest to the

studio and balcony) has submitted a letter of support for the sideyard setback variance for the balcony.

It is recommended to proceed with the statutory notice for DVP application 09-02. Notice that a development variance permit may be issued is required to be provided to neighbouring properties. The notice area is 60 metres of the boundary of a parcel that is subject to the permit.

**INTERDEPARTMENTAL INVOLVEMENT /IMPLICATIONS:**

n/a

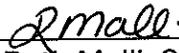
**ALIGNMENT WITH STRATEGIC PRIORITIES:**

n/a

**SUMMARY**

The applicant, Mary Fox, is requesting three variances to the Zoning Bylaw for her house at 321 3<sup>rd</sup> Ave.. The variance requests are: 1) front lot line variance to permit covered entry, 2) side lot line variance to permit balcony above studio, and 3) height variance to permit roof dormers. It is recommended to proceed with the statutory notice for this DVP application.

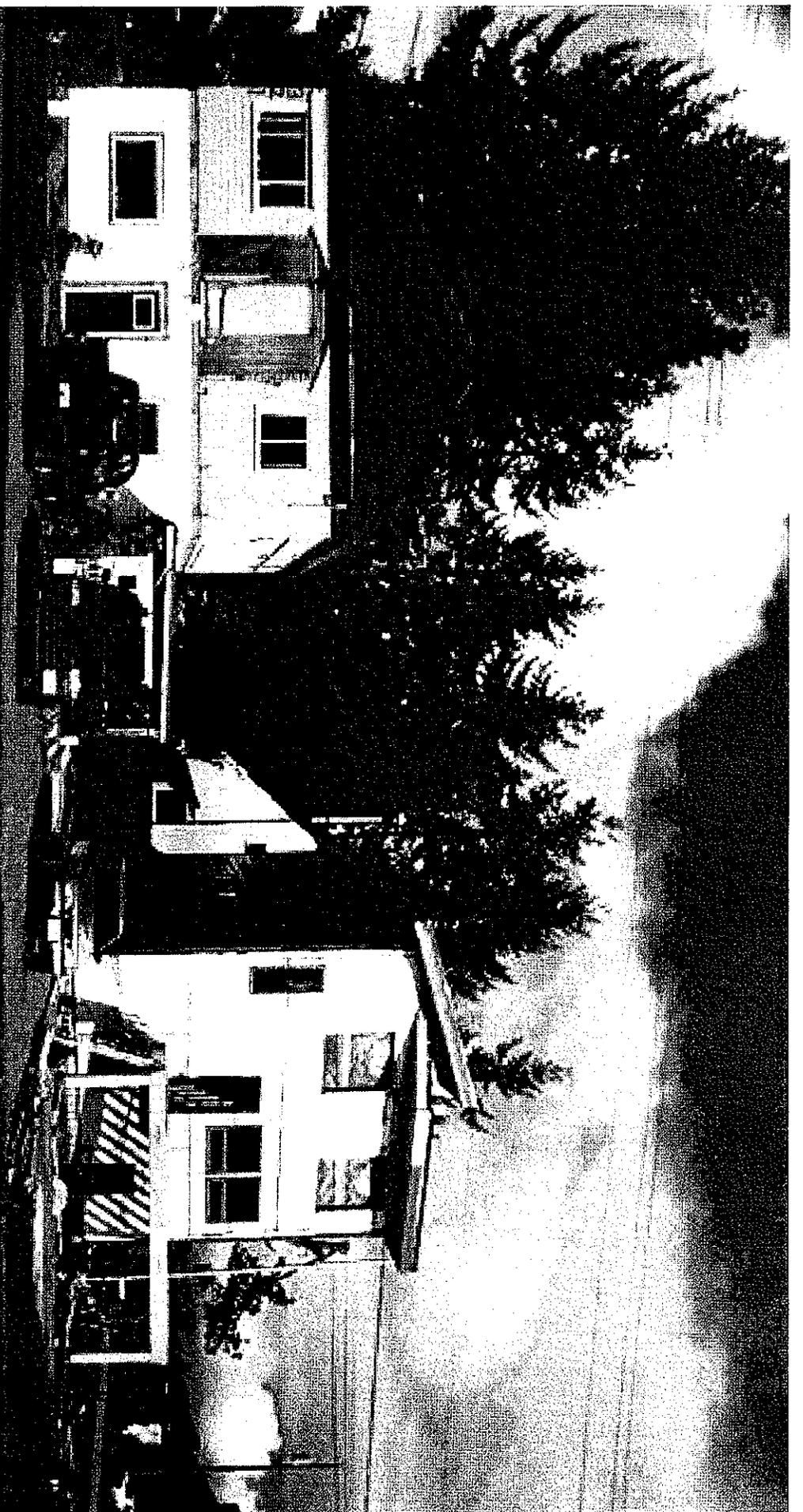
I concur with the recommendation:

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

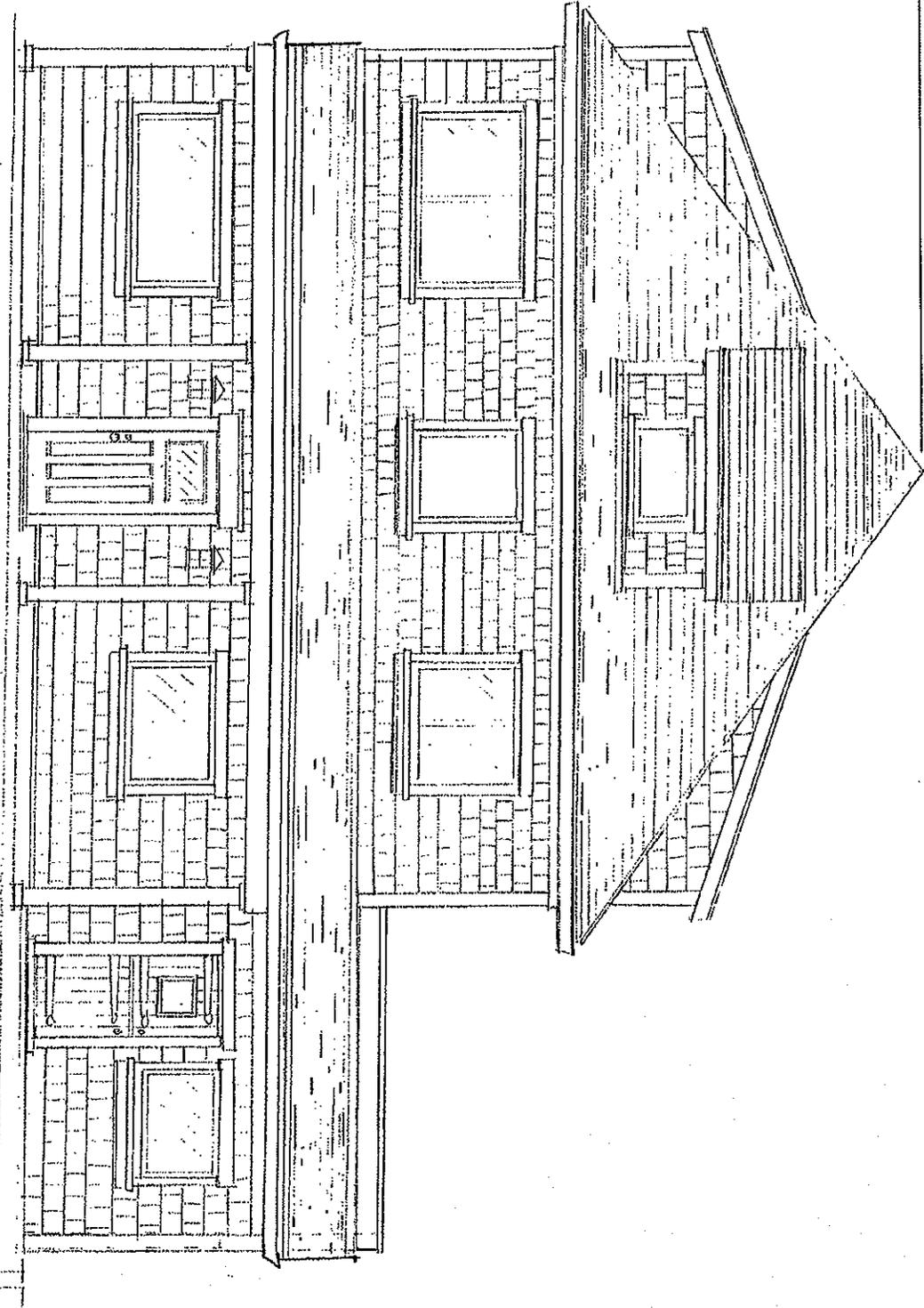
**ATTACHMENTS:**

- Schedule A: Photo of raised Fox house and neighbour to the south
- Schedule B: Sketch of proposed dormers, covered porch, and balcony
- Schedule C: Site Plan

Schedule A - Photo of raised Fox house and neighbour to the south



9.5 metres

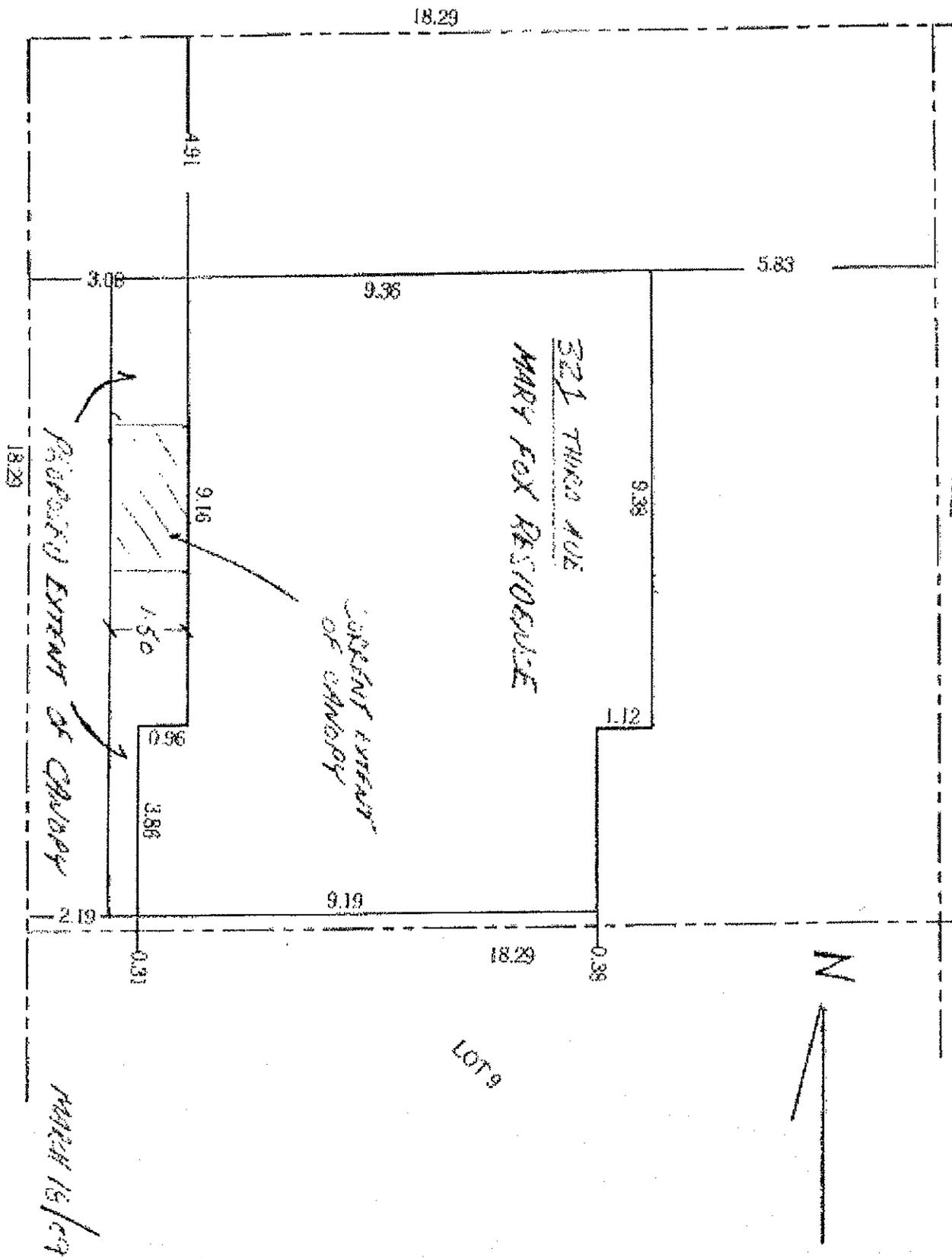


FRONT (WEST) ELEVATION

SCALE: 1/4" = 1'-0"

SPR. MARCO 2/10

Schedule B - Sketch of proposed dormers, covered porch, and balcony



Schedule C - Site Plan

## Town of Ladysmith

### **COMMITTEE REPORT**



**LADYSMITH**

To: Mayor and Council  
From: The Chair, Councillor Duck Paterson  
Date: March 19, 2009  
File No: 0550-20

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Re: GOVERNMENT SERVICES COMMITTEE - March 16, 2009

At its meeting on March 16, 2009 the Government Services Committee recommended to Council the following:

- 1.) That staff be directed to issue an RFP for contract services for the implementation of tourism management and coordination assistance as outlined in the report and funded by a UBCM Phase 2 grant.
- 2.) That the map, as presented in the March 10, 2009 Staff Report from J. Friesenman, Director of Public Works, be adopted as the major pedestrian route for snow clearing with the inclusion of High Street and Roberts Street from Third Avenue to Sixth Avenue.
- 3.) That the issue of adopting a policy of clearing snow and ice from sidewalks (major pedestrian routes) be referred to the 2009 budget process.
- 4.) That Staff be authorized to purchase a Prius for the total price of \$30,154.85 (taxes included), with the details of the vehicle to be provided at the April 6, 2009 Council meeting.
- 5.) That the request from the Ladysmith Golf Course Society to eliminate the golf course maintenance and utility fees be supported and referred to the 2009 budget process.
- 6.) That the letter from D.A. Harrison, Vice President, Ladysmith Ratepayers Association regarding the Ivy Green Mobile Home Park be received.
- 7.) That the report from the Residents Association of the Ivy Green Mobile Home Park be referred to Staff for review in conjunction with the report on affordable housing.
- 8.) That the minutes of the Government Services Committee meeting on Monday, March 16, 2009 be approved as circulated.



# Town of Ladysmith

## GOVERNMENT SERVICES COMMITTEE

Minutes of a meeting of the Government Services Committee held in Council Chambers at City Hall on Monday, March 16, 2009 at 5:30 p.m.

### **COUNCIL MEMBERS PRESENT:**

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

### **STAFF PRESENT:**

Ruth Malli	Sandy Bowden
Rebecca Kalina	Patrick Durban
Felicity Adams	Joe Friesenhan

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The Chair, Councillor Duck Paterson, called the meeting to order at 5:32 p.m.

### **AGENDA APPROVAL**

2009-042: It was moved, seconded and carried that the agenda for the Government Services Committee meeting of Monday, March 16, 2009 be approved as circulated.

### **DELEGATIONS**

Councillor L. Evans arrived in Council Chambers at 5:37 p.m.

#### **FOOD ACTION COORDINATING TEAM (FACT)**

John Anderson and Linda Ireland, of the Food Action Coordination Team (FACT), made a presentation to the Committee on a proposed community garden on the Vancouver Island Health Authority property at the corner of 3rd Avenue and Symonds Street. FACT requested Council's support for this initiative, to identify a possible second site and the possibility of financial assistance. The Chair thanked Mr. Anderson and Ms. Ireland for their presentation.

#### **REPRESENTATIVES OF IVY GREEN MOBILE HOME PARK**

Lynne Courtney, of the Residents Association of the Ivy Green Mobile Home Park, made a presentation to the Committee on the closure of the Ivy Green Mobile Home Park for redevelopment and the challenges of relocation faced by residents of Ivy Green and other mobile home parks. The Chair thanked Ms. Courtney for her presentation.

### **REPORTS**

#### **CITY MANAGER'S REPORT**

The City Manager presented the Committee with a brief update on operational activities.

#### **TOURISM CONTRACT RESOURCES**

2009-043: It was moved, seconded and carried that it be recommended to Council that staff be directed to issue an RFP for contract services for the implementation of tourism management and coordination assistance as outlined in the report and funded by a UBCM Phase 2 grant.

#### **SNOW REMOVAL - SIDEWALKS**

2009-044: It was moved, seconded and carried that it be recommended to Council that the map, as presented in the March 10, 2009 Staff Report from J. Friesenhan, Director of

Public Works, be adopted as the major pedestrian route for snow clearing with the inclusion of High Street and Roberts Street from Third Avenue to Sixth Avenue.

2009-045: It was moved, seconded and carried that it be recommended to Council that the issue of adopting a policy of clearing snow and ice from sidewalks (major pedestrian routes) be referred to the 2009 budget process.

#### VEHICLE PURCHASE

2009-046: It was moved, seconded and carried that it be recommended to Council that Staff be authorized to purchase a Prius for the total price of \$30,154.85 (taxes included), with the details of the vehicle to be provided at the April 6, 2009 Council meeting.

#### GOLF COURSE MAINTENANCE AND UTILITY FEES

2009-047: It was moved, seconded and carried that it be recommended to Council that the request from the Ladysmith Golf Course Society to eliminate the golf course maintenance and utility fees be supported and referred to the 2009 budget process.

#### CORRESPONDENCE

2009-048: It was moved, seconded and carried that it be recommended to Council that the letter from D.A. Harrison, Vice President, Ladysmith Ratepayers Association regarding the Ivy Green Mobile Home Park be received.

#### NEW BUSINESS

##### IVY GREEN MOBILE HOME PARK

2009-049: It was moved, seconded and carried that the report from the Residents Association of the Ivy Green Mobile Home Park be referred to Staff for review in conjunction with the report on affordable housing.

#### ADJOURNMENT

2008-050: It was moved, seconded and carried that this meeting adjourn. (6:55 p.m.)

#### **CERTIFIED CORRECT:**

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Chair (Councillor D. Paterson)

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Corporate Officer (S. Bowden)





## Town of Ladysmith

### **COMMISSION REPORT**

To: Mayor and Council  
From: Heritage Revitalization Advisory Commission  
Date: March 31, 2009  
File No:

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Re: HERITAGE TOURISM WORKSHOP – FINAL REPORT

#### RECOMMENDATION:

That Council receive the final report from the Heritage Tourism Workshop.

#### BACKGROUND / HISTORY:

The Heritage Tourism Workshop was held on February 28, 2009. The workshop was funded by Heritage BC, Ministry of Tourism Culture and the Arts and the HRAC budget.

#### ANALYSIS:

The final report from the workshop is attached to this report and is provided for the information of Council. The report will also be provided to the grant funding agency.

#### ATTACHMENTS:

Heritage Tourism Workshop – Final Report.

Town of Ladysmith  
Heritage Revitalization Advisory Commission  
**HERITAGE TOURISM WORKSHOP**  
February 28, 2009

Facilitated by Ursula Pfahler of Poda Communications

Supported by Heritage BC and  
British Columbia Ministry of Tourism, Culture and Arts

Report prepared by Ann Rogers, Member  
Town of Ladysmith  
Heritage Revitalization Advisory Commission

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## **A. Summary**

The Town of Ladysmith's Heritage Revitalization Advisory Commission, with the support of Heritage BC and the BC Ministry of Tourism, Culture and the Arts, hosted a free one-day Heritage Tourism Planning workshop on February 28, 2009 at the Eagles Hall in Ladysmith.

Attendance was solid, with approximately twenty-five invited stakeholders attending. Feedback was very positive, and the workshop came in substantially under the projected budget due to unforeseen savings in advertising and hall rental costs.

## **B. Attendance**

Approximately twenty-five people attended for all or part of the day. Important stakeholder groups were directly invited to send representatives, while a promotional story in Take 5 magazine/e-tourism newsletter drew some interest from beyond Ladysmith.

There was strong participation from local stakeholders including:

- The Arts Council of Ladysmith & District
- The Ladysmith Maritime Society
- The Ladysmith and District Historical Society
- The Ladysmith Chamber of Commerce
- The Town of Ladysmith - Councillor Lori Evans, the Tourism Advisory Commission (TAC), the Heritage Revitalization Advisory Commission (HRAC) and the Economic Development Commission (EDC) were all represented.

Also in attendance were:

- Pamela Copley, Regional Heritage Planner for Western BC
- George Taylor, South Vancouver Island representative of Aboriginal Tourism BC. Mr. Taylor kindly offered to act as liaison for groups interested in developing partnerships with the Chemainus First Nation.
- Jerry Anderson, of the Ladysmith Old Post Office Antique Mall
- Maureen Alexander, President of the Bamberton Historical Society
- T.W. Paterson, well-known local author and historian.

While representatives from Chemainus First Nation and the Hul'qumi'num Treaty Group expressed interest in participating in the workshop, unfortunately, they were unable to attend.

## **C. Program**

The workshop was facilitated by Ursula Pfahler of Poda Communications, who led the group through a program that included:

- Defining heritage/cultural tourism
- Exploring the economic potential of cultural/heritage tourism
- Conducting a SWOT analysis and inventory of Ladysmith's cultural/heritage tourism resources
- Promoting cultural/heritage tourism experiences

Within this context, the workshop broke into small groups and created possible heritage tourism experiences.

The results of these exercises are included in the attached document.

#### **D. Feedback**

At the end of the workshop, participants evaluated their experience. Of the seventeen evaluations returned, feedback was universally good, rating the relevance of the content, the facilitation and presentation, and the deliverables, as positive.

General comments:

- *It gave me many ideas on how to partner with the Town and new ideas on how to market.*
- *Thank you for supporting partnerships in our community.*
- *The interaction and participation was great. The format, flow, First Nations guest, and group work was all very effective.*
- *Excellent workshop. Great facilitation. Felt positive about making new connections.*
- *Useful in the larger context of Ladysmith's 'vision', economic development activities, and tourism planning.*
- *This was a worthy workshop and I look forward to implementing some ideas with the TAC.*
- *Thanks for opening many doors of possibility.*
- *Well done Ursula! Great enthusiasm. Very well organized.*
- *Excellent. Information, structure, practical advice, all very well-balanced and delivered. A very valuable experience.*
- *Excellent and well worth attending.*
- *Very well organized- great pace and variety of info.*

#### **E. Outcomes/Next Steps**

For the Heritage Revitalization Advisory Commission, this was a very worthwhile experience. In terms of implementing the Town's Heritage Strategic Plan, the workshop directly or partially met a number of Plan goals, particularly

AREA OF FOCUS: HERITAGE PARTNERSHIPS (Strategies 11-14)

- **11.2 - Establish and maintain dialogue with other community and regional partners**  
Both community and regional partners were present. It was particularly interesting to establish a connection with the very active Bamberton Historical Society & Mill Bay/Malahat Historical Society.

**NEXT STEP:** We are going to look at ways we can collaborate on future projects and share information with Bamberton Historical Society.

- **12.1 – Obtain external funding**  
We received \$1200 from Heritage BC in order to partially cover the costs of hosting the workshop. In addition to bringing in external funds, learning about the funding application process itself builds capacity within the HRAC.
- **13.1 - Liaise with Tourism Advisory Commission (TAC) to develop tourism strategies that include the theme of heritage.**

NEXT STEP: Explore the possibility of hosting or supporting the hosting of an Aboriginal Tourism Workshop in Ladysmith. This could also address 14.1. This step would fall more directly within the mandate of the TAC, but HRAC could support and assist.

- **14.1 – Create joint initiatives that will increase the awareness and understanding of Chemainus First Nation heritage.**  
The short presentation by Aboriginal Tourism representative George Taylor and his offer to provide further assistance could be an important first step towards creating such initiatives.

## **F. Attachment**

i. Workshop summary - This includes a SWOT analysis of Ladysmith's heritage/cultural tourism potential, an inventory, and details of four heritage tourism projects:

- Utilizing the Machine Shop building
- Creating an arts, heritage and cultural hub around the waterfront
- A community heritage marina
- A heritage hiking experience

## WORKSHOP EXPECTATIONS

- How to create a Ladysmith heritage tourism experience
- Regional cooperation
- Information about heritage
- Heritage and tourism partnerships
- Pooling resources
- Learn about global goals for heritage & tourism in Ladysmith
- Local cooperation
- Get inspired
- Relationship building
- Better relationship with Nanaimo
- Cooperation between heritage, arts & culture, & education
- Local partnerships
- Clustering
- Networking

## HERITAGE TOURISM - DEFINITION

- Learning experience
- Major growth industry
- Experience Ladysmith
- Value (\$\$\$)
- Educational experience
- Awakening
- Participatory involvement on any level
- Fun
- Community
- Use the past to build the future
- Economic impact

## OPPORTUNITIES

- Proximity to Victoria & Nanaimo & Vancouver
- Trains, planes & marina are in vicinity now
- Proximity to Nanaimo cruise ships
- Start passport program
- Grab visitors to Nanaimo Conference Centre
- Develop partnership with Chemainus
- Grab thousands of people who travel the highway past our door
- Create clear, inviting, signage
  - Start with Transfer Beach
  - Art Gallery
  - Train station
  - Maritime Museum and Tour Boat
- Emphasize outdoor artefacts ie. Trains and logging equipment
- Education
- Picnic site

## EXPECTATIONS OF A HERITAGE TOURIST

- Personal experience
- Art
- Museum
- Map
- Interaction with locals & fellow tourists
- Learning experience
- Interactive
- Local ambience
- Good transportation
- Pub
- Food and wine
- Good accommodation
- Culture
- Fun
- Souvenirs
- Inclusion in local culture
- Friendly people
- Photographic opportunities

## OUR STRENGTHS

- Location with natural beauty
- Buildings
- Waterfront/Museums
- History
  - Streets named for Boer War generals
  - Mining and lumbering history
  - Town named for Lady Smith after South African city liberated
- Natural history
- Heritage
- Community
- Scenery
- Easy access by car, boat, train, plane
- Municipal support
- Corporate support
- Chamber of Commerce
- Volunteers
- Many events and activities
- Proximity to other communities - we are centrally located (2 hours to most of the Island)

## WEAKNESSES

- Accommodation
- No pub
- Local, within Town, lack of transportation
- Empty business fronts
- Roads to some events in poor condition
- Local economy & psychological outlook of residents
- No restaurants on the water
- No harbour walk
- Highway splits Town
- Not enough interaction with First Nations
- No public transit with outlying communities
- Poor signage
- Waterfront access to downtown
- Little of no marketing/promotional literature to outside area
- Poor utilization of resources

## THREATS

- Competition (competing interests)
- Economic conditions
- Lack of co-ordination between groups (eg Spirit Square)
- Increased transportation costs
- Volunteer burn-out/apathy
- Development by people who don't live here year-round
- Lack of business investment
- Absentee owner/developers with no concern about Ladysmith

## INVENTORY & ASSESSMENT

<u>Criteria</u>	<u>Rating</u>
Natural Resources & environment	5 - 10
Built environment	5 - 10
Tourism services	3 - 8
Spirit of hospitality	5 - 8
Cultural Resources	3 - 7.8
Human Resources	5 - 10
Political Support	5

## PROJECT - UTILIZATION OF LEGACY BUILDING

- A way to blend Heritage, Culture, the Arts
- Would be a venue for story telling - save the past
- Artist demos
- Archive photos in commercial buildings
- Restaurant/coffee shop
- Feature local art - theatres, buildings, people
- Costumed information guides
- First Nation component
- Ongoing gallery shows
- Ongoing theatre productions (could feature local playwrights)
- School programs
- Could be hub for walking tours, birding tours
- Involve nearby Harbour Tours, Maritime Museum, train station

### PARTNERS:

- Ladysmith Little Theatre
- Arts Council
- Maritime Society
- Bamberton Historical Society
- Ladysmith Archives
- Chamber of Commerce
- Downtown Business Assn

### PROMOTION:

- Brochure in one package - internet, web site, etc.
- Create title & name ie "Living the Legacy" or "Ladysmith Living the Legacy"

### COMMUNITY IMPACT:

- Create excitement, vibrancy in Community

## CENTER FOR THE ARTS, HERITAGE & CULTURE

- Involve all buildings
- Train station to hold Chamber of Commerce Tourist Information
- Small building back of Legacy Bldg to contain board building workshop
- Upstairs to have native cultural garden & spiritual long house
- Upstairs section to hold train logging equipment, story boards, picnic tables
- Ground floor of Legacy Bldg to hold:
  - Art studio (local artists, demonstrations, workshops)
  - Art gallery
  - Areas with native art (demos, sales of work)
  - Theatre (puppet shows, story telling)
  - Clay studio, pottery
  - Glass works
  - Natural crafts
  - Local food (jams, jelly, flowers)
  - Educational natural environment centre (interpretive, hands on)
  - Wash room for boaters and vendors
- Area across from Legacy building could hold tents with vendors on weekends
- There should be a mini-bus shuttle circling from beach, Legacy building, downtown and marina

### Why do this:

- Education
- Preserve heritage - Natives and local citizens
- Promote local artists and their work

### Promotion:

- Colourful signs
- Brochures on BC Ferries
- Internet - website
- Speakers, slide shows, and talks

**Community Impact:**

- Increased tourism
- Income for local artists and shop owners
- School participation "hands on" art projects, learning tools
- Broader understanding of Ladysmith
- Put us on the 'map'
- Enriches and meets community goals for arts/Culture/Heritage

**Partners:**

- Schools
- First Nations
- Chamber of Commerce
- Town of Ladysmith
- Businesses (L.D.B.A.)
- Maritime Society - Tour Boat skippers - Museum
- E&N Railway - Island corridor
- Ladysmith & District Historical Society
- Wine Tour Operators
- Cruise Lines
- Hospitality & hotels
- Ladysmith Little Theatre
- Old Timers of area
- Newcomers Club
- Other museums and marinas

## COMMUNITY HERITAGE MARINA

- Economic pride
- Fulfill community vision
- Arts, heritage, awareness
- Competition: benefit to larger draw
- Packaging: Community Heritage Marina
- Experience convenience and comfort
- Harbour tours
- Museum
- Art gallery
- CFN market
- Culture

### Future:

- Pub
- Music
- Trails (walking) - Transfer Beach atmosphere

What: Bring more marine tourism to the waterfront Ladysmith destination

Why: Economic Benefit, Awareness of Community: Arts

Transfer Beach

Heritage Experience

Target: West coast/Sunshine coast marine visitors: Stay overnight, community engagement

Partners: Marinas, up & down the Coast, promote each other

Business must be there: Pubs

Restaurant

Grocery

Coffee Shop

Accommodation

Promotion: Marine Tour Guide

Word of Mouth

Want to come - past experience

Waterfront experience for non marine tourists and non heritage tourists

## HIKING EXPERIENCE

- Show logging and mining history
- Hook up to Trans Canada Trail system
- Locations:       Stocking Lake  
                      Heart Lake  
                      Transfer Beach (marine trail)  
                      The Diamond  
                      Comox Logging Railway
- Trails: Horse, bike, hike, paddle

Promotion: Brochures  
              Audio tapes with headset  
              Link to Town website

Partners: Bed & Breakfast places  
           Snack food & healthy take out food places  
           Bike rentals  
           Hostel  
           Pick up & drop off minivans

Bike - Hike - Ride!!





# 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: **February**, 2009

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YEAR'S TOTALS
Alarms Activated: Pulled Station		1											1
By mistake	1												1
Electrical problem		3											3
Due to cooking													
Assistance													
Burning Complaint													
Fire: Structure	2	1											3
Chimney	1	1											2
Interface / Bush		1											1
Vehicle	1												1
Other	1												1
Hazardous Materials													
Hydro Lines: Down / Fire	1	1											2
Medical Aid	3	1											4
Mutual Aid	1												1
MVI	2	4											6
Rescue													
<b>MONTH TOTALS (not incl. Practises)</b>	<b>13</b>	<b>13</b>											<b>26</b>
Practises (Totals for each Month)	4	4											8

### ALARMS ACTIVATED (location/owner):

- Aggie Hall youth pulled station alarm by mistake
- Rialto Apt. sensor problem due to water leaking into sensor causing fire alarm activation
- Coronation Mall - Sensor problems (370 Trans Canada Hwy) - Coast Claims
- Dan Hunters Dentistry (27 Gatacre St.) person walking around sensor causing activation of alarm.

### COMPARISONS:

Year to Date / 09 26 (excl. practises)  
 Year to Date / 08 35 (excl. practises)  
 Year to Date / 07 24 (excl. practises)

APPROVED:

*Ray Stewart*  
 Fire Chief









Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: March 25, 2009  
File No:

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Re: FESTIVAL OF LIGHTS - PROPOSED EARLY WINTER LIGHTING DISPLAY TO CELEBRATE THE OLYMPIC TORCH RELAY

**RECOMMENDATION(S):**

That:

- (a) Council advise the Festival of Lights Committee (FOLC) that it supports their request that Council seek confirmation from the Olympic Torch Relay Committee that the Olympic Torch Relay will be routed through the Town of Ladysmith (Davis Road to Dogwood Drive; along Dogwood Drive to First Avenue; along First Avenue to Bob Stuart Park where they will exit onto the highway) on October 31, 2009 and that the FOLC be commended for their efforts to ensure that the annual lighting display along First Avenue is implemented in time for the torch relay; and,
- (b) a letter be sent to the Olympic Torch Relay Committee reiterating the Town's earlier request that the torch relay be routed through the Town of Ladysmith on October 31, 2009 as per the FOLC's request.

**INTRODUCTION/BACKGROUND:**

As Council is aware the FOLC organizes the annual lighting display throughout the Town during the winter holiday season. This year the Committee proposes to set up the lighting display along First Avenue in time for the Olympic Torch Relay which is scheduled for October 31, 2009. The FOLC is requesting Council's assistance to ensure that the Olympic Torch Relay is routed through the Town of Ladysmith in order that the lights can be viewed by the torch relay participants and attendees.

Council will recall that at the meeting held on February 16, 2009 the following resolution was adopted:

*That a letter be sent to the Olympic Relay Committee requesting that the relay be diverted through parts of Ladysmith or that Ladysmith be designated a Celebration Community.*

Members of staff have attended meetings regarding the Olympic Torch Relay and note that the proposed route is the same route requested by the FOLC, however, it is yet to be confirmed.

**SCOPE OF WORK:**

Upon direction from Council, Staff will prepare a letter to the Olympic Torch Relay Committee advising them of the annual lighting display and reiterating the Town's previous request to route the relay through the Town. The route suggested is from the highway to Davis Road; along Davis Road to Dogwood Drive; along Dogwood Drive to First Avenue; along First Avenue to Bob Stuart Park at which point they can enter back on to the highway.

**ALTERNATIVES:**

- (a) Council could comply with the request from the FOLC as presented; or,
- (b) Council could deny the request.

**FINANCIAL IMPLICATIONS:**

A minor increase in costs is anticipated. Public Works staff will assist in setting up the lights and once the relay has passed through Town they will unplug the lights and plug them back in again for the annual "light up" event which will occur at the end of November.

**LEGAL IMPLICATIONS:**

None.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Routing the Olympic Torch Relay through the Town of Ladysmith will offer an opportunity to feature the Town and the annual lighting display on a national scale and provide an opportunity enhance community spirit and pride.

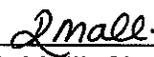
**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Public Works employees will provide assistance in setting up the lights in time for the October 31<sup>st</sup> deadline.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Development of a tourism plan is a strategic priority for the Development Services Department. Having the Olympic Torch Relay pass through the Town of Ladysmith after the lighting of the annual winter holiday season lights display along First Avenue will showcase the Town as a tourist destination during the winter season.

I concur with the recommendation.

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



Town of Ladysmith

**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Manager of Development Services  
Date: March 25, 2009  
File No:

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Re: TOURISM SIGNAGE

RECOMMENDATION(S):

1. That Council refer the recommendations for tourism attraction highway signage for Transfer Beach and visitor information signage (yellow "i") to the Cowichan Valley Regional District regional highway signage committee for implementation as part of the Cowichan regional signage strategy pilot phase.
2. That Council refer to the Parks, Recreation and Culture Commission for comment to Council by May 4, 2009 the following directions regarding Transfer Beach tourism signage:
  - (a) that a new Transfer Beach sign (per the Town's Signage Plan) be installed at the Highway and Robert's Street, in place of the Welcome to Ladysmith sign, and
  - (b) that custom banners be designed for the Transfer Beach precinct depicting Transfer Beach amenities and activities using the tourism branding (A View to Sea).
3. That Council consider the recommendations regarding use of the tourism branding "A View to Sea" for Ladysmith signage as part of Council's communications plan discussions.

PURPOSE:

The purpose of this report is to provide Council with tourism signage recommendations.

INTRODUCTION/BACKGROUND:

The 2009/2010 Tourism Action Plan, endorsed by Council November 3, 2008, includes signage activities. The immediate priority of the Tourism Advisory Committee (a sub-committee of the Economic Development Commission) for the 2009 tourist season is improved signage to Transfer Beach Park. The TAC provided five recommendations to the Economic Development Commission regarding tourism signage as outlined in the attached report.

The Cowichan Valley Regional District has established a regional committee to make recommendations regarding highway signage. Mr. Rob Waters, EDC Member and TAC Chair, is the Town's representative on this committee.

SCOPE OF WORK:

The scope of work includes signage purchase and installation and banner design.

ALTERNATIVES:

Considering other priority signage enhancements.

FINANCIAL IMPLICATIONS:

The UBCM tourism grant funding includes signage and enhancing the appeal of Ladysmith tourist areas and its entrances. The work that can be undertaken will be limited by the available grant resources.

LEGAL IMPLICATIONS:

None.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The recommendations were developed by two citizen committees – Tourism Advisory Committee and Economic Development Commission. The Parks, Recreation and Culture Commission have not reviewed the Transfer Beach signage recommendations.

At its meeting held March 17, 2009 the Economic Development Commission made the following resolution:

*It was moved, seconded and carried that the Economic Development Commission support the Tourism Advisory Committee tourism signage recommendations contained in the signage report dated March 11, 2009.*

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Public Works:

The Public Works Division would be involved in the installation of the sign.

Parks, Recreation and Culture:

The Parks, Recreation and Culture Department will be interested in park facility signage.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This project is aligned with the following strategic priority:

Strategic Direction: Dynamic Economic Development

Goal: Implement communications initiatives

Action: Enhance existing signage

SUMMARY:

Investment in tourism infrastructure is one of the Town's economic development target sectors. The UBCM Phase 2 tourism grant provides some funding for improved signage. The number one priority for the Tourism Advisory Committee, as endorsed by the Economic Development Commission, is enhanced signage for visitors to locate Transfer Beach park, its amenities and festivals.

I concur with the recommendation.

*R. Malli*

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Ruth Malli, City Manager

ATTACHMENTS:

Signage Report prepared by the Tourism Advisory Committee dated March 11, 2009.

## Signage Report

To: Economic Development Commission  
From: Tourism Advisory Committee  
By: Cheryl Bancroft  
Date: March 11.09



### Background:

The BC government has reported that signage is "one of the most significant issues limiting tourism development in British Columbia. Signage not only attracts visitors but also provides direction and information helping to connect visitors to the products or services within your community. The more effective the signage is in your community, the better your visitors experience will be."

In 2000 the Town of Ladysmith commissioned a Signage Program from Cloghesy + Doak Ltd. of Victoria. The program laid out a phased 5-year strategy for implementation of a) directional, b) identification and c) interpretive signage throughout Ladysmith. For consistency and budget purposes, signage was designed as a "kit of parts". Much of the signage was implemented in 2001 - 04 but there is more work to do.

In 2008 the newly formed Tourism Advisory Committee (TAC) commissioned a Signage Audit from Malaspina University College (now Vancouver Island University). The Audit was to review existing signage throughout Ladysmith for its effectiveness in attracting and guiding visitors to key amenities/ services essential to tourism in the community, and provide recommendations to enhance existing signage.

The Audit reported a lack of signage and consistency for the majority of key amenities described as important to tourism. This primarily includes the following signage: Entrance to Ladysmith signs, Transfer Beach, Holland Creek Trail, Aggie Hall and Field, Ladysmith Golf Course, Cenotaph, Waterfront Art Gallery, Maritime Society Dock, Marina, Downtown, and Visitor Information. Recognizing budget constraints for signage, the Audit recommended that the Town "prioritize signs that will have the greatest affect on the community's image and the visitor's experience."

### Recommendation:

The TAC recommends that the following five areas be given priority, in preparation for the 2009 tourist season:

- 1) That the Town of Ladysmith request two "tourist attraction" signs that are consistent with provincial signs used in other communities (see Appendix A) and the CVRD regional signage initiative. Of particular importance is that these signs identify Transfer Beach. The signs (located at north and south locations) could list all of the amenities offered including Viewpoint, Swimming, Picnic area, Water Park, Amphitheatre, Sealegs Kayaks, Lawn Bowling, Arts Centre, Train Station, etc. This would allow the visitor to notice all of this information at one glance and entice them to stop.

Suggested locations for these two signs are (see map - Appendix B):

- 1a) north of Ladysmith; west side of the highway near the intersection of Grouhel Rd. and Hwy. 1;
- 1b) south of Ladysmith; east side of the highway, at or just north of Baker Rd. exit and viewpoint.

- 2) That Transfer Beach identification signage be installed at the north-east intersection of Hwy. 1 and Roberts St., as planned and designed in 2000 (see Appendix C). Currently this location has a "Welcome to Ladysmith" sign facing north bound traffic. It is important that this entrance to Transfer

continued ... 2

Beach be identified to both north and south bound traffic. UBCM grant funding available for signage and wayfinding in 2009 is \$7500. We suggest that either:

2a) the existing concrete base and posts be relocated so that the sign panel is perpendicular to traffic, thereby allowing for identification panels on both sides of the sign, or

2b) the existing base and posts remain in place; an additional concrete base, posts and Transfer Beach sign panel be installed to face south bound traffic. Further, this option offers the opportunity to create a third sign panel that faces traffic exiting Transfer Beach Boulevard, identifying the direction and distance to "Heritage Downtown Ladysmith". All three panels should include the new Ladysmith logo (shown at top of first page of this report).

3) We note that along Transfer Beach Boulevard and into the beach area there are a total of twenty (20) lamp standards fitted with banner supports. We suggest that new banners be commissioned and paid for by TAC, with the direction that images depict Transfer Beach amenities and activities. These banners will lead visitors to the amenities and add colourful artwork to the Boulevard. We understand that funds for this may be available through the Tourism Education budget.

4) "Another significant step for Ladysmith to enhance signage would be to implement visitor information signage that is consistent with surrounding communities." The "yellow i" symbol has been utilized throughout BC and is easily identifiable at high speeds. These signs "should replace existing signs and be placed in an order that leads the visitor to the Information Centre with ease".

5) Welcome to Ladysmith signage was reported as "overall adequate but inconsistent". The following two locations should be considered for the 2009 budget:

5a) The Ladysmith "Gateway" sign located in Kinsmen Park was identified as being inconsistent with the new Ladysmith branding "script" logo and slogan, "A View to Sea". At this time it would be cost prohibitive to replace the "heritage logo" however it is recommended that "Heritage By the Sea" be updated with the new slogan "A View to Sea".

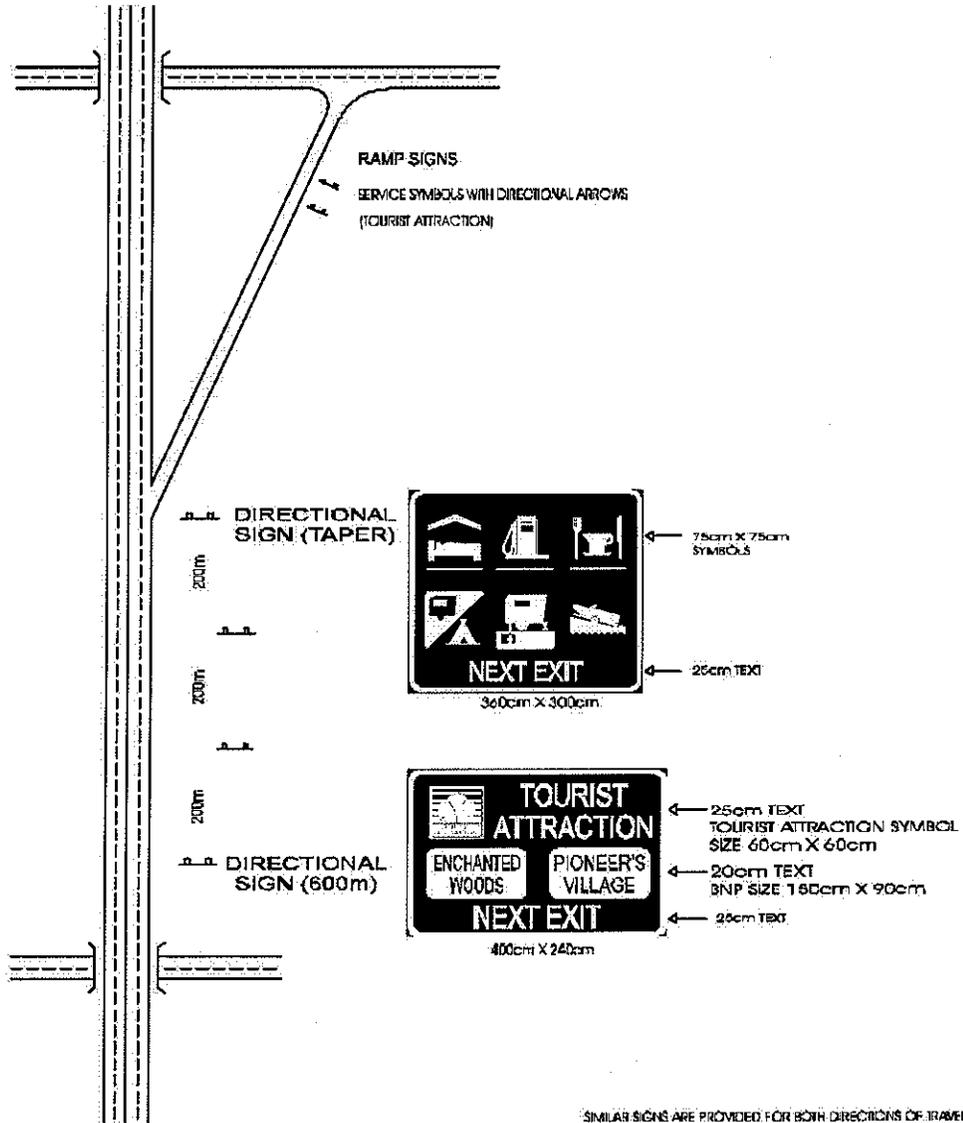
5b) The welcome/Thank you for shopping Ladysmith sign located on a hillside (just north of the Chemainus/N. Davis Rd. intersection) facing north bound traffic is hard to notice from the highway. This sign should be either relocated or used for community events signage. Note: we believe that this is already being done.

In the recommendations above, items 1 and 4 will require application to the provincial government for installation of these signs. The following web site provides further information and a link to the "Service and Attraction Sign Manual": <http://www.tourismbc.com/highwayprogram.asp?id=10250>

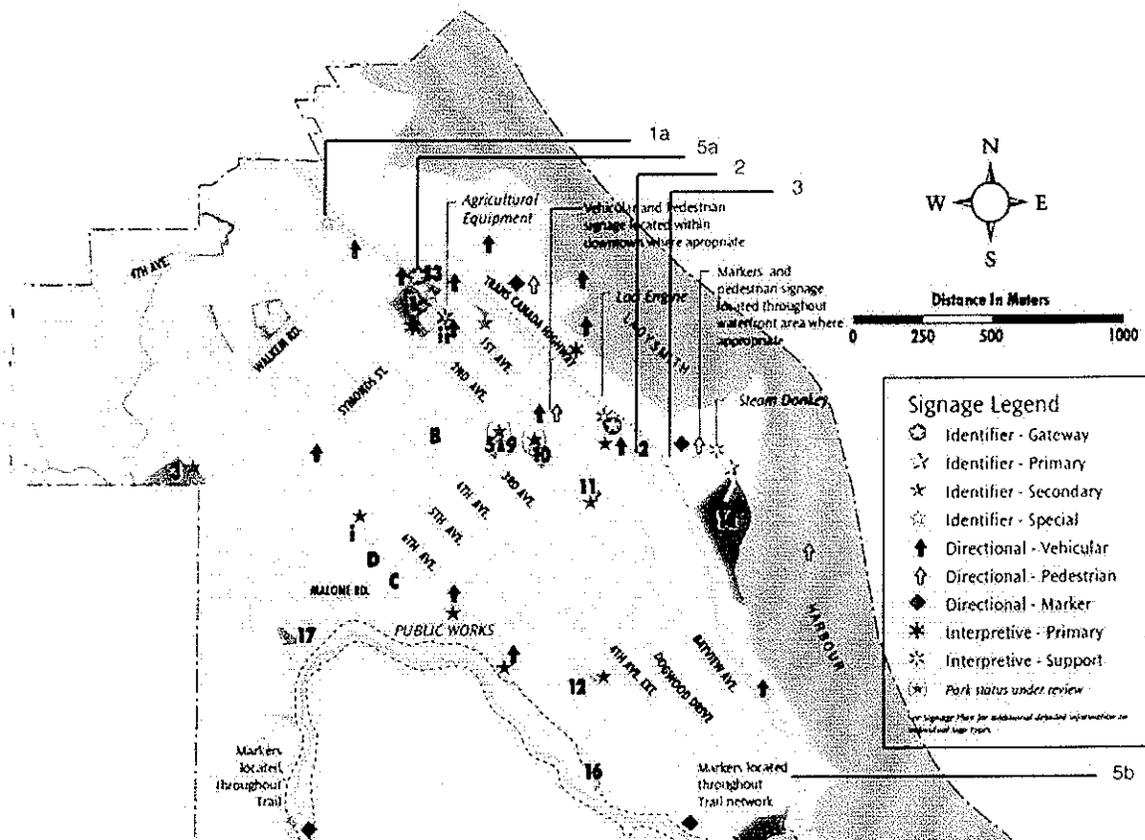
Signage items 2, 3 and 5 are under the control of the Town of Ladysmith and can be implemented immediately with available UBCM funding.

There are many other locations in Ladysmith that need signage upgrading, such as those within the Transfer Beach area and Marina. Should additional funds come available the TAC would appreciate the opportunity to make further recommendations to the EDC and Town of Ladysmith.

TYPICAL SIGNING FOR URBAN FREEWAYS



Appendix A



**Community Parks**

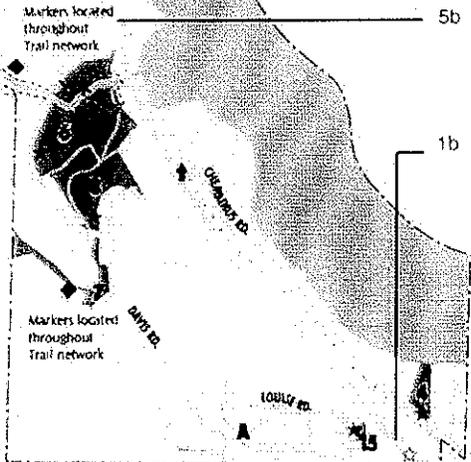
- 1 Aggie Fields
- 2 Arboretum
- 3 Kinsmen Park
- 4 Gourlay-Janes Park
- 5 High Street Tennis Court
- 6 Holland Creek Ball Park
- 7 Davis Road Park
- 8 Ladysmith Golf Course
- 9 Lions Park
- 10 Little League Ball Park
- 11 Queen's Park
- 12 Root Street Park
- 13 Bob Stuart Park
- 14 Transfer Beach Park
- 15 Harbourview Park
- 16 Holland Creek Trail
- 17 Mackie Park
- 18 Stonewall park

**Local Schools**

- A Davis Road Elementary
- B Ladysmith Intermediate
- C Ladysmith Primary
- D Ladysmith Secondary

**Recreation Facilities**

- I Frank Jameson Community Centre
- II Agricultural Hall (at Aggie Fields)



**Signage Plan**

Town of Ladysmith  
 Cloghesy+Doak Ltd.  
 May, 2000  
 Plot May 26, 2000



Appendix C



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: March 25, 2009  
File No:

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Re: **RECOMMENDATIONS FROM THE ENVIRONMENT COMMISSION**

#### **RECOMMENDATION(S):**

- (a) That Council take no action regarding the following recommendation from the Environment Commission:

*That Council advise the CVRD that it consents to the adoption of Bylaw Nos. 2942 and 2020 which prohibit the open burning of large quantities of debris such as that undertaken by developers within the CVRD area.*

- (b) That the Town of Ladysmith advise the Federation of Canadian Municipalities (FCM) that it supports in principle the FCM's initiative outlined in the communiqué dated March 7, 2009 regarding phasing out the sale and purchase of bottled water at Town-owned facilities where appropriate and where potable water is available, and the development of an awareness campaign about the positive benefits and quality of municipal water supplies.
- (c) That Council request the Environment Commission to develop a public awareness campaign regarding the positive benefits and quality the Town's water supply.

#### **PURPOSE:**

The purpose of this staff report is to request Council's consideration of a resolution which was recently adopted by the Environment Commission regarding the FCM's initiative concerning using municipal water rather than bottled water for drinking purposes. Further information regarding the Environment Commission's recommendation on CVRD Bylaw Nos. 2942 and 2020 (prohibition of open burning of large quantities of construction debris) is also provided for Council's consideration.

#### **INTRODUCTION/BACKGROUND:**

In May of 2008 the CVRD requested Council's consideration of CVRD Bylaw Nos. 2942 and 2020 to prohibit the open burning of large quantities of construction debris in order to reduce the amount of smoke emitted into the atmosphere throughout the CVRD. The matter was referred to the Environment Commission for comment. The Town has subsequently received a letter from the CVRD (see attached) that the CVRD is not proceeding with the adoption of the proposed bylaws and is

drafting a new bylaw for air pollution control which will include the nine electoral areas as participants.

In March of 2009 the FCM requested local governments to consider reducing the use of bottled water in their own facilities where other options are available. Specifically the FCM adopted the following resolution in this regard:

**WHEREAS** bottled water consumes significant amounts of non-renewable fossil fuels to extract, package and transport water creating unnecessary air quality and climate change impacts;

**WHEREAS** it takes about three litres of water to manufacture a one litre plastic bottle of water;

**WHEREAS** bottled water companies use municipal water and groundwater sources when a growing percentage of Canadian municipalities have faced water shortages in recent years;

**WHEREAS** although bottled water creates a container that can be recycled, between 40% and 80% of empty bottles end up as litter and/or are placed directly into the garbage and take up unnecessary space in landfills;

**WHEREAS** tap water is safe, healthy, highly regulated and accessible to residents, employers, employees and visitors to Canadian municipalities and substantially more sustainable than bottled water; and

**WHEREAS** some municipalities have enacted by laws to restrict the sale and purchase of water bottles within their own operations;

**BE IT RESOLVED** that the Federation of Canadian Municipalities urge all municipalities to phase out the sale and purchase of bottled water at their own facilities where appropriate and where potable water is available; and

**BE IT FURTHER RESOLVED** that municipalities be urged to develop awareness campaigns about the positive benefits and quality of municipal water supplies.

In August of 2008 Council adopted the following resolution:

*That the Town no longer purchase bottled water for Town events.*

**SCOPE OF WORK:**

If Council adopts the recommendation proposed by the Environment Commission regarding bottled water Staff recommends that the Commission be requested to develop an awareness campaign about the positive benefits and quality of municipal water supplies. Staff will formulate a strategy for phasing out the use and sale of bottled at Town-owned facilities. Alternatives to bottled water must be provided at the Town's recreation sites. Staff will report back to Council in this regard.

**FINANCIAL IMPLICATIONS:**

Financial implications pertaining to the phasing out of bottled water are unknown at this time, however, it is anticipated that there may be some costs associated with retrofitting water fountains to allow for the filling of water bottles.

**LEGAL IMPLICATIONS:**

None.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

It is anticipated that the eventual elimination of bottled water will be received positively by the public. It will again provide the Town with an opportunity to launch another "green" strategy and demonstrate its commitment to sustainability.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The phasing out of bottled water at Town facilities and functions will require the cooperation of all departments. Tasks such as implementing an awareness campaign, retrofitting water fountains, etc. will be undertaken as appropriate.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

A 2009 strategic priority for the Community Services Division is environmental initiatives. The gradual elimination of the use of bottled water at Town facilities and functions is directly related to this initiative.

**SUMMARY:**

Staff recommends taking no action on the Environment Commission's recommendation to support the adoption of the CVRD's air pollution control bylaws given the most recent communication from the CVRD regarding this matter. Staff is supportive of the FCM's initiative to reduce and eventually eliminate the use and sale of bottled water at Town functions and facilities.

I concur with the recommendation.



---

Ruth Malli, City Manager

**ATTACHMENTS:**

Letter dated March 25, 2009 from the CVRD.



March 25, 2009

File No.

Bylaw 3258

MAR 26 2009

Ruth Malli, City Manager  
Town of Ladysmith  
PO Box 220  
LADYSMITH BC V9G 1A2

Dear Ms. Malli:

**RE: CVRD Air Pollution Control Service Area Bylaw**

For your information, the following resolution was ratified by the Cowichan Valley Regional District Board at their regular meeting of March 11, 2009:

*"That "CVRD Bylaw No. 2942 - Air Pollution Control Service Establishment Bylaw, 2007", not be proceeded with.*

*That staff prepare a new bylaw for air pollution control with the nine electoral areas as the participating areas.*

*That "CVRD Bylaw No. 3258 - Air Pollution Control Service Establishment Bylaw, 2009", be forwarded to the Board for consideration of three readings, and following Provincial approval, adoption."*

CVRD staff will therefore be pursuing this service in CVRD Electoral Areas only. It was felt that this approach would best facilitate the streamlined implementation of these bylaws, while reducing confusion regarding inter-regional administration and enforcement.

Any questions regarding this resolution may be directed to Harmony Huffman, Environmental Technologist, Engineering and Environmental Services.

Best Regards,

Brian Dennison, P. Eng., General Manager  
Engineering & Environmental Services

:jlb

pc: Bob McDonald, Manager, Recycling & Waste Management Division  
Harmony Huffman, Environmental Technologist

Bath: Z:\MOTIONS\2009\MunisAirPollutionBylaw-Mar2409.docx



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli  
From: Joe Friesenhan, Director of Public Works  
Date: April 3, 2009  
File No:

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Re: TURBIDITY METER INSTALLATION

RECOMMENDATION:

That Council authorize the purchase and installation of a turbidity meter from W.L. Solutions for a maximum price of \$10,000 with the funds to come from the water reserve.

BACKGROUND / HISTORY:

Each day the utility operators go to Chicken Ladder Dam to test the turbidity of the water at the intake and determine if the water coming down Holland Creek meets the requirements of the Canadian Drinking Water Guidelines. By installing a turbidity meter in the supply line, this would maximise the use of the water coming from Holland Creek.

A turbidity meter would automatically switch the supply when the turbidity is too high and ensure good quality water at all times.

W.L. Solutions is the sole source supplier/installer of the turbidity meter.

ATTACHMENTS:

None

I concur with the recommendation

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



RECEIVED  
MAR 11 2009

**COASTAL ANIMAL CONTROL SERVICES OF BC LTD**  
2202 Herd Rd. Duncan, BC. V9L 6A6 (250) 748-3395

**TOWN OF LADYSMITH POUND REPORT**  
February, 2009

<b>Disposition of Impounded Dogs</b>	<b>Current Month</b>	<b>2009 Totals</b>	
Stray dogs impounded	3	3	
Stray dogs claimed	3	3	
Stray dogs put up for adoption	0	0	
Stray dogs euthanized	0	0	
Stray livestock / cats	0	0	
<b>Calls Received and Investigated</b>	<b>5</b>	<b>8</b>	
Aggressive dogs	0	1	
Dogs at large	4	6	
Noise (barking) complaints	1	1	
Other non specific dog related calls	0	0	
Wildlife / livestock / cats	0	0	
<b>Monthly Pound and Board Fees Collected</b>	<b>\$300.00</b>	<b>\$300.00</b>	
Impound fees	\$250.00	\$250.00	
Daily board fees	\$50.00	\$50.00	
<b>Tickets issued</b>	<b>0</b>	<b>0</b>	
Unlicenced dog	\$00.00	\$0.00	
Dog at large	\$00.00	\$0.00	
Dangerous dog at large	\$00.00	\$0.00	
<b>Licencing Statistics</b>	Tags	364	607
	Revenue	\$7680.00	\$12600.00

Trevor Hughes

Coastal Animal Control Services of BC Ltd





Town of Ladysmith  
**STAFF REPORT**

To: Council  
From: Ruth Malli, City Manager  
Date: April 2, 2009

Re: **ADDITIONAL PARKING FOR LADYSMITH MARITIME FESTIVAL**

**RECOMMENDATION(S):**

That Council grant permission to the Ladysmith Maritime Society to use the former recreational vehicle site off Transfer Beach Boulevard for additional parking during the Ladysmith Maritime Festival on May 30<sup>th</sup>, *provided that* vehicles are parked at least 30 metres from the creek, the site is supervised by Citizens on Patrol, the Ladysmith Maritime Society arranges appropriate liability insurance, and parking be permitted on one side only of Oyster Bay Drive, to permit emergency vehicle access.

**PURPOSE:**

To support the Ladysmith Maritime Festival by helping to provide adequate parking for visitors.

**FINANCIAL IMPLICATIONS:**

None

**LEGAL IMPLICATIONS:**

Potential for liability for the Town during use of Town property; this will be covered by the Town's liability insurance policy.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

The Ladysmith Maritime Festival is a significant annual event for the Town, drawing many visitors from other communities. Inadequate parking would create negative public relations for the Festival and for Ladysmith and therefore denial of this request would be a negative public relations move for the Town.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

Public Works staff use this site to dump logs snags for citizens to take away for their own use. There may be some work required to remove any material that could block parking.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

N/A

**ATTACHMENTS:**

E-mail from Cliff Fisher, Ladysmith Maritime Society

**From:** Cliff Fisher  
**Sent:** March 16, 2009 4:45 PM  
**To:** Ruth Malli  
**Cc:** Cliff Fisher; George Creek; Duck Paterson; Joe Friesenhan; Gus Armstrong  
**Subject:** Request for use of Parking

Hi Ruth

I would like to request the use of the unused parking area, formally known as the old RV site, (north of the creek separating the horseshoe pitch and Transfer Beach Blvd.) for additional parking for the Ladysmith Maritime Festival May 30th. This site will be signed and attended with Gus Armstrong of COPs overseeing the parking processes there, and along Oyster Bay Dr. Joe felt this would not be a problem for him, as long as Staff and Council are aware.

Oyster Bay Dr. will be designated parking one side only, to allow clear emergency equipment access. St John Ambulance will also be on site with a mobile unit.

If you would please bring this request forward, for approval.

Thank you  
Cliff Fisher  
Festival Chair

2009-03-17

UNION OF  
BRITISH  
COLUMBIA  
MUNICIPALITIES



Administration provided  
by UBCM and BCRPA

Funding provided by  
The BC Healthy Living  
Alliance

For program  
information, visit

[www.civicnet.bc.ca](http://www.civicnet.bc.ca)  
under  
Programs & Services

Local Government  
Program Services

LGPS Secretariat

As of May 2009 our new  
address is:

Municipal House  
525 Government Street  
Victoria, BC, V8V 0A8

Phone: (250) 356-5134  
Fax: (250) 356-5119

## Local Government

...programs to address

March 10, 2009

Mayor Hutchins and Council  
Town of Ladysmith  
PO Box 220 Stn Main  
Ladysmith, BC, V9G 1A2

### Re: Built Environment & Active Transportation (Phase 2) - Approval and Terms & Conditions

Dear Mayor and Council,

I am pleased to advise you that the Evaluation Committee for Phase 2 of the Built Environment & Active Transportation (BEAT) Community Planning Grant program has approved funding for the Town of Ladysmith in the amount of \$21,000.00. A cheque in the amount of \$14,700.00 will follow shortly under separate cover. This amount represents 70 percent of the total approved grant. The remaining 30 percent will be available after the final report and financial summary for the project has been submitted to UBCM.

The Evaluation Committee recognizes that you originally requested \$25,000.00 for your project. However, after a review of your application and other submissions of a similar scope, the committee did not feel that the items listed under 'Active Transportation Awareness' on your proposed budget were eligible under the BEAT program and the \$4,000.00 for these items was not allowed.

The BC Healthy Living Alliance, through ActNow BC, has provided funding for this program and the general Terms & Conditions for this grant are attached. In addition, in order to satisfy the terms of the contribution agreement, we have the following requirements:

- (1) The funding is to be used solely for the purpose of the above named program and for the expenses itemized in the budget that was approved as part of your application;
- (2) All project activities must be completed no later than December 31, 2009;
- (3) The Progress Report Form is required to be completed by August 14, 2009. This form will be e-mailed to the primary grant contact and will be available on UBCM's website;

An Initiative of these BC Healthy Living Alliance members

THE LUNG ASSOCIATION\*  
British Columbia



CANADIAN DIABETES ASSOCIATION | ASSOCIATION CANADIENNE DU DIABÈTE

Dietitians of Canada  
Les diététistes du Canada



Recommendation to Council that the following motion be approved:

That:

a) the grant in the amount of \$21,000 for Phase 2 of the Built Environment & Active Transportation (BEAT) Community Planning Grant Program be received and that a letter of thanks for the grant be forwarded to the UBCM.

b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.

c) the 5 year financial plan and budget be amended accordingly.

I concur with the recommendation:

*R. Mall*  
R. Mall, City Manager

- (4) The Final Report Form is required to be submitted to UBCM within 30 days of project end date and no later than January 31, 2010. A financial summary is also required with this report;
- (5) Any unused funds must be returned to UBCM within 30 days following the project end date.

Please note that descriptive information regarding successful applicants under the Built Environment & Active Transportation program will be posted on UBCM's and BCRPA's websites and all progress and final report materials will be made available to the BC Healthy Living Alliance.

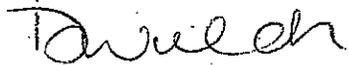
Information on the evaluation of your project will be available shortly.

If you have any questions regarding this letter or the grant program, please feel free to contact me at UBCM's Victoria office at (250) 356-5134 or by email at [dwelch@civicnet.bc.ca](mailto:dwelch@civicnet.bc.ca).

In addition, Cara Fisher, Coordinator for Built Environment & Active Transportation at the BC Recreation and Parks Association, can be contacted at (604) 629-0965 ext. 255 or [cfisher@bcrpa.bc.ca](mailto:cfisher@bcrpa.bc.ca).

We wish you success in your project and look forward to sharing your experiences with other communities.

Sincerely,



Danyta Welch  
Policy & Programs Officer

cc: *Felicity Adams, Manager of Development Services, Town of Ladysmith*  
*Sandy Bowden, Director of Corporate Services, Town of Ladysmith*  
*Cara Fisher, Built Environment & Active Transportation Coordinator*

*Enclosure*

## General Funding Terms & Conditions

*The purpose of these Terms and Conditions is to provide basic information on the administration of Local Government Program Services grants. For specific information regarding the terms and conditions of each funding program, please refer to the Program Guide.*

### 1. Definitions

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- **Approved Applicant** - In general, Local Government Program Services grants are awarded to local governments (regional districts and municipalities). However, under some programs, other organizations, such as First Nations and Aboriginal organizations or boards of education, can be the approved applicant. The approved applicant is the primary contact for UBCM and is responsible for overall grant management.
- **Approved Partner(s)** - Approved partners are organizations that contribute directly to the approved project, are identified in the application and are approved by UBCM. Possible partners include, but are not limited to, boards of education, health authorities, First Nations or Aboriginal organizations, non-profit organizations and local governments (other than the applicant).
- **Approved Project** - The approved project is the activity or activities described in the application and approved by UBCM.
- **Cash Expenditures** - Cash expenditures are direct costs properly and reasonably incurred and paid for with money by the approved applicant or approved project partners for the development or implementation of the approved project. For example, venue rentals, catering and consultant fees can be cash expenditures.
- **In-Kind Expenditures** - An in-kind contribution is one that uses resources of the approved applicant or approved project partner for the development or implementation of the approved project. For example, staff time or the use of meeting rooms can be in-kind expenditures.
- **Program Guides** - Program Guides are the application and program materials prepared by UBCM to describe the program and assist applicants in completing and submitting an application. All Program Guides are available at [www.civicnet.bc.ca](http://www.civicnet.bc.ca) under - 'Programs and Services' - 'Local Government Program Services.'

### 2. Eligible & Ineligible Costs

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Eligible costs, including cash and in-kind expenditures, are direct costs properly and reasonably incurred by the approved applicant or approved partners in the development or implementation of the approved project. To be eligible, these costs must be outlined in the detailed budget submitted by the approved applicant as part of the application process and be approved by UBCM. Requests to change to the budget must be made to UBCM, in writing, by the approved applicant (see below). Please see the Program Guide for specific notes regarding eligible and ineligible costs.

### 3. Post-Approval Terms

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#### Notice of Approval

UBCM will inform approved applicants by letter and a specified percentage of the approved grant amount will be forwarded upon approval. The balance will be paid on satisfactory completion of the project and receipt of all final reporting requirements.

#### Applicant Responsibilities

Please note: Local Government Program Service grants are awarded to approved applicants. When collaborative projects are undertaken with community partners, the approved applicant remains the primary organization responsible for the grant. Due to this approved applicants are the primary contact for UBCM and are responsible for:

- Ensuring that approved activities are undertaken as outlined in the approved application,
- Providing proper fiscal management of the grant and approved project (see below), and
- Submitting progress and/or final reports, using UBCM forms where available, as required by the Program Guide (see below).

#### **Accounting Records**

Acceptable accounting records must be kept that clearly disclose the nature and amounts of cash and in-kind expenditures incurred during the development or implementation of the approved project. Financial summaries are required to be submitted as part of the final report and must be signed by a representative of the approved applicant (or as required in the Program Guide).

#### **Changes to or Cancellation of Approved Project**

Approved applicants need to advise UBCM, in writing, of any significant variation from the approved project as described in the approved application, including any major changes to:

- Start or end dates
- Cash and in-kind expenditures or matching funds (when required)
- Project purpose, goals, outcomes or milestones
- Project partners

UBCM's approval may be required in advance for such changes. If an approved project is cancelled, the approved applicant is responsible for ensuring any grant monies that have been advanced are returned to UBCM within 30 days, or as outlined in the Program Guide.

### **4. Reporting Requirements**

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#### **Submission of Reports**

Approved applicants are required to submit progress and final reports as outlined in the Program Guide. When UBCM forms are available, they are required to be used. Please note the following when submitting a report:

- When completing a UBCM report form please ensure that each question is answered and that all attachments are complete. Follow any sample templates that UBCM provides.
- When a report form is not required, please ensure that each required component, as outlined in the Program Guide, is addressed in your report and that all attachments are complete.
- Unless specifically requested, please do not bind reports or submit in binders or folders.
- When submitting electronically, submit all documents as Word or PDF files.
- All digital photos or images should be submitted, by e-mail or on CD, as JPEG files.
- When you are ready to submit your report, please e-mail it directly to the e-mail address identified in the Program Guide or mail/fax it to Municipal House: 545 Superior Street, Victoria, BC, V8V 1T7 or Fax: (250) 356-5119

#### **Extensions and Outstanding Reports**

In order for an approved project to continue past the approved end date – or for a final report to be submitted after the established deadline – approved applicants must contact LGPS and request *and be granted* permission for an extension.

Approved applicants that do not request extensions and have outstanding reports may forfeit the final payment of their grant and may not be eligible to apply to future LGPS programs until reports are received.

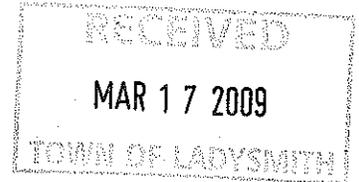
### **5. Recognition of Funding and Funders**

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Approved applicants should contact UBCM for more information on recognizing funding and for information on the appropriate use of logos. Please contact Paul Taylor, Relationships & Communications Advisor, at (250) 356-2938 or ptaylor@civicnet.bc.ca.



**Dr. Rachel Carson MD FRCP(C)**  
Nephrology and Internal Medicine  
24-1515 Dufferin Crescent  
Nanaimo, BC V9S 2B8  
(250) 753-2446  
Fax (250)753-9686



Mr. Rob Hutchins  
Mayor, Town of Ladysmith  
410 Esplanade, PO Box 220  
Ladysmith BC V9G 1A2

March 12, 2009

Dear Mayor Hutchins,

Today is World Kidney Day. I am a nephrologist (a doctor specializing in kidney disease), and I am writing to request your help and involvement in bringing appropriate, local care to people in Ladysmith suffering from kidney failure (also known as renal failure). The mid and north Vancouver Island population of more than 300,000 people deserve to have access to a properly equipped regional hospital so that they don't have to travel to Victoria for care that should be available locally. Unfortunately, the mid-Island has the dubious distinction of being the only community of its size in Canada without an in-hospital kidney dialysis unit (please see the attached graph).

As you may know, eighteen months ago in October 2007, VIHA announced that it had included funding in its capital budget to construct a dialysis unit on the first floor of the newly built Perinatal wing of the Nanaimo General Hospital. However, the full project was not given final approval by the Ministry of Health and has stalled. \$4.5 million dollars has already been spent on a half-finished space that sits empty and unused. This is a "shovel-ready" project perfect for government stimulus spending.

From the BC Government's own BC Provincial Renal Agency Guidelines: "Planning for a Full Service Renal Program should be undertaken when the population of Chronic Kidney Disease (CKD) patients in a region reaches a critical mass that would (a) permit efficient use of resources and (b) provide sufficient volume of care (approximately 65 - 75 patients) to support a nephrologist". There are currently >190 dialysis patients and >1000 CKD patients living north of Duncan. I am one of two fellowship-qualified nephrologists hired by VIHA to work in Nanaimo, waiting for a dialysis unit to open.

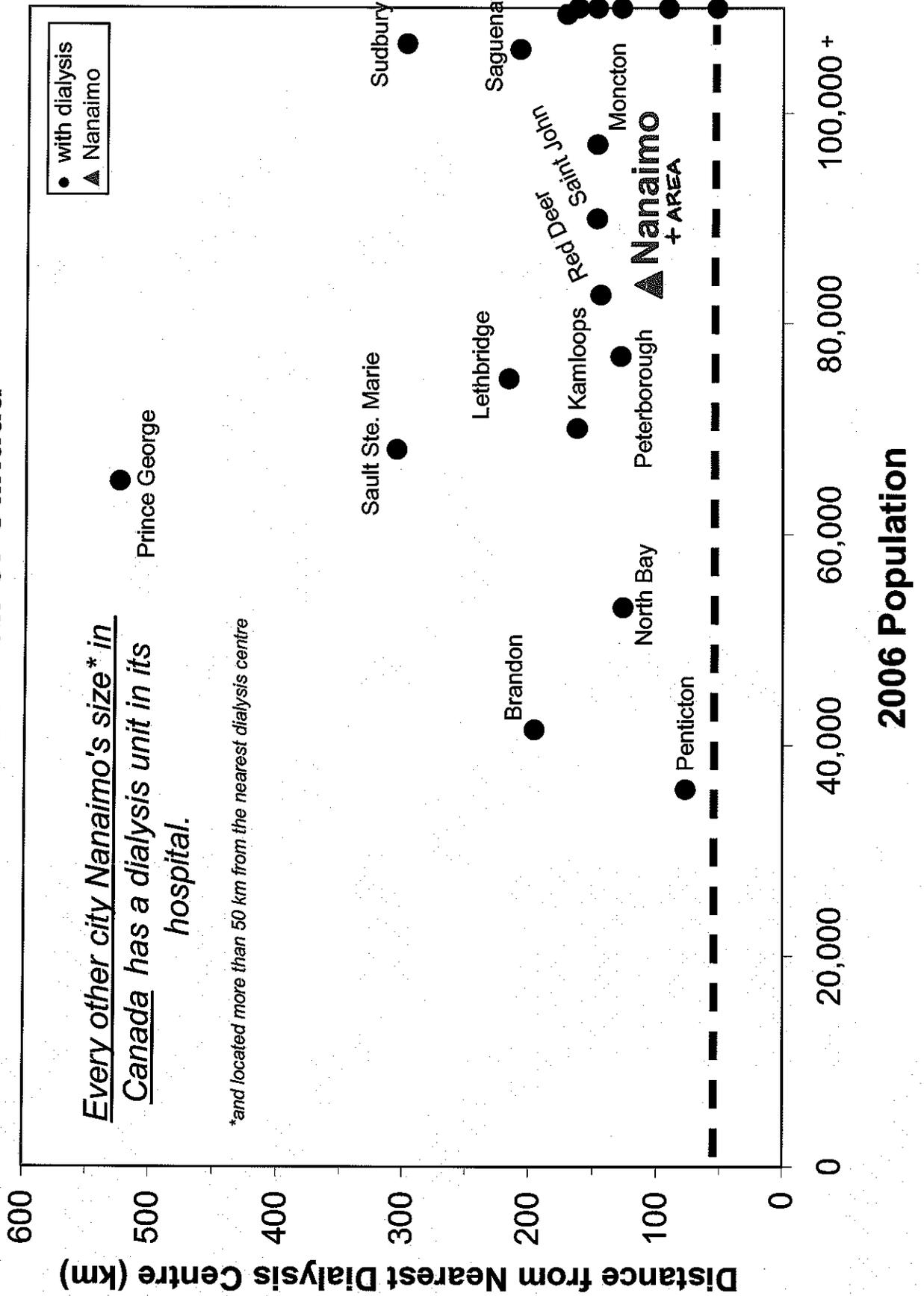
The VIHA Executive and PHSAs Provincial Renal Agency both support the expansion of dialysis services to Nanaimo Regional General Hospital. I was very pleased when the Nanaimo Regional District approved its share of the capital funding last fall. We have consensus from the healthcare professionals, the PHSAs and the Health Authority. I ask that you bring this issue to the attention of the Ladysmith Town Council and our provincially elected representatives. With a provincial election only 8 weeks away, I believe it is essential that our community put this issue on the political agenda.

I hope I will be able to speak to you on the phone regarding this issue over the next few weeks. Please don't hesitate to contact my office or email me with any questions.

With thanks of behalf of my patients,

Dr. Rachel Carson MD FRCP(C)  
rcarson@viha.ca

# How Far is Too Far To Go for Dialysis? Data for all of Canada





**BRITISH  
COLUMBIA**

The Best Place on Earth

Ref: 132193

March 20, 2009

His Worship Mayor Robert R. Hutchins  
and Members of Council  
Town of Ladysmith  
PO Box 220 Stn Main  
Ladysmith, BC V9G 1A2

Dear Mayor Hutchins and Councillors:

I am pleased to advise you of the details of the investments the provincial government is making in your community.

These investments are part of our continuing partnership with local communities to build infrastructure, maintain stability and keep British Columbians working through the current economic downturn. The Province has worked with the Federal Government to arrange for federal cost-sharing in Towns for Tomorrow and LocalMotion.

Key components of our investment include:

- \$375,000 through Towns for Tomorrow for your Aggie Multi-Use Field Enhancement project;
- \$654,560 for your first instalment payment under our new Strategic Community Investment Fund which provides greater certainty to your Traffic Fine Revenue Sharing and Small Community Grant funding, thereby assisting your efforts to improve community safety and stimulate the economy. \$58,537 of this payment is associated with traffic fine revenue sharing and \$596,023 with small community grants. These payments will be made where Strategic Community Investment Fund Agreements are in place. Additional instalment payments are scheduled to be made in July 2009 and July 2010; and
- \$1,980 under the Climate Action Revenue Incentive Program, equal to 100 percent of the carbon tax you paid as part of direct expenditures on fossil fuels.

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His Worship Mayor Robert R. Hutchins  
Page 2

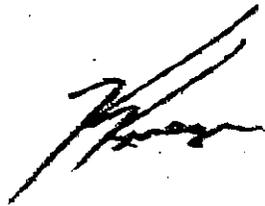
This funding represents part of our government's continuing investment in British Columbia communities. Announcements of successful Building Canada Fund projects are ongoing.

Since we acted on our commitments to share 100 percent of traffic fine revenue and double small community grants, an additional \$331 million has been provided to British Columbia communities under these programs. The community infrastructure investments are part of the \$588 million the Ministry of Community Development has committed to community infrastructure since 2001. A full list of the projects that these investments have helped your community build is enclosed.

I am grateful for the partnership our government enjoys with communities. Together I know we will overcome the challenges of the current economic downturn and build the foundation for a stronger future for all British Columbians.

Thank you for the leadership you are giving to your community.

Sincerely,



Kevin Krueger  
Minister

Enclosure

**LADYSMITH**

**Summary of Provincial Funding Support  
Ministry of Community Development**

**Infrastructure Support for Green, Sustainable Communities**

Year	Project	Provincial Funding
2005	Wastewater Treatment Plant 2004 Upgrade - Stage 2	2,250,000
2003	Ladysmith Community Centre Enhancement	565,100
2004	Ladysmith Saltair Water Supply Phase 1 Arbutus Reservoir	709,800
2008	Ladysmith - Chemainus Road Upgrade	900,000
2008	Ladysmith Market Square	500,000
multiple	Various Infrastructure Studies Since 2002	58,400
<b>TOTAL</b>		<b>\$4,983,300</b>

**Community Safety - Traffic Fine Revenue Sharing**

Year	2004	2005	2006	2007	2008
Ladysmith	49,399	49,267	55,140	57,472	57,689
<b>Grand Total</b>					<b>\$268,967</b>

**Small Community Support - Small Community Grants**

Year	2004	2005	2006	2007	2008
Ladysmith	267,344	266,998	320,147	369,836	413,325
<b>Grand Total</b>					<b>\$1,637,650</b>

MRIF - Canada/BC Municipal Rural Infrastructure Fund  
 CBCIP - Canada/BC Infrastructure Program  
 BCCWIP - BC Community Water Improvement Program  
 SS - Spirit Square  
 IPG - Infrastructure Planning Grant

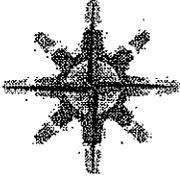
**SUMMARY OF FUNDING SUPPORT**

<b>Green, Sustainable Community Infrastructure</b>	<b>\$4,983,300</b>
<b>Traffic Fine Revenue Sharing</b>	<b>\$268,967</b>
<b>Small Community Grants</b>	<b>\$1,637,650</b>
<b>TOTAL</b>	<b>\$6,889,917</b>

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MRIF – Canada/BC Municipal Rural Infrastructure Fund  
 CBCIP – Canada/BC Infrastructure Program  
 BCCWIP – BC Community Water Improvement Program  
 SS – Spirit Square  
 IPG – Infrastructure Planning Grant

UNION OF  
BRITISH  
COLUMBIA  
MUNICIPALITIES



FIRST NATIONS SUMMIT

**Community to  
Community Forum**

Administration provided  
by UBCM and First  
Nations Summit

Funding provided by the  
Ministry of Community  
Services and Indian and  
Northern Affairs Canada  
(BC Region)

Please direct all  
correspondence to:

Municipal House  
545 Superior St  
Victoria, BC, V8V 1T7

Phone: (250) 356-5134  
Fax: (250) 356-5119

March 16, 2009

Mayor Hutchins and Council  
Town of Ladysmith  
PO Box 220  
Ladysmith, BC, V9G 1A2

**RE: 2009 NEWLY ELECTED COMMUNITY TO COMMUNITY (C2C) FORUM  
FUNDING**

Dear Mayor and Council,

On behalf of UBCM's First Nations Relations Committee, I am pleased to advise you that your request for the Town of Ladysmith's Newly Elected C2C Forum has been approved.

As outlined in the Program & Application Guide, grants under this program will be issued only after the event has taken place and the final reporting requirements have been met. The final report can be submitted as a letter and should include:

- A brief description of the event
- Participant list
- Financial summary detailing how the funds were spent and indicating the matching contribution (in cash or in-kind) from the applicant.

I would like to congratulate you for responding to this opportunity to build relations between newly elected local government officials and neighbouring First Nations.

If you have any questions, please feel free to contact Local Government Program Services at (250) 356-5134 or lgps@civicnet.bc.ca.

Sincerely,

Danyta Welch  
Policy & Programs Officer

cc: Ruth Malli, City Manager, Town of Ladysmith

Recommendation to Council that the following motion be approved:

That:

- a) the grant for the Newly Elected C2C Forum be received and that a letter of thanks for the grant be forwarded to the UBCM.
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 year financial Plan and budget be amended accordingly.

I concur with the recommendation:

R. Malli, City Manager



# LADYSMITH



## CHAMBER OF COMMERCE

224 High Street, Box 598  
Ladysmith, BC V9G 1A4  
Tel: 250-245-2112  
Fax: 250-245-2124  
email: [info@ladysmithcofc.com](mailto:info@ladysmithcofc.com)  
Website: [www.ladysmithcofc.com](http://www.ladysmithcofc.com)

Mayor & Council  
Town of Ladysmith  
410 Esplanade  
P.O. Box 220  
Ladysmith, B.C. V9G 1A2

By e-mail to: [jwinter@ladysmith.ca](mailto:jwinter@ladysmith.ca)

Dear Mayor & Council,

Re: Proposed Premises Choices - **Ladysmith Visitor Information Centre / Chamber of Commerce**

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The Chamber of Commerce has been investigating possible premises opportunities for the **Visitor Information Centre**, and I would like to summarize our findings for your consideration and feedback.

As Director responsible for this file, I have determined that there are three possible Downtown locations for the Visitors Information Centre / Chamber of Commerce premises, while awaiting the ultimately preferred, long-term premises choice of the E&N Train Station location, as follows, in no particular order:

**Bancroft Building**, "Phaedrus & Cleo" Premises, 411B 1<sup>st</sup> Avenue, with a Washroom that is made Handicapped Accessible at the expense of the Lessor. Occupancy on or before May 1, 2009. [Currently vacant].

**Grant Jewellers Building**, 432 1<sup>st</sup> Avenue, with a new Handicapped Accessible Washroom constructed at the cost of the Lessor. Occupancy on or before June 1, 2009. [Currently the Rob Hutchins Campaign Headquarters].

**Hastings Building**, [previous VIC location] at 626 1<sup>st</sup> Avenue, with renovated Handicapped Accessible Washroom. Occupancy anticipated by May 1, 2009. [Currently under post-fire renovation].

Other premises have been considered, but have not advanced to this "short-list", where unsuitabilities and/or inordinately high monthly costs have been identified. These choices offer rents that are in an acceptable range for the Chamber's consideration.

In addition, there is a possible alternative at the **Coronation Mall**, which could result in significant savings to the Town of Ladysmith. Immediately adjacent to the Community Policing Station, there is an "orphaned" 700-800 ft<sup>2</sup> of vacant space, which could be added to the Community Policing Station, and the resulting premises can be "shared" by the Visitors Information Centre and the Community Policing Station.

At present, the Town of Ladysmith pays \$400.00 per month for the Community Policing Station. I'm inclined to believe that if the space were "merged", the Town might incur a total rent of perhaps \$1,000-\$1,200 per month, for both services.

The Chamber of Commerce is prepared to make any "final" decision in this regard, but we request your guidance on the best possible venue for the Visitors Information Centre/Chamber of Commerce premises.

Thank you for your patience and consideration in this matter.

Yours very truly,

**LADYSMITH CHAMBER OF COMMERCE**

William B. Eller, Director

WBE/me

**TOWN OF LADYSMITH**

**BYLAW NO. 1681**

**A BYLAW TO AMEND THE LADYSMITH DEVELOPMENT PROCEDURES BYLAW 2008, NO. 1667**

---

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

1. Amendments:

Delete Section 11(a) in its entirety and replace it with the following:

(a) If Council is considering issuing a Development Variance Permit, notice of the proposed variance to be considered shall be provided in accordance with the *Local Government Act* to owners and tenants of parcels, any part of which is the subject of the permit or lies within 60 metres of the boundary of a parcel that is subject to the permit for the following types of applications:

- (i) Setback requests for the redevelopment or expansion of an existing development;
- (ii) Setback requests for new development that are 0.6 of a metre or less;
- (iii) Height requests for less than 0.6 of a metre, and

for all other applications upon the direction of Council.

2. Citation

This bylaw may be cited for all purposes as "Ladysmith Development Procedures Bylaw 2008, No. 1667 Amendment Bylaw 2009, No. 1681".

**READ A FIRST TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

**READ A SECOND TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
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: January 14, 2009  
File No:

---

Re: DEVELOPMENT VARIANCE PERMIT PROCESS

RECOMMENDATION:

That it be recommended to Council that staff be directed to prepare an amendment to Town of Ladysmith Development Procedures Bylaw 2008, No. 1667 for the consideration of development variance permit applications by Council, as follows:

- a) Staff to undertake the notice and forward the application directly to Council for consideration for the following types of DVP applications.
- setback requests for the redevelopment or expansion of an existing development
  - setback requests for new developments that are 0.6 of a metre or less
  - height requests for less than 0.6 metres;
- b) Consideration of and direction regarding notice on all other DVP applications will be recommended to Council by the Government Services Committee.

BACKGROUND / HISTORY

In order to facilitate policy decision-making, the Mayor has discussed with the Senior Management Team the process for Council's consideration of staff reports. Staff reports will first be presented to the Government Services Committee for policy discussion, prior to Council consideration. However, some development applications are considered to be straight-forward and these applications could go directly to Council. One type of such application is development variance permit applications for minor requests.

*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 to neighbouring properties. The notice area is 60 metres of the boundary of a parcel that is subject to the permit. Town of Ladysmith Development Procedures Bylaw 2008, No. 1667 provides the process for development applications.

ANALYSIS:

For development variance permit (DVP) applications this change in reporting process means that the statutory notice will not be undertaken until Council has directed that notice is to take place. This will add time to the application process. Once the notice has been undertaken, the DVP will be advanced to Council for consideration as Council is the decision-making body with respect to DVP applications.

Some DVP applications are minor and proceeding with the notice without first putting the request on the Government Services Committee agenda will shorten the application process. This process is consistent with current practice.

Bylaw 1667 requires that the applicant hold a neighbourhood meeting when a height variance request is 3.0 metres or greater. This reporting change will not affect that process.

Therefore, it is recommended that for the following types of DVP applications, staff continue to provide notice and forward the application directly to Council for consideration.

- setback requests for the redevelopment of an existing development;
- setback requests for new development that are less than 0.6 of a metre;
- height requests that are less than 0.6 of a metre.

All other applications will first be presented to the Government Services Committee for discussion.

I concur with the recommendation:



Ruth Malli, City Manager

ATTACHMENTS:

None.

Report Reviewed at previous GSC meeting.



TOWN OF LADYSMITH

**BYLAW NO. 1677**

A bylaw to appropriate monies in the Development Cost Charges (Water) Restricted Reserve.

**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Restricted Reserve; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Water) Restricted Reserve of \$1,614,155.53; and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of capital water project expenditures;

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

1. The sum of nine hundred seventeen thousand, ninety dollars (\$917,090.00) is hereby appropriated from the Development Cost Charges Restricted Reserve (Water), to be expended for the purpose of the water projects.
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Reserve Fund.
3. This bylaw may be cited as the " DCC Water Appropriation Bylaw 2009, No. 1677".

**READ A FIRST TIME** on the 16<sup>th</sup> day of March, 2009

**READ A SECOND TIME** on the 16<sup>th</sup> day of March, 2009

**READ A THIRD TIME** on the 16<sup>th</sup> day of March, 2009

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

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

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



Town of Ladysmith  
**STAFF REPORT**

To: Mayor & Council  
From: R. Malli, City Manager  
Date: March 5, 2009  
File No: 3900-20 (No. 1677)

---

Re: Development Cost Charges (Water) Restricted Reserve

RECOMMENDATION:

That Council give the Town of Ladysmith Development Cost Charges Water Appropriation Bylaw 2009, No. 1677 first, second and third readings.

BACKGROUND:

"Development Cost Charges Water Appropriation Bylaw 2009, No. 1677" is attached. This bylaw authorizes the transfer of funds in the amount of \$917,090 from the DCC - Water Reserve to fund the following contained in the Financial Plan:

Holland Creek Water Supply Improvements	\$605,558.
Chemainus Road	129,876.
Watermain Upgrade	<u>181,656.</u>
	\$917,090.

This bylaw may be introduced and read a first, second and third time at the March 16, 2009 Council meeting.

ATTACHMENT:

DCC Water Appropriation Bylaw 2009, No. 1677

TOWN OF LADYSMITH

**BYLAW NO. 1678**

A bylaw to appropriate monies from the Development Cost Charges (Sewer) Restricted Reserve.

**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374 , of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Restricted Reserve; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Sewer) Restricted Reserve of \$1,098,401.27; and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of capital sewer expenditures;

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

1. The sum of three hundred and seventeen, nine hundred and twenty four dollars (\$317,924.00) is hereby appropriated from the Development Cost Charges Restricted Reserve (Sewer), to be expended for the purpose of the DCC Bylaw update project.
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Reserve Fund.
3. This bylaw may be cited as the "DCC Sewer Appropriation Bylaw 2009, No. 1678".

**READ A FIRST TIME** on the 16<sup>th</sup> day of March , 2009

**READ A SECOND TIME** on the 16<sup>th</sup> day of March , 2009

**READ A THIRD TIME** on the 16<sup>th</sup> day of March , 2009

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_ , 2009

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

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



Town of Ladysmith  
**STAFF REPORT**

To: Mayor & Council  
From: R. Malli, City Manager  
Date: March 5, 2009  
File No: 3900-20 (No. 1678)

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Re: Development Cost Charges (Sewer) Restricted Reserve

RECOMMENDATION:

That Council give the Town of Ladysmith Development Cost Charges Sewer Appropriation Bylaw 2009, No. 1678 first, second and third readings.

BACKGROUND:

"Development Cost Charges Sewer Appropriation Bylaw 2009, No. 1678" is attached. This bylaw authorizes the transfer of funds in the amount of \$317,924. from the DCC - Sewer Reserve to fund the following contained in the Financial Plan:

Sewer Treatment Plant \$317,924.

This bylaw may be introduced and read a first, second and third time at the March 16, 2008 Council meeting.

ATTACHMENT:

DCC Sewer Appropriation Bylaw 2009, No. 1678

*Report reviewed at previous meeting.*

TOWN of LADYSMITH

**BYLAW NO. 1679**

A bylaw to appropriate monies from the Sale of Real Property Reserve Fund.

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**WHEREAS** the sum of \$524,932.28 is on deposit in the Sale of Real Property Reserve Fund;

**AND WHEREAS** it is deemed necessary to appropriate the sum of \$194,452. from the Sale of Real Property Reserve Fund for the purpose of expenditures with respect to the capital projects and the machinery or equipment necessary for them and extension or renewal of existing capital works;

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

1. The sum of \$194,452 is hereby appropriated from the Sale of Real Property Reserve Fund and transferred to the General Revenue to be expended on the following projects:

Strathcona Road	\$194,452.
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**CITATION**

2. This bylaw may be cited for all purposes as "Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679".

**READ A FIRST TIME** on the 16<sup>th</sup> day of March, 2009

**READ A SECOND TIME** on the 16<sup>th</sup> day of March, 2009

**READ A THIRD TIME** on the 16<sup>th</sup> day of March, 2009

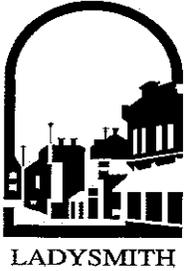
**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)



Town of Ladysmith  
**STAFF REPORT**

To: Mayor & Council  
From: R. Malli, City Manager  
Date: March 5, 2009  
File No: 3900-20 (No. 1679)

---

Re: Real Property Reserve Appropriation

RECOMMENDATION:

That Council give the Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679 first, second and third readings.

BACKGROUND:

"Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679" is attached. This bylaw authorizes the transfer of \$194,452. from the Sale of Real Property Reserve Fund.

The purpose of the bylaw is to fund the following projects:

Strathcona Road      \$194,452.

This bylaw may be introduced and read a first, second and third time at the March 16, 2009 Council meeting.

ATTACHMENT:

Sale of Real Property Reserve Fund Appropriation Bylaw 2009, No. 1679

TOWN OF LADYSMITH

**BYLAW NO. 1683**

A bylaw to appropriate monies from the Development Cost Charges (Roads) Restricted Reserve.

**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Reserve Fund; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Roads) Restricted Reserve of \$477,382.71, and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of debt repayment for and construction of road projects;

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

1. The sum of eleven thousand, seven hundred and thirty-two dollars (\$11,732.) is hereby appropriated from the Development Cost Charges Restricted Reserve (Roads), to be expended for the purpose of debt repayment for and construction of road projects.
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Reserve Fund.
3. This bylaw may be cited as the "DCC Roads Appropriation Bylaw 2009, No. 1683".

**READ A FIRST TIME** on the 16<sup>th</sup> day of March, 2009

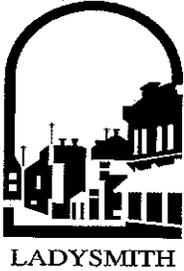
**READ A SECOND TIME** on the 16<sup>th</sup> day of March, 2009

**READ A THIRD TIME** on the 16<sup>th</sup> day of March, 2009

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

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

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



Town of Ladysmith  
**STAFF REPORT**

To: Mayor & Council  
From: R. Malli, City Manager  
Date: March 5, 2009  
File No: 3900-20 (No. 1683)

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Re: Development Cost Charges (Roads) Restricted Reserve

RECOMMENDATION:

That Council give the Town of Ladysmith Development Cost Charges Roads Appropriation Bylaw 2009, No. 1683 first, second and third readings.

BACKGROUND:

"Development Cost Charges Roads Appropriation Bylaw 2009, No. 1683" is attached. This bylaw authorizes the transfer of funds in the amount of \$11,732. from the DCC - Roads Reserve to fund the following contained in the Financial Plan:

4<sup>th</sup> Avenue Storm Sewer Upgrade (Seven Links) \$11,732.

This bylaw may be introduced and read a first, second and third time at the March 16, 2009 Council meeting.

ATTACHMENT:

DCC Roads Appropriation Bylaw 2009, No. 1683