



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, OCTOBER 19, 2009
at 7:00 p.m.

A G E N D A

	<u>Page</u>
CALL TO ORDER	
1 AGENDA APPROVAL	
2 PUBLIC HEARING	
2.1 <u>Official Community Plan and Zoning Amendment Application 3360-09-06</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 27), 2009, No. 1696 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 76), 2009, No. 1697 (Town of Ladysmith) – Block B, District Lot 56, Oyster District, Plan 6460, Except Part in Plan 13908 and VIP68919 (208 High Street and 217 Buller Street)	1 - 4
3 BYLAWS (OCP / ZONING)	
3.1 <u>Official Community Plan and Zoning Amendment Application 3360-09-06</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 27), 2009, No. 1696 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 76), 2009, No. 1697 (Town of Ladysmith) – Block B, District Lot 56, Oyster District, Plan 6460, Except Part in Plan 13908 and VIP68919 (208 High Street and 217 Buller Street)	1 - 4
Re: Bylaw 1696 may be read a third time and adopted. Bylaw 1697 may be read a third time and adopted.	
4 MINUTES Adoption of following minutes:	
• October 5, 2009	5 - 9
5 DELEGATION None.	
6 PROCLAMATIONS None	
7 DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS None.	
8 STAFF / ADVISORY COMMITTEE REPORTS	
8.1 <u>Official Community Plan (OCP) Amendment and Rezoning Application 3360-09-03</u> <u>315 Holland Creek Place – Lot 1, DL 43, Oyster District, Plan 32981</u>	10 - 19
8.2 <u>Amendment of Protective Services Capital Budget Allocation</u>	21 - 22

8.3	<u>Fire Chief's Report – September, 2009</u>	Page 23
8.4	<u>Building Inspector's Report –September, 2009</u>	24
9	CORRESPONDENCE	
9.1	<u>T. Hughes, Coastal Animal Control Services of BC Ltd.</u> Re: September 2009, Pound Report	25
	<u>Staff Recommendation:</u> That the September, 2009 Pound Report be received.	
10	BYLAWS	
10.1	<u>Town of Ladysmith Fire Department Bylaw 1985, No. 832, Amendment Bylaw 2009, No. 1698</u> Re: May be adopted.	26 – 28
10.2	<u>Town of Ladysmith Permissive Tax Exemption Bylaw 2009, No. 1699</u> Re: May be adopted.	29 – 36
11	NEW BUSINESS None.	
12	UNFINISHED BUSINESS	
12.1	<u>Sale of Unused Road Right-of-Way</u>	37 - 40
13	QUESTION PERIOD	
	ADJOURNMENT	

TOWN OF LADYSMITH

BYLAW NO. 1696

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

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) Map 1 "Land Use" of Schedule "A" is amended by placing "Institutional" on Block B, District Lot 56, Oyster District, Plan 6460, Except That Part in Plan 13908 and VIP68919 as shown on Schedule 1 to this Bylaw.

- (4) Map 2 "Development Permit Areas" of Schedule "A" is amended by removing "Commercial Development Permit Area (DPA 3)" on Block B, District Lot 56, Oyster District, Plan 6460, Except That Part in Plan 13908 and VIP68919.

CITATION

- (5) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 27), 2009, No. 1696".

READ A FIRST TIME on the 21st day of September, 2009

READ A SECOND TIME on the 21st day of September, 2009

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

on the day of

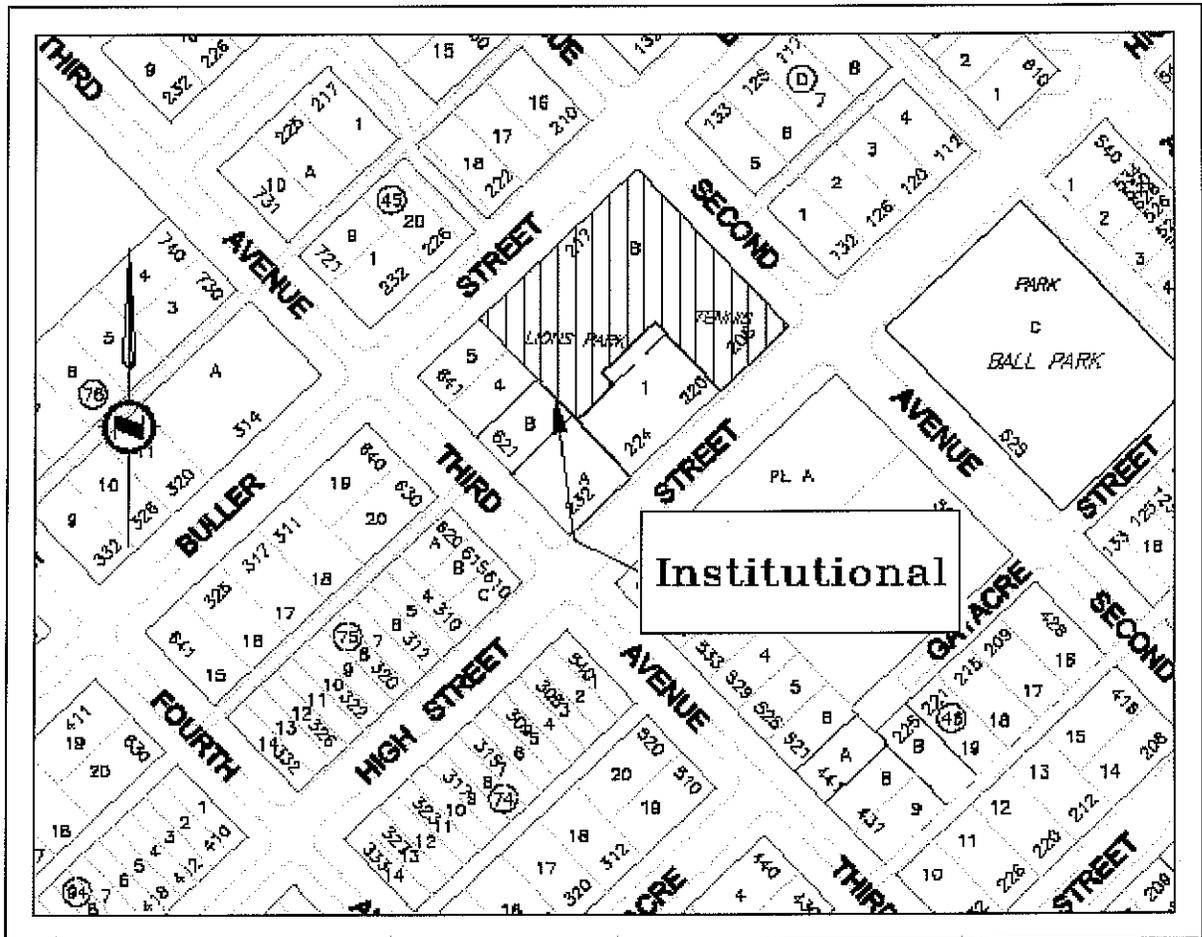
READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

BYLAW 1696 – SCHEDULE 1



TOWN OF LADYSMITH

BYLAW NO. 1697

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:
 - (a) Adding the definition "Park and Open Space" in Section 4.0 Definitions:

"Park and Open Space means any area of land which is used or intended to be used by the public for recreational purposes or for preservation of nature and may be developed with recreational facilities or may be in a natural state, all of which is administered by a government agency."
 - (b) Deleting the definition "Public Assembly Use" in Section 4.0 Definitions, and replacing it with:

"Public Assembly Use means the use of land, buildings or structures for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational, private educational, as well as outdoor market and entertainment purposes; includes community service buildings, auditoriums, youth centres, social and assembly halls, group camps, schools, private schools, kindergartens, playschools, day nurseries, day care schools and theatres; and associated offices."
 - (c) Adding Section "5.13 (A) Permitted Uses"
 - (1) The following uses are permitted in all zones:
 - (a) park and open space.
- (2) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Institutional Zone (P-1)" on Block B, District Lot 56, Oyster District, Plan 6460, Except That Part in Plan 13908 and VIP68919, as shown on Schedule 1 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.76), 2009, No. 1697".

READ A FIRST TIME on the 21st day of September, 2009

READ A SECOND TIME on the 21st day of September, 2009

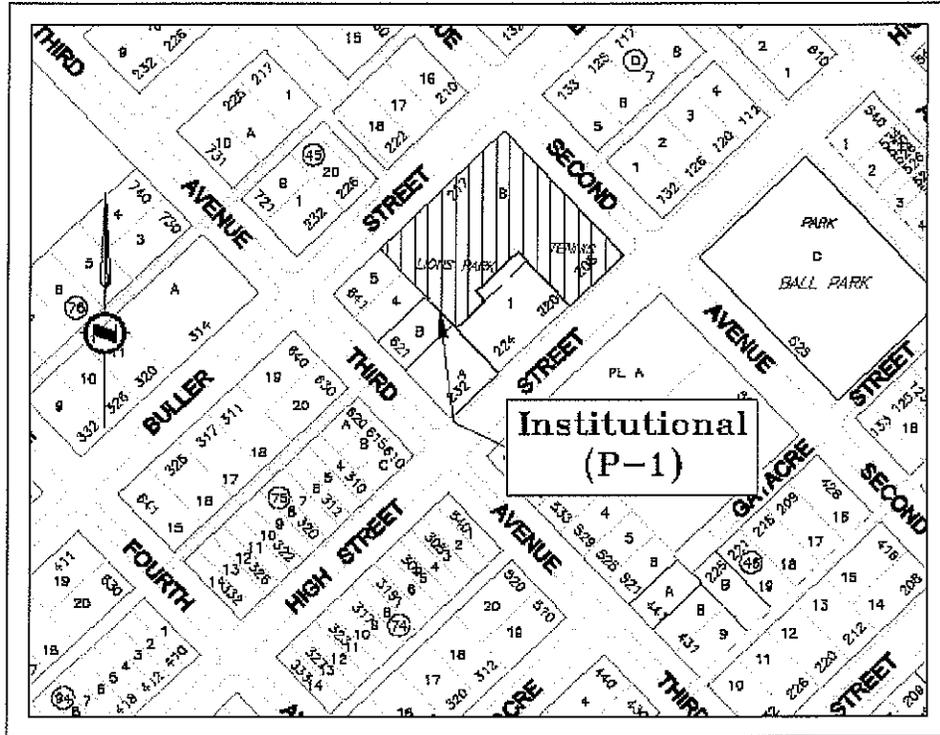
PUBLIC HEARING held pursuant to the provisions of the Local Government Act

on the day of

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)





Town of Ladysmith

Minutes of a meeting of Council of the Town of Ladysmith held in Council Chambers at City Hall on Monday, October 5, 2009 at 7:00 p.m.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins (Chair)	Steve Arnett
Scott Bastian	Jillian Dashwood
Lori Evans	Duck Paterson
Bruce Whittington	

STAFF PRESENT:

Ruth Malli	Sandy Bowden
Rebecca Kalina	

Mayor Hutchins called the meeting to order at 4:30 p.m.

EXECUTIVE SESSION

2009-511: It was moved, seconded and carried that this meeting retire into Executive Session (4:30 p.m.) pursuant to Section 90(1) of the Community Charter to consider the following items:

- litigation or potential litigation affecting the municipality;
 - the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
 - discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report];
 - labour relations or other employee relations;
- (Additional Item) - negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

The Regular Session of Council began at 7:00 p.m.

AGENDA APPROVAL

2009-512: It was moved, seconded and carried that the agenda for the Regular Council meeting for Monday, October 5, 2009 be approved as circulated.

MINUTES

2009-513: It was moved, seconded and carried that the Council minutes of September 21, 2009 be approved as distributed.

DELEGATIONS

STAFF SGT. R. PLAMONDON - LADYSMITH RCMP

Ladysmith RCMP Staff Sgt. R. Plamondon was in attendance to answer questions regarding his June, 2009 report. He also distributed his third quarter report and responded to questions.

PUBLIC HEARINGS

BYLAW 1694 AND BYLAW 1695

APPLICANT AGENT
Ken Cross

PUBLIC ATTENDANCE: 2

A Public Hearing for Bylaw 1694 and Bylaw 1695 was held in Council Chambers at City Hall, 410 Esplanade, Ladysmith, B.C. on Monday, October 5, 2009 at 7:00 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 bylaws and Part 2 would afford attendees an opportunity to provide comments to council on the proposed development.

Lisa Brinkman, Town of Ladysmith Planner, provided an overview of the application from the applicant Ken Cross for portion of Parcel B of lot 14, plan 8793, District Lot 72, Oyster District. She noted that the property is located at 10930 Westdowne Road and that the purpose of Bylaw 1694 is to designate the rear portion of the land as 'Residential' in the Official Community Plan and the purpose of Bylaw 1695 is to zone the rear portion of the land as 'Two Family Suburban Residential'.

Ms. Brinkman advised that the Public Hearing notice was published in the Chronicle newspaper on September 2 and 29, 2009 and posted on community notice boards throughout Town and on the Town's website. Notices were mailed and delivered to neighbouring property owners and a copy was made available at the front counter of City Hall for the two week notice period. She stated that there were no written submissions, no telephone enquiries and one in person enquiry received in connection with this Public Hearing.

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 1694 and Bylaw 1695 was closed. (7:05 p.m.).

BYLAWS (OCP/ZONING)

2009-514: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 26), 2009, No. 1694 be read a third time and adopted.

2009-515: It was moved, seconded and carried that Area 'G' Zoning Bylaw 1180, 1988 Amendment Bylaw (No. 1), 2009 No. 1695 be read a third time and adopted.

PROCLAMATIONS

Mayor Hutchins proclaimed: October, 2009 as "Foster Family Month"; November 2 to 6, 2009 as "National Technology Week"; November 14, 2009 as "World Diabetes Awareness Day" and November, 2009 as "Diabetes Awareness Month".

COUNCIL / COMMITTEE REPORTS

Councillor S. Bastian reported that he recently attended the Youth Advisory Committee and that terms of reference were discussed and they confirmed the local agencies that would be involved with the committee.

Councillor S. Arnett stated that he attended an Economic Development Commission "brain storming" session and the regular monthly meeting where priorities were discussed. He reported that members of the Community Gardens Task Force made a presentation to the Parks, Recreation and Culture Commission on September 17, 2009.

Councillor D. Paterson advised that the Celebrations Committee will be holding their Annual General Meeting on November 5, 2009. He also noted that Festival of Lights will put up lights on October 18, 2009 in order that First Avenue be lit up on October 31, 2009 when the Olympic Torch comes through Ladysmith.

GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2009-516: It was moved, seconded and carried that approval in principle be given to establish the Ladysmith Community Garden on the open space on High Street and Second Avenue (behind the ballpark) subject to confirmation that the Community Commons Committee is no longer interested in the site and further that staff report to Council on the costs associated with the request from the Community Gardens Task Force for water service and vehicle access to the site.

2009-517: It was moved, seconded, carried that the correspondence from R. Balboni, regarding the use of rain barrels, be referred to the Environment Commission for review and report and if deemed appropriate referred to the budget process.

2009-518: It was moved, seconded and carried that the Mayor and Corporate Officer be authorized to sign the First Responder Agreement (Consent and Indemnity) between the Province of British Columbia and the Ladysmith Fire Rescue Service.

2009-519: It was moved, seconded and carried that staff be directed to review the condition of Arbutus trees at Transfer Beach and Aggie Field to determine what action can be taken to confirm the health of the trees and the potential issue of removal of trees.

Councillor L. Evans advised that she attended the Union of British Columbia Conference and that she will provide information on the sessions to individual Council members. She also noted that the Heritage Revitalization Advisory Commission unveiled the Extension Mine Explosion Memorial Plaque on October 3, 2009.

Councillor B. Whittington informed Council that he attended the Liquid Waste Management Committee meeting where the consultants reviewed community feedback, presented options and discussed next steps. He also stated that the Health Advisory Committee reported that the Health Fair will take place on November 9, 2009. He commented that he attended the Climate Change workshop and found it very informative. Councillor Whittington distributed information from the Vancouver Island Regional Library regarding the 2009 budget and the 2010 shortfall.

REPORTS

FUNDING ASSISTANCE APPLICATION FOR RENOVATIONS TO SENIORS CENTRE (HIGH STREET) THROUGH "NEW HORIZONS FOR SENIORS PROGRAM"

2009-520: It was moved, seconded and carried that staff be authorized to apply for funding under the Federal Government's "New Horizons for Seniors Program" to assist with the funding for the proposed renovations to the Seniors Centre located on High Street for up to \$25,000.

PERMISSIVE TAX EXEMPTION BYLAW 1699

2009-521: It was moved, seconded and carried that Town of Ladysmith Permissive Tax Exemption Bylaw 2009, No. 1699 be read a first, second and third time.

APPLICATION TO HOST A LOCAL GOVERNMENT MANAGEMENT INTERN

2009-522: It was moved, seconded and carried that staff be requested to submit an application to the Local Government Management Internship Program for 2010/2011, in partnership with the Stz'uminus First Nation; and that the associated cost of \$38,200 be approved.

FIRE CHIEF'S REPORT

2009-523: It was moved, seconded and carried that the Fire Chief's Report for August, 2009 be received.

BUILDING INSPECTOR'S REPORT

2009-524: It was moved, seconded and carried that the Building Inspector's Report for August 2009 be received.

CORRESPONDENCE

POUND REPORT

2009-525: It was moved, seconded and carried that the Pound Report for August 2009 from Coastal Animal Control Services of BC Ltd. be received.

PUBLIC AWARENESS FOR DIABETES

2009-526: It was moved, seconded and carried that the letter from B. Pettit dated September 16, 2009 be received and that the lights illuminating the Town of Ladysmith sign at Bob Stuart Park be converted to blue lights from November 1, 2009 to November 25, 2009 to bring public awareness to "Diabetes Prevention Month" November, 2009.

FEDERATION OF CANADIAN MUNICIPALITIES - GRANT

2009-527: It was moved, seconded and carried that:

- a) the grant for the Ladysmith Waterfront Brownfield Study in the amount of \$69,730 be received and that a letter of thanks for the grant be forwarded to the Federation of Canadian Municipalities Green Municipal Fund Council.
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 Year Financial Plan be amended accordingly.

OLYMPIC TORCH RELAY - COMMUNITY CELEBRATION GRANT

2009-528: It was moved, seconded and carried that:

- a) the grant for the Olympic Torch Relay community celebration in the amount of \$8,000 be received and that a letter of thanks for the grant be forwarded to the Ministry of Tourism, Culture and the Arts;
- b) the Mayor and Corporate Officer be authorized to sign the agreement on behalf of the Town.
- c) the 5 Year Financial Plan be amended accordingly.

BYLAWS

2009-529: It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 20), 2008, No. 1656 be adopted.

2009-530: It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 68), 2008, No. 1657 be adopted.

2009-531: It was moved, seconded and carried that Town of Ladysmith Fire Department Bylaw 1985 No. 832 Amendment Bylaw 2009, No. 1698 be read a first, second and third time.

EXECUTIVE SESSION

The Executive Session of Council resumed at 7:55 p.m.

RISE AND REPORT

Council rose and reported from the Executive Session with the following resolutions:

-That staff be requested to advertise for two positions on the Economic Development Commission, and that the advertisement reference interest in tourism.

-That Council give first three readings to Fire Department Bylaw 1985, No. 832 Amendment Bylaw 2009, No. 1698 to delete Section 4(f) of Bylaw No. 832 (mandatory retirement age for firefighters) at the Council meeting held on October 5, 2009, and authorize Staff to circulate Policy No. 14-7200-C (Retirement Age for Firefighters) to all Staff as per the current procedure and that the policy and the bylaw be approved at the October 19, 2009 Council meeting.

ADJOURNMENT

2009-532: It was moved, seconded and carried that the meeting be adjourned at 9:20 p.m.

CERTIFIED CORRECT:

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Manager of Development Services
Date: October 14, 2009
File No: 3360-09-03

Re: **OFFICIAL COMMUNITY PLAN (OCP) AMENDMENT & REZONING APPLICATION**
315 Holland Creek Place - Lot 1, DL 43, Oyster District, Plan 32981

RECOMMENDATION(S):

1. That Council directs staff to prepare bylaws to amend the Official Community Plan and Zoning Bylaw to permit 13 residential units at 315 Holland Creek Place, Lot 1, DL 43, Oyster District, Plan 32981 (3360-09-03 Holland Creek Holdings).
2. That Council supports staff working with the developer towards a land-use agreement for the proposed development of 315 Holland Creek Place (3360-09-03), to include the following commitments:
 - To construct a walkway from the east end of the site to the sidewalk adjacent to Dogwood Drive.
 - To register a restrictive covenant on title to protect the covenant area shown on the September 9, 2009 survey by G.W. Lindberg Land Surveying Inc. (Figure 1).
 - To contribute \$5000 towards the amenity fund; and
 - To develop utilizing 'Green Building Practices' including an erosion and sediment control plan; maintain or reduce predevelopment site runoff levels; minimize light trespass to adjacent properties and Holland Creek Trail; install permeable surfaces for parking areas; install energy efficient windows, energy efficient appliances, high efficiency furnace or heat pump, low flow fixtures, as well as on demand hot water supply; landscaping to consist of drought tolerant plant material, irrigation will be supplemented with a rain water collection system; and utilize regional building materials, renewable materials, or materials with recycled content.

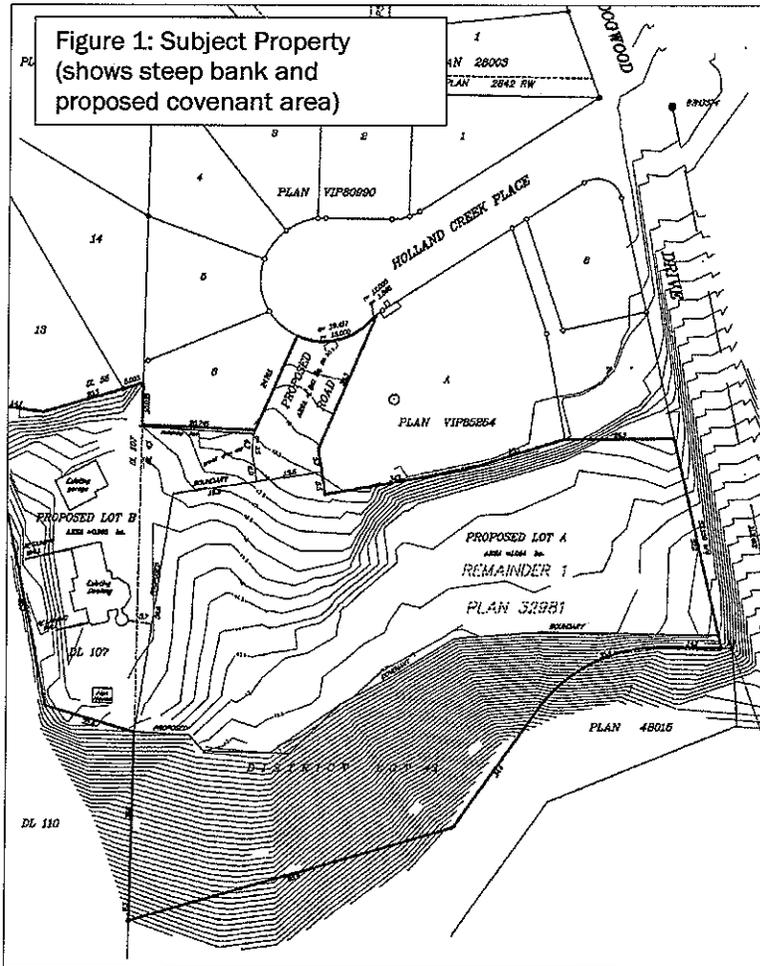
PURPOSE:

The purpose of this report is to seek direction to prepare bylaws regarding the rezoning application from Holland Creek Holdings to rezone 315 Holland Creek Place to permit 13 residential strata townhouse units and to consider an amenity green practices land use agreement.

INTRODUCTION/BACKGROUND:

The subject property is 1 hectare in size and is currently zoned 'Suburban Residential Zone (R-1)'. The applicant has retained 'delinea design consultants' to prepare a proposed site plan and building elevations for the strata development, see attached.

The site plan shows three styles of 2-3 bedroom units that range in size from 133m² to 155.5 m² (1433ft² to 1674 ft²). Two types of units have a second storey with bathroom, den, and bedroom; and one style of unit is one level. Each unit has one parking stall available in a garage and one stall in the driveway. Six of the units show a detached garage. Three parking stalls are available for visitor parking.



SCOPE OF WORK:

It is recommended to direct staff to prepare bylaws to amend the Official Community Plan and Zoning Bylaw, see Table 1. The Official Community Plan amending bylaw would designate the property as ‘Multi-Family Residential’ and would place the property in “Development Permit Area 4 - Multi-Family Residential (DPA4)”. The zoning amending bylaw would permit 13 residential units and may propose a new zone for lower density multi-family development.

The applicant has agreed that the terms of the land use agreement will be to contribute \$5000 to the amenity fund, to construct a walkway from the east end of the site to the sidewalk at Dogwood Drive, to protect the entire bank area with a restrictive covenant, and to utilize many ‘build green’ practices in the development of the 13 units as outlined in the recommendation.

Table 1: Summary of OCP Amendment and Rezoning – 3360-09-03

	<i>Current</i>	<i>Proposed</i>
<i>OCP</i>	Single Family Residential	Multi-Family Residential
<i>HCAP</i>	Single Family Residential and Open Space	Multi-Family Residential and Open Space
<i>Zoning</i>	R-1 “Suburban Residential”	Multi-Family Residential
<i>Minimum lot size:</i>	668 m ²	TBD
<i>Permitted uses:</i>	Single Family Residential	Multi-Family Residential

ALTERNATIVES:

That Council proceed no further with OCP and Zoning Bylaw Amendment application 3360-09-03 (Holland Creek Holdings – Kolk).

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

If the application proceeds a public hearing is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

If the application proceeds the applicant will be required to hold a neighbourhood information meeting.

As directed by Council, the application was referred to the Stz'uminus First Nations (SFN) and they responded indicating that "the proposed covenant concerning the embankment must be implemented and registered on title prior to development" and that any archaeological resources identified during excavation must be reported to SFN. The Provincial archaeological maps indicate high archaeological potential in the area of the embankment.

As directed by Council, the Advisory Planning Commission (APC) and Advisory Design Panel (ADP) reviewed the application and offer the following:

APC – September 9, 2009

It was moved, seconded and carried that the Advisory Planning Commission recommends support for a new zone for the establishment of a strata development at 315 Holland Creek Place to permit a maximum of 13 residential units, subject to the following conditions:

- Protection of the embankment area in its natural state;
- Commitment to the 'Build Green Practices' listed on PR3 which is page three of the submitted plans;
- All efforts be taken to install purple pipes – utilizing rainwater to flush toilets;
- That all residents of Holland Creek Place be notified of the proposed rezoning; and
- That all stormwater be managed onsite such that no drainage is permitted into Holland Creek.

ADP – October 13, 2009

The Advisory Design Panel supports the Official Community Plan amendment and rezoning application for 13 residential units at 315 Holland Creek Place and supports the site plan prepared by Delinea Design Consultants Ltd.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Engineering Department, Fire-Chief, and to the Subdivision Approving Officer for review.

RESOURCE IMPLICATIONS:

Processing rezoning applications is a core function of the Development Services Department. Processing this application is within available staff resources.

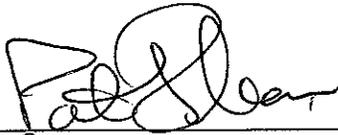
ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design is a Council strategic direction.

SUMMARY:

An application has been received to amend the Official Community Plan and Zoning Bylaw to permit 13 townhomes at 315 Holland Creek Place. It is recommended to direct staff to prepare bylaws and to support the proposed terms for the land use agreement.

I concur with the recommendation.



for Ruth Malli, City Manager

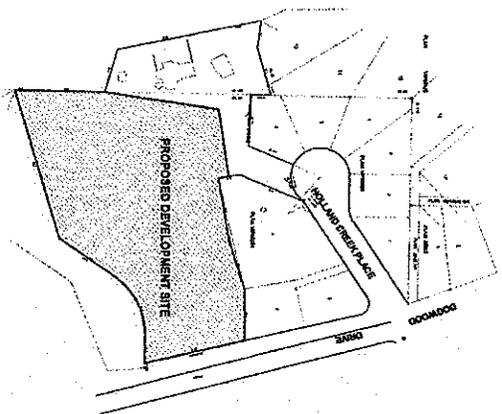
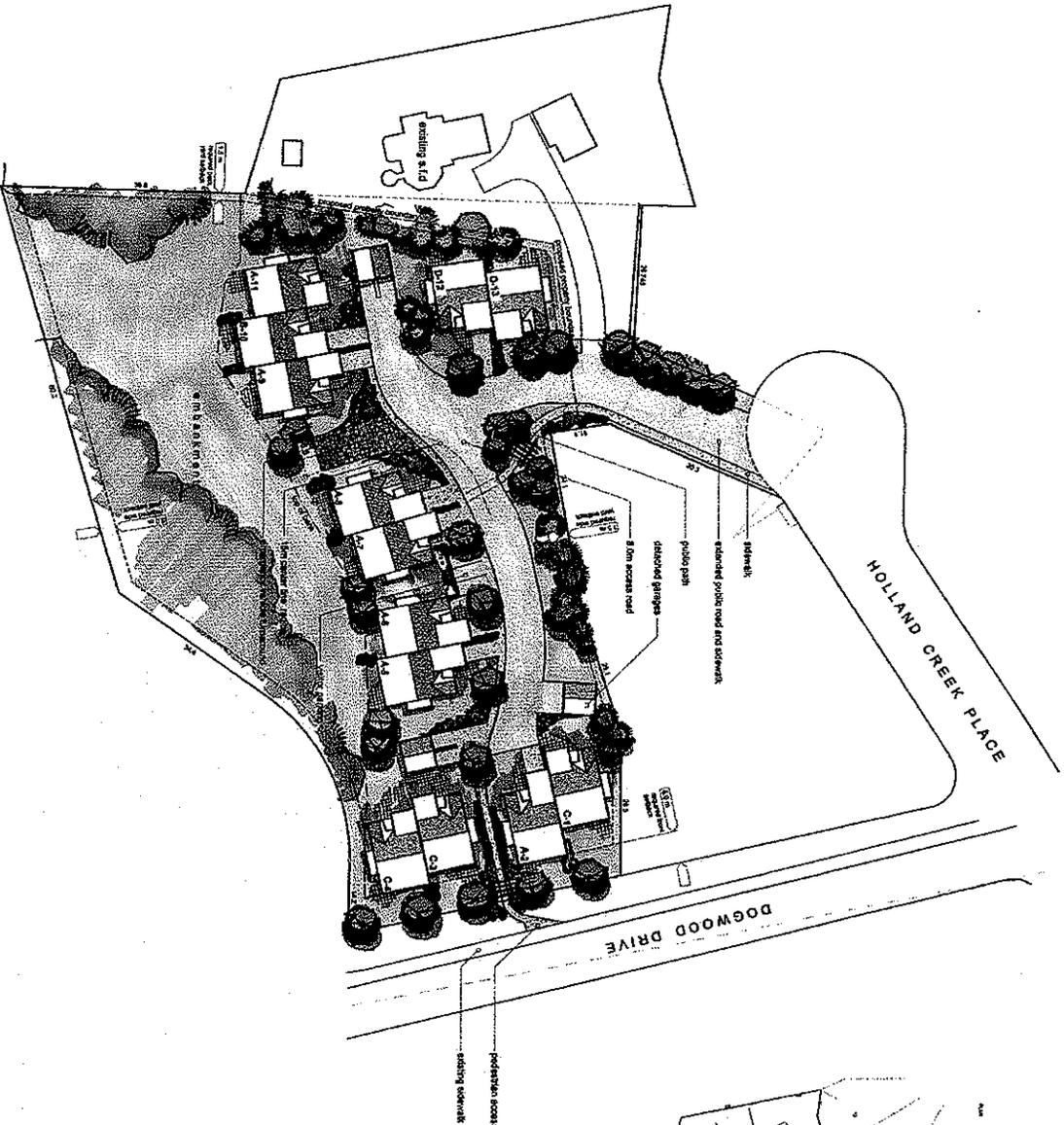
ATTACHMENTS:

PR1 - Proposed Site Plan - delineia design consultants ltd.

PR2 - Proposed floor plans/elevations - delineia design consultants ltd.

PR3 - Proposed floor plans/elevations - delineia design consultants ltd.

site plan
scale: 1" = 30'-0"



location plan

PROJECT DATA - LOT 7

DATE: 2018-08-20
 CLIENT: HOLLAND CREEK HOLDINGS LTD.
 PROJECT: 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO
 PROJECT NO.: 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO
 PROJECT NO.: 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO

PROPOSED ZONING:
 R-1000

PROPOSED DEVELOPMENT:
 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO
 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO

PROPOSED DEVELOPMENT:
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PROPOSED DEVELOPMENT:
 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO
 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO

PR1

delinea

Professional Services
 1000 RIVERVIEW DRIVE, WINDSOR, ONTARIO
 TEL: 519-253-1234
 FAX: 519-253-1234
 WWW.DELINEA.CA

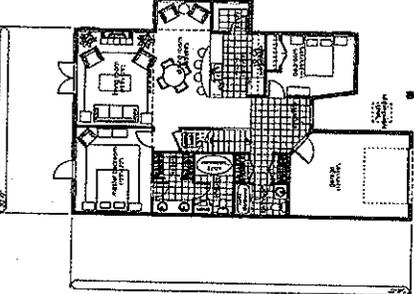
NOT TO SCALE
 THIS PLAN IS FOR INFORMATIONAL PURPOSES ONLY
 IT IS NOT TO BE USED FOR CONSTRUCTION
 WITHOUT THE APPROVAL OF THE ENGINEER
 AND THE CITY OF WINDSOR

CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS OF ALL MATERIALS AND CONDITIONS OF ALL WORKMANSHIP. ALL DIMENSIONS AND CONDITIONS OF ALL WORKMANSHIP ARE TO BE VERIFIED BY THE CONTRACTOR. ALL DIMENSIONS AND CONDITIONS OF ALL WORKMANSHIP ARE TO BE VERIFIED BY THE CONTRACTOR.

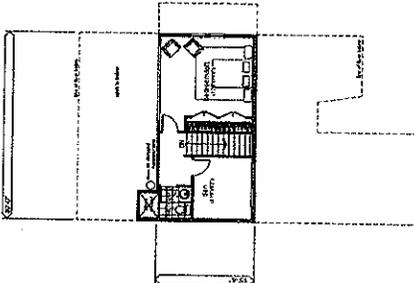
delinea
DESIGN CORPORATION
1000 W. 10th St., Suite 100
Tulsa, Oklahoma 74103
Tel: 918.438.1111
Fax: 918.438.1112
www.delinea.com

Prepared for: **Hulland Creek Holdings Ltd**
Hulland Creek Holdings Ltd
4810 HWY 9
61131-1309
Bismarck, ND
Project: **PR2**
Scale: **AS SHOWN**
Drawing: **01**
Revision: **01**
Date: **01/13/09**
Author: **JD**
Checker: **JD**
Title: **ARCHITECT**
Drawing: **01**
Revision: **01**
Date: **01/13/09**
Author: **JD**
Checker: **JD**
Title: **ARCHITECT**

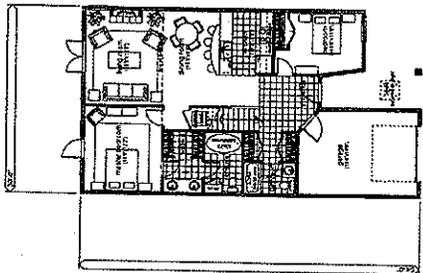
PR2



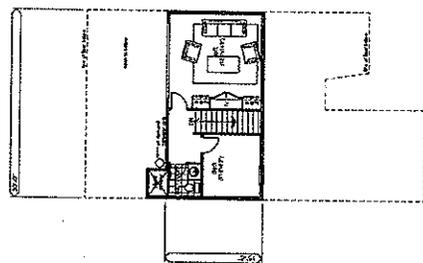
Unit A - main floor
scale: 1/8" = 1'-0"
area: 1244 sq. ft.



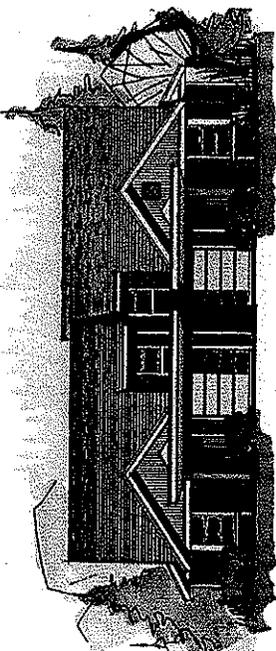
Unit A - upper floor
scale: 1/8" = 1'-0"
area: 430 sq. ft.



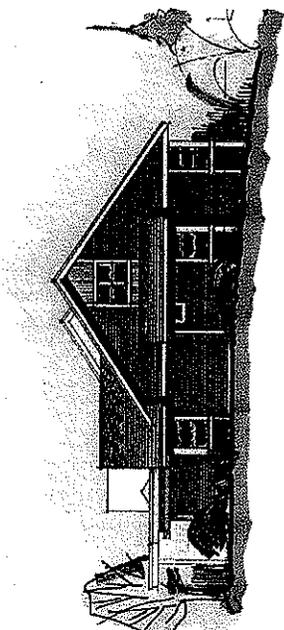
Unit B - main floor
scale: 1/8" = 1'-0"
area: 1107 sq. ft.



Unit B - upper floor
scale: 1/8" = 1'-0"
area: 430 sq. ft.

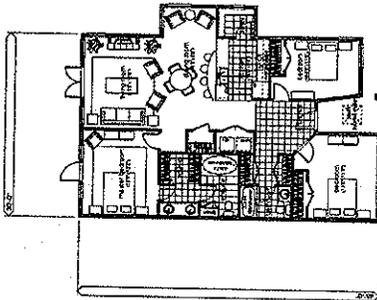


North elevation - street facing

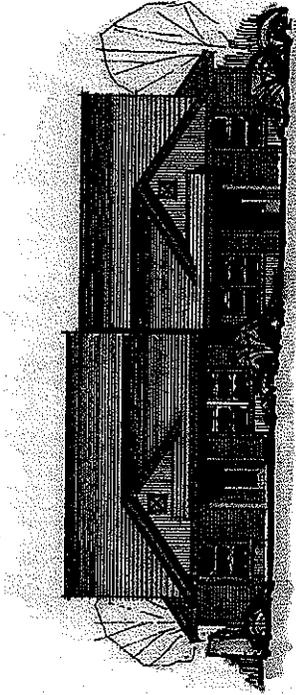


West elevation

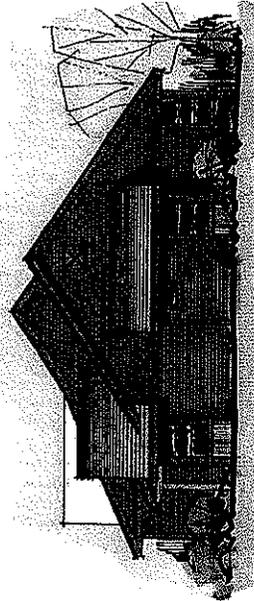
CONTRACT: MILLIKEN / ALLEGRA
 COUNTY: MILWAUKEE / DISTRICT: 11
 PROJECT: MILLIKEN / ALLEGRA
 DRAWING NO.: 150225-004
 DATE: 07/27/09
 PROJECT LOCATION: 150225-004
 PROJECT DESCRIPTION: MILLIKEN / ALLEGRA
 DRAWING TITLE: PROPOSED FLOOR PLAN / ELEVATIONS
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 APPROVED BY: J. H. HARRIS
 DATE: 07/27/09



Unit C - main floor
 SHEET: 150225-004
 AREA: 1423 SQ.FT.



West elevation - street facing



South elevation

delinea
 design architecture llc
 1110 W. WISCONSIN AVENUE, SUITE 100
 MILWAUKEE, WI 53233
 PHONE: 414.331.1500
 FAX: 414.331.1501
 WWW.DELINEA.COM

PROJECT: Milliken / Allegra, Inc.
 Milliken Creek Holdings, Ltd.
 150225-004

DATE: 07/27/09
 DRAWN BY: J. HARRIS
 CHECKED BY: J. HARRIS
 APPROVED BY: J. HARRIS

REVISIONS:
 01 PRELIMINARY
 02 REVIEW
 03 SECOND APPLICATION
 04 BUILDING PERMIT
 05 CONSTRUCTION
 06 CONSTRUCTION
 07 CONSTRUCTION
 08 CONSTRUCTION
 09 CONSTRUCTION
 10 CONSTRUCTION
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PR3

BUILD GREEN PRACTICES

sustainable site

- erosion and sediment control plan
- storm water management - maintain or restore predevelopment runoff levels
- restoration of green space
- protection of natural vegetation
- minimize light trespass
- proximity to public transportation
- permeable surfaces for roads, parking areas, patios etc...
- bicycle storage

course of construction practices

- divert construction waste from landfill
- use of regional materials
- waste management
- material reuse

energy

- energy efficient windows
- high insulation standards
- energy efficient appliances / equipment
- energy guide
- on demand hot water supply
- high efficiency luminaire or heat pump

water

- low flow fixtures
- drought tolerant plant materials
- irrigation supplemented or eliminated with rain water collection systems

green roofs

- high fly ash content concrete

materials

- renewable resources - cork, bamboo, wheat core products
- low VOC paints, sealants, adhesives, etc...
- use materials with recycled content



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Sandy Bowden, Director of Corporate Services
Date: October 9, 2009
File No:

Re: AMENDMENT OF PROTECTIVE SERVICES CAPITAL BUDGET ALLOCATION

RECOMMENDATION(S):

That Council direct staff to reallocate up to \$11,000 from the 2009 Protective Services - Fire Hall roof repair budget to the emergency power supply budget for a total of \$31,000.

PURPOSE:

The purpose of this staff report is to request Council's authorization to add up to \$11,000 to the emergency power supply budget to cover the total cost of acquiring and installing the 60 KW generator at the Firehall in order to pay the supplier for materials and services provided.

INTRODUCTION/BACKGROUND:

In 2009 \$20,000 was added to the capital budget for the purchase of an emergency power supply system for the Firehall. The purchase cost of the generator was \$15,228. The installation cost was higher than anticipated at \$15,748. The quote for the purchase and installation of the emergency power supply is \$30,976.23 plus GST. It is estimated that the total value of a new unit is in excess of \$50,000 installed and therefore represents a significant savings to the Town.

The Fire Department recommends postponing the roof repair project previously scheduled for 2009 to 2010 and using \$11,000 of the roof repair budget to pay for the additional costs incurred as a result of purchasing the generator.

SCOPE OF WORK:

The generator will provide emergency power to the Firehall in the event B.C. Hydro sources are unavailable. Installation of the generator is provided by an outside source.

ALTERNATIVES:

Council could direct Staff to look for other sources of funding to cover the emergency power supply.

FINANCIAL IMPLICATIONS:

As noted, an amendment to the financial plan is required to reallocate up \$11,000 from the Firehall roof repair budget.

LEGAL IMPLICATIONS:

The Town is required to pay the supplier \$30,976.23 plus GST for the generator and the cost of installation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

n/a

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The emergency power supply has the potential to provide service to adjacent Town-owned facilities (Public Works and the RCMP).

ALIGNMENT WITH STRATEGIC PRIORITIES:

This matter is directly related to Strategic Priority F: A Safe and Healthy Community.

SUMMARY:

Council's authorization is required to amend the financial plan to ensure that adequate funds are available to pay for the supply and the installation of an emergency power supply (60 KW generator) at the Firehall, Staff requests Council's authorization to reallocate up to \$11,000 from the Protective Services - Firehall roof repair budget to the emergency power supply budget.

I concur with the recommendation.



Ruth Malli, City Manager



ATTACHMENTS:

None



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: **September**, 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			1						3
Electrical problem		3	2	1	1		1	1	3				9
Due to cooking			2	1		1		1	1				5
Assistance						1		1					2
Burning Complaint			1	4	2	1	4		1				12
Fire: Structure	2	1	1	1	1				1				6
Chimney	1	1	1										3
Interface / Bush		1		1	2	1	1		1				6
Vehicle	1					1							2
Other	1		1	3		3		3	1				11
Hazardous Materials								1					1
Hydro Lines: Down / Fire	1	1											2
Medical Aid	3	1	1	1	1	1	2		4				10
Mutual Aid	1				2		2						5
MVI	2	4	5	2	3	2	5	1	4				24
Rescue													
MONTH TOTALS (not incl. Practises)	13	13	14	15	12	11	16	8	16				118
Practises (Totals for each Month)	4	4	5	4	4	5	4	4	5				39

ALARMS ACTIVATED (location/owner):

1. sensor problem 439-A Walker Ave.
2. sensor problem 745 Malone Rd.
3. sensor problem FJCC - 810-6th Ave.
4. Activation due to Birthday Cake Candles at Eagles Hall French Street

COMPARISONS:

Year to Date / 09 118 (excl. practises)
 Year to Date / 08 137 (excl. practises)
 Year to Date / 07 114 (excl. practises)

APPROVED:

Ray Delcourt
 Fire Chief

TOWN OF LADYSMITH
 BUILDING PERMIT
 SUMMARY REPORT
 MONTH: SEPTEMBER 2009

Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Addrs / Renos	Permits This Month	Permits For Year To Date	Bldg & P/bg Permit Fees This Month	Permit Values This Month	Permit Values This Year
\$ -	0	\$ -	0	\$ 693,000	5	5	8	\$ 5,168	\$ 719,000	\$ 9,201,569

SUMMARY - YEAR TO DATE

JAN	\$ -	0	\$ -	0	\$ -	0	\$ 516,000	4	4	\$ 28,000	1	5	5	\$ 4,546	\$ 544,000	\$ 544,000
FEB	\$ -	0	\$ -	0	\$ 105,000	1	\$ 283,000	3	3	\$ 36,000	3	7	12	\$ 2,982	\$ 424,000	\$ 968,000
MAR	\$ 330,000	1	\$ -	0	\$ -	0	\$ -	0	0	\$ 44,000	3	7	19	\$ 2,440.75	\$ 374,000	\$ 1,342,000
APR	\$ 1,200,000	1	\$ -	0	\$ -	1	\$ 415,000	3	3	\$ 51,590	8	12	31	\$ 12,295	\$ 1,525,670	\$ 2,867,670
MAY	\$ -	0	\$ -	0	\$ -	0	\$ 251,000	2	2	\$ 25,600	6	15	46	\$ 2,607	\$ 276,600	\$ 3,144,270
JUN	\$ -	0	\$ -	0	\$ 20,000	2	\$ 598,149	4	4	\$ 72,650	8	13	59	\$ 5,703	\$ 690,799	\$ 3,835,069
JUL	\$ -	2	\$ 2,960,000	1	\$ 5,000	1	\$ 884,000	5	5	\$ 78,100	7	16	75	\$ 22,039	\$ 3,927,100	\$ 7,762,169
AUG	\$ -	0	\$ -	0	\$ -	0	\$ 605,000	5	5	\$ 115,400	9	19	94	\$ 6,504	\$ 720,400	\$ 8,482,569
SEP	\$ -	0	\$ -	0	\$ -	0	\$ 693,000	5	5	\$ 26,000	3	8	102	\$ 5,168	\$ 719,000	\$ 9,201,569
OCT																
NOV																
DEC																
TOTAL	\$ 1,530,000	4	\$ 2,960,000	1	\$ 130,000	5	\$ 4,245,149	31	31	\$ 477,340	48	102		\$ 64,285	\$ 9,201,569	

of Demolitions for month = 0 , for YTD = 8

COMPARISONS

# DWELLING UNITS / VALUE		PERMITS ISSUED / VALUE	
YEAR TO DATE / 09	31 \$ 4,245,149	YEAR TO DATE / 09	102 \$ 9,201,569
YEAR TO DATE / 08	68 \$ 7,498,613	YEAR TO DATE / 08	119 \$ 11,648,611
YEAR TO DATE / 07	58 \$ 8,674,290	YEAR TO DATE / 07	120 \$ 13,904,209

[Signature]
 BUILDING INSPECTOR

COASTAL ANIMAL CONTROL SERVICES OF BC LTD

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

RECEIVED

TOWN OF LADYSMITH POUND REPORT

OCT 02 2009

September, 2009

Disposition of Impounded Dogs	Current Month	2009 Totals	
Stray dogs impounded	1	6	
Stray dogs claimed	0	5	
Stray dogs put up for adoption	0	0	
Stray dogs euthanized	0	0	
Stray livestock / cats	0	0	
Calls Received and Investigated	6	61	
Aggressive dogs	0	6	
Dogs at large	5	34	
Noise (barking) complaints	1	16	
Other non specific dog related calls	0	5	
Wildlife / livestock / cats	0	0	
Monthly Pound and Board Fees Collected	\$100.00	\$650.00	
Impound fees	\$100.00	\$550.00	
Daily board fees	\$20.00	\$100.00	
Tickets issued	0	3	
Unlicensed dog	\$0	\$0	
Dog at large	\$0	\$200.00	
Dangerous dog at large	\$0	\$0	
Habitually noisy	\$0	\$100.00	
Licencing Statistics	Tags	2	873
	Revenue	\$40.00	\$20440.00

VOIDED

Trevor Hughes

TOWN OF LADYSMITH

BYLAW NO. 1698

A bylaw to amend Town of Ladysmith Fire Department Bylaw 1985, No. 832

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

1. Section 4, QUALIFICATIONS, is hereby amended by deleting paragraph (f) in its entirety.

2. **CITATION**

This bylaw may be cited for all purposes as "Town of Ladysmith Fire Department Bylaw 1985, No. 832, Amendment Bylaw 2009, No. 1698".

READ A FIRST TIME	on the	5 th	day of	October, 2009
READ A SECOND TIME	on the	5 th	day of	October, 2009
READ A THIRD TIME	on the	5 th	day of	October, 2009
ADOPTED	on the		day of	,2009

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



LADYSMITH

Town of Ladysmith

STAFF REPORT

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

Re: RETIREMENT AGE FOR LADYSMITH FIREFIGHTERS

RECOMMENDATION(S):

That Council give first three readings to Fire Department Bylaw 1985, No. 832 Amendment Bylaw 2009, No. 1698 to delete Section 4(f) of Bylaw No. 832 (mandatory retirement age for firefighters) at the Council meeting held on October 5, 2009, and authorize Staff to circulate Policy No. 14-7200-C (Retirement Age for Firefighters) to all Staff as per the current procedure and that the policy and the bylaw be approved at the October 19, 2009 Council meeting.

PURPOSE:

The purpose of this Staff report is to respond to a request from the Ladysmith Fire/Rescue Historical Society to raise the age of the mandatory retirement for members of the Department from 60 to 65 years.

INTRODUCTION/BACKGROUND:

Fire Department Bylaw No. 832 was adopted in 1985. Section 4(f) of the bylaw states that "Retirement from the Department is required upon attaining the age of sixty-five (65) years, except for those members of the Department presently over sixty-five (65) years of age can remain a member until attaining the age of seventy (70) years." This requirement was subsequently amended by Bylaw No. 965 (1990) changing mandatory retirement age from 65 to 60. Members of the Fire Department request the Town's consideration of amending the mandatory retirement age of firefighters back to 65 years.

Upon consultation with the Town's solicitor, Staff is advised that there is no authority for local governments to compel a volunteer firefighter to retire at any particular age. As such the solicitor recommends the establishment of a policy specifying a retirement age but allowing individual exemptions to accommodate those individuals who are found medically fit to fulfill their duties as firefighters following a medical assessment (i.e. exhibit very low levels of cardiac or other medical risks). As such Staff recommends implementing the attached policy setting the retirement age for firefighters at 65 and allowing the continuation of service after reaching that age if they provide an assessment from a qualified physician confirming that he or she is medically capable of continuing to fulfill all of the duties, functions and responsibilities of a suppression firefighter. The policy also states that the Fire Chief may require a member to obtain a medical assessment before his or her 65th birthday where the Fire Chief has reasonable grounds to consider that the member's health or physical condition may interfere with the member's ability to properly fulfill any of the duties, functions or responsibilities of a suppression firefighter.

SCOPE OF WORK:

Once the bylaw amendment and policy is approved Staff will circulate the documentation to the appropriate departments and the information will be communicated to the Ladysmith Fire/Rescue Historical Society.

ALTERNATIVES:

If Council does not support the Staff recommendation it could direct staff not to proceed with the proposed bylaw amendment and policy implementation and as such the existing regulations (i.e. required retirement at age 60) would prevail.

FINANCIAL IMPLICATIONS:

n/a

LEGAL IMPLICATIONS:

The proposed amendment to Bylaw No. 832 and policy no. 14-7200-C was reviewed and approved by the Town's solicitor.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The policy and proposed bylaw amendment is endorsed by the Ladysmith Fire Department and by the Fire/Rescue Historical Society.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Once the policy and bylaw are approved Corporate Services staff will forward the documentation to the Fire Department for their records.

RESOURCE IMPLICATIONS:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

n/a

SUMMARY:

Fire Department Amendment Bylaw No. 965 requires that members of the Ladysmith Fire/Rescue Historical Society retire at the age of 60 years. The Ladysmith Fire/Rescue Historical Society requests Council's consideration of increasing the mandatory retirement age for its members to 65. The Town's solicitor recommends that stipulating any mandatory retirement age for firefighters should be achieved by policy rather than by bylaw. Staff recommends the implementation of Policy No. 14-7200-C which requires that members of the Ladysmith Fire/Rescue Historical Society either retire upon reaching the age of 65 or provide medical evidence confirming they are still considered competent to perform the duties of a firefighter. It also authorizes the Fire Chief to require members to provide such medical evidence prior to reaching the age of 65.

I concur with the recommendation.

Ruth Malli

Ruth Malli, City Manager

TOWN OF LADYSMITH

BYLAW NO. 1699

A bylaw to exempt from taxation certain lands for the year 2010.

WHEREAS Section 224 of the *Community Charter* permits Council, by by-law, to exempt from taxation certain buildings, the lands on which the buildings stand and the lands surrounding certain buildings;

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

Part 1 – Church Properties Tax Exemption

All church halls and lands within the legal boundaries of those properties listed under Section 1 of Schedule ‘A’ are hereby exempted from taxation for the year 2010.

Part 2 – Charitable, Not-for Profit and Recreational Tax Exemption

All lands within the legal boundaries of those properties listed under Section 2 of Schedule ‘A’ are hereby exempted from taxation for the year 2010.

Part 3 – Partnering Exemption Authority

All lands within the legal boundaries of those properties listed under Section 3 of Schedule ‘A’ are hereby exempted from taxation for the year 2010.

Schedule A through E, inclusive, which are attached hereto form a part of this bylaw.

This bylaw may be cited as "Permissive Tax Exemption Bylaw 2009, No. 1699."

READ A FIRST TIME on the 5th day of October, 2009
READ A SECOND TIME on the 5th day of October, 2009
READ A THIRD TIME on the 5th day of October, 2009
ADOPTED on the day of

Mayor (R. Hutchins)

TOWN OF LADYSMITH BYLAW No. 1699

SCHEDULE "A"

PROPERTY DESCRIPTION		2010			2011	2012
		ESTIMATE FOR AMOUNT OF TAX REVENUE FOREGONE BASED ON 2009			(2010 + 2%)	(2011 + 2%)
		MUNICIPAL REVENUE	OTHER GOV'T REVENUE	TOTAL REVENUE	TOTAL REVENUE	TOTAL REVENUE
Section 1						
St. Mary's Catholic Church 224.2(f) Buildings for Public Worship	1135 4th Ave Remainder of DL 145, LD43 Oyster Land District except Plans 33231 & VIP72186 (Specifically the area of land and buildings outlined in red on Schedule 'B') Folio 1448.000	5,484.52	4,288.46	9,772.98	9,968.44	10,167.81
Pentecostal Assemblies of Canada 224.2(f) Buildings for Public Worship	1149 4th Ave Lot A, Plan 46331, DL43, Oyster District (Specifically the area of land and buildings outlined in red on Schedule 'C') Folio 1449.080	4,686.90	6,149.43	10,836.33	11,053.06	11,274.12
United Church of Canada 224.2(f) Buildings for Public Worship	232 High Street Lot A, Plan VIP63119, DL56 Oyster Land District Folio 327.010	777.13	1,054.79	1,831.92	1,868.56	1,905.93
Ladysmith Fellowship Baptist Church 224.2(f) Buildings for Public Worship	381 Davis Rd Lot 1, Plan 43316, DL 43, LD43 Folio 1041.500	1,632.93	2,527.04	4,159.97	4,243.17	4,328.03
Anglican Synod Diocese of BC 224.2(f) Buildings for Public Worship	314 Buller St Lot A, Blk 76, LD 43 Plan 703A Folio 494.000	991.14	1,422.96	2,414.10	2,462.38	2,511.63
Section 2						
Ladysmith Senior Citizens Housing Society 224.2(a) Non-Profit	101 1st Ave Lot 1, DL56, LD43, Plan 31443 Folio 1338.000	4,162.28	3,163.68	7,325.96	7,472.48	7,621.93
Ladysmith Senior Citizens Housing Society 224.2(a) Non-Profit	207 Jamison Rd Lot 1, DL 56, LD 43, Plan 21490 (Specifically the area of land surrounding the building footprint as shown on Schedule D) Folio 1322.300	694.54	419.80	1,114.34	1,136.63	1,159.36
Ladysmith Resource Centre Association 224.2(a) Non-Profit	721 1st Ave Lot 11, Blk 7, LD43, Plan 703 (Right to Purchase) Folio 0055.000 AND	4,284.55	2,472.23	6,756.78	6,891.92	7,029.76
	26 Buller St Lot 12, Blk 7, LD43, Plan 703 (Right to Purchase) Folio 0056.000 AND	2,329.14	1,299.08	3,628.22	3,700.78	3,774.80
	12 Buller ST Lot 14, Blk 7, LD43, Plan 703 Folio 0058.000	1,075.92	721.56	1,797.48	1,833.43	1,870.10
Ladysmith Maritime Society 224.2(a) Non-Profit	616 Oyster Bay Dr Lot 4, DL 8G/11G, LD43, Plan 45800 Portion & DL24 & 56, except Plan VIP64405, VIP71943 & VIP72131 Folio 1109.322 now included with 1602.100 AND	30 1,214.08	630.05	1,844.13	1,881.01	1,918.63

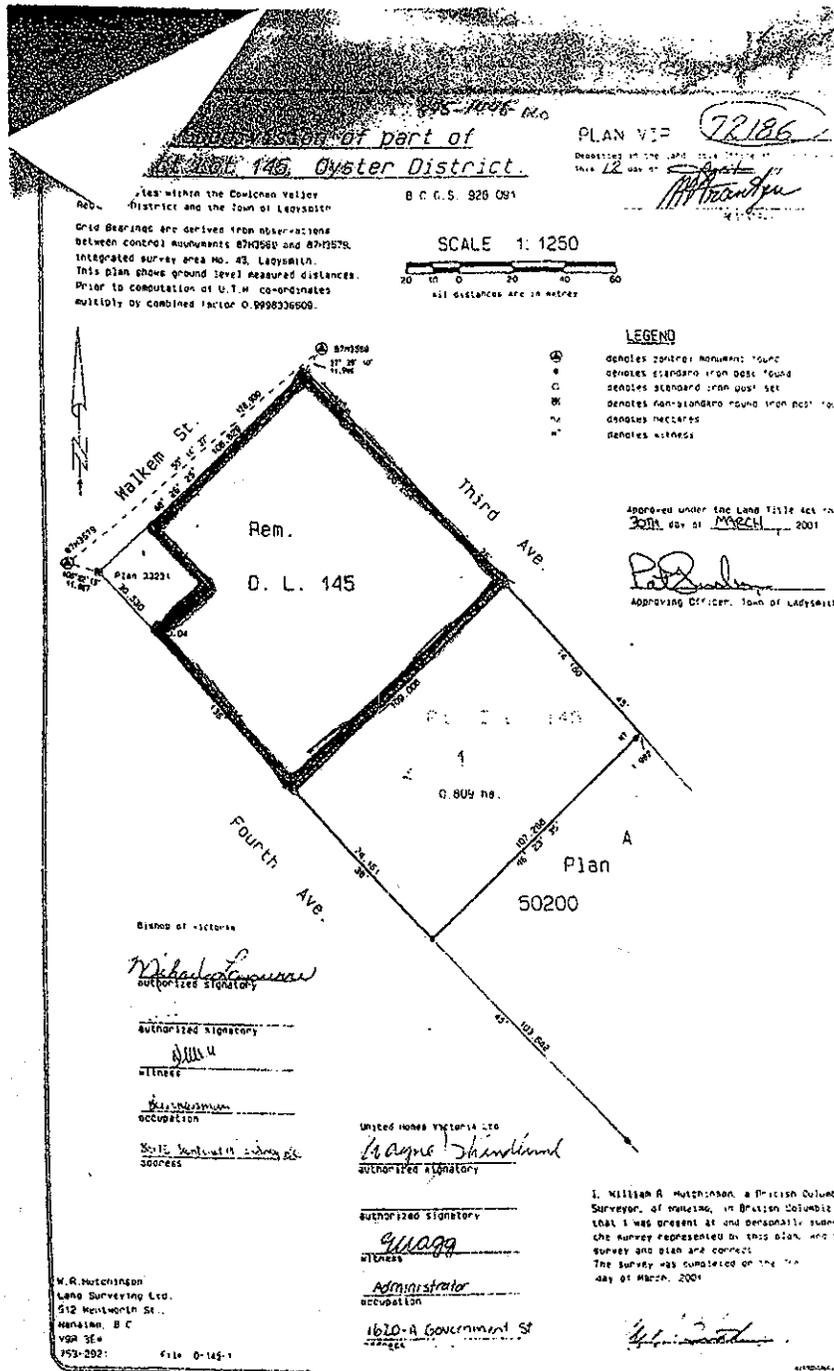
Ladysmith Maritime Society 224.2(a) Non-Profit	Unit C, I & M - 610 Oyster Bay Dr Lot 4, Plan 45800 Parent parcel 1109.300	1,795.90	1,077.55	2,873.45	2,930.92	2,989.54
Ladysmith Golf Club Society 224.2(i) Recreational	380 Davis Rd DL43, LD43, except Plans 2478, 4670, 5873, 7527, 8922, 12027, 14051, 15693, 835R, 34197, 48247 & VIP57353. exc E&N R/W Pcl A (DD24404N) Pcl C (DD344431), VIP65242 Folio 1017.005	2,543.30	3,206.31	5,749.61	5,864.60	5,981.89
Ladysmith Senior Citizens Society 224.2(a) Non-Profit	220 High St Lot A, DL56, LD42, Plan VIP68919 Folio 222.520	546.08	657.30	1,203.38	1,227.45	1,252.00
Ladysmith Festival of Lights 224.2(a) Non-Profit	1163 4th Ave Lot A, DL146, LD43, Plan 34438 Folio 1449.200	5,922.43	3,455.06	9,377.49	9,565.04	9,756.34
St John's Masonic Temple Assoc (Leased by Town for parking lot) 224.2(a) Non-Profit	26 Galacre St Lot 9, Blk 9, LD43, Plan 703 Folio 85.000	1,927.43	1,230.14	3,157.57	3,220.72	3,285.13
Arts Council of Ladysmith & District 224.2(a) Non-Profit	Units J, K & L - 610 Oyster Bay Rd Lot 4, 45800 Folio 1109.328	1,027.92	616.75	1,644.67	1,677.56	1,711.11
Eco-Tourism Building (mechanical room and public storage only) 224.2(a) Non-Profit	Transfer Beach Lot 2, Plan 36262 (Specifically the area of land and buildings outlined in red on Schedule 'E') Folio 1110.110	1,911.11	1,146.67	3,057.78	3,118.94	3,181.32
Ladysmith Health Care Auxiliary 224.2(a) Non-Profit	910 1st Ave (Thrift Shop) Lot 1, Blk 30, Plan 703A Folio 263.000	4,698.08	2,720.45	7,418.53	7,566.90	7,718.24
Island Corridor Foundation 224.2(a) Non-Profit	Folio 910.005 Folio 1052.008, 1052.009 Folio 1475.000, 1476.001 Folio 1477.000, 1477.010 Folio 1477.020, 1477.030	10,329.16	5,193.70	15,522.86	15,833.32	16,149.99
Canadian Legion Branch #171 224.2(a) Non-Profit	621 1st Ave Lot A, Blk 8, Plan 703 Folio 70.000	2,193.92	1,385.65	3,579.57	3,651.16	3,724.18
Section 3						
Ladysmith & District Historical Society archives 225.2(a) Partnering Agreement	1115A - 1st Ave (under Tim Horton's) Lot 1, VIS5873, DL118, LD43 Folio 1373.010	2,169.57	1,301.74	3,471.31	3,540.74	3,611.55
Municipal Parking lot 225.2(a) Partnering Agreement 3 year exemption (2009, 2010 & 2011)	17 & 25 Roberts St Lots 8 & 9, Blk 11, Plan 703A Folios 123.000 & 125.000	2,376.46	1,229.08	3,605.54	3,677.65	3,751.20
TOTALS		64,774.49	47,369.48	112,143.97	114,386.86	116,674.59

This is Schedule "A" attached to and forming part of
"Tax Exemption Bylaw 2009, No.1699"

Corporate Officer (S. Bowden)

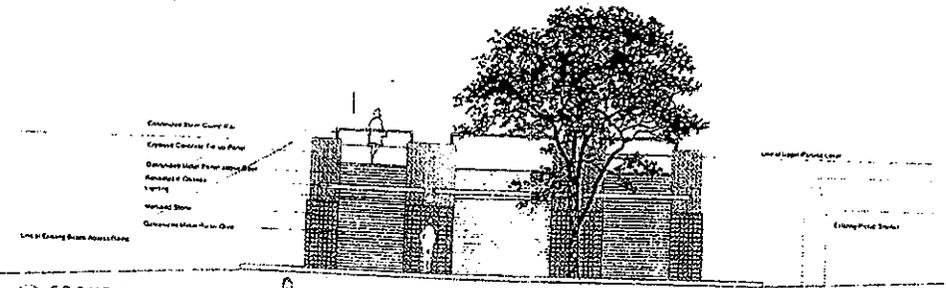
This is schedule "B" attached to and forming part of "Tax Exemption Bylaw 2009, No. 1699".

Corporate Officer (S. Bowden)



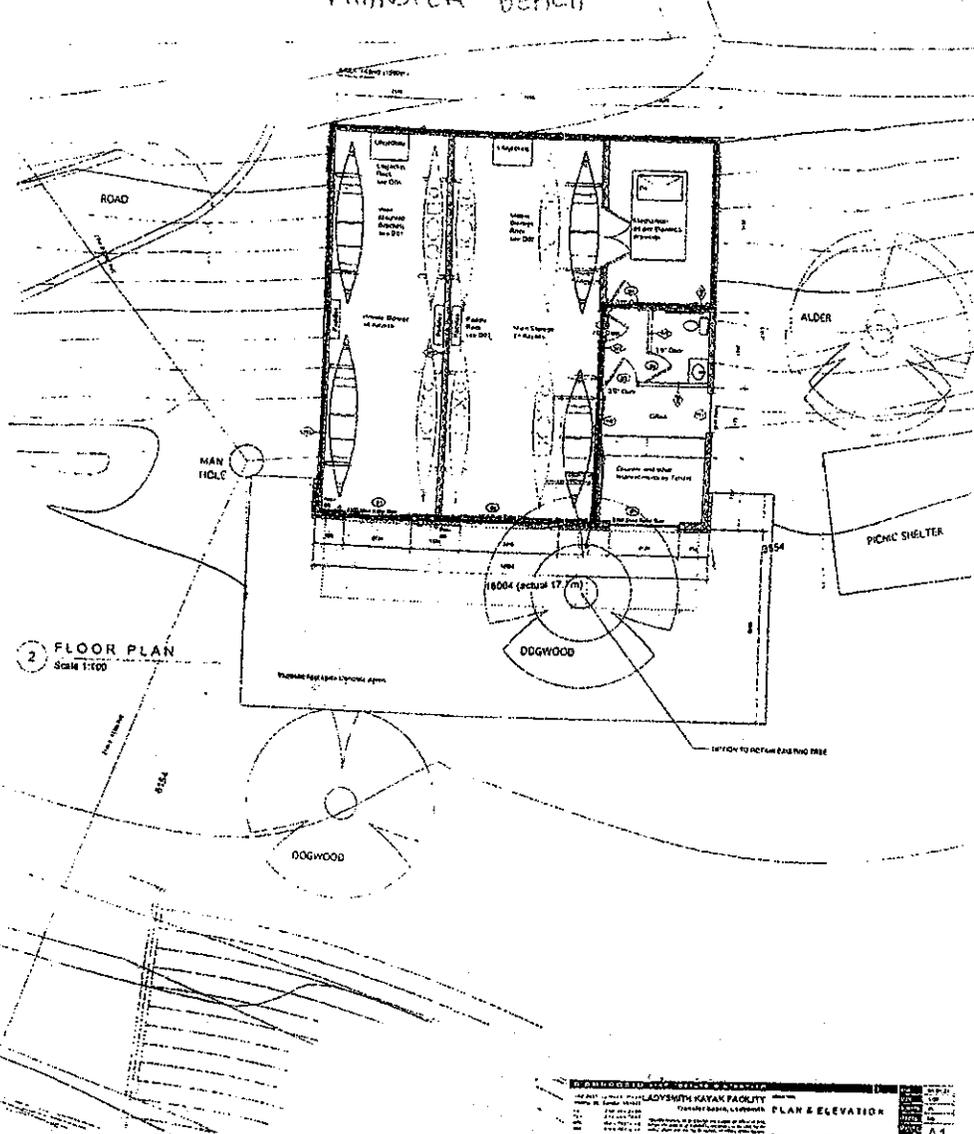
This is schedule "E" attached to and forming part of "Tax Exemption Bylaw 2009, No. 1699".

Corporate Officer (S. Bowden)



1 FRONT ELEVATION
Scale 1:100

PART OF LOT 2, PLAN 36262
TRANSFER BEACH



2 FLOOR PLAN
Scale 1:100

ARCHITECTURAL DESIGN GROUP
LADYSMITH KAYAK FACILITY
 TRANSFER BEACH, LADYSMITH
PLAN & ELEVATION
 1:100
 1/1/2011



Town of Ladysmith
STAFF REPORT

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

Re: Permissive Tax Exemption Bylaw 2009 No. 1699

RECOMMENDATION:

That Council approve the requested property tax exemptions stipulated in Permissive Tax Exemption Bylaw 2009 No. 1699 and give first three readings to the bylaw at the Council meeting held on October 5, 2009.

PURPOSE:

The purpose of this staff report is to provide Council with an overview of proposed property tax exemptions which include places of worship, charitable, non-profit organizations and properties with a partnering agreement with the Town of Ladysmith, for the 2010 taxation year.

INTRODUCTION/BACKGROUND:

In accordance with Section 224 of the Community Charter, Council may, by bylaw exempt land or improvements from taxation under section 197 (1) (a) [municipal property taxes].

Every year Council approves a bylaw exempting places of worship, charitable and non-profit organizations from property taxes. In addition, Council has also exempted properties which are the subjects of partnering agreements between the Town and the property owner.

FINANCIAL IMPLICATIONS:

See attached Schedule A of Bylaw No. 1699. The estimated municipal portion of exempted property taxes for 2010 is \$64,774.39.

LEGAL IMPLICATIONS:

Staff will ensure that the statutory notice for Schedule A is published in the Ladysmith and District Chronicle, prior to the adoption of the bylaw, in accordance with the legislation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The public is generally supportive of exempting properties which are the subject of the Bylaw from property taxes.

ALIGNMENT WITH STRATEGIC PRIORITIES:

n/a

SUMMARY:

Council's authorization is required to exempt certain properties from taxation annually. Schedule A of Bylaw No. 1699 specifies the properties located within Ladysmith which are recommended for property tax exemptions. It is recommended that Council give 1st, 2nd and 3rd readings to Bylaw No. 1699 at the October 5, 2009 Regular Council. The bylaw will be placed on the October 19, 2009 Regular Council agenda for final adoption.

I concur with the recommendation.

R. Malli

Ruth Malli, City Manager

ATTACHMENTS:

Permissive Tax Exemption Bylaw 2009 No. 1699



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Patrick Durban, Approving Officer
Date: October 15, 2009
File No:

Re: SALE OF UNUSED ROAD RIGHT-OF-WAY

RECOMMENDATION:

THAT Council accept the offer from Steeves Enterprises Ltd. of twenty one thousand (\$21,000) dollars , plus GST, for the portion of unused road right-of-way legally described as that Part of District Lot 91, Oyster District, show on plan VIP86877, and that the Mayor and Manager of Corporate Services be authorized to sign any required legal agreements to complete this transaction.

PURPOSE:

To dispose of a portion of unused road right-of-way.

BACKGROUND / HISTORY:

Over four years ago Council directed staff to proceed with the closing of a portion of unused roadway in the Peerless area to sell to an adjacent property owner. Due to the complexity in dealing with multiple jurisdictions and agencies, only recently was the road closed and created as real property and an appraisal completed.

SCOPE OF WORK:

The intent is to sell the portion of unused former road right-of-way for the appraised value of \$21,000, which requires public notice advising of Council's intentions.

ALTERNATIVES:

Council could not consider this land sale.

FINANCIAL IMPLICATIONS:

The Town would receive \$21,000 to be used as Council directs.

LEGAL IMPLICATIONS

Public notice was advertised in the Chronicle on October 6th and 13th as per the requirements of the Community Charter and Local Government Act.

CITIZEN / PUBLIC RELATIONS IMPLICATIONS:

As this is unused road right-of-way, which will not be required in the future, there are no implications.

INTERDEPARTMENTAL INVOLVEMENT / IMPLICATION:

As there is no need for this unused road right-of-way, there are no interdepartmental implications.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This will align with the priority of wise financial management.

SUMMARY:

Council may consider the disposal of a portion of unused road right-of-way at their October 19, 2009 regular meeting.

ATTACHMENTS:

Plans

I concur with the recommendation:



for Ruth Malli, City Manager

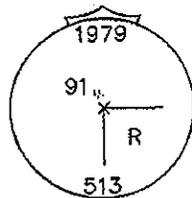
ACCOMPANY THE TOWN OF LADYSMITH
 CANCELLATION BYLAW NO. 2008-1663
 ROAD DEDICATED ON PLAN 33125,
 DISTRICT.

(OF THE COMMUNITY CHARTER AND SECTION 120 OF THE LAND TITLE ACT)

S 432mm
 WHEN



OTHERWISE NOTED



PLAN VIP75071
 MERIDIAN OF
 TO OBTAIN
 TO THE
 125,

-LEVEL DISTANCES
 COMPUTE
 HORIZONTAL DISTANCES

IND
 FOUND

LADYSMITH

MAYOR

DIRECTOR
 SERVICES

DURBAN

TH, BC

DISTRICT

A

PLAN VIP74912

PLAN B
 VIP74912

RUSSELL ROAD

LOT 91

REM.
 1
 PLAN 33125

SRW PLAN VIP75993

90°24'40"
 8.043

r=144.189
 a=42.448

NF 15'

83.929

PART DL 91
 RUSSELL ROAD
 PLAN 33125
 (CLOSED ROAD)
 AREA = 0.170 ha

0'

0'

46.134

UNREGISTERED POSTS
 r=71.541
 r=144.189

SRW PLAN

SEE

VIP75071
 DETAIL

FD CAPPED POST
 DESTROYED, REPLACED
 WITH IP

25.000

53.660

PLAN B
 PLAN VIP74912

PT. REM.
DISTRICT LOT 91

LOT A
PLAN VIP 74912

PLAN
8793

SUBJECT
PROPERTY

REM. 1
PLAN 33125

PEERLESS ROAD

LOT B

THICK ROAD

3

4

PLAN 50979

REM. 1
PLAN 41978

TRANS-CANADA HIGHWAY

2

SOUTH WATTS RD

50980

"A"
94199N

20

46007

40

