



## 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, June 1, 2009  
at 7:00 P.M.**

# AGENDA

### CALL TO ORDER

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1 **AGENDA APPROVAL**

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

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

- 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;

3 **RISE AND REPORT**

4 **PUBLIC HEARING**

- 4.1 Official Community Plan and Zoning Amendment Application 3360-98-01 **1 - 2**  
Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 20), 2008 1656  
Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 68), 2008, No. 1657  
(J. Phillips) – Lot A, District Lot 43, Oyster District, Plan VIP69091  
379 Davis Road
- 4.2 Official Community Plan and Zoning Amendment Application 3360-08-02 **3 - 6**  
Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 24), 2008, No. 1685  
Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 73), 2008 No. 1686  
(G. Bezeau) Lot 1, District lot 108, Oyster District, Plan 47290  
1323 Fourth Avenue
- 4.3 Zoning Bylaw Amendment **7 - 8**  
Zoning Bylaw 1995, No. 1160, amendment Bylaw (No. 74), 2009, No. 1691  
Prohibition of new drive-through restaurants and pawn shops.

5 **BYLAWS (OCP / ZONING)**

- 5.1 Official Community Plan and Zoning Amendment Application 3360-98-01 **9 - 14**  
Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 20), 2008 1656  
Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 68), 2008, No. 1657  
(J. Phillips) – Lot A, District Lot 43, Oyster District, Plan VIP69091  
379 Davis Road  
Re: Bylaw 1656 may be read a third time.  
Bylaw 1657 may be read a third time

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5.2 <u>Official Community Plan and Zoning Amendment Application 3360-08-02</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 24), 2008, No. 1685 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 73), 2008 No. 1686 (G. Bezeau) Lot 1, District lot 108, Oyster District, Plan 47290 1323 Fourth Avenue Re: Bylaw 1685 may be read a third time and adopted. Bylaw 1686 may be read a third time and adopted.	<b>15 – 22</b>
5.3 <u>Zoning Bylaw Amendment</u> Zoning Bylaw 1995, No. 1160, amendment Bylaw (No. 74), 2008, No. 1691 Prohibition of new drive-through restaurants and pawn shops. Re: Bylaw 1691 may be read a third time and adopted.	<b>23</b>
<b>6       MINUTES</b> Adoption of following minutes:	
•    May 4, 2009	<b>24 – 30</b>
•    May 11, 2009	<b>31 – 32</b>
<b>7       DELEGATION</b>	
7.1 <u>Doug Routley, MLA Elect – Nanaimo – North Cowichan</u>	
<b>8       PROCLAMATIONS</b>	
8.1 <u>Mayor Hutchins has proclaimed :</u>	
•    May 25, 2009 as “National Missing Children’s Day”	
In the Town of Ladysmith.	
<b>9       DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS</b> None.	
<b>10      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; Youth Advisory Committee	
<u>Councillor J. Dashwood</u> Liquid Waste Management Committee	
<u>Councillor S. Arnett</u> Economic Development Commission; Parks, Recreation & Culture Commission; Chamber of Commerce	
<u>Councillor D. Paterson</u> Government Services Committee; Celebrations Committee; Festival of Lights	
10.1 <u>Government Services Committee Recommendations from the May 19, 2009 Meeting</u>	<b>33 - 37</b>

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<b><u>Councillor L. Evans</u></b> Heritage Revitalization Advisory Commission; Community Health Advisory Committee; Social Planning Cowichan	
<b><u>Councillor B. Whittington</u></b> Vancouver Island Regional Library Board; Advisory Design Panel; Environment Commission	
<b>11 STAFF / ADVISORY COMMITTEE REPORTS</b>	
11.1 <u>Manager of Development Services</u> Re: Machine Shop Tenant Signage	<b>38 -40</b>
11.2 <u>Director of Corporate Services</u> Re: Trolley Service to the Town of Ladysmith	<b>41 - 45</b>
11.3 <u>Director of Parks, Recreation and Culture</u> Re: Transfer Beach Concession	<b>47 - 48</b>
11.4 <u>Director of Parks, Recreation and Culture</u> Re: FJCC Heating, Ventilation and Air Conditioning System	<b>49 - 57</b>
11.5 <u>Director of Corporate Services</u> Re: Request for Proposals – Realtor Services for Town-Owned Lots on Strathcona Road (Proposals available for review in Council Chambers.)	<b>58 - 59</b>
11.6 <u>City Manager</u> Re: Provincial Brownfield Redevelopment Program Grant Application	<b>60</b>
11.7 <u>Director of Corporate Services</u> Re: Insurance Claim	<b>61 - 62</b>
11.8 <u>Fire Chief</u> Re: Fire Chief’s Report for April, 2009	<b>63</b>
11.9 <u>Building Inspector</u> Re: Building Inspector’s Report for April, 2009	<b>64</b>
<b>12 CORRESPONDENCE</b>	
12.1 <u>T. Hughes, Coastal Animal Control Services of BC Ltd.</u> Re: Pound Report for April, 2009	<b>65</b>
12.2 <u>D. Hickie, Greyhound Canada Transportation Corporation</u> Re: Potential Reduction of Service to Ladysmith	<b>66 - 68</b>
12.3 <u>J. Sheridan</u> Re: Ivy Green Residents Relocation	<b>69</b>
12.4 <u>F. Thatcher, Chair/RCACS 257 Sponsoring Committee</u> Re: Emergency Assistance	<b>70</b>
12.5 <u>D. Welch, Policy and Program Officer, UBCM</u> Re: 2009 West Nile Virus Risk Reduction Initiative – Approval of Base Funding	<b>71</b>
<b>13 BYLAWS</b> None.	

14     **NEW BUSINESS**  
None.

15     **UNFINISHED BUSINESS**  
None.

16     **QUESTION PERIOD**

**ADJOURNMENT**



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: **OCP 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*

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

ATTACHMENTS:

Bylaw 1657

Report reviewed at previous meeting.



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Manager of Development Services  
Date: April 27, 2009  
File No: 3360-08-02

Re: **OCP / ZONING AMENDMENT APPLICATION: 1323 - 4TH AVENUE**  
Subject Property: Lot 1, DL 108, Oyster District, Plan 47290 (G. Bezeau)

RECOMMENDATION(S):

1. That Council give first reading and second reading to "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 24), 2008, No. 1685" and "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 73), 2008, No. 1686".
2. That Council refer Bylaw 1685 and Bylaw 1686 (application 3360-08-02) to the Advisory Planning Commission.
3. That Council set a public hearing date of June 1, 2009 for Bylaw 1685 and Bylaw 1686 (application 3360-08-02).
4. That Council require that the neighbourhood information meeting for application 3360-08-02 be held at least 5 days prior to the date of the public hearing.

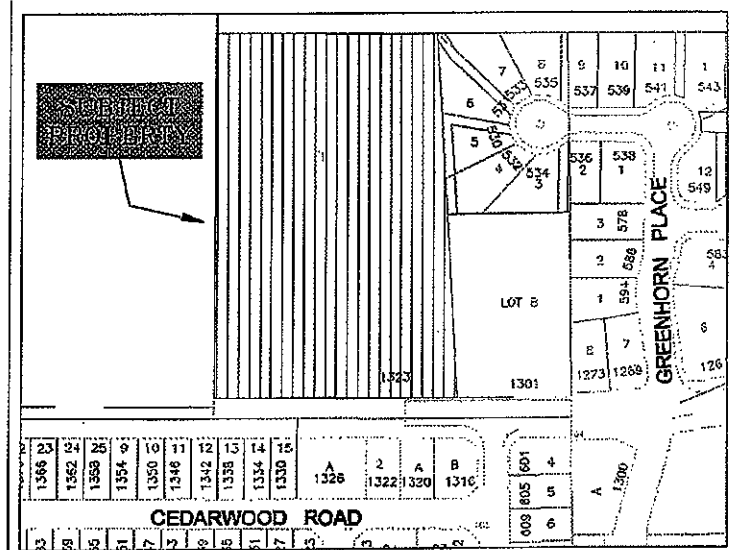
PURPOSE:

The purpose of this report is to (1) provide a new proposal for the rezoning of 1323 - 4th Avenue, and (2) present amending bylaws that would move the rezoning forward in the approvals process.

INTRODUCTION/BACKGROUND:

This 1.6 hectare property came into the boundary of the Town in November 2007. When lands are added to the Town, the land use regulations that are in place at the time of the boundary extension remain in effect until the parcel is rezoned. The subject property is currently zoned Secondary Agriculture (A-2) in the CVRD Bylaw 1020.

The property owner now wishes to subdivide the land in order to sell a portion. However, the minimum lot size is



Report reviewed at previous meeting.

currently 2.0 hectares, so there is no subdivision potential. This rezoning proposal would facilitate the subdivision.

The original rezoning proposal included rezoning the "remainder" to a new small lot zone. Council referred the proposal, in November 2008, to the Advisory Planning Commission and staff had been working towards the development of design guidelines for intensive residential development.

However, since that time the development of DL108 for a sports field complex has been identified as a Council priority. A park plan has been prepared that creates "surplus" land to be used as part of an affordable housing initiative. These surplus lands are adjacent to 1323 - 4<sup>th</sup> Avenue.

As a result, the property owner and applicant have revised the rezoning proposal for 1323 - 4<sup>th</sup> Avenue. This rezoning proposal is now focused on the creation of a seven lot subdivision - as shown in the adjacent plan.

#### SCOPE OF WORK:

The new proposal will maintain Agricultural zoning on the family homestead and lands to be purchased by the developer and create the potential for five residential parcels along 4<sup>th</sup> Avenue. This rezoning will enable the property owner to create a subdivision in order to sell land to the developer for a future comprehensive residential development. A subsequent rezoning application is expected.

#### **Bylaw 1685 - OCP Amendment**

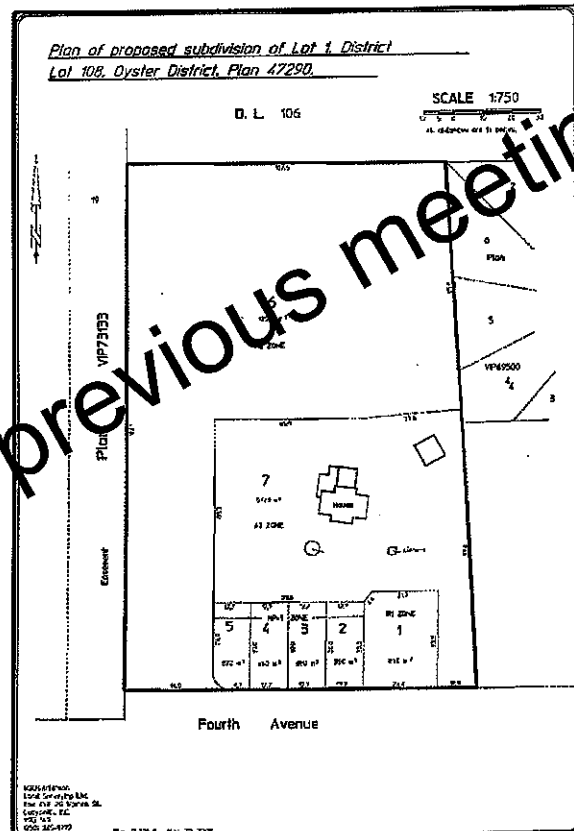
Bylaw 1685 includes the subject property within the Town of Ladysmith Official Community Plan by designating it Urban Reserve and Single Family Residential. The lands are also included within the Town's urban containment boundary.

The Urban Reserve land use designation is amended to create two categories: lands within the Town's urban containment boundary and lands outside of the Town's urban containment boundary.

#### **Bylaw 1686 - Zoning Bylaw Amendment**

Bylaw 1686 creates an Agriculture Zone (A-2) which the Zoning Bylaw currently does not include; the minimum lot size would be 0.4 of a hectare (.988 acre). The A-2 zone is based on the current A-2 zone in the CVRD Bylaw 1060 and regulations in Zoning Bylaw 1160.

The Bylaw proposes to rezone the subject property to three different zones: Agriculture (A-2), Suburban Residential (A-1) and Mobile Home Park (MP-1). If the





Bylaw was adopted, it would enable the subdivision of the subject property which is the intention of the property owner.

The Bylaw also amends the current definition of agriculture use to omit the keeping of mules, cattle, swine, pigeons, doves and furbearing animals. Agriculture use is currently permitted within the UR-1 Zone.

**ALTERNATIVES:**

That Council not proceed with first and second reading of Bylaw 1685 and Bylaw 1686 nor set a public hearing date, until after it has received comments from the Advisory Planning Commission.

**FINANCIAL IMPLICATIONS:**

None.

**LEGAL IMPLICATIONS:**

A public hearing is required to be held before third reading and prior to consideration of the adoption of the bylaws.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

The recommendation includes a referral to the Advisory Planning Commission concurrent with Council's formal consideration of the amending bylaws.

A neighbourhood information meeting is required to be held 30 days prior to holding the public hearing and input from that meeting submitted to the Town. If the public hearing is to be held June 1<sup>st</sup>, it is recommended that this time period be reduced. A notification sign is required to be posted on the lands within 14 days of the date of the public hearing and should include information regarding the neighbourhood meeting.

A Notice of the public hearing is required to be placed in two consecutive issues of the local newspaper. In addition, Notice will be provided to all parcels any part of which is within or adjacent to the area that is subject to the bylaw amendment or otherwise lies within 60 metres of the boundary of the parcel that is subject to the bylaw.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

If the bylaws are approved, a subdivision application would be made and considered by the Approving Officer. The creation of the subdivision would require the Town's subdivision servicing standards to be met which involves Public Works. The subsequent phase of the rezoning will require significant staff time.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Facilitating the development of affordable housing is a Council priority.

**SUMMARY:**

The proposed rezoning has changed since it was originally submitted to the Town. This revised proposal could be considered as "phase 1" of a larger redevelopment proposal that will have a focus on the creation of affordable housing. The current

Report reviewed at previous meeting.

proposal is focused on a rezoning to allow the creation of new parcels - the largest of the new parcels (1.2 ha) is expected to come forward with a new development proposal in the near future.

I concur with the recommendation.

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

ATTACHMENTS:  
Bylaw 1685 and Bylaw 1686.

Report reviewed at previous meeting.



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Manager of Development Services  
Date: May 6, 2009  
File No: Bylaw 1691

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Re: ZONING BYLAW AMENDMENT – DRIVE-THRU SERVICE AND PAWN SHOPS

RECOMMENDATION(S):

1. That Council give first reading and second reading to "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 74), 2009, No. 1691"
2. That Council refer Bylaw 1691 to the Advisory Planning Commission.
3. That Council set a public hearing date of June 1, 2009 for Bylaw 1691.

PURPOSE:

The purpose of this report is to present a Zoning Bylaw amendment to Council that would regulate drive-through restaurants and pawn shops.

INTRODUCTION/BACKGROUND:

Previously Council has given direction to prohibit pawn shops and to prohibit further drive-through restaurants. The Zoning Bylaw has been reviewed and the regulations do not clearly achieve Council's direction.

SCOPE OF WORK:

The proposed amending bylaw would prohibit further drive-through restaurants within the Town and prohibit pawn shop use. Current drive-through restaurants would become lawful, non-conforming.

ALTERNATIVES:

That Council not proceed with Bylaw 1691.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

A public hearing is required to be held before third reading and prior to consideration of the adoption of the bylaws.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The recommendation includes a referral to the Advisory Planning Commission concurrent with Council's formal consideration of the amending bylaws.

A Notice of the public hearing is required to be placed in two consecutive issues of the local newspaper.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

None.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Bylaw implements previous Council direction.

SUMMARY:

The proposed amending bylaw would prohibit further drive-through restaurants within the Town and prohibit pawn shop use. Current drive-through restaurants would become lawful, non-conforming.

It is recommended that Council advance Bylaw 1691 to Public Hearing on June 1, 2009.

Concur with the recommendation.

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

ATTACHMENTS:

Bylaw 1691

Report reviewed at previous meeting.

**TOWN OF LADYSMITH**

**BYLAW NO. 1656**

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

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**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

**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 "Official Community Plan Bylaw, 2003, No. 1488".

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

- (1) Schedule "A" – "Town of Ladysmith Community Plan" is amended as follows:
  - (a) Map 1 "Land Use" is amended by placing the 'General Commercial' land use designation on the subject property (legally described as Lot A, District Lot 43, Oyster District, Plan VIP69091) as shown on Schedule 1, which is attached to and forms part of this Bylaw.
  - (b) Map 2 "Development Permit Areas" is amended by placing 'DPA 3 – Commercial' on the subject property, (legally described as Lot A, District Lot 43, Oyster District, Plan VIP69091) as shown on Schedule 2 which is attached to and forms part of this Bylaw.

**CITATION**

- (3) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.20), 2008, No. 1656".

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

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

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

on the 2<sup>nd</sup> day of September, 2008

**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**

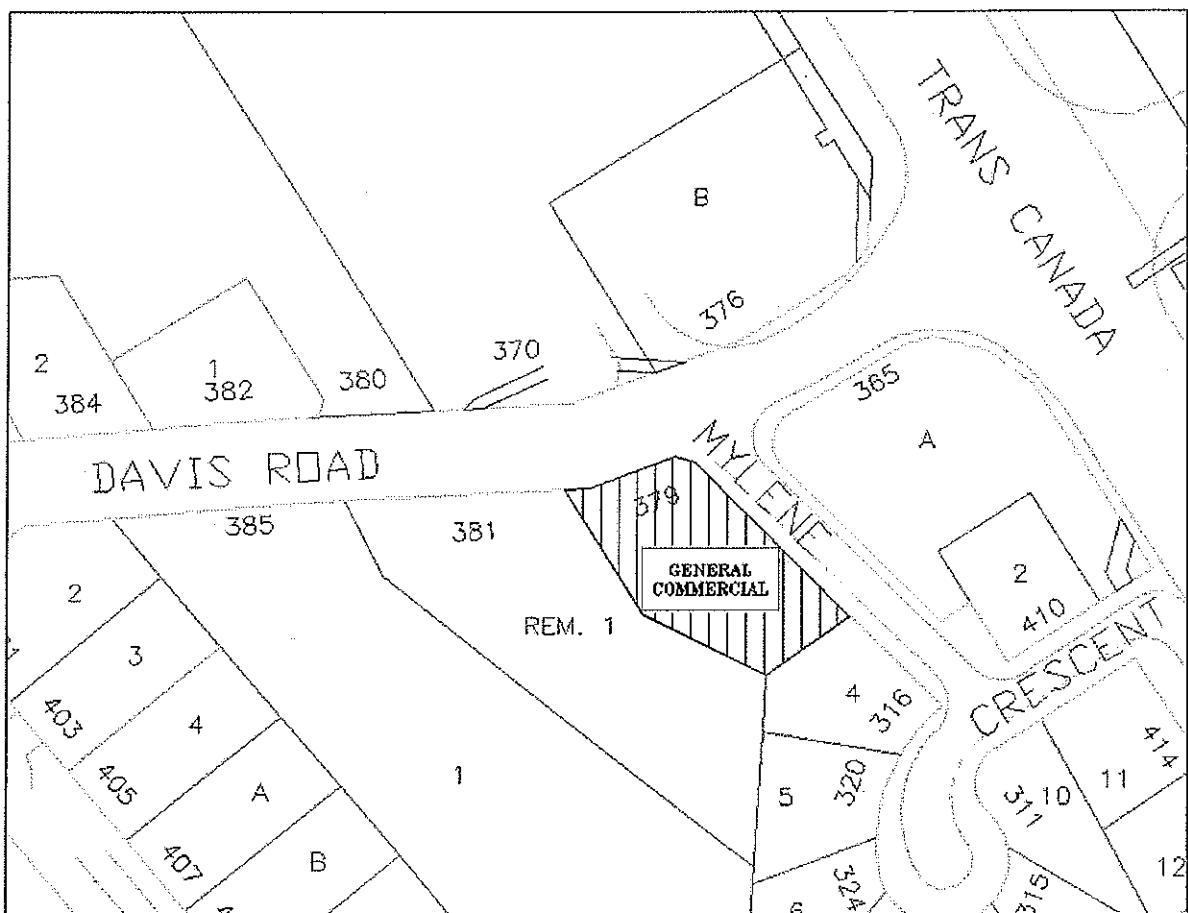
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day of

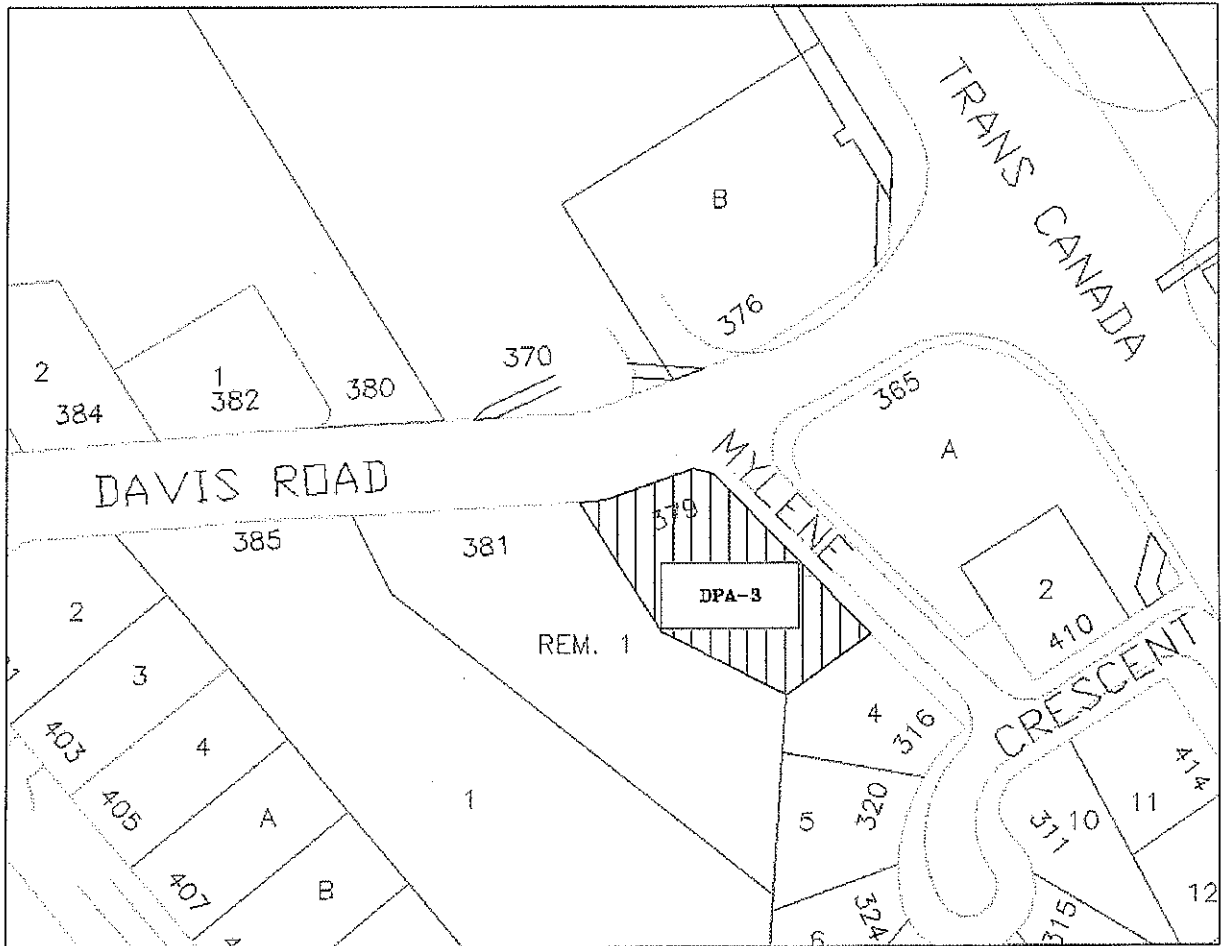
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Mayor (R. Hutchins)

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

**Bylaw 1656 - Schedule 1**



Bylaw 1656 - Schedule 2



**TOWN OF LADYSMITH**

**BYLAW NO. 1657**

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 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** on the 5<sup>th</sup> day of August, 2008



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

on the 2<sup>nd</sup> day of September, 2008

**RESCIND SECOND READING**

on the 6<sup>th</sup> day of April, 2009

**READ A SECOND TIME AS AMENEDDED**

on the 6<sup>th</sup> day of April, 2009

**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

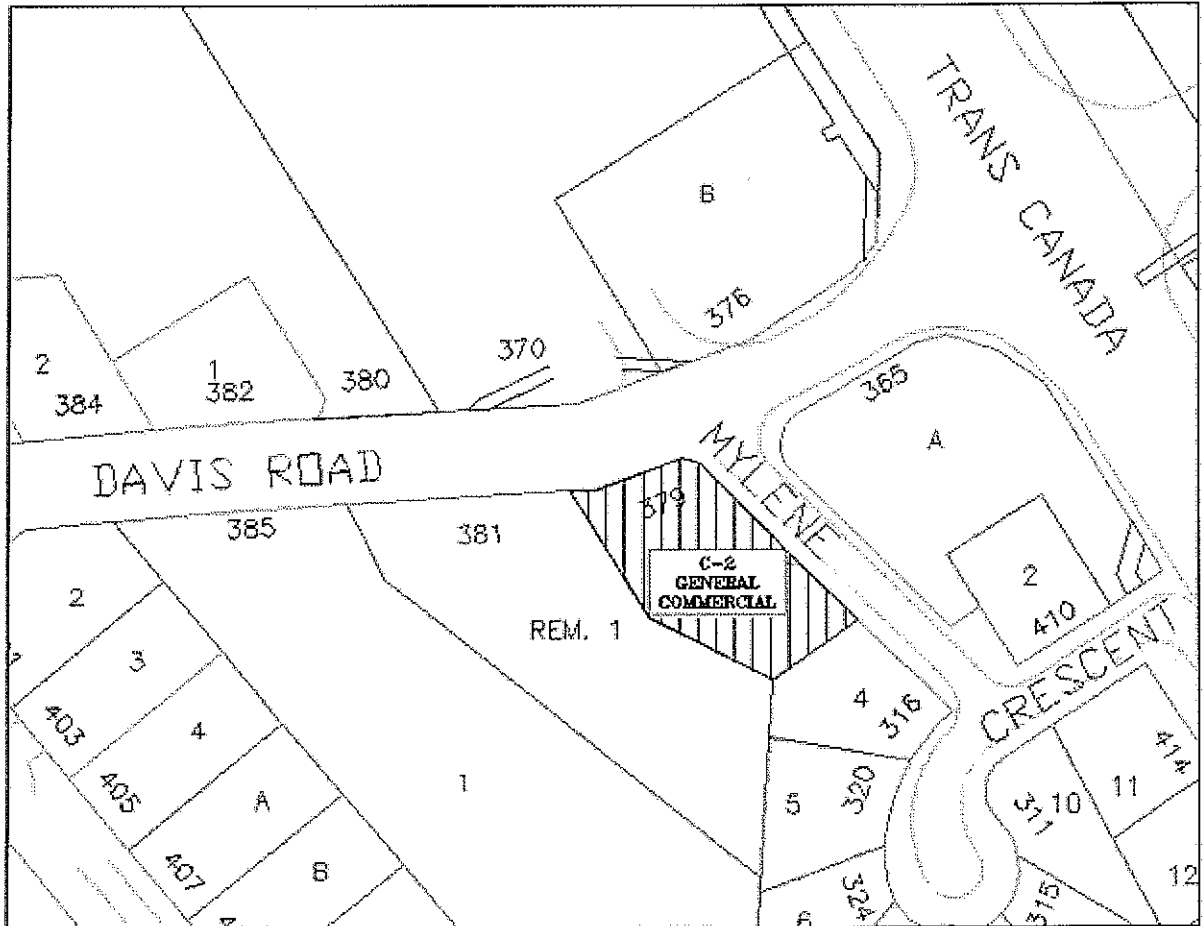
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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)

Bylaw No. 1657 – 'Schedule A'



TOWN OF LADYSMITH

BYLAW NO. 1685

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

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**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

**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 "Official Community Plan Bylaw, 2003, No. 1488".

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

- (1) Bylaw No. 1488: Schedule "A" – "Town of Ladysmith Community Plan" is amended by:
  - (a) Including Lot 1, District Lot 108, Oyster District, Plan 47290 (1323 Fourth Avenue), as shown on Schedule 1 to this Bylaw, within the Urban Containment Boundary shown on Figure 6.
  - (b) Deleting the paragraph under the heading "Urban Reserve" in section 3.8.1 Land Use Designations and replacing it with the following paragraph.

*The Urban Reserve designation is intended as a reserve for long term future urban uses. It provides for agricultural and forestry uses, as well as limited single family dwellings in rural settings. The development density in an Urban Reserve designation beyond the Urban Containment Boundary is a minimum parcel area of 8.0 hectares and within the Urban Containment Boundary is a minimum parcel area of 0.4 hectares."*

- (2) Bylaw No. 1488: Schedule "A" – "Town of Ladysmith Community Plan" Map 1 – Land Use is amended by placing:
  - (a) "Single Family Residential" on proposed Lots 1 to 5 of Lot 1, District Lot 108, Oyster District, Plan 47290 (1323 Fourth Avenue), and
  - (b) "Urban Reserve" on proposed Lots 6 and 7 of Lot 1, District Lot 108, Oyster District, Plan 47290 (1323 Fourth Avenue),

as shown on Schedule 2 attached to this bylaw.

**CITATION**

- (3) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 24), 2008, No. 1685".

READ A FIRST TIME on the 4<sup>th</sup> day of May, 2009

READ A SECOND TIME on the 4<sup>th</sup> day of May, 2009

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

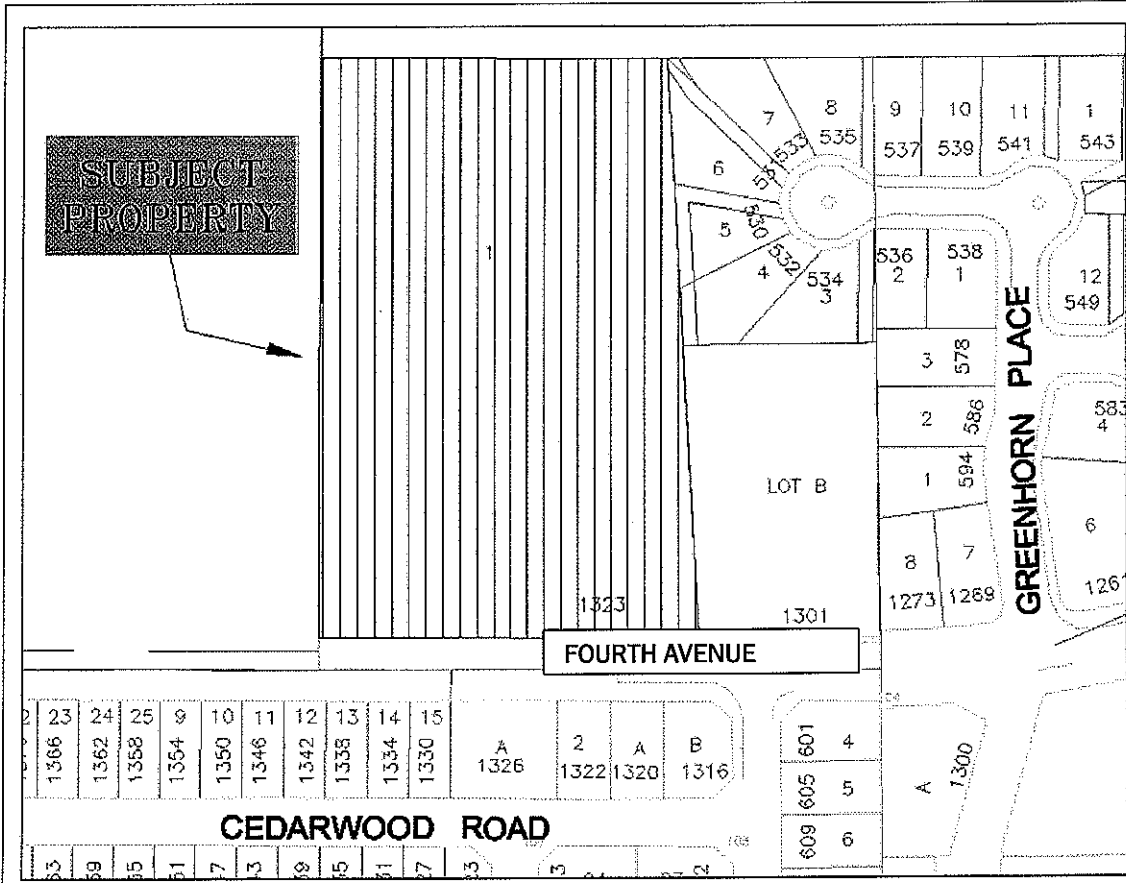
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Mayor (R. Hutchins)

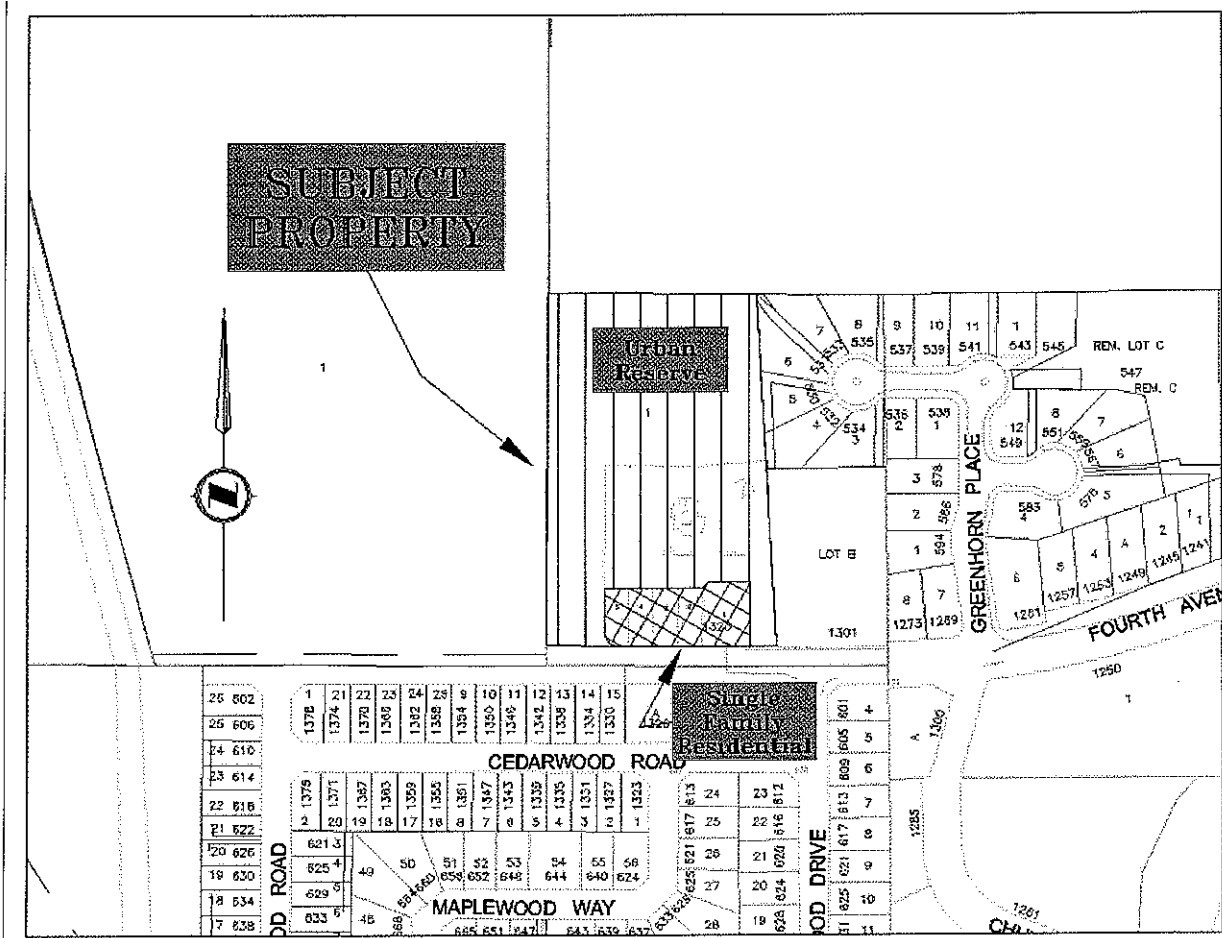
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Corporate Officer (S. Bowden)

BYLAW No. 1685 - SCHEDULE 1



BYLAW No. 1685 - SCHEDULE 2



TOWN OF LADYSMITH

BYLAW NO. 1686

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 text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is hereby further amended by:
  - (a) Deleting the definition "Agriculture" in Section 4.0 Definitions and replacing it with:

"Agriculture: means growing, rearing, producing or harvesting agricultural products; includes the processing on an individual farm of the primary agricultural products harvested, reared or produced on that farm and the storage of farm machinery and implements used on that farm; and specifically includes the keeping of dogs, horses, sheep, goats, poultry, and bees; and specifically excludes all manufacturing, processing, storage and repairs not specifically included in this definition including livestock and poultry processing."
  - (b) Adding a new zone "Agriculture Zone (A-2)", as shown on Schedule 1 to this Bylaw.
- (2) The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160", is hereby amended by placing:
  - (a) Suburban Residential Zone (R-1) on proposed Lot 1 of Lot 1, District Lot 108, Oyster District, Plan 47290 (1323 Fourth Avenue),
  - (b) Mobile Home Park Zone (MP-1) on proposed Lot 2, Lot 3, Lot 4 and Lot 5 of Lot 1, District Lot 108, Oyster District, Plan 47290 (1323 Fourth Avenue),
  - (c) Agriculture Zone (A-2) on proposed Lots 6 and 7 of Lot 1, District Lot 108, Oyster District, Plan 47290 (1323 Fourth Avenue),

as shown on Schedule 2 to this Bylaw.

**CITATION**

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 73), 2008, No. 1686".





**BYLAW No. 1686 – SCHEDULE 1**

**33.0 AGRICULTURE ZONE (A-2)**

**33.1 Permitted Uses**

Subject to the conditions of use below, the following uses and no other uses are permitted in this Zone:

- (a) agriculture or horticulture;
- (b) single family residential dwelling;
- (c) home occupation;
- (d) sale of products grown or reared on a farm accessory to an agriculture or horticulture use;
- (e) bed and breakfast; or
- (f) daycare or nursery school accessory to a residential use.

**33.2 Conditions of Use**

- (1) The maximum parcel coverage shall not exceed 15.0 percent.
- (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.
- (3) No buildings or structures located on a parcel where the principal use is:
  - (a) residential shall be sited closer than:
    - (i) 7.5 metres to the front lot line
    - (ii) 3.0 metres to the side lot line
    - (iii) 4.5 metres to the rear lot line
  - (b) agriculture shall be sited closer than 15.0 metres to all lot lines.
- (4) The minimum finished floor area for a single family dwelling shall be 83.0 square metres and the maximum finished floor area shall be the lesser of 33.0 percent of the parcel area or 240.0 square metres.
- (5) Only one single family dwelling per parcel shall be permitted in this Zone.
- (6) The minimum, horizontal building dimension of a principal building shall be 6.5 metres.
- (7) Section 33.2(6) does not apply to a dwelling unit having a ground floor area great than 107 square metres.

**33.3 Minimum Lot Size**

- (1) All development must be connected to water and sewer services.
- (2) The minimum parcel size permitted shall not be less than 0.4 hectares.

**33.4 Off Street Parking and Loading**

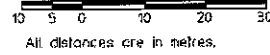
Off street parking and loading must be provided as required by the Municipality's parking regulations.

BYLAW No. 1686 - SCHEDULE 2

Plan of proposed subdivision of Lot 1, District  
Lot 108, Oyster District, Plan 47290.

D. L. 106

SCALE 1:750

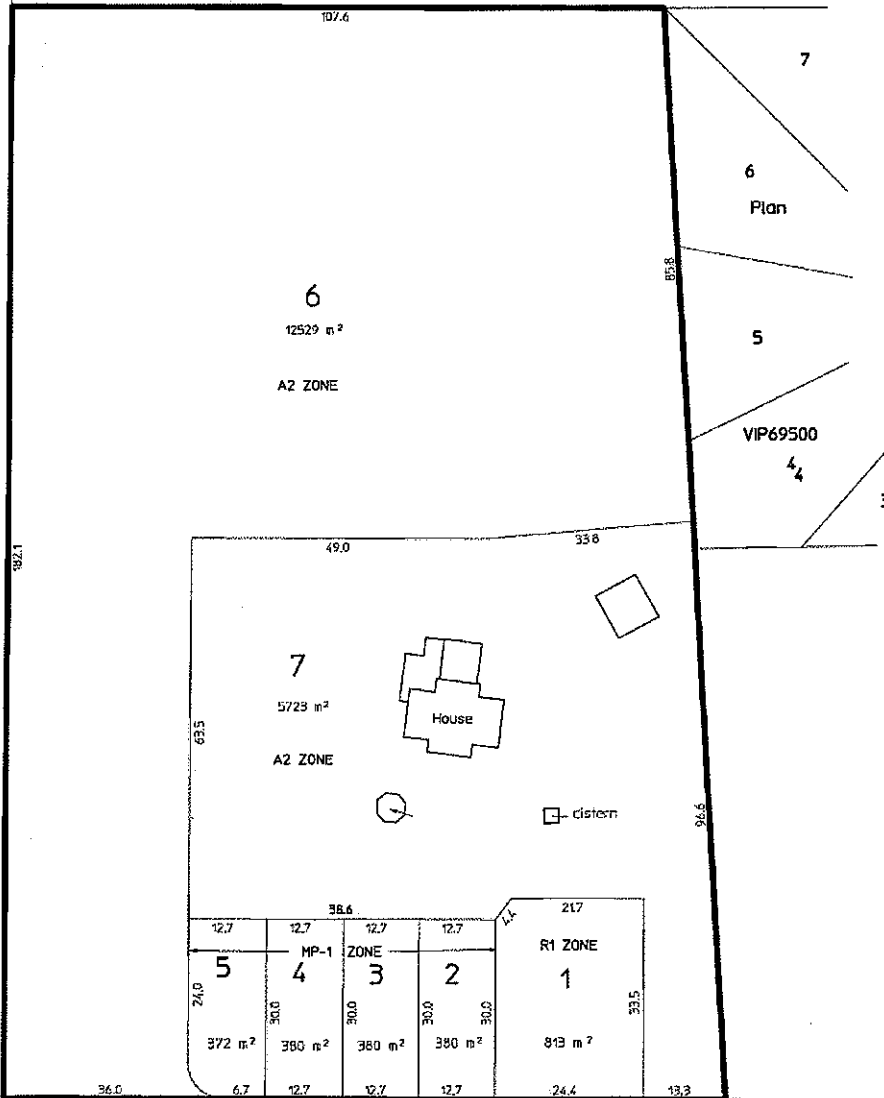


19

VIP73133

Plan

Easement



Fourth Avenue

W.R.Hutchinson  
 Land Surveying Ltd.  
 Box 459, 20 Warren St.  
 Ladysmith, B.C.  
 V9G 1A9  
 (250) 245-9777

File O-108-3 Mar. 20, 2009.





## Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, May 4, 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
Rebecca Kalina	Felicity Adams
Joe Friesenhan	

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Mayor Hutchins called the meeting to order at 6:30 p.m.

### **EXECUTIVE SESSION**

2009-240: It was moved, seconded and carried that this meeting retire into Executive Session (6:30 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following item:

- 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;

### **ARISE AND REPORT**

2009-241: It was moved, seconded and carried that the Executive Session of Council rise without report at 6:50 p.m.

### **AGENDA APPROVAL**

Mayor Hutchins requested Council's consideration of amending the order of the agenda as follows:

- Item 11.3 and 11.4 to appear after Item 9.3

2009-242: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, May 4, 2009 be approved as amended.

### **MINUTES**

2009-243: It was moved, seconded and carried that the Council minutes of April 6, 16 and 20, 2009 be approved as circulated.

### **PUBLIC HEARINGS**

**PUBLIC HEARING - Bylaw 1684**

**APPLICANT AGENT**

Mark Huntjens

**PUBLIC ATTENDANCE: 14**

A Public Hearing for Bylaw 1684 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, May 4, 2009 at 7:02 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 Mr. Huntjens for Lot 6, DL 139 Oyster District, Plan 7217. The property is located at 1142 Trans Canada Highway. The purpose of the application is to rezone the subject property from Urban Residential Zone (R-2) to Medium Density Residential Zone (R-3-A) to permit 4 multiple family residential units. The proposal is consistent with the Official Community

Plan.

The Public Hearing notice was published in the Chronicle newspaper on April 21 and 28, 2009 and posted on community notice boards throughout Town and on the Town's website. Notices were also mailed and delivered to properties within 50 metres of the subject site and a copy was made available at the front counter of City Hall for the two week notice period. A sign was posted on the subject property. There were no written submissions or telephone enquiries received in connection with this Public Hearing. The applicant held a public information meeting about the proposal on March 25, 2008.

The Manager of Development Services noted that the Advisory Planning Commission reviewed the proposal and recommended approval of the proposed rezoning. The Advisory Design Panel reviewed the proposal and supports the proposed change from R-2 to R-3-A to permit four attached residential units. It was noted that the access to the proposed development is from Second Avenue, and the proposal was referred to Ministry of Transportation given its proximity to the Trans Canada Highway. The Ministry has no objections to the rezoning provided that access is from Second Avenue and all structures located no closer than 4.5m from the north-east property line which is required by the Town's zoning regulations.

The Mayor introduced the applicant, Mark Huntjens.

Mayor Hutchins called for questions a first time.  
Mayor Hutchins called for questions a second time.  
Mayor Hutchins called for questions a third time.

No questions were asked.

Mayor Hutchins called for comments a first time.  
Mayor Hutchins called for comments a second time.  
Mayor Hutchins called for comments a third time.

No comments were made.

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

Hearing no further comments, Mayor Hutchins declared that the Public Hearing for Bylaw 1684 was closed. (7:05 p.m.).

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

2009-244: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 72), 2008, No. 1684 for 1142 Trans Canada Highway be read a third time.

2009-245: It was moved seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 24), 2008, No. 1685 for 1323 4th Avenue be read a first and second time.

2009-246: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 73), 2008, No. 1686 for 1323 4th Avenue be read a first and second time.

2009-247: It was moved, seconded and carried that Bylaw 1685 and Bylaw 1686 (application 3360-08-02 - 1323 4th Avenue) be referred to the Advisory Planning Commission for review.

2009-248: It was moved seconded and carried that a public hearing date of June 1, 2009 be set for Bylaw 1685 and Bylaw 1686 (application 3360-08-02 - 1323 4th Avenue).

2009-249: It was moved, seconded and carried that the applicant, 3360-08-02 (1323 4th Avenue), be required to hold a neighbourhood information meeting and the meeting is to be held at least 5 days prior to the date of the public hearing.

## PROCLAMATIONS

Mayor Hutchins proclaimed:

- April 28, 2009 as "National Day of Mourning for Workers Killed and Injured on the Job"
  - May 17 - 23, 2009 as "National Public Works Week"
  - June 6, 2009 as "Access Awareness Day"
- In the Town of Ladysmith.

## DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS

### DEVELOPMENT VARIANCE PERMIT 3090-09-02

2009-250: It was moved, seconded and carried that Development Variance Permit 3090-09-02 for Parcel A (DD1766N) of Lot 9, Block 47, DL 56, Oyster District, Plan 703A (321 3rd Ave) be approved to vary the height of the dwelling to 9.5 metres with dormers; to vary the front yard setback from 6 metres to 1.55 metres to permit a covered porch; and to vary the sideyard setback from 1.5 metres to 0.31 metres to permit a rooftop balcony; and that the Mayor and Corporate Officer be authorized to sign DVP 09-02.

### DEVELOPMENT PERMIT 3060-09-03

2009-251: It was moved, seconded and carried that Council supports the new location for the Tim Horton's drive-through access lane as presented in the staff report dated April 30, 2009 from F. Adams, Manager of Development Services, regarding Development Permit Application 3060-09-03, 1111 and 1115 First Avenue.

### DEVELOPMENT VARIANCE PERMIT 3090-08-07

2009-252: It was moved, seconded and carried that Council approve the Development Variance Permit application (DVP-08-07) for a height variance for Lot 1, District Lot 52, Oyster District, Plan VIP 86055 (Thetis Drive) submitted by Shoa Organizational Services Ltd. for a maximum height of 9.75 metres for the roof peaks.

2009-253: It was moved, seconded and carried that the Development Variance Permit application 3090-08-07 for a "blanket" height variance of Lots 5 to 19 District Lot 52, Oyster District, Pan VIP 86055 (Thetis Drive) be denied.

### CANADIAN SHELLFISH SANITATION PROGRAM

2009-254: It was moved, seconded and carried that the Mayor and Director of Corporate Services be authorized to sign the Conditional Management Plan between the Canadian Food Inspection Agency, Fisheries and Oceans Canada, Environment Canada, British Columbia Ministry of Environment and the Town of Ladysmith.

### ROCKY POINT METALCRAFT

2009-255: It was moved, seconded and carried that Rocky Point Metalcraft be authorized to work on Sundays during the construction of the headworks at the sewage treatment plant and that they be requested to notify area residents in writing of their intended work schedule.

## COUNCIL / COMMITTEE REPORTS

Councillor S. Bastian reported that members of Council and the City Manager participated in a site tour of the Fire Hall and plans are underway to have a site visit of the RCMP building.

Councillor J. Dashwood noted that the Liquid Waste Management Committee has organized an Open House for Wednesday, May 27, 2009 from 6 to 9 p.m. at the Eagles Hall meeting of the Liquid Waste Management Committee will take place on Wednesday, June 10, 2009 at 6:00 p.m. at City Hall.

Councillor S. Arnett stated that the Chamber of Commerce has moved to their new location at 411B First Avenue. The Economic Development Commission is looking into an entrepreneurship study with Nanaimo.

Councillor D. Paterson reported that the Festival of Lights has put up the spring lights.

## GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2009-256: It was moved, seconded and carried that forty copies of "Dunsmuir's Dream" and "Ladysmith Heritage Inventory" books be given to the Ladysmith and District Historical Society to be available for sale at their Annual General meeting on April 21, 2009.

2009-257: It was moved, seconded and carried that Staff be requested to prepare a report for Council's consideration regarding the Ladysmith and District Historical Society taking over the inventory of "Dunsmuir's Dream" and the "Ladysmith Heritage Inventory" books to provide them for sale at the archives office; and that the funds from the sale of the books go directly to Ladysmith and District Historical Society.

2009-258: It was moved, seconded and carried that funds in the amount of \$4,732 from the Archive Building Reserve Fund be released to the Ladysmith and District Historical Society to support upcoming projects.

2009-259: It was moved, seconded and carried that the Heritage Revitalization Advisory Commission be requested to make a recommendation on the allocation of the Dunsmuir Dream Book Fund of \$4,810 to support the operations of the Ladysmith and District Historical Society.

2009-260: It was moved, seconded and carried that the recommended initiatives from the Environment Commission be referred to the City Manager for review, priority setting and report back to Council.

2009-261: It was moved, seconded and carried that the City Manager's written report for the first quarter of 2009 be received.

2009-262: It was moved, seconded and carried that the first quarter reports for 2009 for the Director of Public Works, the Director of Parks, Recreation and Culture, Director of Corporate Services and the Manager of Development Services be received.

2009-263: It was moved, seconded and carried that Staff be directed to develop a template for Machine Shop tenant signage.

2009-264: It was moved, seconded and carried that a letter of invitation be sent to representatives of TimberWest inviting them to meet with Council and discuss their memorandum dated April 14, 2009 entitled "Review of Potential 2009 activities in Holland, Banon, and Stocking Lake watersheds"; and that the Town requests that they do not proceed with any activities (especially the spraying of glyphosate) until Council has had an opportunity to meet with them.

2009-265: It was moved, seconded and carried that authorization be given for an address change to 1129 2nd Ave to 1129A 2nd Ave and 1129B 2nd Avenue;

AND THAT any costs associated with the address change be paid for by the Cherry Lane Strata Corporation.

2009-266: It was moved, seconded and carried that the 2008 Annual Water Report be approved as presented for submission and that the report be made available for review on the Town's website.

2009-267: It was moved, seconded and carried that an expenditure of \$85,000 in the Sewer Fund be authorized and a Sol-Air unit be purchased for \$63,020 plus taxes and that the Financial Plan be amended accordingly.

2009-268: It was moved, seconded and carried that the application for a Crown Land Right of Way for the Holland Lake to Stocking Lake pipeline submitted by Koers & Associates Engineering Ltd. on behalf of the Town be approved.

2009-269: It was moved, seconded and carried that Staff be requested to contact the Ministry of Environment for information regarding the concerns raised by the BC Bottle Depot Association in their letter of March 5, 2009 and to provide a report to the committee.

2009-270: It was moved, seconded and carried that the Town post the 1st Annual Diversity Champion Awards information flyer and nomination form on the Town's website.

2009-271: It was moved, seconded and carried that the 1st Annual Diversity Champion Awards information be forwarded to the May 4, 2009 Executive Session of Council for discussion regarding a potential nomination.

2009-272: It was moved, seconded and carried that the letter dated April 8, 2009 from R. Coleman, Minister of Housing and Social Development, regarding partnerships to create new homes for seniors and persons with disabilities be referred to Staff to review and make recommendations.

2009-273: It was moved, seconded and carried that a letter be sent to Mel Dorey, Director CVRD Area G, requesting a response to earlier correspondence regarding the appointment of an Area G representative to the Parks, Recreation and Culture Commission.

2009-274: It was moved, seconded and carried that Director Marcotte of the CVRD be advised that the Town welcomes a representative from North Oyster to the Parks, Recreation and Culture Commission and looks forward to receiving confirmation of the appointee.

2009-275: It was moved, seconded and carried that the CVRD be informed that the Town of Ladysmith supports the Yellow Funding Model entitled "Regional/Sub-Regional Recreation Funding Model with Sub-Regionally Funded Cowichan Aquatic Centre" as presented in the January 28, 2009 CVRD report.

2009-276: It was moved, seconded and carried that the minutes of the Government Services Committee meeting held on Monday, April 20, 2009 be approved as circulated.

Councillor L. Evans reported that she attended the Ladysmith and District Historical Society Annual General Meeting. The Heritage Revitalization Advisory Commission continues to work on a 100 year memorial miners plaque which will be installed on the picture collage on First Avenue. The Food Action Coordination Team (FACT) is moving forward with a consultation session on May 6th regarding the community gardens. Councillor Evans circulated the draft terms of reference and draft mission statement for Social Planning Cowichan.

Councillor B. Whittington reported that he will be attending the Vancouver Island Library Board meeting in late June and further noted that the Advisory Design Panel recently reviewed two applications.

## **REPORTS**

### **FIRE CHIEF'S REPORT**

2009-277: It was moved, seconded and carried that the Fire Chief's report for March 2009 be received.

### **BUILDING INSPECTOR'S REPORT**

2009-278: It was moved, seconded and carried that the Building Inspector's report for the month of March 2009 be received.

### **WEST NILE VIRUS GRANT**

2009-279: It was moved, seconded and carried that Staff be authorized to retain the services of D. G. Regan and Associates Limited to carry out a West Nile Virus Risk Reduction Initiative Program as per the terms of the UBCM Project for a cost not to exceed \$8,000.00, and that the purchasing policy be waived.



#### TOURISM SIGNAGE - TRANSFER BEACH

2009-280: It was moved, seconded and carried that Staff be directed to proceed with the installation of the new Transfer Beach sign (as per the Town's Signage Plan) at the Highway and Roberts Street in place of the Welcome to Ladysmith sign and custom banners, subject to available tourism grant funding.

2009-281: It was moved, seconded and carried that Staff be directed to review direction signage for other amenities at Transfer Beach and report back to Council in this regard.

#### CANADA BC BUILDING CANADA FUND GRANT APPLICATION

2009-282: It was moved, seconded and carried that Staff be authorized to submit a Canada-British Columbia Building Canada Fund Program-Communities Component (BCF-CC) grant application in the amount of \$3.28 million for the development of multi-purpose fields on the property commonly known as Lot 108 in the Town of Ladysmith.

#### JANITORIAL SERVICES - RCMP BUILDING

2009-283: It was moved, seconded and carried that the proposal from Big Island Services be accepted to provide janitorial services and paper products for the Ladysmith RCMP Detachment and that the Town of Ladysmith enter into a two-year contract with Big Island Services at the rate of \$914.55 per month and further that the proponent be requested to use environmentally friendly products where possible.

#### CORRESPONDENCE

#### COASTAL ANIMAL CONTROL POUND REPORT FOR MARCH 2009

2009-284: It was moved, seconded and carried that the March 2009 Pound Report from Coastal Animal Control Services be received.

#### TOURISM BRITISH COLUMBIA'S COMMUNITY TOURISM OPPORTUNITIES PROGRAM - GRANT APPROVAL

2009-285: It was moved, seconded and carried that the grant for the Community Tourism Opportunities in the amount of \$14,000 be received and that a letter of thanks for the grant be forwarded to Tourism British Columbia;

AND THAT the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town;

AND THAT the 5 year financial plan and budget be amended accordingly.

#### TOWNS FOR TOMORROW GRANT

2009-286: It was moved, seconded and carried that the letter dated April 7, 2009 from Deputy Minister D. Wall, Ministry of Community Development, giving approval for the Towns for Tomorrow project to be reallocated to Lot 108 ball field from Aggie Field be received and a letter of thanks regarding the approval be forwarded to the Ministry of Community Development.

#### LADYSMITH HEALTH CARE AUXILIARY 100TH ANNIVERSARY

2009-287: It was moved, seconded and carried that the letter dated April 6, 2009 from D. Benson, President, Ladysmith Health Care Auxiliary regarding their 100th Anniversary Celebration on May 13, 2009 from 1:00 to 4:00 p.m. at the Eagles Hall be received and that Staff be directed to purchase an appropriate gift for the event and that the Mayor attend the celebration to present the gift.

#### AMBULANCE PARAMEDICS OF BRITISH COLUMBIA

2009-288: It was moved, seconded and carried that the letter dated April 15, 2009 from J. Strohmaier, Provincial President, CUPE Local 873, regarding ambulance emergency response services be received.

**BYLAWS**

2009-289: It was moved, seconded and carried that Town of Ladysmith Development Procedures Bylaw 2008, No. 1667, Amendment Bylaw 2009, No. 1681 be adopted.

2009-290: It was moved, seconded and carried that Town of Ladysmith Sewer Parcel Tax Bylaw 2009, No. 1690 be read a first, second and third time.

2009-291: It was moved, seconded and carried that Town of Ladysmith Water Parcel Tax Bylaw, 2009, No. 1689 be read a first, second and third time.

2009-292: It was moved, seconded and carried that Town of Ladysmith Financial Plan Bylaw 2009, No. 1688 be read a first, second and third time.

2009-293: It was moved, seconded and carried that Town of Ladysmith Tax Rates Bylaw 2009, No. 1687 be read a first, second and third time.

**ADJOURNMENT**

2009-294: It was moved, seconded and carried that the meeting be adjourned at 8:53 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 Monday, May 11, 2009 at 4:00 p.m.

### **COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins  
Lori Evans

Jill Dashwood  
Duck Paterson

### **STAFF PRESENT:**

Ruth Malli  
Patrick Durban

Sandy Bowden  
Joanna Winter

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Mayor Hutchins called the meeting to order at 4:01 p.m.

### **AGENDA APPROVAL**

Mayor Hutchins requested Council's consideration of the following addition to the agenda:

Gift to commemorate the 100th anniversary of the Ladysmith Health Care Auxiliary

2009-295: It was moved, seconded and carried that the agenda for the Special Council meeting for Monday, May 11, 2009 be approved as amended.

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

2009-296: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (no. 74), 2009, No. 1691 be read a first and second time, and that the zoning amendment bylaw be referred to the Advisory Planning Commission, and that a public hearing be held on June 1, 2009

### **REPORTS**

2009-297: It was moved, seconded and carried that the Town of Ladysmith donate a park bench and a tree, together with a plaque, to the Ladysmith Health Care Auxiliary in gratitude and commemoration for 100 years of services to the community, and that the location for the bench and tree be determined in consultation with the Ladysmith Health Care Auxiliary.

### **BYLAWS**

2009-298: It was moved, seconded and carried that Town of Ladysmith Sewer Parcel Tax Bylaw 2009, No. 1690 be adopted.

2009-299: It was moved, seconded and carried that Town of Ladysmith Water Parcel Tax Bylaw, 2009, No. 1689 be adopted.

2009-300: It was moved, seconded and carried that Town of Ladysmith Financial Plan Bylaw 2009, No. 1688 be adopted.

2009-301: It was moved, seconded and carried that Town of Ladysmith Tax Rates Bylaw 2009, No. 1687 be adopted.

### **EXECUTIVE SESSION**

2009-302: It was moved, seconded and carried that this meeting retire into Executive Session (4:12 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following item:

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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**

2009-303: It was moved, seconded and carried that the Executive Session of Council rise without report at 4:35 p.m.

**ADJOURNMENT**

2009-304: It was moved, seconded and carried that the meeting be adjourned at 4:35 p.m.

**CERTIFIED CORRECT:**

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)

## Town of Ladysmith

### **COMMITTEE REPORT**



**LADYSMITH**

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

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Re: GOVERNMENT SERVICES COMMITTEE - May 19, 2009

At its meeting on May 19, 2009 the Government Services Committee recommended to Council the following:

- 1) That the cemetery services fees be amended as outlined in the in the staff report dated May 14, 2009 by the Director of Public Works, and that staff be directed to include the revised cemetery service fees in the Town of Ladysmith Fees and Charges Bylaw.
- 2) That the expenditure of \$7,900 be authorized for the construction of the burling pond decking with the funds to come from the Amphitheatre Project Reserve Fund, and that the Financial Plan be amended accordingly.
- 3) That a letter be written to Ms. Faith Maslen, explaining that the area of concern as outlined in her correspondence of April 16 is privately owned land therefore the Town of Ladysmith cannot install a sidewalk at this location.
- 4) That the request to forgive outstanding parking tickets issued in the names of Shelley Brownlow, Anthony Brownlow, and Nathan Martin be denied.
- 5) That an additional \$15,000 be authorized for the Toilet Rebate Program with the funds to come from the Water Reserve Fund, and that the Financial Plan be amended accordingly.
- 6) That the purchase of the zero turn lawnmower from Island Tractor for the total price of \$12,705.90 plus GST be approved, with the funds to come from the Equipment Pool Reserve Fund, and that the Financial Plan be amended accordingly.
- 7) That staff be directed to arrange a neighbourhood meeting in order to seek citizen input into the four proposed options for the Resolution Place Green Space, and that the meeting be held before the end of June.
- 8) That the request to carry out construction on the 49th Parallel Grocery outside of the hours permitted in the Noise Bylaw be supported in principle, subject to the developer agreeing to perform all heavy duty construction between 7:00 a.m. and 9:00 p.m., and that the developer be requested to hold a meeting for residents within a 150 metre radius, and that the results of that meeting be reported at the June 1, 2009 Council meeting.

9) That a reflector be installed across from the entrance to 385 Davis Road, and that speed limit and dangerous corner warning signs be installed, and that the Royal Canadian Mounted Police be requested to monitor speed in the area.

10) That the minutes of the Government Services Committee meeting held on Tuesday, May 19, 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 Tuesday, May 19, 2009 at 5:30 p.m.

### **COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins	Duck Paterson
Steve Arnett	Jill Dashwood
Lori Evans	

### **STAFF PRESENT:**

Ruth Malli	Sandy Bowden
Joe Friesenhan	Joanna Winter

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The Chair, Councillor Duck Paterson, called the meeting to order at 5:30 p.m.

### **AGENDA APPROVAL**

2009-073: It was moved, seconded and carried that the agenda for the Government Services Committee meeting of Tuesday, May 19, 2009 be approved as circulated.

### **DELEGATIONS**

#### **PRESENTATION OF BRONZE DUKE OF EDINBURGH'S AWARD**

Gerry Yellowlees, Leader of the Ladysmith Trekkers, provided an overview of the Duke of Edinburgh's Award and introduced the Bronze recipient. Mayor Hutchins presented the Bronze Duke of Edinburgh Award Certificate to Bill Gilroy, and offered his congratulations on behalf of Council.

#### **TIMBERWEST**

Domenico Iannidinardo, Eric Jeklin and James Luxmoore provided Council with information regarding TimberWest's plans for herbicide application, roadwork and logging in the Holland and Stocking Lake watersheds. TimberWest would like to spray glyphosate (Roundup, Vision) along the main roadways in the area in order to control growth of encroaching trees and brush. Council informed TimberWest that they will have a response on the use of glyphosate once they have received further information on the health effects from Vancouver Island Health Authority. Council expressed concern about possible effects of logging in the Stocking Lake drainage area. Timber West welcomes the opportunity for further discussion regarding plans for the area. It was agreed that further discussion will take place.

### **REPORTS**

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

The City Manager provided Council with a verbal report on progress towards strategic objectives. Staff continue to work on the top 25 priorities for 2009. All financial reporting deadlines for 2008 and 2009 to date have been met, and the Annual Report will be produced before June 30, 2009. Staff are waiting to hear on three significant grant applications.

#### **CEMETERY FEES**

2009-074: It was moved, seconded and carried that it be recommended to Council that the cemetery services fees be amended as outlined in the in the staff report dated May 14, 2009 by the Director of Public Works, and that staff be directed to include the revised cemetery service fees in the Town of Ladysmith Fees and Charges Bylaw.

#### **AMPHITHEATRE BURLING**35**ND DECKING**

2009-075: It was moved, seconded and carried that it be recommended to Council that the expenditure of \$7,900 be authorized for the construction of the burling pond decking with the funds to come from the Amphitheatre Project Reserve Fund, and that the Financial Plan be amended accordingly.

#### SIDEWALK AT FIRST AVENUE ROUNDABOUT

2009-076: It was moved, seconded and carried that it be recommended to Council that a letter be written to Ms. Faith Maslen, explaining that the area of concern as outlined in her correspondence of April 16 is privately owned land therefore the Town of Ladysmith cannot install a sidewalk at this location.

#### PARKING TICKETS

2009-077: It was moved, seconded and carried that it be recommended to Council that the request to forgive outstanding parking tickets issued in the names of Shelley Brownlow, Anthony Brownlow, and Nathan Martin be denied.

#### TOILET REBATE PROGRAM

2009-078: It was moved, seconded and carried that it be recommended to Council that an additional \$15,000 be authorized for the Toilet Rebate Program with the funds to come from the Water Reserve Fund, and that the Financial Plan be amended accordingly.

#### PURCHASE OF MOWER FOR PARKS MAINTENANCE

2009-079: It was moved, seconded and carried that it be recommended to Council that the purchase of the zero turn lawnmower from Island Tractor for the total price of \$12,705.90 plus GST be approved, with the funds to come from the Equipment Pool Reserve Fund, and that the Financial Plan be amended accordingly.

#### RESOLUTION PLACE GREEN SPACE

2009-080: It was moved, seconded and carried that it be recommended to Council that staff be directed to arrange a neighbourhood meeting in order to seek citizen input into the four proposed options for the Resolution Place Green Space, and that the meeting be held before the end of June.

#### 49TH PARALLEL GROCERY CONSTRUCTION

2009-081: It was moved, seconded and carried that it be recommended to Council that the request to carry out construction on the 49th Parallel Grocery outside of the hours permitted in the Noise Bylaw be supported in principle, subject to the developer agreeing to perform all heavy duty construction between 7:00 a.m. and 9:00 p.m., and that the developer be requested to hold a meeting for residents within a 150 metre radius, and that the results of that meeting be reported at the June 1, 2009 Council meeting.

#### DAVIS ROAD SPEED BUMP REQUEST

2009-082: It was moved, seconded and carried that it be recommended to Council that a reflector be installed across from the entrance to 385 Davis Road, and that speed limit and dangerous corner warning signs be installed, and that the Royal Canadian Mounted Police be requested to monitor speed in the area.

### CORRESPONDENCE

#### KINSMEN CLUB OF LADYSMITH

Councillor Dashwood agreed to organize the Council entry in the Ladysmith Days Parade on August 1, 2009.

### ADJOURNMENT

2009-083: It was moved, seconded and carried that this meeting be adjourned at 7:15 p.m.



**CERTIFIED CORRECT:**

Chair (Councillor D. Paterson)

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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: May 27, 2009  
File No: Machine Shop

---

Re: MACHINE SHOP TENANT SIGNAGE

#### RECOMMENDATIONS:

That Council endorse the following signage template for the Machine Shop:

- (a) Tenant signage shall be painted wood, with historic typeface, and with few basic heritage colours on an individual sign;
- (b) Tenants may each have up to two signs in relation to their business in the Machine Shop - one 'highway sign' on the west face of the building and one 'unit sign' near or above the entry to their unit; and
- (c) The maximum permitted size of highway sign is 7m<sup>2</sup> and the maximum permitted size of unit sign is 2m<sup>2</sup>.

#### PURPOSE:

The purpose of this report is to present a sign template for Machine Shop tenants.

#### INTRODUCTION/BACKGROUND:

Tenants of the Machine Shop have expressed interest in placing signage on the west (highway) side of the Machine Shop. The tenant leases state that Council must approve proposed signs. On May 4<sup>th</sup> Council passed a motion directing staff to develop a template for Machine Shop tenant signage.

Three local sign companies were consulted about signage for the Machine Shop. The sign company "Vintage Signs" (from Gabriola Island) specializes in creating antique/vintage signs and expressed the most interest in the project. The owner of the company, Mr. Hamer, visited the Machine Shop building to assist with determining what type of signage would be appropriate. Staff involved the President of the Arts Council in the template development and he is supportive of the proposed template and sign size.

#### ANALYSIS

##### *Sign Template Specifications*

The Machine Shop was constructed in 1943 and the characteristics of signs in the early 1900's are: painted wood, historic typeface, with few basic heritage colours on an individual sign. The suggested style of signs for the Machine Shop building can be seen in Schedule 1.

Tenant signage should be permitted to be varied in shape and size, which has the following advantages: 1) it can best reflect how signage was displayed in the early 1940's, enhancing the heritage look of the building; and 2) it can permit efficient use

of space to permit all tenants to have a sign to meet their needs. While banner signage has been requested it is not recommended as appropriate material for unit signage.

Currently several tenants have one sign near or above the entry to their unit as illustrated in Figure 1. It is recommended to apply a similar sign template specification to the unit sign and that the maximum size of this sign be 2m<sup>2</sup>. It is recommended that the maximum permitted size of sign on the west side of the building be 7m<sup>2</sup> as illustrated in Figure 2.

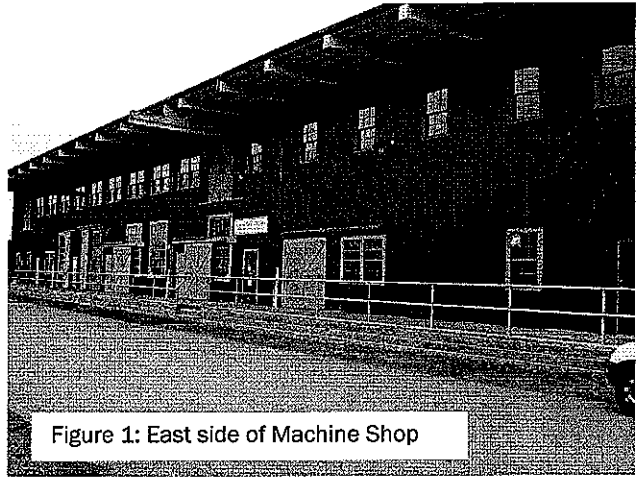


Figure 1: East side of Machine Shop

**SCOPE OF WORK:**

To erect a sign on the Machine Shop tenants apply for a Development Permit and Sign Permit. The Manager of Development Services has been delegated the authority to issue sign development permits. The Building Inspector issues sign permits.

**ALTERNATIVES:**

To not permit tenant signs on the west face of the Machine Shop.

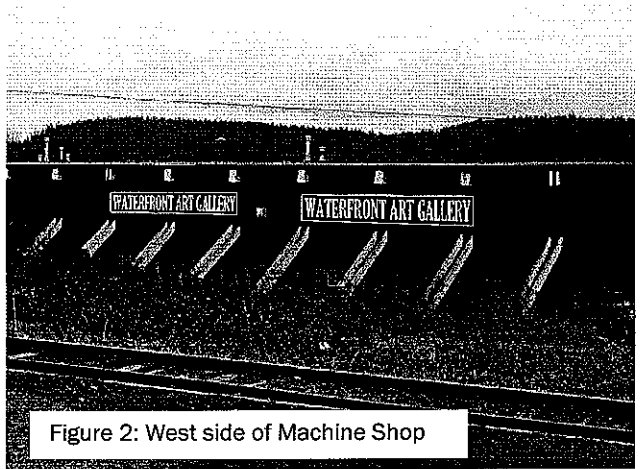


Figure 2: West side of Machine Shop

**FINANCIAL IMPLICATIONS** n/a

**LEGAL IMPLICATIONS** n/a

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:** n/a

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

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

**SUMMARY:**

Staff have worked with 'Vintage Signs' of Gabriola Island and the Arts Council to develop a template for Machine Shop tenant signage. It is recommended to permit each tenant to have one highway sign on the west face of the building and one unit sign near or above the entry to their unit and that the signs be painted wood with heritage font and colour.

**ATTACHMENTS:** Schedule 1: Vintage Sign Company Samples

**CITY MANAGER'S COMMENT:**

That Council refer this item to the Heritage Revitalization Advisory Commission before making a final decision.

*Ruth Malli*

Ruth Malli, City Manager

Schedule 1: Vintage Sign Company Samples





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: May 21, 2009  
File No:

---

Re: TROLLEY SERVICE TO THE TOWN OF LADYSMITH

RECOMMENDATION(S):

The Ladysmith Trolley Committee recommends that:

- a) Council authorize the operation of a trolley service commencing on July 1<sup>st</sup> (Canada Day) in accordance with the proposal entitled "Option 1 – Purchase New Diesel Trolley" as outlined in this report and that the trolley schedule run six days per week from 8:00 a.m. to 6:00 p.m. initially;
- b) the expenditure for the trolley service not exceed \$250,000 for 2009, and that the Town's budget and financial plan be amended accordingly;
- c) the trolley service be reviewed after the Labour Day weekend, 2009 by the Trolley Committee and that the Committee submit recommendations to Council regarding any changes in the service as deemed appropriate; and,
- d) the Town's purchasing policy be waived.

PURPOSE:

The purpose of this report is to provide details of a proposal to provide a trolley service to the Town of Ladysmith commencing on July 1, 2009 and to solicit Council's authorization to proceed with the project. The Trolley Committee met on May 20, 2009 and concurred that it would seek Council's support and authorization to proceed with Option 1 as outlined in this report.

SCOPE OF WORK:

In order to proceed with the introduction of a trolley system to the Town, the following tasks require completion:

- Acquire one trolley (either lease or purchase)
- Confirm trolley route and stops
- Create and install trolley stop signs (possibly in partnership)
- Develop trolley schedule
- Hire trolley drivers (create job descriptions)
- Secure advertising revenue

The following details regarding the trolley service are presented for the Committee's consideration:

- **Trolley Schedule/Drivers:**

(a) 8:00 a.m. to 6:00 p.m. seven days per week

(b) 8:00 a.m. to 6:00 p.m. six days per week

(c) 8:00 a.m. to 6:00 p.m. – Monday to Friday

(d) 8:00 a.m. to 12:00 noon and 2:00 p.m. to 6:00 p.m. - Monday to Friday (no trolley service between the hours of 12:00 noon and 2:00 p.m.)

At its meeting held on May 27, 2009, the Trolley Committee concurred that running the trolley from 8:00 a.m. to 6:00 p.m. six days per week from July 1<sup>st</sup> to after the Labour Day weekend in September would serve the community appropriately. The Committee will consider a proposal to reduce the schedule after that date.

- **Trolley Stops:**

The Trolley Committee recommends the installation of temporary trolley stop signs in order to determine location of permanent trolley stops based on ridership.

- **Trolley Vehicles:**

Options considered by the Committee are as follows:

(a) Purchase a new diesel trolley and use a secondary vehicle to provide back up. Funding for this option is available through the Town's "gas tax" fund. The "gas tax" fund can only be used for capital purchases, not operational expenses.

(b) Lease a new diesel trolley use a secondary vehicle to provide back up. Again, funding for this option can be through the "gas tax" fund if the Town commits to owning the vehicle at the end of the lease term.

(c) Purchase a used diesel or gas trolley for approximately \$60,000 to \$70,000 US. Maintenance costs may be higher than leasing a new vehicle, however, the initial costs of purchasing a vehicle is significantly less. The "gas tax" fund could be used to purchase the vehicle. It may be challenging to arrange to purchase a used trolley by the July 1<sup>st</sup> proposed start-up date.

(d) Purchase a new electric trolley for \$400,000.

#### **FINANCIAL IMPLICATIONS:**

The current balance of the Town's trolley budget is \$51,388 with another \$160,000 committed from various sources (i.e. \$100,000 from the Ladysmith Credit Union and \$60,000 from other donors).

Following are four options of the estimated annual costs to implement a trolley service for the Town:

Option 1 – Purchase new diesel trolley

ITEM	AMOUNT
1 new diesel trolley (purchase)	\$188,000
operational costs (fuel, maintenance, etc.)	\$46,000
trolley drivers	\$110,000*
trolley stop signs (temporary)	\$3,000
trolley route maps/schedules	\$1,000
update trolley logo	\$150
<b>TOTAL</b>	<b>\$348,150</b>

Option 2 – Lease new diesel trolley

ITEM	AMOUNT
1 new diesel trolley (lease)	\$63,000
operational costs (fuel, maintenance, etc.)	\$46,000
trolley drivers	\$110,000*
trolley stop signs (temporary)	\$3,000
trolley route maps/schedules	\$1,000
update trolley logo	\$150
<b>TOTAL</b>	<b>\$223,150</b>

Option 3 – Purchase used diesel trolley

ITEM	AMOUNT
1 used diesel trolley (purchase)	\$86,000
operational costs (fuel, maintenance, etc.)	\$61,000
trolley drivers	\$110,000*
trolley stop signs (temporary)	\$3,000
trolley route maps/schedules	\$1,000
update trolley logo	\$150
<b>TOTAL</b>	<b>\$261,150</b>

Option 4 – Purchase new electric trolley

ITEM	AMOUNT
1 new electric trolley (purchase)	\$400,000
operational costs (fuel, maintenance, etc.)	\$46,000
trolley drivers	\$110,000*
trolley stop signs (temporary)	\$3,000
trolley route maps/schedules	\$1,000
update trolley logo	\$150
<b>TOTAL</b>	<b>\$560,150</b>

\* Note: wages based on hiring two full-time drivers to facilitate full trolley schedule (i.e. running 10 hour schedule seven days/week)

LEGAL IMPLICATIONS:

None.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The concept of a Town trolley service has received very positive reaction from the community as is evident by the \$200,000 contributions submitted by members of the community to date. It is anticipated that the implementation of the trolley service will continue to be positively received. The Town will maintain ridership statistics to monitor the success of the service.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Public Works Department will assist in the installation of trolley stops as well as in the production of the route maps as required. Human Resources will process the recruitment of trolley drivers and develop appropriate job descriptions for the position.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The implementation of a community trolley system is one of the 25 strategic priorities that Council identified for 2009. This initiative is also considered part of the Town's environmental and sustainable programs.

**CITY MANAGER'S COMMENTS:**

1) New Service Implementation

The implementation of a new service is always a significant undertaking and requires dedicated Staff time. Staff understand that Council's direction is to proceed immediately on the implementation of the trolley services. Given the number of variables (routes, times, ridership, funding, etc.) it is recommended that criteria and process for service evaluation be developed, including a feedback loop to Council.

2) Future Operations

As stated in the memo, Gas Tax funding can only be utilized for capital acquisition. In 2009, the Trolley Committee is recommending that operating costs be funded from donations. In future years (based on information from other communities) it is anticipated that operating costs will result in increased taxation. Advertising revenue and donations will off set some of the costs to the taxpayer. In 2010 and 2011, the Town will pursue operational funding from BC Transit. An increase in taxation for this service could be in the range of 1-3%.



R. Mall, City Manager









Town of Ladysmith

**COMMISSION REPORT**

To: Ruth Malli, City Manager  
From: Patrick Durban, Director of Parks, Recreation & Culture  
Date: May 25, 2009  
File No:

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Re: TRANSFER BEACH CONCESSION

RECOMMENDATION:

THAT the Town of Ladysmith enter into a three year lease, with option to renew for a further two years, with John Himel and Stacey Anderson for the operation of the Transfer Beach Concession.

BACKGROUND / HISTORY:

The previous operator of the Transfer Beach Concession did not renew the lease and therefore the operation of the concession was recently advertised.

Attached is a resume of the only submission received and as they have the experience and wish to relocate to Ladysmith, it appears that this will be a good fit.

ANALYSIS:

N/A

ATTACHMENTS:

Applicant Resume

I concur with the  
recommendation:

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

May 26, 2009

To: City Council of Ladysmith, BC

My name is Stacey Anderson, and, along with my spouse, John Himel, we would like to apply to operate the concession stand at Transfer Beach during the 2009 summer season. Below, you will find a general overview of our backgrounds and experience.

Stacey Anderson

1997-2000- Was a partner in a Fresh Pasta restaurant located in Squamish, BC. Duties included purchasing supplies, cooking, cleaning, customer service etc.

2000-2004- Worked in customer service related fields such as sales, banking (Royal Bank), and restaurants.

2004-2008- Real Estate Agent--Cranbrook, BC & Lethbridge, AB

2008- Purchased a mobile concession and travelled throughout BC & Alberta, operating at fairs, rodeos etc.

John Himel

1989-2006--News Director and Sales Representative for Jim Pattison Broadcasting corporation (started in Fort McMurray and continued career in Cranbrook, BC)

2006-2008- Sales Representative for The Cypress Group, Lethbridge, AB--Responsible for client retention/customer service for the sales of Office Equipment

2008- Joined Stacey in purchasing and operating the mobile concession business.

We had a great summer last year travelling around our beautiful province, however, due to the fact that we have a 13 year old daughter, we feel it's in her best interest to settle somewhere and this concession seems like the perfect fit! We love Ladysmith and plan on permanently settling here and enrolling our daughter, Brooke in high school.

Thank you in advance for your consideration;

Sincerely;

Stacey And John



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Patrick Durban, Director of Parks, Recreation & Culture  
Date: May 25, 2009  
File No:

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Re: FJCC HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM

RECOMMENDATION:

THAT staff be authorized to retain the services of Rocky Point Engineering Ltd. to coordinate the installation of the FJCC HVAC Retrofit Project, including the supply of the unit from Engineered Air, at a total estimated cost of \$250,000, plus consulting fees of up to \$37,500, to be funded from the UBCM Regionally Significant Project Fund;

AND THAT the Town's purchasing policy be waived in order that the work can be carried out during the FJCC Shutdown in August 2009.

BACKGROUND / HISTORY:

As part of the most recent FJCC upgrade completed in 2006, Rocky Point Engineering Ltd. prepared a report (see attached) on the facility's current heating, ventilation and air conditioning system (HVAC) and recommended options, which were not implemented due to lack of sufficient funding.

Subsequently the Town made application for a UBCM Regionally Significant Project Fund through the CVRD, which was approved. The Town is now in a position to proceed with this project during the annual FJCC Shutdown, as per the revised attached report dated May 20, 2009.

ANALYSIS:

This project will significantly improve the working environment for staff, as well as provide a more enjoyable experience for patrons. In addition, energy consumption will be reduced and measures will be taken to ensure compatibility with solar or geothermal technology which may be incorporated in the future.

ATTACHMENTS:

Jun 2, 2006 FJCC Pool HVAC System Assessment Study  
May 20, 2009 FJCC Pool HVAC System Assessment Study

I concur with the  
recommendation:

  
Ruth Malli, City Manager

# ROCKY POINT

ENGINEERING LTD.

CORPORATE OFFICE  
4848 FILLINGER CRESCENT, NANAIMO, BC V9V 1K1  
TEL (250) 751-1371 FAX (250) 751-1372

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RPE File 05154-N451

June 2, 2006

Town of Ladysmith  
Department of Parks and Recreation  
810 6<sup>th</sup> Avenue  
Ladysmith, BC  
V9G 1A2

**Attention: Mr. Pat Durban**  
**Director Parks, Recreation and Culture**

Dear Sir:

**Re: Frank Jameson Recreation Centre**  
**Pool HVAC System Assessment Study**

---

I have now completed my review of the ventilation and dehumidification system in place at the Frank Jameson Recreation Centre. The study was initiated due to concerns pertaining to air quality in the pool area of the building, in particular a perception of high humidity, transmission of water vapour to adjacent areas of the building and the condition of the air handling unit.

The pool air handling unit should be considered for replacement for the following reasons:

- 1) It is in generally poor repair, with aged and corroded major components.
- 2) It is sized for the original pool construction and as such has inadequate capacity to control space humidity due to expansion of the pool area in 1994. At that time the Leisure Pool was added, creating a substantial increase in space humidity load. Air from the originally installed air system was ducted to the new area, but no additional dehumidification capacity was provided.
- 3) The existing system is currently configured with no way to reject heat from the building, resulting in space temperatures warmer than desirable during the summer. The design of this type of pool unit allows heat reclaimed from the dehumidification process to be put into the pool water make-up system, and for parts of the year this is sufficient to maintain comfortable space conditions. As outdoor weather warms up however, there is an excess of reclaimed energy that the unit has no option than to put back into the supply air, resulting in overheating of the pool area.

There are seven indoor air design criteria to be applied to a properly controlled pool environment. These are as follows, with expanded information on each below.

- 1) Rate of outdoor airflow
- 2) Overall rate of supply airflow (combination of outdoor and recirculated air)
- 3) Adequate capacity for moisture removal
- 4) Building air temperature
- 5) Building relative humidity
- 6) Supply and return airstreams kept away from pool surfaces
- 7) Maintain interior surfaces of the building envelope above ambient dewpoint

***Overall Supply of Air to provide between 4 and 8 air changes per hour***

The existing PoolPak unit has a rated fan capacity of 12,500 cubic feet per minute (CFM), which equates to roughly 4.5 air changes per hour of the overall volume of 151,200 cubic feet in the pool enclosure. The Dry-a-Tron unit delivered exactly six air changes per hour to the original pool, which was right in the middle of the target overall air flow range. With the expanded area, however, the unit capacity now sits near the low end of the recommended range. The recommended fan capacity of any replacement unit would be roughly 15,000 CFM, to re-create the 6 air changes per hour design strategy.

***Outdoor Air to be 0.5 CFM / ft<sup>2</sup> of pool and deck area, or 15 CFM per person***

A delivery of 0.5 CFM per square foot of the combined pool surface and deck area results in 4,200 CFM of outdoor air, which is approximately 30% of the recommended overall supply air flowrate of 15,000 CFM. We are unsure of the minimum amount of outdoor air delivered by the existing AHU. In terms of occupant load, if the existing Dry-a-Tron delivers 25% of 12,500 CFM, or around 3,000 CFM, then this amount of outdoor air would be adequate for an occupant load of 200, likely more than is encountered on any regular basis at the facility. Current operation therefore is likely capable of meeting this criteria.

However it is good practice to provide the higher rate of outdoor air based on 0.5 CFM per square foot of overall area, not only to provide a higher rate of outdoor air for building occupants, but also to dilute airborne chlorine levels to a greater degree and to take advantage of the increased 'free' dehumidification effect provided by the drier ambient air.

***Adequate Capacity for Moisture Removal***

The various factors of pool water temperatures, surface areas and usage factors need to be evaluated and the moisture removal capacity of the pool dehumidification unit sized accordingly. Our calculation shows that with a daily occupied period of 16-hours the total evaporation per 24-hour day at this facility is 3,850 pounds of water (512 US gallons or 1,946 litres).

These amounts are based on evaporation from the main pool, which is maintained at 84 deg F, the leisure pool (94 F) and the whirlpool (104 F), and includes a credit for the use of outdoor air at drier conditions than inside the building. 3,840 pounds in 24 hours equates to 160 pounds per hour. The moisture removal capacity of the existing air handling unit is unknown but it is struggling to maintain humidity level in the pool enclosure below 60%, particularly during warmer weather. This could be attributable to any or all of the following factors:

- Inadequate cooling and dehumidification capacity. A likely contributor since the air handler was sized prior to the leisure pool expansion
- Deterioration of some of the cooling and dehumidification components of the unit
- Lack of use of dry outdoor air in the operating sequence

***Maintain Air Temperature at 1-2 deg C (2-4 deg F) above pool water temperature***

This design target results from a trade-off that promotes reasonable occupant comfort, warm enough that pool users do not feel a chill when they exit the water, but not so hot as to promote excessive pool water evaporation. The target space sensible temperature is therefore 30 C (86 F), which current operation provides in cooler parts of the year, but cannot maintain when outdoor temperatures warm up in spring, summer and early fall.

As indicated above the Dry-a-Tron unit is intended to operate by dehumidifying the moist air from the pool enclosure, rejecting some of the heat of evaporation back to the pool make-up water circuit and the balance of the reclaimed heat back to the air stream. This is a very efficient cycle, providing heated water to replace that lost through the evaporation process and reheating the cooled and dehumidified air back to a comfortable temperature for pool occupants.

This strategy considers pool functions only, however, and neglects the fact that as outdoor ambient temperatures warm up in spring, summer and early fall, there is what we would term a straight air conditioning load to deal with also. Essentially like any building the interior of the pool warms up due to warm outdoor ambient temperature and solar heat gain. The pool deck temperature increases to a point where it no longer makes any sense to reject the reclaimed heat from the dehumidification process back into the supply airstream, but with the current Dry-a-Tron there is no alternative.

Pool dehumidification systems, including the Dry-a-Tron product line are available with outdoor condensing sections, which allow rejection of heat to outdoors when weather conditions require, similar to standard building air conditioning systems. It is recommended the replacement system at Frank Jameson include this option.



***Maintain Relative Humidity between 40% and 60%***

Again a trade-off where the upper and lower limits of this range are where occupant comfort needs, health concerns and optimal conditions for the building envelope coincide. Too low a relative humidity is uncomfortable for pool occupants and leads to an increased rate of pool water evaporation, whereas high RH results in excessive condensation on the interior surface of the building during colder weather, as well as contributing to the potential for unhealthy microbiological and fungal growth.

The existing Dry-a-Tron struggles to maintain space relative humidity at a level below 60%, especially during warmer periods of the year, not surprising since the unit is now required to maintain humidity generated by the leisure pool, which is what not originally sized for.

The high humidity levels in the pool are resulting in migration of water vapour to other areas of the building, which is a serious concern. For a number of years the Gymnasium air system has had to operated on a 24-hour, 7-day a week basis as an attempt to mitigate transmission of high humidity air from the pool enclosure. This is a waste of operating energy dollars.

From my site review last week it also appears that moisture transmission is already occurring into the new Wellness Centre addition. In my opinion an upgrade of the pool dehumidification/ventilation system needs to be dealt with quickly before degradation of the rest of the building becomes any more advanced.

***Return Air Grille to be located 10 to 15 feet above the pool surface***

There are two existing return air grilles located at the recommended level above pool water surface. Moist warm air rises, so the most effective return air strategy to help with moisture control in the pool is to remove the air (return it back to the dehumidification unit) from high level. To minimize the rate of evaporation both the supply and return air streams should be kept away from the pool surface. The existing duct design conforms to this requirement.

***Maintain Interior surface temperature of the building envelope above dewpoint temperature in the pool***

The existing and targeted new design space conditions for the pool enclosure are 29.5 C (85 F) dry bulb and 55% relative humidity. The dewpoint temperature of air at these conditions is 20 C (68 F). It is recommended design practice to maintain the interior temperature of the interior surfaces of the building envelope, in particular the windows, at a temperature a minimum of 2.5 C (5 F) above dewpoint. The target for the temperature of interior surfaces is therefore 22.5 C (73 F).

The usual method of ensuring this is to have a substantial amount of the supply air delivered into the pool area actually washed directly over the windows. Frank Jameson pool has only a small amount of exterior glazing, but has no air supply directly onto these glazed areas. Some duct modifications will be required when providing a replacement air handling unit anyway, to accommodate the increase in airflow from 12,500 CFM to 15,000 CFM. It is recommended that supply ductwork be added that distributes some of this air directly onto the glazing and also onto the interior surface of the outside walls.

### **Replacement Dehumidification Unit**

I have spoken with Engineered Air, a manufacturer of quality pool ventilation units. They have provided a unit selection suitable for Frank Jameson Recreation Centre, with a budget purchase cost of \$100,000.00. They also provided a drawing of their proposed unit that indicates general overall dimensions of 325 inches in length, 118 inches wide and 72 inches high.

This will not fit into the fan room where the existing unit is located. The suggested alternate location is on the low roof on the west side (back) of the building adjacent to the school playing field. An outdoor installation can then include a condensing section capable of rejecting unwanted heat to atmosphere, improving indoor conditions during warmer summer weather.

### **Ductwork Modifications**

It is strongly recommended that in conjunction with the replacement air handling unit revisions to the supply ductwork be incorporated. The supply air should discharge much closer to the exterior walls of the pool area.

### **Estimated Capital Requirement**

The estimated costs to provide the replacement dehumidification unit along with modifications to the current duct distribution setup are as follows. Please note I am quoting my best estimate of this project in 2006 dollars. The current construction climate is an escalating market. We have been involved in a significant number of institutional HVAC retrofit projects over the past couple of years and we have seen a definite continuing escalation in construction value.

➤ Purchase cost of proposed pool dehumidification unit	\$100,000.00
➤ Demolition and disposal of existing unit	\$10,000.00
➤ Installation of replacement unit, including hoisting and assembly	\$10,000.00
➤ Supply air ductwork modifications	\$25,000.00
➤ Controls	\$10,000.00

RPE File 05154-N 451

June 2, 2006

Frank Jameson Recreation Centre Pool HVAC Assessment

Page 6

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➤ Start-up and commissioning	\$5,000.00
➤ Electrical	\$5,000.00
➤ Building alterations to accommodate installation and removal of AHU's, remedial structural work for roof where new unit will be located, cutting, patching, painting, etc. to accommodate revised ductwork	\$25,000.00
Estimated Installation Cost	\$190,000.00
Construction Contingency (10%)	\$19,000.00

Professional consulting fees for a renovation project such as this typically run in the range of 12% to 15% of construction value. I think that with such a large proportion of the construction cost associated with the air handling unit, which we have already selected during the course of this report, a lower fee level will be adequate. I can forward a fee proposal to you when you have a chance to decide how and when the project will move ahead. Please give me a call to discuss if you require clarification to any of the issues as described above.

Yours very truly,

**ROCKY POINT ENGINEERING LTD.**

**SENT ELECTRONICALLY**

Stephen McNicholls, P.Eng.

SMcN:bjl

Cc: Paul Kenny, Frank Jameson Recreation Centre

\\PROJ05\05154-N451\REPORTS\FRANK JAMESON\_HVAC REVIEW



VANCOUVER ISLAND OFFICE  
LONGWOOD STATION  
SUITE 3 – 5801 TURNER ROAD, NANAIMO, BC V9T 6L8  
TEL (250) 585-0222 FAX (250) 585-0333

RPE File 05154-N451  
May 20, 2009

Town of Ladysmith  
Department of Parks and Recreation  
810 6<sup>th</sup> Avenue  
Ladysmith, BC  
V9G 1A2

**Attention: Mr. Pat Durban**  
**Director Parks, Recreation and Culture**

Dear Sir:

**Re: Frank Jameson Recreation Centre**  
**Pool HVAC System Assessment Study**

Further to Paul Kenny's request for Rocky Point Engineering to visit Frank Jameson Recreation Centre and review the current status of the dehumidification system, we attended the site on May 19, 2009, after visual inspection of the unit it is apparent that the unit has deteriorated since our last assessment of June 2006.

We have also spoken with Engineered Air, the manufacturer who supplied us with the original costing of the equipment in 2006, who have indicated that costs have increased in the area of 20% since that time, and which is reflected in the updated capital costing:

#### **Estimated Capital Requirement**

The estimated costs to provide the replacement dehumidification unit along with modifications to the current duct distribution setup are as follows. Please note I am quoting my best estimate of this project in 2009 dollars.

➤ Purchase cost of proposed pool dehumidification unit	\$120,000.00
➤ Demolition and disposal of existing unit	\$15,000.00
➤ Installation of replacement unit, including hoisting and assembly	\$15,000.00
➤ Supply air ductwork modifications	\$25,000.00
➤ Controls	\$15,000.00
➤ Start-up and commissioning	\$5,000.00
➤ Electrical	\$5,000.00

RPE File 05154-N451

May 20, 2009

Frank Jameson Recreation Centre Pool HVAC Assessment

Page 2

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➤ Building alterations to accommodate installation and removal of AHU's, remedial structural work for roof where new unit will be located, cutting, patching, painting, etc. to accommodate revised ductwork \$25,000.00

Estimated Installation Cost	\$225,000.00
Construction Contingency (10%)	\$25,000.00
Total Installation Cost	\$250,000.00

Professional consulting fees for a renovation project such as this typically run in the range of 15% of construction value, or \$37,500. I can forward a fee proposal to you when you have a chance to determine how and when the project will move ahead. Please give me a call to discuss if you require clarification to any of the issues as described above.

Yours very truly,

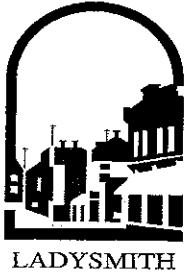
**ROCKY POINT ENGINEERING LTD.**



Stephen McNicholls, P.Eng., LEED® AP  
SMcN:dt

Cc: Paul Kenny, Frank Jameson Recreation Centre

\\PROJ05 \05154\LETTERS\FRANK JAMESON\_REVISED



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

To: Ruth Malli, City Manager  
 From: Sandy Bowden, Director of Corporate Services  
 Date: May 1, 2009  
 File No:

Re: **REQUEST FOR PROPOSALS – REALTOR SERVICES FOR TOWN-OWNED LOTS ON STRATHCONA ROAD**

**RECOMMENDATION:**

**THAT Council accept the proposal from Royal LePage Ladysmith to provide marketing/realtor services for Town-owned lots on Strathcona Road.**

**INTRODUCTION/BACKGROUND:**

Council has directed staff to arrange the sale of town-owned lots on Strathcona Road as a component of the financial plan for 2009. A request for proposals was issued on May 1, 2009. Four responses were received.

**ALTERNATIVES:**

N/A

**FINANCIAL IMPLICATIONS:**

The table below summarizes the proposals and the commission at different price points for the lots. Staff have estimated the sale price to be between \$90,000 and \$110,000 each, based on a review of lots for sale in the Town of Ladysmith through the Multiple Listing Service.

		\$90,000	\$100,000	\$110,000
<b>Proponent</b>	<b>Commission</b>			
ReMax Ocean Pointe G. & B. Bezeau	5.5% + GST	\$4,950 + GST	\$5,500 + GST	\$6,050 = GST
ReMax Nanaimo Kent Knelson	7% on first \$100k; 3.5% on balance + GST	\$6,300 + GST	\$7,000 + GST	\$7,350 + GST
Royal LePage Ladysmith Multiple Agents	5% + GST	\$4,500 + GST	\$5,000 + GST	\$5,500 + GST
Your Westcoast Connection S. Morgantini, T. Andrews	\$6,000 per lot (includes GST)	\$6,000	\$6,000	\$6,000
		<b>58</b>		

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

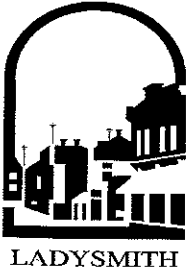
Realizing a timely sale of the five lots at a fair price will support the Town in generating revenues to support the implementation of Council's strategic priorities.

I concur with the recommendation.

*Ruth Malli*

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Ruth Malli, City Manager



Town of Ladysmith  
**STAFF REPORT**

To: Council  
From: Ruth Malli, City Manager  
Date: May 28, 2009  
File No:

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Re: APPLICATION FOR FUNDING THROUGH THE PROVINCE OF BC BROWNFIELD RENEWAL PROGRAM

RECOMMENDATION:

THAT Council authorize staff to submit an application to the Brownfield Renewal Funding Program for the Ladysmith Waterfront Brownfield Study, for an amount up to \$80,000, and that the financial plan be amended accordingly.

INTRODUCTION/BACKGROUND:

The Ladysmith Harbour has been chosen one of three priority brownfield redevelopment sites in BC. The BC Brownfield Renewal Program was actually announced by the Minister of Agriculture and Lands at Ladysmith Harbour in April 2009. The next steps in the Town's plans to develop the waterfront include an environmental assessment and the development of remediation plans to address any contamination.

ALTERNATIVES:

N/A

FINANCIAL IMPLICATIONS:

The costs associated with the brownfield study are included in the 2009 Financial Plan.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

N/A

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

The geotechnical and environmental assessment of the Ladysmith Waterfront is one of council's top 25 priorities for 2009.





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

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: May 29, 2009  
File No:

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Re: **INSURANCE CLAIM FOR DAMAGE TO VEHICLE CAUSED BY POT HOLE ON SYMONDS STREET**

**RECOMMENDATION:**

**Council has the option to compensate Neil Stuart for damage to his vehicle caused by a pothole on Symonds Street, on a *without prejudice* basis.**

**INTRODUCTION/BACKGROUND:**

Town staff did work on Symonds Street on Thursday, April 9th, 2009, which involved making a cut in the road. The cut was filled with gravel and cones were placed around the cut to warn drivers of the hazard.

At 10:30 a.m. on Monday, April 13, (Easter Monday, a statutory holiday) Mr. Neil Stuart was travelling west on Symonds and hit the pothole causing significant damage to one wheel of his vehicle. There were no cones or signs warning drivers of the hazard in place on April 13<sup>th</sup>. Mr. Stuart called the Mayor to report the incident and Public Works staff attended the site to rectify the situation.

Mr. Stuart submitted a 'Statement of Property Damage' form on Tuesday, April 14, 2009 and the form was sent to the Municipal Insurance Agency (MIA.) After investigation of the incident, the MIA concluded that the Town was not responsible for the damage and that Town staff left the site 'in a reasonable state' after the work was done on April 9, 2009. The MIA also cites the fact that there was a rain storm on Sunday, April 12 which washed some of the gravel from the site. Mr. Stuart is seeking compensation from the Town for the full amount of the repairs to his vehicle (\$698.60)

Upon learning of the MIA's decision to deny the claim, staff requested that they review the details of the incident again. MIA subsequently confirmed their first decision to deny the claim.

The Town has received a second claim for damages to a vehicle caused by the same pot hole in the amount of \$460.95

**ALTERNATIVES:**

Council could choose to deny the claim, as the Municipal Insurance Agency has determined that the Town is not responsible in this situation.

FINANCIAL IMPLICATIONS:

A decision to provide the requested compensation could set a precedent that could lead to similar claims in future.

LEGAL IMPLICATIONS:

A decision to provide compensation could set a precedent, even if the decision is made on a one-time, without prejudice basis.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Allowing the claim will be perceived in a positive light by the claimant, but could also set a precedent for future claims by other citizens.


INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

I concur with the recommendation.



---

Ruth Malli, City Manager



# 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: **April**, 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									2
Electrical problem		3	2	1									6
Due to cooking			2	1									3
Assistance													
Burning Complaint			1	4									5
Fire: Structure	2	1	1	1									5
Chimney	1	1	1										3
Interface / Bush		1		1									2
Vehicle	1												1
Other	1		1	3									5
Hazardous Materials													
Hydro Lines: Down / Fire	1	1											2
Medical Aid	3	1	1	1									6
Mutual Aid	1												1
MVI	2	4	5	2									13
Rescue													
<b>MONTH TOTALS (not incl. Practises)</b>	<b>13</b>	<b>13</b>	<b>14</b>	<b>15</b>									<b>55</b>
Practises (Totals for each Month)	4	4	5	4									17

### ALARMS ACTIVATED (location/owner):

- 320 High Street sensor problem
- 26 High Street – person grinding around smoke sensor (JP Auto Parts)
- Lodge on Fourth (burnt toast)

### OTHER (FIRES)

- Mulch fire – 501 Sellinger Place
- Mulch fire – TCh/Esplanade
- Dumpster fire behind Island Hotel below Little League Park.

### COMPARISONS:

Year to Date / 09 55 (excl. practises)  
 Year to Date / 08 55 (excl. practises)  
 Year to Date / 07 46 (excl. practises)

APPROVED:

*Ray Delevant*  
 Fire Chief

TOWN OF LADYSMITH  
 BUILDING PERMIT  
 SUMMARY REPORT  
 MONTH: APRIL 2009

Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Addrs / Renos	Permits This Month	Permits For Year To Date	Bldg & Plbg Permit Fees This Month	Permit Values This Month	Permit Values This Year			
1200000	1	0	0	415000	3	3	51590	8	12	31	12295.00	1525670	3411670

SUMMARY - YEAR TO DATE

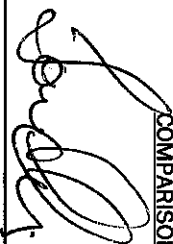
JAN	\$ -	0	\$ -	0	\$ 516,000	4	4	\$ 28,000	1	5	5	\$ 4,546	\$ 544,000	\$ 544,000	
FEB	\$ -	0	\$ -	0	\$ 105,000	1	1	\$ 283,000	3	3	7	\$ 36,000	\$ 2,982	\$ 424,000	\$ 968,000
MAR	\$ 330,000	1	\$ -	0	\$ -	0	0	\$ 44,000	3	7	19	\$ 2,440.75	\$ 374,000	\$ 1,342,000	
APR	\$ 1,200,000	1	\$ -	0	\$ 415,000	3	3	\$ 51,590	8	12	31	\$ 12,295	\$ 1,525,670	\$ 4,209,670	
MAY															
JUN															
JUL															
AUG															
SEP															
OCT															
NOV															
DEC															
TOTAL	\$ 1,530,000	2	\$ -	0	\$ 105,000	1	1	\$ 1,214,000	10	10	15	\$ 159,590	31	\$ 22,264	\$ 2,867,670

# of Demolitions for month = 0 , for YTD = 0

COMPARISONS

# DWELLING UNITS / VALUE	
YEAR TO DATE / 09	10 \$ 1,214,000
YEAR TO DATE / 08	4 \$ 1,678,000
YEAR TO DATE / 07	4 \$ 477,000

PERMITS ISSUED / VALUE	
YEAR TO DATE / 09	19 \$ 4,209,670
YEAR TO DATE / 08	19 \$ 2,567,300
YEAR TO DATE / 07	17 \$ 578,660

  
 BUILDING INSPECTOR

**COASTAL ANIMAL CONTROL SERVICES OF BC LTD**

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

**TOWN OF LADYSMITH POUND REPORT**

April, 2009

<b>Disposition of Impounded Dogs</b>	<b>Current Month</b>	<b>2009 Totals</b>	
Stray dogs impounded	0	4	
Stray dogs claimed	0	4	
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>7</b>	<b>28</b>	
Aggressive dogs	1	4	
Dogs at large	3	16	
Noise (barking) complaints	2	5	
Other non specific dog related calls	1	3	
Wildlife / livestock / cats	0	0	
<b>Monthly Pound and Board Fees Collected</b>	<b>\$00.00</b>	<b>\$410.00</b>	
Impound fees	\$00.00	\$350.00	
Daily board fees	\$0.00	\$60.00	
<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>	<b>Tags</b>	<b>56</b>	<b>771</b>
	<b>Revenue</b>	<b>\$1655.00</b>	<b>\$17465.00</b>

Trevor Hughes

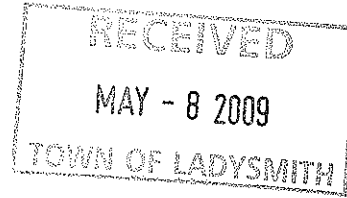
RECEIVED

MAY 06 2009

Coastal Animal Control Services of BC Ltd



May 6, 2009



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

Your Worship the Mayor and Councillors:

877 Greyhound Way S.W.  
Calgary, Alberta T3C 3V8  
Tel: 403.260.0877  
Fax: 403.260.0742  
Website: www.greyhound.ca

Greyhound Canada Transportation Corp. has filed application with the B.C. Passenger Transportation Board for a reduction of bus service that affects your Town. The service change is detailed in the enclosed Public Notice.

Should your Town have any comments regarding this proposal, please notify the B.C. Passenger Transportation Board at the address set out in the Public Notice.

Yours sincerely

Dave Hickie,  
Operations Control and Regulatory Policy  
Greyhound Canada Transportation Corp.

Route T

## GREYHOUND CANADA TRANSPORTATION CORP.

### PUBLIC NOTICE: PROPOSED CHANGE IN ROUTE FREQUENCY

Greyhound Canada Transportation Corp. has made application to the B.C. Passenger Transportation Board to reduce minimum route frequency for the route points of Victoria, Duncan, Ladysmith and Nanaimo on its inter-city bus service between Victoria and Nanaimo.

The proposed route frequency at these points is four daily trips in each direction, with a fifth trip in each direction on Friday and Sunday. The current route frequency at these points is five daily trips in each direction, with a sixth trip daily in each direction except on Sunday.

Interested parties may provide written comments on or before June 17, 2009 to:

B.C. Passenger Transportation Board

Box 9850 Stn Prov Govt

Victoria, BC

V8W 9T5

By Fax: 250 953 3788

By E Mail: [ptboard@gov.bc.ca](mailto:ptboard@gov.bc.ca)

Quote Application# X71-09 / Route T

For further information on this application, please refer to Passenger Transportation Board web page [www.th.gov.bc.ca/ptb/bus.htm](http://www.th.gov.bc.ca/ptb/bus.htm).

Written comments are forwarded by the Board to Greyhound Canada. Comments from private individuals are subject to a privacy and confidentiality undertaking made by Greyhound Canada with the Passenger Transportation Board.

HBdocs - 6157956v1

**Route Number:** T  
 Terminating Point 1: City of Victoria  
 Terminating Point 2: City of Nanaimo

Authorized Route:	Route Points	Daily Minimum (each direction)	Total Weekly Minimum
	City of Victoria	from 5 to 4	from 82 to 60
	City of Langford	3 fd	42 fd
	Goldstream	3 fd	42 fd
	Malahat Lookout	3 fd	42 fd
	Mill Bay	3	54
	Cobble Hill	3 fd	42 fd
	Cowichan Bay	3 fd	42 fd
	City of Duncan	from 5 to 4	from 82 to 60
	District of North Cowichan	3	42
	Saltair	3 fd	42 fd
	Town of Ladysmith	from 5 to 4	from 82 to 60
	Cassidy	3	42
	City of Nanaimo	from 5 to 4	from 82 to 60

**Emergency Routing:** When the Malahat portion of the Trans Canada Highway cannot be used, vehicles may be operated from the City of Victoria to the District of Saanich to the District of Central Saanich and, after crossing the Finlayson Arm by the Mill Bay Ferry, reconnect with the regular route at Mill Bay.

**Alternate Routing:** The route points set out above do not preclude the licence holder from, on any portion of Highway 1 that is situated on Vancouver Island, making scheduled time stops or conveying passengers who hail or flag the motor vehicle from the street.

**Abbreviations:**

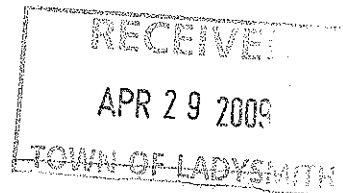
"fd" means "flag" (where the vehicle will stop on signal to pick up a passenger) or "drop" (where the vehicle will stop on signal to drop off a passenger on board), or both.



21-332 Belaire Street  
P.O. Box 1362  
Ladysmith, V9G 1A9

April 29<sup>th</sup> 2009

The Mayor and Members of Council,  
Town of Ladysmith



Dear Mayor and Members of Council:

I wish to express my deepest admiration to you all, as well as to those others who are involved, in respect to the plan to create a new park for those people to be displaced from the Ivy Green location.

When I learned of the plight of the people living at Ivy Green, my heart sank. After all, the current tenants are, from what I can gather, mostly elderly, retired, and possibly not in the highly affluent category, with some of the tenants being in frail health or disabled. I wondered who, if anyone, in positions of authority would genuinely care about these people's anguish, disruption and bleak futures. Certainly, nothing would be done to help them, I concluded with great sorrow.

I am a fairly new resident of Ladysmith and clearly have yet to learn much about this wonderful little town and the amazing people who live here. When I read the article in the April 28<sup>th</sup> issue of The Chronicle, I could hardly believe my eyes. I don't even know who these tenants are and yet, reading that article, made me joyful for them beyond words.

I very quickly found out, after moving here, that our Mayor is absolutely outstanding in terms of his caring, understanding and dedicated pursuing of issues. Now I know that members of Council share those all-too-rare qualities. Of course, I should have realized all along that the Ivy Green tenants would, indeed, be of extreme importance to all of you and that you would find some effective way to help them.

So, *thank you* for all that you have done and will be doing to enable these people to have a secure, new location. My immense pride in Ladysmith has increased a thousandfold.

Sincerely yours,

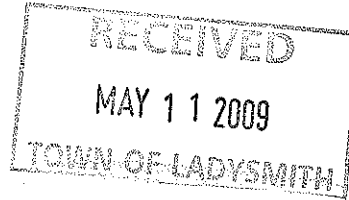


Jo Sheridan



257 RCACS Parent Committee  
Squadron #257 Parallel Ladysmith  
P.O. Box 1253  
Ladysmith B.C. V9G 1A8

May 5 2009  
Town of Ladysmith Mayor and Council  
P.O. Box 220  
Ladysmith, B.C.  
V9G 1A2



Dear Mayor Hutchins and Members of Town Council,

The Ladysmith Air Cadet Squadron Sponsoring Committee met recently with Sybille Sanderson, Public Safety Education Coordinator, CVRD to discuss ways in which the Royal Canadian Air Cadet Squadron #257 could be of assistance to the community in the event of a natural disaster or during an emergency.

Many excellent ideas were proposed. We are currently working within the Squadron to improve our own communication system while Cadets are attending Regular Unit Training, and are developing a plan which would encourage Cadets and their families to meet at the Aggie Hall following a disaster to offer support and service. Local Emergency Planners could include the Squadron as part of their "Human Resources Inventory", with a group of well organized youth available to lend assistance where appropriate. Cadets are accustomed to taking orders, and have a variety of skills such as First Aid and Survival Training. Many of our senior Cadets are skilled leaders and are trained to execute plans as directed.

Another important aspect of this initiative is to offer the use our safety, survival and first aid equipment to the community. Over the past several years, through the incredible generosity of the Legion, the Rotary Club, the Eagles, the Town of Ladysmith and other service groups and businesses, we have compiled an impressive inventory of equipment which would be of great value following a natural disaster. The issue is the location of the equipment. At present it is stored in the Cadet Hall (basement of the Aggie). We are aware that the Aggie Hall Phase 2 Renovation plan is under discussion and we wish to propose that planners include a secure lockup in the upper hall, on the East Wing with easy access from the outside of the building. As with all user groups of the Aggie, we have a chronic storage problem. A lockup such as this could be a good solution while providing a valuable asset to the community.

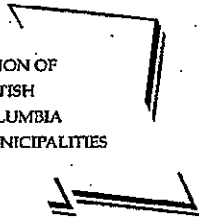
There are many details to be discussed on this matter, but we hope that you agree that our offer of service and equipment is a good one. We would be pleased to send a delegation to a regular Council meeting to formally present our proposal, or to meet privately at mutual convenience.

Sincerely,

Fred Thatcher, Chair/RCACS 257 Sponsoring Committee  
250-754-7079 [ladysmithaircadets@yahoo.com](mailto:ladysmithaircadets@yahoo.com)

Cc: Captain Karen Graczyk, Commanding Officer 257 Squadron

UNION OF  
BRITISH  
COLUMBIA  
MUNICIPALITIES



Administration provided  
by UBCM

Funding provided by  
Province of B.C.



The Best Place on Earth

For program  
information, visit

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

Local Government  
Program Services

LGPS Secretariat

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

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

Recommendation to Council that the following motion be approved:

That:

- a) the grant for the 2009 West Nile Virus Risk Reduction Initiative in the amount of \$5,164.80 be received and that a letter of thanks for the grant be forwarded to the Ministry of Healthy Living and Sport.
- 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

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

MAY 15 2009  
TOWN OF LADYSMITH

**RE: 2009 West Nile Virus Risk Reduction Initiative – Base Funding**

Dear Mayor and Council,

Thank you for submitting an application for the 2009 West Nile Virus Risk Reduction Initiative. We have reviewed your application and are pleased to advise you that your activities have been approved in the amount of \$5,164.80.

A cheque for 75% of the approved grant, in the amount of \$3,873.60 will follow shortly under separate cover. The remaining 25% will be available upon receipt of a satisfactory final report. Please see the Program Guide for information on reporting requirements.

The final report is due no later than October 30, 2009.

UBCM administers the West Nile program and funding has been provided by the provincial Ministry of Healthy Living and Sport. Any funds that have not been spent by the final reporting date must be returned to UBCM, where they will be retained for future programming.

If you have any questions or concerns, please contact Local Government Program Services at (250) 356-5134 or [lgps@civicnet.bc.ca](mailto:lgps@civicnet.bc.ca).

Sincerely,



Danyta Welch  
Policy & Program Officer

cc: Julie Tierney, Recreation Administration Supervisor, Town of Ladysmith