

# 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, MARCH 7, 2011  
7:00 p.m.



## A G E N D A

Page

### CALL TO ORDER

### 1. EXECUTIVE SESSION

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
- labour relations or other employee relations
- 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*]

### 2. RISE AND REPORT

### 3. AGENDA APPROVAL

### 4. MINUTES

- 4.1. Minutes of the Regular Meeting of Council held February 21, 2011

1 - 6

### 5. PUBLIC HEARING

None

### 6. BYLAWS (OCP / ZONING)

None

### 7. DELEGATIONS

None

### 8. PROCLAMATIONS

Mayor Hutchins has proclaimed the month of April 2011 as Daffodil Month, and April 27, 2011 as Daffodil Day to recognize the Canadian Cancer Society's Daffodil Campaign.

**9. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS****Page**

- 9.1. Development Permit Application 3060-11-04, 1030 Oyster Bay Drive

**7 - 12****10. COUNCIL COMMITTEE REPORTS****10.1. Mayor R. Hutchins**

Cowichan Valley Regional District; Heritage Revitalization Advisory Commission; Trolley Committee; Liquid Waste Management Committee

**10.2. Councillor S. Bastian**

Parks, Recreation and Culture Commission; Community Health Advisory Committee; Youth Advisory Committee

**10.3. Councillor J. Dashwood**

Liquid Waste Management Committee; Trolley Committee; Chamber of Commerce; Ladysmith Early Years Partnership

**10.4. Councillor S. Arnett**

Government Services Committee; Advisory Planning Commission; Environment & Economic Development Commission

**10.4.1. Government Services Committee Recommendations  
Meeting Held February 21, 2011**

**13****10.5. Councillor D. Paterson**

Protective Services Committee; Celebrations Committee; Festival of Lights

**10.6. Councillor L. Evans**

Parks, Recreation and Culture Commission; Protective Services Committee, Social Planning Cowichan Affordable Housing Directorate

**10.7. Councillor B. Whittington**

Vancouver Island Regional Library Board; Advisory Design Panel; Environment & Economic Development Commission; Ladysmith Downtown Business Association

**11. STAFF / ADVISORY COMMITTEE REPORTS**

- 11.1. Proposed Request for Extension of Deadline for Regional Infrastructure Canada Grant for Lot 108 Playfields Development

**14 - 15**

- 11.2. Purchase of Exercise Equipment for Frank Jameson Community Centre

**16 - 17**

- 11.3. OCP and Bylaw Amendment Application: 11 & 17 Warren Street

**18 - 26**

- 11.4. Secondary Access Road to Ladysmith Community Marina

**27 - 28**

- 11.5. Contract Award – Land Agent for Town-Owned Lands

**29 - 41**

---

---

**12. CORRESPONDENCE**

None

**13. BYLAWS**

- 13.1. Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment Bylaw 2011, No. 1751** **42 - 44**  
May be adopted.

*The purpose of Bylaw 1751 is to make improvements to the review and processing of signage permit applications, as directed by Council at its regular meeting on November 1, 2010.*

- 13.2. Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1752** **45 - 46**  
May be adopted.

*The purpose of Bylaw 1752 is to amend Fees and Charges Bylaw No. 1644 in order to incorporate housekeeping changes in response to Council direction on November 1, 2010*

**14. NEW BUSINESS**

None

**15. UNFINISHED BUSINESS**

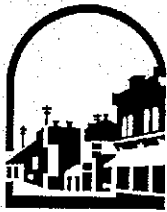
None

**16. QUESTION PERIOD**

Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.

- Individuals must state their name and address for identification purposes
- Questions must relate strictly to matters which appear on the Council agenda at which the individual is speaking
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine
- Questions must be brief and to the point
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council

**ADJOURNMENT**



LADYSMITH

TOWN OF LADYSMITH  
MINUTES OF A REGULAR MEETING OF COUNCIL  
MONDAY, FEBRUARY 21, 2011 - 7:00 P.M.  
COUNCIL CHAMBERS, CITY HALL

---

**COUNCIL MEMBERS PRESENT**

Mayor Rob Hutchins  
Councillor Jillian Dashwood  
Councillor Bruce Whittington

Councillor Steve Arnett  
Councillor Lori Evans

Councillor Scott Bastian  
Councillor Duck Paterson

**STAFF PRESENT**

Ruth Malli  
Chris Trumpy

Sandy Bowden  
Mike Ganderton

Joe Friesenhan  
Joanna Winter

---

**CALL TO ORDER**

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

**EXECUTIVE SESSION**

2011-087

It was moved, seconded and carried that this meeting retire into Executive Session at 6:15 p.m.

**AGENDA APPROVAL**

Mayor Hutchins called the Regular Session of Council to order at 7:00 p.m.

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

13.1 Drinking Water Week (Councillor Arnett)

13.2 Columbia Institute Progressive Governance Forum (Councillor Arnett)

14.1 Joint Meeting Between Council, Ladysmith Downtown Business Association and Ladysmith Chamber of Commerce (Councillor Dashwood)

2011-088

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

**MINUTES**

2011-089

It was moved, seconded and carried that the minutes of the Regular Council Meeting of February 7, 2011 be adopted as circulated.

---

**BYLAWS  
(OCP / ZONING)**

Councillor Dashwood declared a potential conflict of interest with the following agenda items and excused herself from the meeting.

2011-090      **Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 28), 2009, No. 1700**  
It was moved, seconded and carried that Ladysmith Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 28), 2009, No. 1700 be adopted.

2011-091      **Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 77), 2009, No. 1701**  
It was moved, seconded and carried that Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 77), 2009, No. 1701 be adopted.

Councillor Dashwood returned to the meeting.

**PROCLAMATIONS**

Mayor Hutchins proclaimed the month of March 2011 as Community Social Services Awareness Month in the Town of Ladysmith

Mayor Hutchins proclaimed May 29, 2011 as the Day of the Honey Bee in the Town of Ladysmith

**STAFF / ADVISORY  
COMMITTEE REPORTS**

2011-092      **Development Cost Charge (DCC) Bylaw Review – DCC Rate Option Nine and Affordable Housing Development Cost Charge**  
It was moved and seconded that staff be directed to:  
a) proceed with preparing a new Development Cost Charge Bylaw based on the rates in Option 9, as outlined in the report from the Director of Development Services dated February 16, 2011;  
b) include a review of DCC bylaws for eligible affordable rental housing within the 2011 budget process.

Councillor Whittington requested that the question be divided into two parts.

2011-093      It was moved, seconded and carried that staff be directed to proceed with preparing a new Development Cost Charge Bylaw based on the rates in Option 9, as outlined in the report from the Director of Development Services dated February 16, 2011.

2011-094      It was moved, seconded and carried that staff be directed to include a review of Development Cost Charge Bylaws for eligible affordable rental housing within the 2011 budget process.

**2011-095** It was moved, seconded and carried that staff be requested to develop a policy based on best practices to provide for a regular review of Development Cost Charges and to report back to Council as soon as possible in this regard.

**2011-096** **Tender Award – Five Ton Truck**  
It was moved, seconded and carried that the tender for the replacement of Unit 58, a 1996 GMC five ton single axle truck, to P & R Truck Centre for a 2011 Freightliner automatic five ton truck, for the tendered price of \$119,103.49 including HST, and that the Financial Plan be amended accordingly.

**2011-097** **Tender Awards – Town of Ladysmith Annual Tender Awards**  
It was moved, seconded and carried that the annual tenders for the provision of various services for 2011 be awarded as follows:  
Container Rental and Garbage Disposal – Greater Nanaimo Hauling Co. Ltd.  
Asphalt Paving – Hub City Paving  
Gravel Supply – Island Aggregate  
Lab Testing – M.B. Laboratories Ltd.  
Survey and Layout Services – McCallan Construction Survey Ltd.  
Septic Services – Coast (V) Environmental  
Chemical Supply – Cleartech  
Ready Mix Concrete – Bedrock Redi-Mix Ltd  
And that the Financial Plan be amended accordingly.

**2011-098** **Contract Award – Town of Ladysmith Community Sustainability Implementation Plan**  
It was moved, seconded and carried that the contract for the Ladysmith Community Sustainability Implementation Plan be awarded to HB Lanarc Consultants Ltd. in the amount of \$57,823 plus an estimated \$3,600 for disbursements, and project management of five per cent (\$2,891), for a total estimated cost of \$64,314 plus applicable taxes, and that the Financial Plan be amended accordingly.

**2011-099** **Contract Award – Land Agent Services for Town-Owned Lands**  
Councillor Dashwood declared a possible conflict of interest with the matter under discussion and excused herself from the meeting.

**2011-099** It was moved, seconded and carried that the proposal for Land Agent Services from Capital Asset Group be rejected, and that staff be directed to reissue the request for proposals, and to report back to Council with a recommendation on March 7, 2011.

**2011-100** **Ladysmith Skatepark Project**  
It was moved, seconded and carried that the request from THE

Leadership Vancouver Island group "Board Members" for the Town to contribute up to \$12,100 towards improvements to the Ladysmith Skatepark be approved, and that the funds be allocated from the 2011 Annual Capital Budget of the Parks, Recreation and Culture Department.

**2011-101** It was moved, seconded and carried that staff be directed to submit an application for funding through the Municipal Insurance Association Risk Management Insurance Grant Program for up to \$6,649, which is the Town's current allocation, for safety-related improvements to the Ladysmith Skatepark.

**2011-102** **Update on Proposed Hydraulic Energy Recovery Project**  
It was moved, seconded and carried that the report from the Director of Public Works and the Manager of Special Projects dated February 21, 2011 regarding the increased costs of the proposed hydraulic energy recovery project be received.

**2011-103** **Appointment of Election Officers**  
It was moved, seconded and carried that the following election officers be appointed for the upcoming 2011 Local Government Elections:

- Sandy Bowden, Director of Corporate Services – Chief Election Officer
- Joanna Winter, Manager of Administrative Services – Deputy Chief Election Officer

#### **CORRESPONDENCE**

Councillor Whittington declared a potential conflict of interest with the following item and excused himself from the meeting.

**2011-104** **Chris and Beverley Wood - Request to remove breed-specific language from the Dog Licensing, Control and Pound Bylaw**  
It was moved and seconded that the correspondence from Chris and Beverley Wood dated January 26, 2011 regarding a request to consider removing breed specific language from the Dog Licensing, Control and Pound Bylaw be referred to a committee to review and report back to Council, and that the committee include members of the committee that previously reviewed this issue, and that Chris Wood and Councillor Evans also be appointed to the committee.

#### **BYLAWS**

**2011-105** **Ladysmith Development Procedures Bylaw 2008, No. 1667, Amendment Bylaw 2011, No. 1750**  
It was moved, seconded and carried that Town of Ladysmith Development Procedures Bylaw 2008, No. 1667, Amendment Bylaw 2011, No. 1750 be adopted.

**Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment**

- 2011-106**      **Bylaw 2011, No. 1751**  
It was moved, seconded and carried that Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment Bylaw 2011, No. 1751 be read a first, second and third time.
- 2011-107**      **Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1752**  
It was moved, seconded and carried that Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1752, be read a first, second and third time.
- NEW BUSINESS**
- 2011-108**      **Drinking Water Week in British Columbia**  
It was moved, seconded and carried that the Week of May 1 to 7, 2011 be proclaimed Drinking Water Week in British Columbia.
- Columbia Institute Progressive Governance Forum**  
Councillor Arnett encouraged members of Council to attend the Columbia Institute Progressive Governance Forum 2011 on Friday March 25th and Saturday March 26th at Harrison Hot Springs.
- UNFINISHED BUSINESS**      **Joint Meeting Between Council, Chamber of Commerce and Ladysmith Downtown Business Association**  
Council suggested Monday March 14 or Monday March 28 as dates for a joint meeting between Council, the Ladysmith Chamber of commerce, and the Ladysmith Downtown Business Association.
- QUESTION PERIOD**      Matt Peterson, Ladysmith Chronicle, inquired about the Council's direction regarding a review of the Dog Licensing, Control and Pound Bylaw.
- EXECUTIVE SESSION**
- 2011-109**      It was moved, seconded and carried that the Regular Session of Council be adjourned at 8:13 p.m. and that the Executive Session be reconvened.
- EXECUTIVE SESSION**
- 2011-110**      It was moved, seconded and carried that the Regular Session of Council be adjourned at 8:20 p.m. and that the Executive Session of Council be reconvened.
- RISE AND REPORT**      The Executive Session of Council rose with report on the following items:
- Clean-up of the property at 531 Fourmeaux Crescent.
  - Naming of facilities at Lot 108.



- Interviews for advisory commission applicants on March 7, 2011.
- Ladysmith Community Services Centre Lease Negotiations with Ladysmith Resources Centre Association.

**ADJOURNMENT**

**2011-111**

It was moved, seconded and carried that this meeting of Council be adjourned at 9:56 p.m.

---

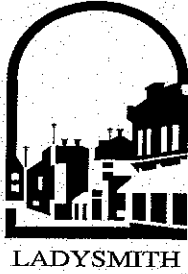
Mayor (R. Hutchins)

**CERTIFIED CORRECT**

---

Corporate Officer (S. Bowden)

Subject to Adoption



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: March 2, 2011  
File No: 3060-11-04

Re: Development Permit – 1030 Oyster Bay Drive – Bob Wall  
Lot 1, D.L. 24, Oyster District, Plan VIP72824

**RECOMMENDATION(S):**

That Council issue Development Permit 3060-11-04 to permit a temporary (portable) building at 1030 Oyster Bay Drive (Lot 1, District Lot 24, Oyster District, Plan VIP72824) with a variance to not require hard surface parking for a two year period.

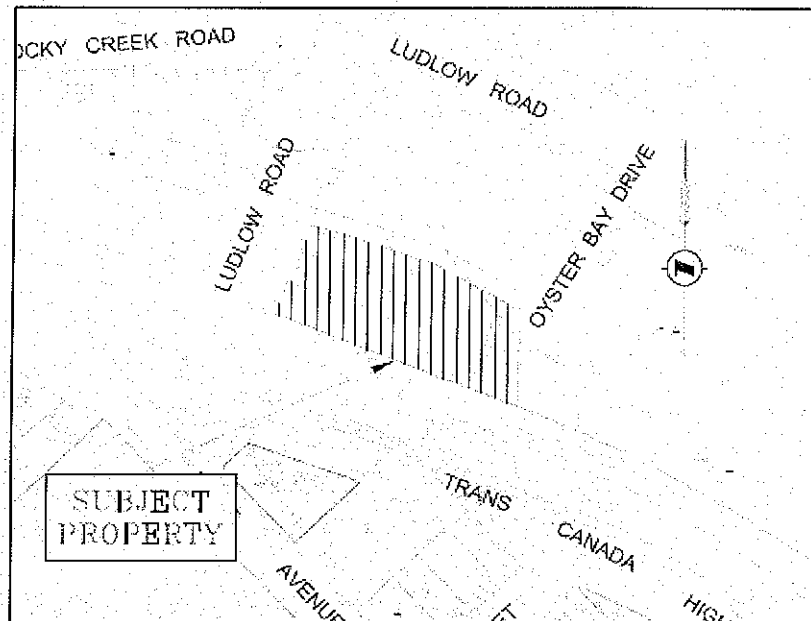
AND THAT the Mayor and Corporate Officer be authorized to sign the Development Permit.

**PURPOSE:**

The purpose of this staff report is to present a Development Permit application for a temporary building to be located at 1030 Oyster Bay Drive.

**INTRODUCTION/BACKGROUND:**

A development permit application has been received for a temporary (portable) building to be located at the north end of 1030 Oyster Bay Drive, for an "Ocean Marine Centre" business. The applicant is requesting that the 89m<sup>2</sup> (24ft x40ft) temporary building have permission to be located on the site for a maximum of two years. Access to the site is from Oyster Bay Drive. See Schedule A: 'Site Plan' attached to the Development Permit.



The subject property is 0.7 hectares in size and currently contains a metal building with a granite countertop business. Two existing sheds onsite will be removed (the Historical Society has been notified of the shed removal as one shed may have historical significance).

Within the next year the applicant intends to submit another application to present a phased development plan for the site. The applicant has retained the services of OCA Architects to design a commercial/light industrial building, approximately 1486m<sup>2</sup> in

size. It is anticipated that the "Ocean Marine Store" and granite countertop business would be tenants in Phase One of the new building.

SCOPE OF WORK:

The property falls within Development Permit Area 5 - Industrial (DPA 5). The guidelines of DPA 5 are that new buildings shall be sited to permit adequate access and egress; parking shall be to the rear or side of a building; landscaping, screening and buffering shall be considered. As the temporary building will be onsite for less than two years it is not recommended to require landscaping at this time. The access and egress to the temporary building is adequate. The applicant will be required to apply for a sign permit for any proposed new signage.

It is recommended that the conditions for Development Permit 3060-11-04 be as follows:

- That the temporary (portable) building be removed by March 7, 2013.
- That the applicant submit a letter of credit of \$10,000 as security for ensuring the removal of the temporary (portable) building.
- That the applicant manage the gravel surface onsite such that it does not travel to the public road as required by the Director of Public Works.

The subject property is zoned 'Light Industrial' (I-1). The siting of the temporary building meets the required conditions of the I-1 zone. The site plan shows that 12 parking stalls will be available for the granite countertop business as well as the 'Ocean Marine Centre' business. The applicant is requesting a variance to the Zoning Bylaw requirement that the parking area must be hard surfaced. It is recommended to support the variance request for the two year period that the portable building is onsite.

ALTERNATIVES: n/a

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

A development permit is required prior to moving a building onsite.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Supporting the "Ocean Marine Centre" business is strategic in supporting the marine trades sector as envisioned by the Economic Development Commission.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The development permit application for the temporary (portable) building has been referred to the Director of Public Works and the Building Inspector for review and comment. The Director of Public Works requires that the gravel onsite be managed such that it does not travel onto the public road.

RESOURCE IMPLICATIONS:

Processing development permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The architects will be advised of the Visioning Report to influence the design and uses in the phased development for the site.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Supporting the Marine Sector is an objective of the Ladysmith Economic Development Commission.

SUMMARY:

It is recommended to support the development permit application 3060-11-04 for a temporary (portable) building at 1030 Oyster Bay Drive for an "Ocean Marine Centre".

I concur with the recommendation.

  
\_\_\_\_\_  
Ruth Mali, City Manager

ATTACHMENTS:

DP Form 3060-11-04

TOWN OF LADYSMITH  
DEVELOPMENT PERMIT 3060-11-04  
(Section 920 *Local Government Act*)

DATE: March 7, 2011

TO: Terra-North Inc., Inc. No. A0078580 (Wagenaar)

Address: 11720 Fairtide Road  
Ladysmith, B.C.  
V9G 1K5

1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.

2. This Permit applies to and only to those lands within the Town of Ladysmith described below, and any and all buildings structures and other development thereon:

Lot 1  
District Lot 24  
District Oyster  
Plan VIP72824 (except part in Plan VIP81529)  
PID# 025-143-476  
CIVIC ADDRESS 1030 Oyster Bay Drive (referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the installation of a portable building on the Land in accordance with the plans and specifications attached to this Permit, subject to all applicable laws, except as varied by this Permit; and subject to the conditions, requirements and standards imposed and agreed to in section 6 of this Permit.

4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw No. 1160.

5. With respect to the Land, the Town of Ladysmith Zoning Bylaw 1995, No. 1160 is hereby varied as follows:

Section 5.18(6)(f) All Parking Areas with 4 or more parking spaces or loading area shall be hard surfaced with asphalt, concrete, brick, or similar pavement so as to provide a surface that is durable and dust-free and shall be graded and drained as to properly dispose of all surface water, except that the parking area indicated on Schedule A is not required to be hard surfaced or graded and drained for the two year period that the portable building is permitted to be on the Land.

6. The Permittee, as a condition of the issuance of this Permit, agrees to :

- a) Place the "portable building" in the location indicated on Schedule A.
- b) Remove the "portable building" indicated on Schedule A by March 7, 2013.
- c) Provide onsite parking as indicated in Schedule A.
- d) Manage gravel onsite as required by the Director of Public Works.

7. This Permit is issued on the condition that the Permittee has provided to the Town of Ladysmith security in the form of an irrevocable Letter of Credit to guarantee the performance of the conditions in section 6 of this Permit. The Letter of Credit shall be for a period of 3 years, shall be automatically extended, and shall be in the amount of \$10,000.
8. Should the Permittee fail to satisfy the conditions referred to in section 5 and 6 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the condition(s), at the cost of the Permittee, and may apply the security in payment of the cost of the work, with any excess to be returned to the Permittee.
9. Should there be no default as herein provided, or where a Permit lapses, the Town of Ladysmith shall return any security provided to the Permittee together with any interest earned thereon.
10. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.927 of the *Local Government Act*, and upon such filing, the terms of this Permit 3060-11-04 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
11. If the Permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
12. The plans and specifications attached to this Permit are an integral part of this Permit.
13. This Permit prevails over the provisions of the Bylaw in the event of conflict.
14. This Permit does not authorize the construction of "Phase One of New Construction" indicated on Schedule A. Signage requires a separate permit.
15. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF  
LADYSMITH ON THE \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

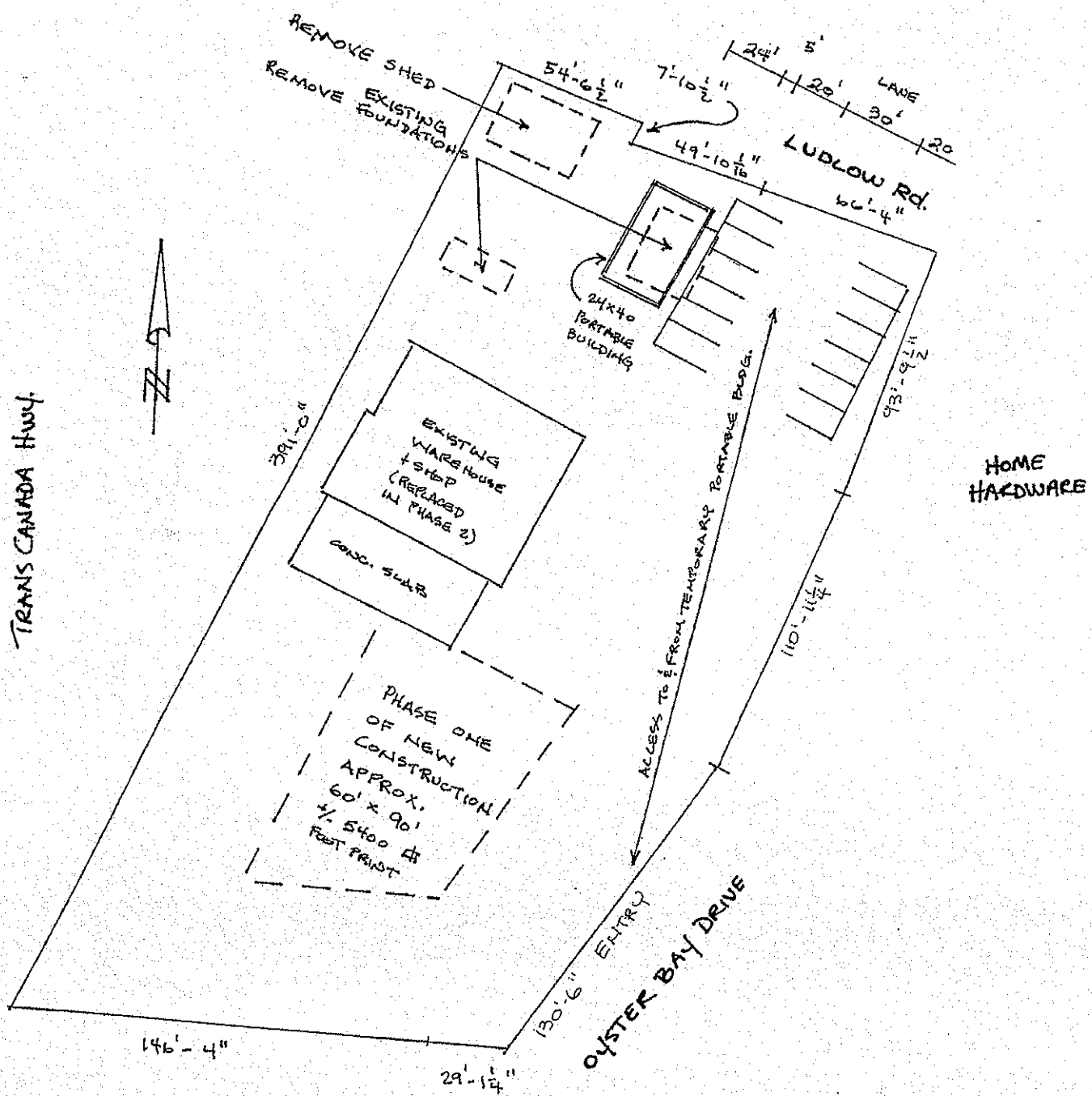
\_\_\_\_\_  
OWNER

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
PLEASE PRINT NAME

\_\_\_\_\_  
PLEASE PRINT NAME

# PARKING & ACCESS PLAN FOR OCEAN MARINE CENTER TEMPORARY PORTABLE



FEB. 07, 2011  
RWW

Schedule A - Site Plan  
Portable building and parking area  
DP 3060-11-04 - Terra-North Inc.

Town of Ladysmith

**COMMITTEE REPORT**



**LADYSMITH**

To: Mayor and Council

From: Councillor S. Arnett, Chair

Date: February 22, 2011

File No: 0550-20

---

Re: GOVERNMENT SERVICES COMMITTEE - February 21, 2011

At its meeting on February 21, 2011 the Government Services Committee recommended to Council the following:

1. That support in principle be given to the establishment of a public input period prior to Council meetings, and that a committee be struck to work with staff to establish guidelines and terms of reference for the public input period.
2. That Councillors Bastian and Arnett be appointed to form a committee that will draft the Terms of Reference for the public input period.
3. That the policy governing Council attendance at the annual convention of the Association of Vancouver Island & Coastal Communities be amended to increase the number of Councillors attending from two to four, in addition to the Mayor.





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Pat Durban, Director of Parks, Recreation & Culture  
Date: March 3, 2011  
File No:

---

**RE: DL108 PLAYFIELD PROJECT – RECREATIONAL INFRASTRUCTURE CANADA  
FUNDING DEADLINE EXTENSION**

**RECOMMENDATION(S):**

THAT Council support a request to extend the original deadline for incurring expenditures on the District Lot 108 Playfields project under the Recreation Infrastructure Canada (RinC) Program to from March 31, 2011 to October 31, 2011 or before;

AND THAT a claim for eligible costs incurred up to March 31, 2011 be submitted to Western Economic Diversification by April 30, 2011;

AND THAT the Council of the Town of Ladysmith commit to complete the project by October 31, 2011 and accept full responsibility for any costs incurred beyond October 31, 2011.

**PURPOSE:**

To provide sufficient time to complete the DL 108 Playfield Project.

**INTRODUCTION/BACKGROUND:**

Due to recent weather conditions, it is not possible to complete the final components of the DL 108 Playfield Project by the original March 31, 2011 deadline. Western Economic Diversification Canada, the funder, had reported that extensions to this deadline would be considered if required.

**SCOPE OF WORK:**

To complete some paving, install a playground and complete the landscaping.

**ALTERNATIVES:**

Council can choose to consider the project complete without applying for a deadline extension, and finish the remaining components of the project at a later date, subject to other funding.

**FINANCIAL IMPLICATIONS:**

The full RinC contribution would not be required should Council choose not to apply for an extension to the original deadline.

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

There may be concerns expressed if the project is not completed in its entirety.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

N/A

**RESOURCE IMPLICATIONS:**

All works would be completed by contract.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Completing the project aligns with the sustainability goal of creating healthy communities and individuals.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Completion of the project aligns with strategic direction 6: Safe and Health Community.

SUMMARY:

Supporting the deadline extension will allow sufficient time to complete the remaining components of the DL 108 Playfield Project with available funding from the federal government's Recreational Infrastructure Canada program.

I concur with the recommendation



---

Ruth Malli, City Manager



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Pat Durban, Director of Parks, Recreation & Culture  
Date: March 3, 2011  
File No:

---

**RE: PURCHASE OF NEW SPIN BIKES FOR FRANK JAMESON COMMUNITY CENTRE**

**RECOMMENDATION(S):**

That Council authorize the expenditure of \$7,000 plus tax and delivery for the purchase of ten new spin bikes for the Parks, Recreation and Culture spinning fitness programs, and that the funds come from the 2011 budget for the Parks, Recreation and Culture Department.

**PURPOSE:**

To add 10 higher quality spin bikes to be able to offer additional opportunities for access to the spin programs.

**INTRODUCTION/BACKGROUND:**

Parks, Recreation and Culture presently has ten spin bikes which are over five years old and are requiring additional maintenance to keep operational. By purchasing ten new bikes, and keeping three of the ten older bikes, the spin program will be increased to twelve bikes, with one kept for spare parts. The other seven older bikes will be sold for approximately \$300 to \$500 per bike which would then net the expenditure to approximately \$4,500. The new bikes have a regular price of \$1,195 and the opportunity exists to acquire them at \$700 per bike for a limited time.

**SCOPE OF WORK:**

To offer the spin class program with an increase to twelve bikes from ten.

**ALTERNATIVES:**

To replace the bikes individually as they become too difficult to maintain and repair.

**FINANCIAL IMPLICATIONS:**

In order to take advantage of a limited time reduced price, this expenditure will require early approval from the 2011 budget.

**LEGAL IMPLICATIONS:**

N/A

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

Will allow for additional program opportunities.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

N/A

**RESOURCE IMPLICATIONS:**

Offering twelve bikes under the spinning program will not require additional resources.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

Aligns with the sustainability goal of creating healthy communities and individuals.

.../2

ALIGNMENT WITH STRATEGIC PRIORITIES:

Aligns with strategic priorities of a Safe and Healthy Community, and Wise Financial Management.

SUMMARY:

Adds to program opportunities and acquisition of higher quality equipment at a significantly reduced price.

I concur with the recommendation

*Ruth Mall*

---

Ruth Mall, City Manager



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: March 2, 2011  
File No: 3360-09-01

Re: OCP AND ZONING BYLAW AMENDMENT APPLICATION: 11 & 17 Warren St.  
Lot 7 and 8, Block 5, DL 24, Oyster District, Plan 703A (Pabla)

**RECOMMENDATION:**

1. That Council directs staff to prepare a bylaw to amend the OCP to permit density increases to allow up to 110 units per hectare for residential development in the Downtown Mixed-Use land use designation through density bonusing for amenities, such as features that contribute to climate change reduction and community amenity fund contributions as provided in the Zoning Bylaw.
2. That Council directs staff to prepare a bylaw to amend the Zoning Bylaw to permit one commercial unit and 14 residential units at 11 and 17 Warren St., Lot 7 and 8, Block 5, DL 24, Oyster District, Plan 703A (3360-09-01 Pabla) through density bonusing for amenities, as follows:
  - To construct an energy efficient building that meets the ASHRAE 90.1 standard;
  - To secure the December 2010 Ellins Architect Inc. site plan and building elevation drawings for 11 and 17 Warren Street (which includes indoor bicycle storage);
  - To secure the commitment to managing all stormwater onsite using a permeable parking area and landscaping with primarily native species; and
  - To contribute \$14,000 towards the Town's community amenity fund.

**PURPOSE:**

The purpose of this report is to present a revised OCP and rezoning amendment application for a three storey building with 14 residential apartments and one commercial space at 11 and 17 Warren Street.

**INTRODUCTION/BACKGROUND:**

In 2009 the applicant Steve Pabla submitted a rezoning application for a three storey mixed use building with commercial on the main level and 10 residential units on the upper two storeys. Since that time the applicant has retained Ellins Architect Inc. to redesign the building and revise the rezoning proposal.

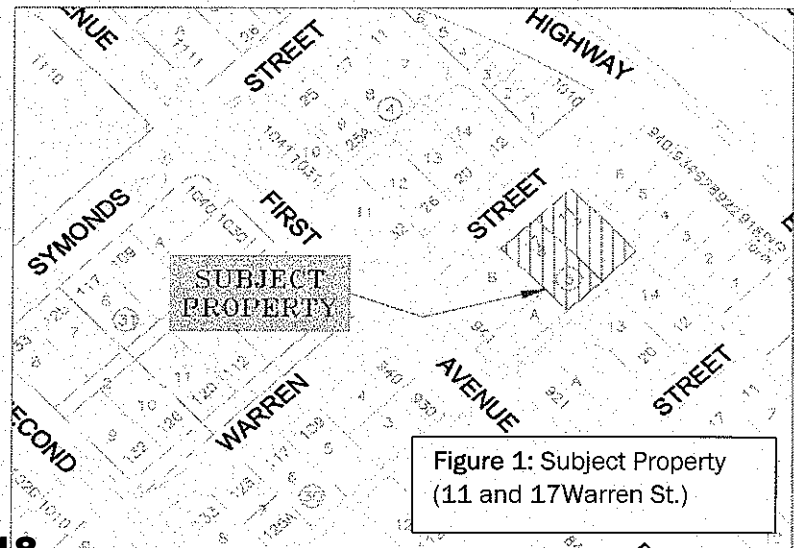


Figure 1: Subject Property  
(11 and 17 Warren St.)

The revised development plans are for a three storey building that contains 14 residential apartments and 1 commercial unit for a laundromat (51m<sup>2</sup>). The proposed building height is 11.3 metres. The main floor is proposed to contain four residential units and the commercial unit. The second and third floor will each contain five residential units. The residential units range in size from 69m<sup>2</sup> to 91m<sup>2</sup> (739ft<sup>2</sup> to 978ft<sup>2</sup>). Each residential unit contains an outdoor deck 5.6m<sup>2</sup> in size. The lobby area of the building contains indoor bicycle storage, an elevator, and two stairwells for the residents to use. The combined area of the properties is 1330 m<sup>2</sup> (14,317 ft<sup>2</sup>). A site coverage of 41% is proposed. The parking area at the rear shows 24 parking spaces, garbage/recycling area and an arbour covered pedestrian walkway from the alley. See Schedules A to E attached.

The immediate neighbourhood is characterized by a mix of residential and commercial zoning. To the east of the subject properties is the Browsersium site which is zoned General Commercial (C-2) (in which a proposal was approved in 2008 for 15 residential units and 390m<sup>2</sup> of commercial space). To the east, west and south-west of the subject property is single family development.

#### **SCOPE OF WORK:**

##### *Official Community Plan (OCP)*

The proposal is generally supported by the OCP. The OCP designates the subject property and all properties in the area as 'Downtown Mixed-Use'. The OCP states that the 'Downtown Mixed-Use' designation is to encourage multi-family residential uses as either an alternative to, or in combination with commercial uses.

The subject application proposes a density of 108 units per hectare. The OCP anticipates a density of 100 units per hectare (uph) in the Downtown Mixed Use designation when the applicant provides a density bonus feature such as senior's housing, affordable housing, or underground parking. (The base density is 75 uph.) However, due to the recent amendments to the OCP encouraging community reduction of greenhouse gas emissions, it is recommended that density bonus amenities in the Downtown Mixed Use area be expanded to include actions related to climate change and community amenity contributions. For this application, the proposed amenities for density include:

- construct the building to the ASHRAE 90.1 energy efficiency standard;
- include indoor bicycle storage;
- commit to onsite stormwater management using permeable paving and landscaping with primarily native species; and
- contribute \$1000 per unit (\$14,000) to the Town's community amenity fund.

##### *Development Permit Considerations*

The subject property falls within the 'Downtown Development Permit Area' (DPA2) and the 'Multi-family Development Permit Area' (DPA4). If the rezoning is successful a development permit application is required. Details that will be considered at the development permit stage include:

- Signage and canopies;
- Landscape plan (including refuse screening);
- Sidewalk and boulevard landscaping and design;

- Wheelchair accessibility;
- Exterior finishing materials to be consistent with heritage theme.

The applicant has retained landscape architect Keltie Chamberlain to design a landscape plan that manages stormwater onsite and includes a permeable parking area as well as native species.

*Table 1: Current and Proposed Zoning*

	<i>Current</i>	<i>Proposed</i>
<i>OCP</i>	Downtown Mixed-Use (75 units per ha OR 100 units per ha with a density bonus such as senior's housing, affordable housing, or underground parking).	Downtown Mixed-Use (110 units per ha with additional density bonus amenities to address climate change such as ASHRAE 90.1, onsite stormwater management, indoor bicycle storage)
<i>DPA</i>	DPA 2 and DPA 4	DPA 2 and DPA 4
<i>Zoning</i>	Urban Residential (R-2)	Density for amenity zoning.
<i>Use:</i>	Residential	14 residential units and 51m <sup>2</sup> of commercial space.



**Figure 2: Rendering of 11 Warren St.**

**ALTERNATIVES**

To provide further direction to staff regarding rezoning application 3360-09-01 (Pabla).

**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.

At its April 6, 2009 meeting Council directed that rezoning application 3360-09-01 be referred to the Advisory Planning Commission (APC) and Advisory Design Panel (ADP).

On April 14, 2009 the APC expressed support for rezoning 11 and 17 Warren Street to permit a higher density residential use and commercial use, with the condition that the parking area be environmentally friendly and that stormwater be managed onsite. The APC also requested that the applicant attempt to re-use the existing dwelling onsite by moving it to another location and/or to re-use the building's wood; and to create a separate strata corporation for the commercial and residential uses. If Council directs staff to proceed with rezoning application 3360-09-01, the December 2010 plans for 11 and 17 Warren Street will be presented to the APC to update them on the status of the project.

At its February 16 2011 meeting, the Advisory Design Panel passed the following motion:

It was moved, seconded and carried that the Advisory Design Panel (ADP) advises Council that it supports the rezoning to a 14 unit residential building and supports the proposed designs by J. Ellins (dated Dec. 2010).

#### INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The proposed OCP and rezoning amendment application has been referred to the Director of Public Works, the building inspector, and subdivision approving officer. The Director of Public Works expressed a need to prepare a street design for Warren Street.

#### RESOURCE IMPLICATIONS

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

#### ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Adding higher density residential and mixed use buildings in the downtown is encouraged in the Visioning Report. This application was submitted prior to the introduction of the "Sustainable Development Checklist", however the proposal provides the following green features: energy efficient building design that meets ASHRAE 90.1 standard; onsite stormwater management, and indoor bicycle storage.

#### ALIGNMENT WITH STRATEGIC PRIORITIES:

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

#### SUMMARY

It is recommended to direct staff to prepare bylaws to amend the OCP and Zoning Bylaw to permit the development of 14 residential units and one commercial unit at 11 and 17 Warren St. and to work with the applicant towards securing the amenity and density bonus contributions.

I concur with the recommendation.

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

#### ATTACHMENTS:

- Schedule A: Site Plan – Ellins Architect Inc. – December 2010
- Schedule B: Elevations – Ellins Architect Inc. – December 2010
- Schedule C: Main Floor Plan – Ellins Architect Inc. – December 2010
- Schedule D: Second Floor Plan – Ellins Architect Inc. – December 2010
- Schedule E: Third Floor Plan – Ellins Architect Inc. – December 2010



**SITE STATISTICS**

1 COMMERCIAL UNIT & 14 RESIDENTIAL APARTMENTS  
 DU 101.05' 912 SQ FT  
 DU 102.729 SQ FT  
 DU 104.868 SQ FT  
 DU 104.868 SQ FT  
 DU 104.868 SQ FT

2ND FLOOR RESIDENTIAL  
 UNITS 867 SQ FT  
 UNITS 868 SQ FT  
 1 UNIT \* 862 SQ FT

LEGAL DESCRIPTION: LOTS 7 & 8, O'NEILL DISTRICT, PLAN 4443  
 11 WARREN STREET, LADYSMITH, B.C.  
 ZONE: C-2 GENERAL COMMERCIAL

LOT AREA:

1390 SQ.M (143163 SQ.FT)

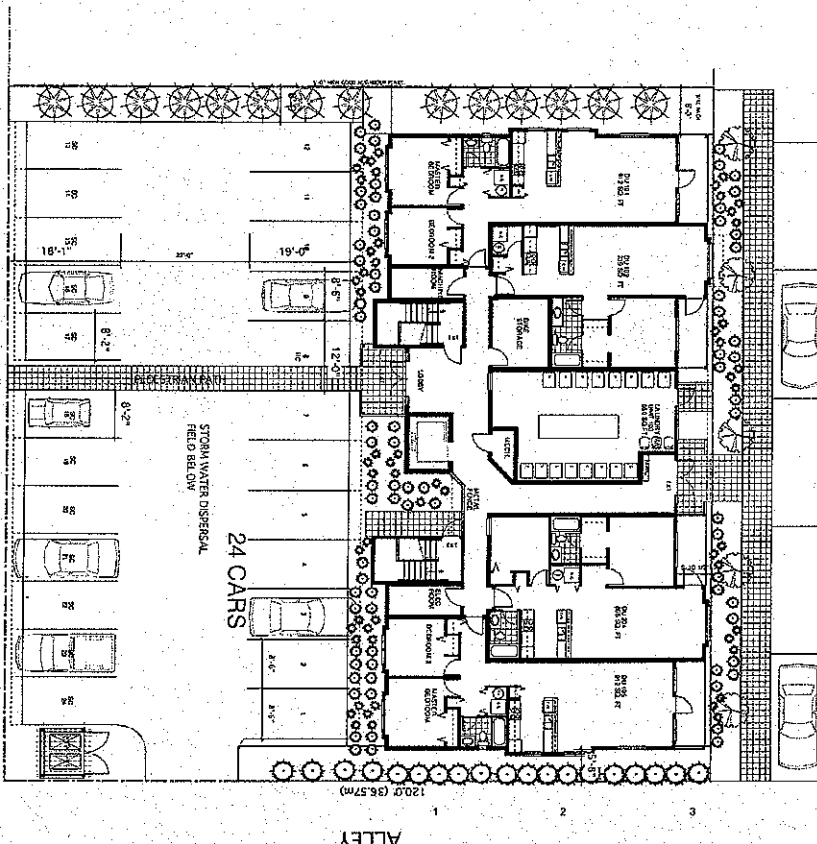
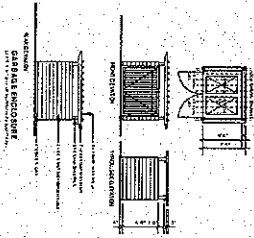
LOT COVERAGE:  
 PROPOSED: 76% (10728 SQ.FT)  
 REQUIRED: 47% (6582 SQ.FT)

YARD REQUIREMENTS:

FRONT: PROPOSED: 0.0 M (0.0 FT)  
 REAR: PROPOSED: 3.0 M (9.8 FT)  
 EAST SIDE: PROPOSED: 0.0 M (0.0 FT)  
 WEST SIDE: PROPOSED: 0.0 M (0.0 FT)  
 PROPOSED: 0.0 M (0.0 FT)  
 PROPOSED: 0.0 M (0.0 FT)

BUILDING HEIGHT:  
 PROPOSED: 12.0 M (39.4 FT)  
 REQUIRED: 15.1 M (49.75 FT) MAX VARIANCE REQUIRED

PARKING: REQUIRED: 1.5 PER DWELLING + 0.2 PER DU FOR VISITOR (21+)  
 PROPOSED: 24 CARS REQUIRED  
 24 CARS PROVIDED  
 31 CARS PROVIDED



SITE PLAN WITH SCHEMATIC LANDSCAPE  
 10'-0" = 1'-0"

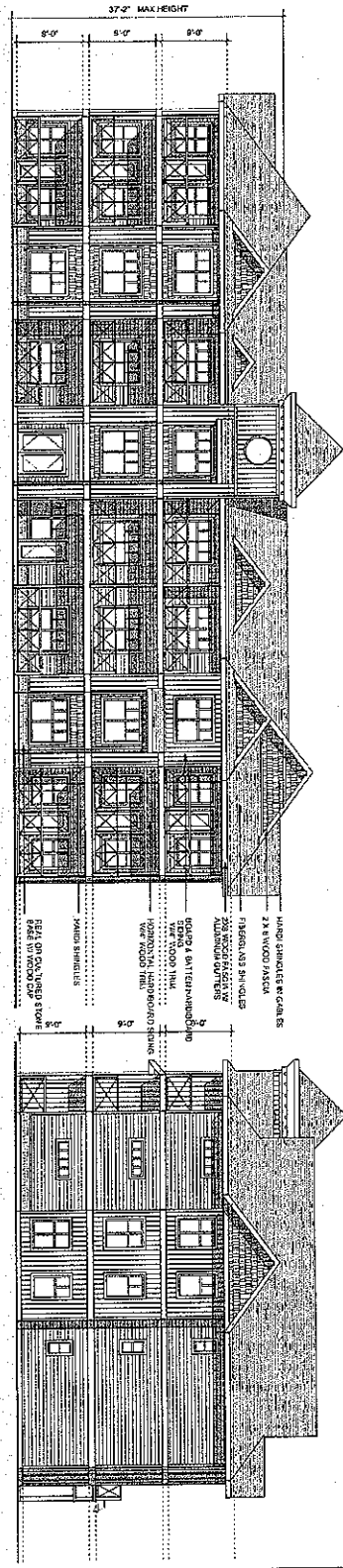


**WARREN STREET**  
 LADYSMITH, B. C.

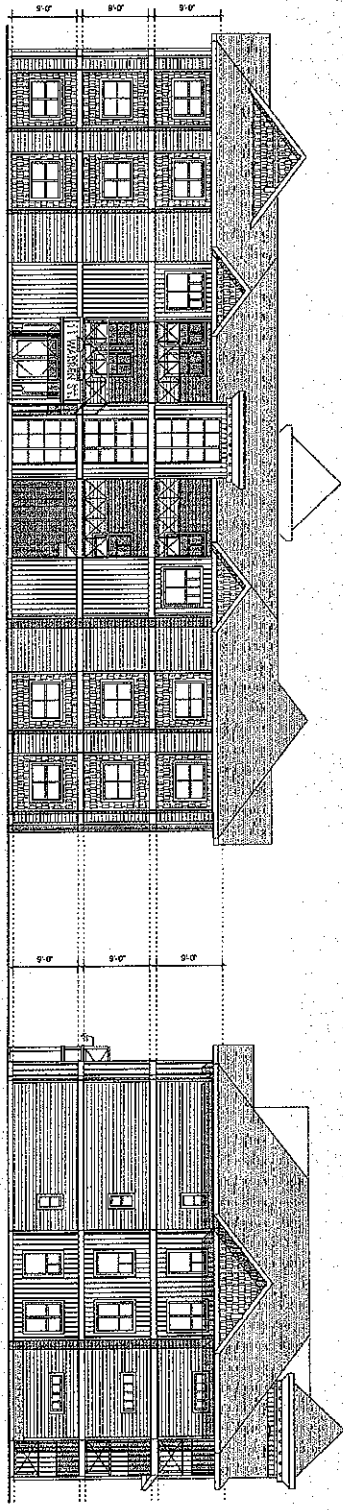
**ellins architect inc.**  
 1100 W. 10th Ave. Suite 101  
 Vancouver, BC V6H 2Y6  
 Tel: 604-681-1111  
 Fax: 604-681-1112  
 www.ellinsarchitect.com  
 Architecture • Planning • Interior Design

DRAWN BY:	SK, AK
DATE:	DEC. 2010
SCALE:	AS NOTED
PROJECT NO.:	2009/05
DRAWING NO.:	03

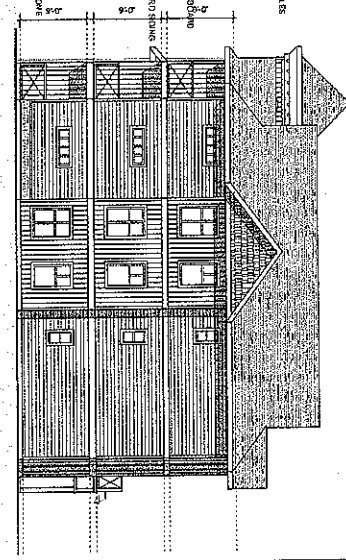
NO.	DATE	REVISION
1	7/20/09	REV. ZONING
2	12/20/10	LAND PLAN REV.



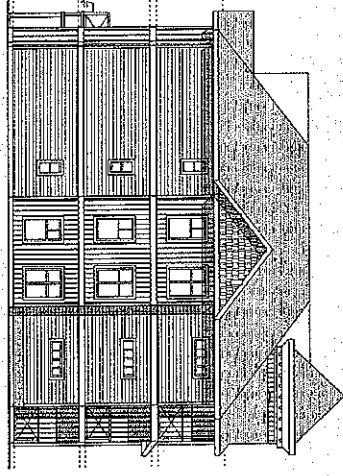
**FRONT ELEVATION**  
SCALE: 1/8"=1'-0"



**REAR ELEVATION**  
SCALE: 1/8"=1'-0"



**SIDE ELEVATION**  
SCALE: 1/8"=1'-0"



**SIDE ELEVATION**  
SCALE: 1/8"=1'-0"

NO.	DATE	REVISION
1	2010-11-15	ISSUE FOR PERMITTING
2	2010-12-01	REVISED PER PERMITTING
3	2011-01-15	REVISED PER PERMITTING
4	2011-02-01	REVISED PER PERMITTING
5	2011-03-01	REVISED PER PERMITTING
6	2011-04-01	REVISED PER PERMITTING
7	2011-05-01	REVISED PER PERMITTING
8	2011-06-01	REVISED PER PERMITTING
9	2011-07-01	REVISED PER PERMITTING
10	2011-08-01	REVISED PER PERMITTING
11	2011-09-01	REVISED PER PERMITTING
12	2011-10-01	REVISED PER PERMITTING
13	2011-11-01	REVISED PER PERMITTING
14	2011-12-01	REVISED PER PERMITTING
15	2012-01-01	REVISED PER PERMITTING
16	2012-02-01	REVISED PER PERMITTING
17	2012-03-01	REVISED PER PERMITTING
18	2012-04-01	REVISED PER PERMITTING
19	2012-05-01	REVISED PER PERMITTING
20	2012-06-01	REVISED PER PERMITTING
21	2012-07-01	REVISED PER PERMITTING
22	2012-08-01	REVISED PER PERMITTING
23	2012-09-01	REVISED PER PERMITTING
24	2012-10-01	REVISED PER PERMITTING
25	2012-11-01	REVISED PER PERMITTING
26	2012-12-01	REVISED PER PERMITTING
27	2013-01-01	REVISED PER PERMITTING
28	2013-02-01	REVISED PER PERMITTING
29	2013-03-01	REVISED PER PERMITTING
30	2013-04-01	REVISED PER PERMITTING
31	2013-05-01	REVISED PER PERMITTING
32	2013-06-01	REVISED PER PERMITTING
33	2013-07-01	REVISED PER PERMITTING
34	2013-08-01	REVISED PER PERMITTING
35	2013-09-01	REVISED PER PERMITTING
36	2013-10-01	REVISED PER PERMITTING
37	2013-11-01	REVISED PER PERMITTING
38	2013-12-01	REVISED PER PERMITTING
39	2014-01-01	REVISED PER PERMITTING
40	2014-02-01	REVISED PER PERMITTING
41	2014-03-01	REVISED PER PERMITTING
42	2014-04-01	REVISED PER PERMITTING
43	2014-05-01	REVISED PER PERMITTING
44	2014-06-01	REVISED PER PERMITTING
45	2014-07-01	REVISED PER PERMITTING
46	2014-08-01	REVISED PER PERMITTING
47	2014-09-01	REVISED PER PERMITTING
48	2014-10-01	REVISED PER PERMITTING
49	2014-11-01	REVISED PER PERMITTING
50	2014-12-01	REVISED PER PERMITTING

**WARREN STREET**  
LADYSMITH, B. C.

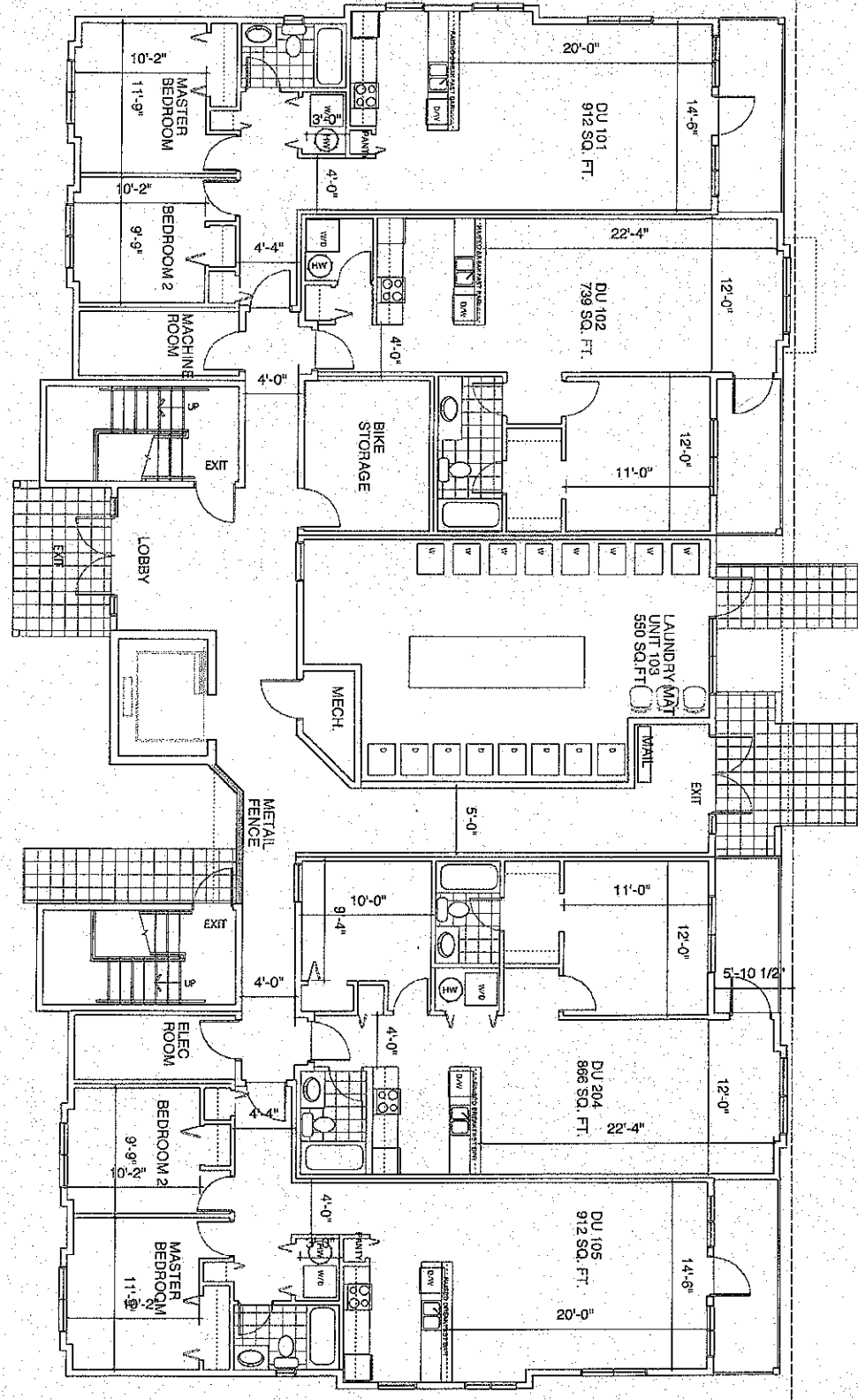
**WARREN STREET ARCHITECTURAL INC.**  
1000 WEST 10TH AVENUE, SUITE 100  
VANCOUVER, BC V6H 2G6  
TEL: 604-275-1111  
WWW.WARRENSTREETARCHITECTURAL.COM

**ellins architect inc.**  
1000 WEST 10TH AVENUE, SUITE 100  
VANCOUVER, BC V6H 2G6  
TEL: 604-275-1111  
WWW.ELLINSARCHITECT.COM

ARCHITECTURE • INTERIOR DESIGN • LANDSCAPE ARCHITECTURE

DATE	DEC 2010
SCALE	AS NOTED
PROJECT	WARREN ST
DRAWING NO.	AS.O.
NO.	2009-08

**MAIN FLOOR PLAN (5350 SQ. FT.)**  
 SCALE: 1/8"=1'-0"



DRAWN BY: JEC, JAT	DATE: 08.C.2010
PROJECT: AS NOTED	SCALE: AS NOTED
DRAWING NO.: 2350-06	DATE: A2.0

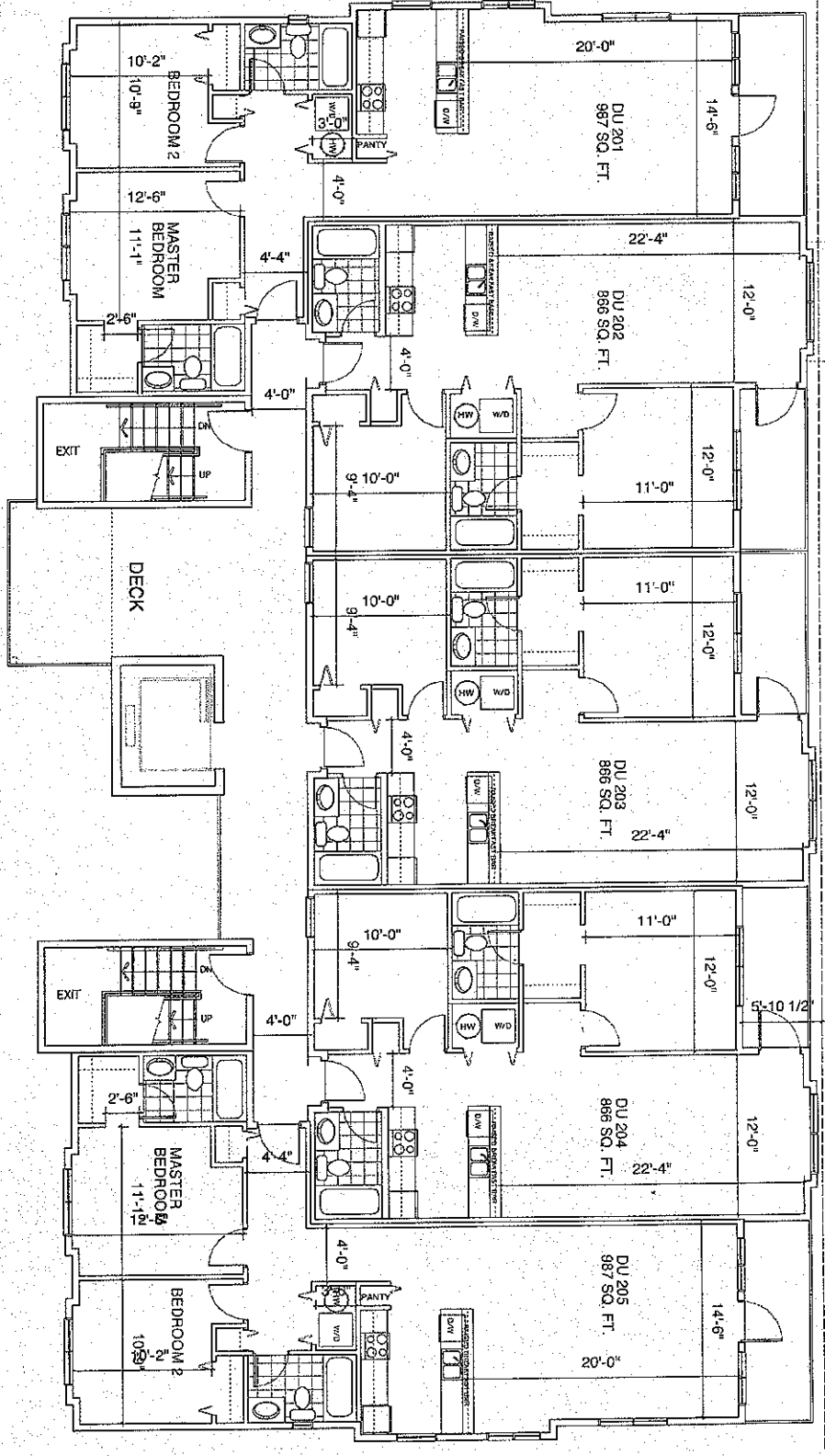
**WARREN STREET**  
 LADYSMITH, B. C.

ellins architect inc.  
 2300 14th St. Suite 101  
 Vancouver, BC V6C 1A1  
 Phone: 604.681.1111  
 Fax: 604.681.1113  
 Website: www.ellinsarchitect.com

**WARREN STREET**  
 LADYSMITH, B. C.

NO.	DATE	DESCRIPTION
1	7.30.10	REV. ZONING
2	7.30.10	REV. ZONING
3	7.30.10	REV. ZONING
4	7.30.10	REV. ZONING
5	7.30.10	REV. ZONING
6	7.30.10	REV. ZONING
7	7.30.10	REV. ZONING
8	7.30.10	REV. ZONING
9	7.30.10	REV. ZONING
10	7.30.10	REV. ZONING

**2ND FLOOR PLAN (5835 SQ.FT INCLUDING DECKS)**  
 SCALE: 1/4"=1'-0"



DATE	05C 2019
SCALE	AS NOTED
PROJECT	NO. 2019-04
DRAWING NO.	A3.0

**WARREN STREET**  
 LADYSMITH, B. C.

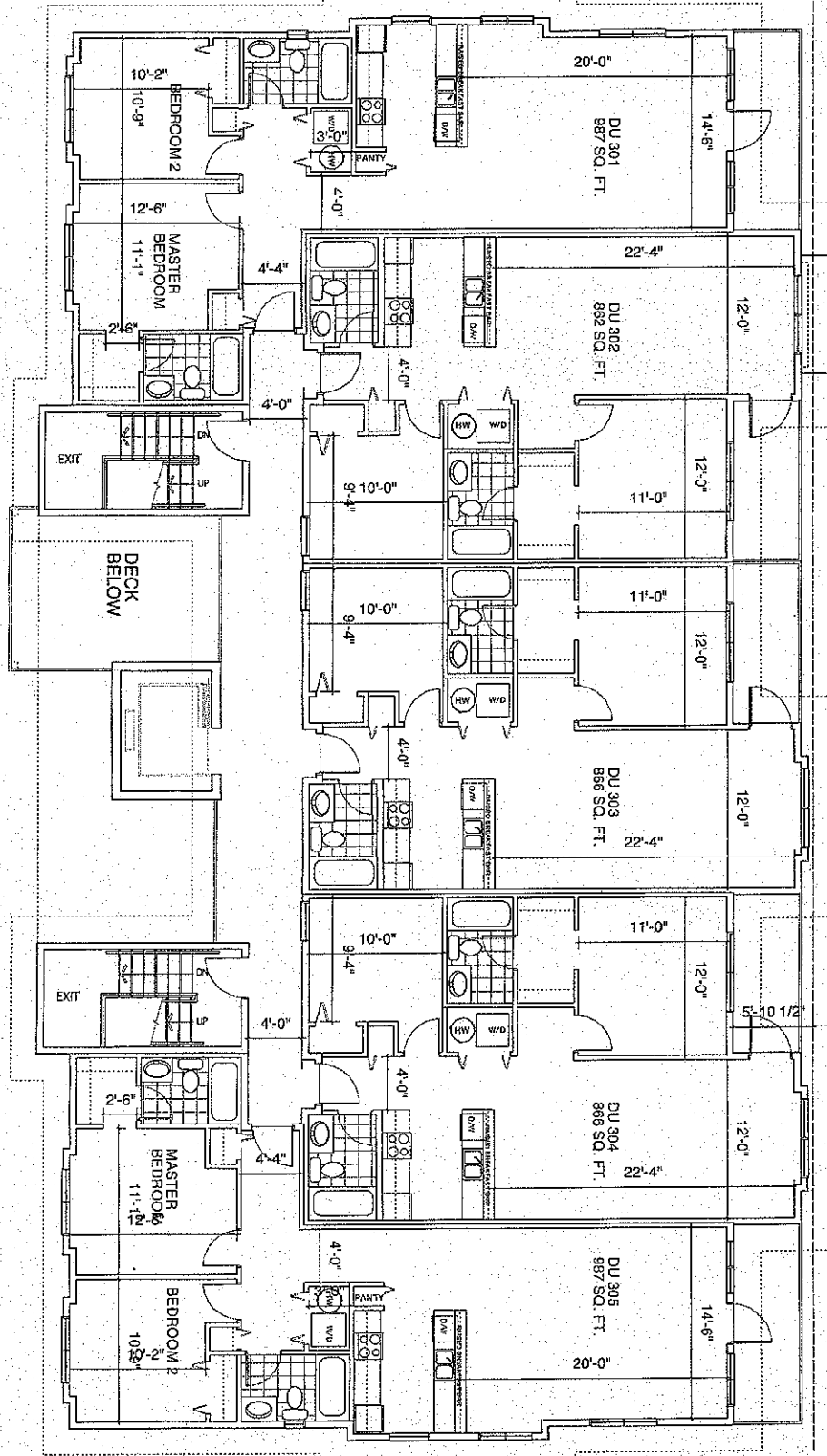
**2ND FLOOR PLAN**

ellins architect inc.  
 1100 W. 10th Ave. Suite 100  
 Vancouver, BC V6H 1T1  
 Tel: 604.277.2011  
 Fax: 604.277.2012  
 www.ellinsarchitect.com

**WARREN STREET**  
 LADYSMITH, B. C.

NO.	DATE	DESCRIPTION
1	1503	REV. ZONING
2	2010	PLAN 1141 REV.

3RD FLOOR PLAN (5594 SQ. FT INCLUDING DECKS)  
SCALE: 1/4" = 1'-0"



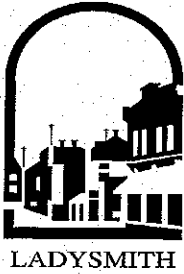
PROJECT NO.	5594-01
DATE	DEC. 2010
SCALE	AS NOTED
DRAWN BY	JEL, AK
DATE	DEC. 2010
PROJECT	WARREN ST. APTS
NO.	3003-01
SCALE	1/4" = 1'-0"
DRAWING NO.	AA.0

**3RD FLOOR PLAN**

**ellins architect inc.**  
1111 W. 10TH AVE. SUITE 100  
VANCOUVER, BC V6H 2M6  
TEL: 604.681.1111  
WWW.ELLINSARCHITECT.COM

**WARREN STREET**  
LADYSMITH, B. C.

NO.	DATE	DESCRIPTION
1	12/17/2010	REVISED
2	12/28/2010	REVISED
3	01/15/2011	REVISED
4	01/15/2011	REVISED
5	01/15/2011	REVISED
6	01/15/2011	REVISED
7	01/15/2011	REVISED
8	01/15/2011	REVISED
9	01/15/2011	REVISED
10	01/15/2011	REVISED



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Joe Friesenhan, Director of Public Works  
Date: February 23, 2011  
File No:

---

Re: LADYSMITH MARITIME SOCIETY ACCESS ROAD

RECOMMENDATION(S):

That \$40,000 be included in the 2011 budget for construction of a second access road to the Ladysmith Community Marina.

PURPOSE:

To seek Council authorization to construct a second access road into the Ladysmith Community Marina.

INTRODUCTION/BACKGROUND:

A request has been received from the Ladysmith Maritime Society (LMS) for the Town to provide a secondary access to the docks at the Ladysmith Community Marina, which is operated by the LMS. At present, there is only one vehicle access down to the docks, which goes through privately owned land.

A similar request was received from the Fire Chief after the boathouse fire in January. It was evident while the Fire Department was responding to the fire that there were numerous access and egress issues and that there was little room for the emergency responders to manoeuvre properly due to the single access.

Staff researched options for an alternate access to the area. The first option was the construction of a road from the end of Ludlow Drive to the parking area at the head of the marina. This would go down the old rail line and then drop down to the parking area of the Government Docks. The second option investigated was to build a similar trail to the existing access from the north end of the current Ladysmith Community Marina parking area up to Oyster Bay Drive along the recently installed concrete stairway.

The cost to build a two lane road with pavement, parking and sidewalks to the end of Ludlow is approximately \$800,000. The cost to build a gravel access up to Oyster Bay Drive similar to the present access is approximately \$40,000.

SCOPE OF WORK:

To build a gravel access road from the north end of the marina parking lot, along the new stairway and up to Oyster Bay Drive.

ALTERNATIVES:

Council can choose to:

- Maintain the status quo
- Build a gravel road to Oyster Bay Drive
- Build a finished road with parking and sidewalk to the end of Ludlow Road

FINANCIAL IMPLICATIONS:

The cost of the gravel road is approximately \$40,000 and the cost of building a proper two lane road with parking and sidewalks is approximately \$800,000.

LEGAL IMPLICATIONS:

A second access road to the Ladysmith Community Marina will reduce liability issues by enhancing the town's ability to respond to emergencies promptly.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

A second road will improve safety for the Town's citizens, and will enhance the Town's ability to respond to emergency situations at the docks.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Both Public Works and Finance would be involved.

RESOURCE IMPLICATIONS:

The majority of the work would be completed by contractors.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

SUMMARY:

A request has been received to have a second access / egress road to the Ladysmith Community Marina docks. To build a paved access road complete with sidewalks from the end of Ludlow Road would cost approximately \$800,000 and to build a temporary gravel road similar to the existing access would cost approximately \$40,000.

I concur with the recommendation.

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

ATTACHMENTS:

"None".



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: March 3, 2011  
File No:

---

Re: Contract Award – Request for Proposals No. 2011-CS-01 – Land Agent Services for Town-Owned Lands

**RECOMMENDATION(S):**

That:

- a) Council award the contract for the provision of land agent services for Town-owned lands to Capital Asset Group for a contracted fee in the amount of \$3,467 per month as outlined in the submission dated March 2, 2011;
- b) Council award the contract for realtor services for the marketing of Town-owned lands to Royal LePage (Ladysmith) for commission fees of 5% on the first \$100,000 and 2% on the balance as outlined in the submission dated March 3, 2011;
- c) the contract awards be subject to a legal review; and,
- d) all expenditures associated with this project be included in the 2011 budget.

**PURPOSE:**

The purpose of this report is to advise Council of the outcome of the recent reissuance of the Request for Proposals (RFP) No. 2011-CS-01 for land agent services for Town-owned properties and to award the contract for this service.

**INTRODUCTION/BACKGROUND:**

At the Council meeting held on February 21, 2011 Council rejected the submission from Capital Asset Group in response to the RFP and directed staff to reissue the RFP, and to report back to Council with a recommendation on March 7, 2011. On February 22, 2011 RFP No. 2011-CS-01 was reissued. Submissions in response to the RFP were received from the following:

- NAI Commercial (Victoria) Inc. (T. Taylor/B. Highton)
- Coast Realty (K. Mazurenko/D. Kulai)
- Royal LePage (Ladysmith)
- Coast Realty (G. Buchanan)
- Cindy Nesselbeck, RI
- Capital Asset Group (M. Stolz)



The submissions were evaluated on the following criteria as outlined in the RFP document:

- Proponent's experience and related projects, including marketing sites where environmental investigation is underway
- Schedule of work
- Fee proposal
- Quality of goods or services, including timeliness and quality of support and follow-up

**SCOPE OF WORK:**

The Director of Corporate Services will liaise with the successful proponent(s) on an on-going basis throughout the process.

The land agent will manage various components of the project such as preparation of a comprehensive review of the subject properties, land use planning activities including preparation of required applications, completion of regulatory processes such as environmental compliance, coordinate consultants as required, negotiate contracts, registration processes, and ensure compliance with all legislative requirements (specifically with the Community Charter).

The realtor will be responsible for all duties associated with land sales.

**ALTERNATIVES:**

Council could award the RFP as per the staff recommendation or Council could award the contract to another proponent or reject all submissions. Council may wish to consider awarding the contract to one proponent for the provision of land agent and brokerage services.

**FINANCIAL IMPLICATIONS:**

The contract price for land agent services is \$3,467 per month. The Town will also pay realtor commissions on any land sales.

**LEGAL IMPLICATIONS:**

The RFP process and contract award is in accordance with the Town's Purchasing Policy. Disposition of Town-owned land requires statutory notification.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

It is anticipated that marketing and appropriate development of the subject Town-owned lands will be positively received by the public provided that an appropriate public process is pursued.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Director of Corporate Services will manage the contract. All other departments will be involved at various stages of the process.

**RESOURCE IMPLICATIONS:**

The majority of the work associated with this project will be completed by the proponent.

**ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:**

Staff anticipates that this project will align with the following "8 Pillars of Sustainability" as noted in the visioning report:

1. Complete Community Land Use
3. Green Buildings
4. Multi-use Landscapes
5. Innovative Infrastructure
8. Local, Diverse Economy


**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Land Sales/Land Agent Services is one of the strategic priorities for the Corporate Services and Development Services Departments.

**SUMMARY:**

Council directed staff to reissue the RFP for land agent services to manage the marketing and sale of several Town-owned multi-family and single family residential properties. These services can be separated into two parts: land agent services and realtor services. The RFP was reissued on February 22, 2011 and six submissions were received. Of the six submissions two specifically reference the provision of land agent services such as land use planning and review, preparation of applications as required, and completion of regulatory processes including environmental compliance. Staff recommends separating the contracts and awarding the contract for land agent services to Capital Asset Group and awarding the contract for the marketing and sale of the properties to Royal LePage (Ladysmith).

I concur with the recommendation.



Ruth Malli, City Manager

**ATTACHMENTS:**

Excerpts from submissions from Capital Asset Group and Royal LePage (Ladysmith)

**Capital Asset Group  
Proposal  
Town of Ladysmith**

**Land Agent Services**

**Town-Owned Lands**

**RFP (Re-Issue)**

**2011-CS-01**

**March 2, 2011**

**Table of Contents**

<b>Section 1.01</b>	<b>Overview</b>	<b>4</b>
<b>Section 1.02</b>	<b>Schedule of Work</b>	<b>4</b>
<b>Section 1.03</b>	<b>Term of Contract</b>	<b>5</b>
<b>Section 1.04</b>	<b>Fee Proposal</b>	<b>5</b>
<b>Section 1.05</b>	<b>Miscellaneous Terms and Conditions</b>	<b>5</b>
<b>Section 1.06</b>	<b>Qualifications and Experience</b>	<b>6</b>
<b>Section 1.07</b>	<b>Contact Information</b>	<b>7</b>
<b>Section 1.08</b>	<b>Summary</b>	<b>7</b>
<b>Section 1.09</b>	<b>Appendices</b>	<b>7</b>

**Section 1.03 Term of Contract**

The Term of the Contract shall be one (1) year commencing immediately following acceptance of the Contract.

**Section 1.04 Fee Proposal**

The following compensation shall be paid by the Client for services rendered as follows:

Service	Fee Schedule*
Land Use Planning and Review	Review and preparation of the Comprehensive Report (all subject areas). <b>Total fee including HST is \$8000.00</b>
Project Management	Monthly retainer fee for ongoing Project Management services (assuming one (1) year contract). <b>Total fee including HST is \$33,600.00.</b>
Real Estate Brokerage and Marketing Services	<p>For each sale transacted under the Contract, as represented by CAG, a gross commission shall be paid to CAG brokerage and due upon transfer of title as follows:</p> <ol style="list-style-type: none"> <li>1. For any single family lots or strata units developed on the Lands and based on total sale price - 6% of the first \$100,000 and 3% on the remaining balance plus HST.</li> <li>2. For all other Lands - 5% plus HST of the total sale price.</li> </ol> <p>Note: Commissions due to co-operating brokers shall be paid by CAG to the co-operating brokerage.</p>

\*All compensation shown under the Fee Schedule shall be due and payable as indicated or upon invoice.

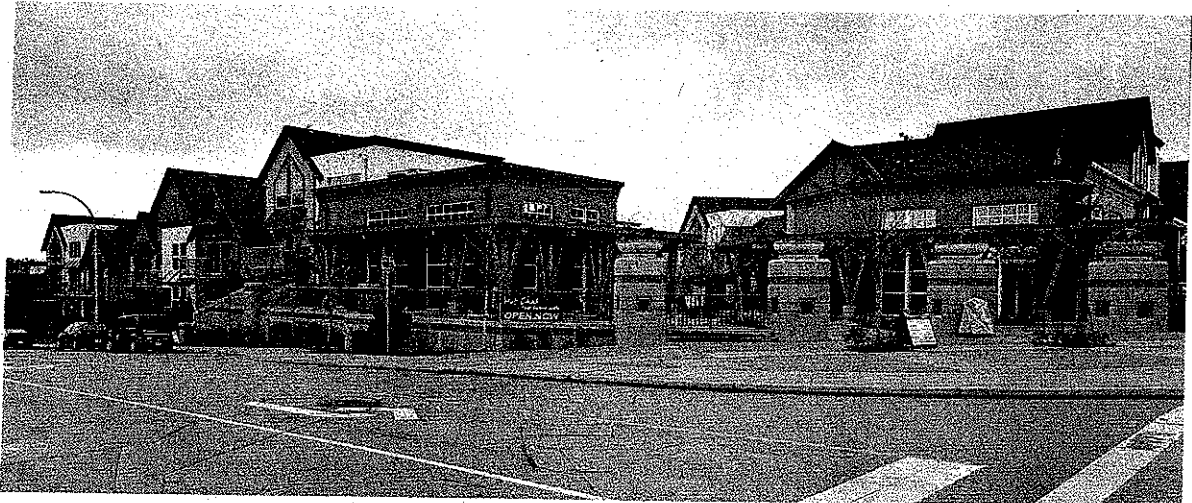
**Section 1.05 Miscellaneous Terms and Conditions**

- **Limited Authority as Agent** – The Client acknowledges that CAG as a Consultant, is offering only those services as specified above under Section 1.02 – Schedule of Work.
- **Disclosure of Information and Conflicts of Interest** – Both parties agree to fully disclose all relevant and material information which might be directly or indirectly detrimental to the other party or any of its affiliates or subsidiaries.
- **Non-Exclusive Agent** – The Client acknowledges that, in the event CAG is the successful proponent under the RFP that the services offered are non-exclusive and that CAG shall be free to engage in any other business or activity, at such times and places and in such manner as it may choose, provided same shall be for the sole account and expense of CAG and shall not result in any expense to the Client.

**ROYAL LEPAGE**  
**Nanaimo Realty**

Town of Ladysmith  
Request for Proposal  
#2011-CS-01

Land Agent Services for  
Town-Owned Lands



Royal LePage Ladysmith  
528 1<sup>st</sup> Avenue  
Box 2338  
Ladysmith B.C. V9G 1B8  
(250) 245 2252

# TABLE OF CONTENTS

QUOTATION FOR SERVICES: .....	3
SUMMARY OF SUBJECT LANDS.....	4
MARKETING ENVIRONMENTAL SENSITIVE PROPERTIES .....	5
OUR COMMUNITY .....	15

## QUOTATION FOR SERVICES:

### ***Listing Brokerage Remuneration:***

The Listing Brokerage – Royal LePage Ladysmith and their representatives will agree to enter into a relationship with the Town of Ladysmith for a gross commission of 5% on the first \$100,000 and 2% on the balance, plus Harmonized Sales Tax of 12% \* on all 5 subject properties as per Development Land Inventory as attached. This price would cover all expenses incurred by the Listing agency including Workers' Compensation.\*\*

### ***Sales Methodology***

In order to assist the sale of these municipal properties and promote the interests of the Town of Ladysmith, Royal LePage Ladysmith will use all reasonable efforts to market the property. Our services include:

- Listing the individual properties on the Multiple Listing Service of the Vancouver Island Real Estate Board
- Co-operating with brokerages working with buyers
- Placing adequate signage on the individual properties
- Advertising in local newspapers and publications.
- Advertising lots on the [www.REALTOR.ca](http://www.REALTOR.ca) website, [www.royallepage.ca](http://www.royallepage.ca) website and individual websites of the participants
- Responding to all inquiries in a timely manner
- Assisting the municipality with negotiating favourable terms and conditions with buyers
- Assisting in the completion and possession process with buyers
- 

\* HST Registration # R1242221177

\*\* Workers' Compensation Account # 513350-A-Q



## SUMMARY OF SUBJECT LANDS

Our Vancouver Island Real Estate Board shows listings for two large R1 parcels, within the Town of Ladysmith on Thetis Drive, a combined R1, R2 and R3 site at 1200 4<sup>th</sup> Avenue and an R3A development on Farrell Road as well as approximately 26 R1 single family lots.

The R3A zoning on the Parks Drive and the 2 Christie Road properties would allow for 145 units. Careful consideration would have to be taken as to when these parcels are introduced to the market place. It would have to be in a staggered fashion in order not to flood the marketplace and inadvertently push the value of these and privately owned properties downward.

The two lots at 370 Trans Canada Highway have some obvious drawbacks. Access is somewhat limited and they would be very close to the highway. It is our belief that these two lots would pose some challenges to sell and that the cost of servicing may outweigh any benefit. The town may want to consider allocating the entire space as parkland.

900 Russell Road, however, does provide a very unique opportunity to the town. With the population shifting to the south end, and the emphasis on carbon reduction, we feel that the highest and best use for the property would be for a variety of commercial enterprise with the possibility of living spaces above. As it stands, every person in the south who needs a loaf of bread or a carton of milk has to get into their car and drive. We have included a photo, on the cover page, of the Hawthorne development located at Wakesiah and Jinglepot as an example of what could work well there.

The Town of Ladysmith has a strong mandate to significantly reduce its carbon footprint in the upcoming years. With the Town being the owner of these properties, it could lead be example by placing certain covenants on some of these parcels that address these issues, e it geo- thermal heating, reuse of rainwater, dual flush toilets etc. In addition to the environmental advantages, this would raise the profile of the projects and give it a really unique marketing position

Development Land Inventory					
Property Information					
Legal Description	Civic Address	Lot Area	Zoning	Land Status	Work to be done
Lot 2, DL108, Plan VIP88238	520 Parks Drive	0.77 ha	R-3-A (28 units)	Storm and sanitary sewer to be completed	Market lands
Lot 7, DL147, Plan VIP85271	1201 Christie Road	1.29 ha	R-3-A (47 units)	Design and green space covenant on title	Market lands
Lot 7 & 8, DL147, Plan VIP85271	1201 & 1251 Christie Road	1.92 ha	R-3-A (70 units)	Design and green space covenant on title. Lot 8 - Stage 1 and partial Stage 2 PSI completed.	Lot 8 - achieve CoC. Market lands.
Lot 3, DL43, Plan 9029	370 TransCanada Highway (S. Davis Road)	0.33 ha	R-1 (2 lots)	Lane standard to remain. 2 lots and remainder for park purposes to connect to existing park.	Subdivision plan registration and access & servicing easements required.
Lot 1, DL 67, Plan 7592	900 Russell Road	3.56 ha	R-1	Raw land. Approximately 1.1 ha to be retained by Town.	Subdivision plan to be prepared. Lands to be marketed.

#2011-CS-01

## ***SUBJECT LANDS – cont'd***

Previous efforts to put in commercial space at the corner of Hall and Davis Road experienced quite a backlash from the community. This was a situation where the property was surrounded by single family lots on three sides. This property however offers a buffer of Russell Road planned roadway between it and the adjacent property and power lines at the back corner.

## **MARKETING ENVIRONMENTAL SENSITIVE PROPERTIES**

Environmental legislation has introduced a broad spectrum of new requirements for industry and government, such as contaminated site assessments, monitoring programs, environmental audits, and environmental impact assessments.

The Royal LePage team provides depth and breadth of expertise in marketing property addressing environmental concerns ranging from addressing clean-up concerns or marketing development of "Green" developments.

Regarding contaminated land we are able to help sellers protect themselves against civil liability through appropriate disclosure of latent defects involving environment/health and safety hazards.

We are also very aware of the growing concern of Canadians on environmental issues and the need for compliance in future planning for how resources and property are developed. We have the Green Tool Kit for REALTORS® as an excellent reference to assist clients. As real estate professionals we are enthusiastic to add value in our service offering by being aware of environmental and sustainability issues related to housing, community, and lifestyle and providing access to relevant resources. The most important elements include: clean air and water, parks and open space, and the carbon footprint of a development.

Regarding Environmental assessments for redevelopment of land, we have experience in the process and it is often carried out in a phased approach:

### **Phase I Environmental Site Assessment**

A phase I environmental site assessment (ESA) is a first step for detecting contamination or potential environmental concern. It is carried out primarily to identify evidence of actual or potential contamination on a property. This is a useful information collection process that involved historical data review, site inspection, interviews and a written report.

Phase I ESAs may assist in reducing uncertainty about potential environmental liabilities and may be a basis for further investigation of the property. This first step may be thought of as a preliminary risk survey providing valuable information about the likelihood of potential environmental concern. Phase I ESAs may be used to make informed decisions about property transactions, identify certain baseline environmental conditions, and assist in meeting regulatory requirements, and as an initial step in site

remediation. The limitations of Phase I ESAs are that they do not involve test boreholes, soil tests, air monitoring, material testing or other intrusive types of sampling or testing. Any enhancement to Phase I ESAs should be stated by the assessor. All findings, including nil findings, pertaining to the enhancement should be included in the report. Several Phase I ESA Standards are used by consultants, including the CSA, ASTM etc.

#### **Phase II Environmental Site Assessment**

A phase II ESA should follow, to confirm the presence of contaminants if it is suspected in the phase I ESA. The assessments make use of various sampling, analytical and measuring techniques. Some are intrusive techniques such as soil and groundwater sampling, and material testing, while others are non-intrusive such as ambient air monitoring. They are more expensive than phase I and required specialized capabilities. It is important to point out that delineation of the full extent of any contamination encountered is not the focus of phase II ESAs. In some cases, a Phase II ESA may be undertaken to establish a quantitative baseline for environmental conditions at a site. According to the CSA Phase I ESA Standard, it is not essential that a Phase I ESA be completed prior to a Phase II ESA. In some cases, sufficient information exists regarding contamination to proceed directly to a Phase II ESA. Unlike Phase I ESA, the scope, duration, and cost of a Phase II investigation are highly dependent upon factors such as methods used, the size of the site, the number, type, and identity of suspected contaminants, the level of confidence desired in analytical results and the environmental matrices to be sampled. Phase II ESAs usually require contributions from specialized environmental professionals. A CSA guideline for phase II ESA was released in 2000.

#### **Phase III Environmental Site Assessment**

Phase I and II ESAs are important step for remedial efforts that may follow. Phase III is an investigation of feasible follow-up approaches to be carried out if phase II suggests unacceptable levels of contamination. Clean-up itself is not considered to be part of the assessment. Timing and costs of this phase vary widely.

Phase III ESAs should be performed whenever a Phase II ESA reveals contamination that is either in contravention of local guidelines, Standards, and regulations, or considered dangerous to human health, immediately or in the long term, or deemed unacceptable by the Client for any other reason. The purpose of Phase III ESAs is to further delineate the full extent of the contamination. Depending on the types of contaminants identified, Phase III ESAs also vary in cost, duration, and scope.

#### **Remedial Investigation**

Where contamination exceeding the guidelines, Standards, or regulation was delineated, Remedial Investigations studies are undertaken to develop remedies for unacceptable levels or contamination. The investigation will identify the feasible approaches to remedy the contamination, including in-situ monitoring, or risk management. It will critically compare these approaches by considering factors such as risks to worker, and the surrounding population, and economic and technical feasibility. It will also determine the extent of remedial measures required and allow remediation costs to be estimated. Remedial Investigations involve more interpretive procedures, and usually have a limited field component. Cost of Remedial Investigation varies depending on the location, type, and extent of the contamination.

#2011-CS-01

**Environmental Audit**

Many financial institutions would approve loans to businesses and/or on properties, conditional to environmental performance. An environmental audit can be performed at any time to establish the current condition of the operation.

Environmental Audit is a systematic, documented verification process of objectively obtaining and evaluating evidence to determine whether specific environmental activities, events, conditions, management systems, or information about these matters conform with environmental audit criteria, and communicating the results of this process to the stakeholders.

TOWN OF LADYSMITH

BYLAW NO. 1751

A bylaw to amend Sign and Canopy Bylaw 1995, No. 1176 of the Town of Ladysmith.

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

Town of Ladysmith Sign and Canopy Bylaw 1995, No. 1176 is hereby amended as follows:

1. Delete the following definitions in Section 1.0 and replace with the text as noted:
  - "Highway" has the same meaning as in the *Community Charter*;
  - "Owner" has the same meaning as in the *Community Charter* and refers to the owner of the property on or from which a sign is placed or attached;
  - "Zone" means a zone established by the Municipality's land use bylaw adopted under Part 26 of the *Local Government Act*.
2. Delete the first sentence of Section 3.1.2 and replace it with the following:
 

"The Building Inspector shall not issue a sign permit until the permit fee as prescribed in Fees and Charges Bylaw 2008, No. 1644 is paid to the Municipality; and"
3. Delete Section 3.4.1 and replace it with the following:
 

"All applicants for a sign permit under any of the provisions of this bylaw shall at the same time pay the fees prescribed in Fees and Charges Bylaw 2008, No. 1644."
4. Delete Section 6.1 heading and replace it with the new heading "Institutional".
5. Delete Section 6.8 heading and replace it with the new heading "Downtown Core".
6. Delete Section 7.1 heading and replace it with the new heading "Downtown Core/Downtown Mixed Use, Home Occupation, Bed and Breakfast, Daycare, Mobile Home Park Zones".
7. Delete Section 7.2 heading and replace it with the new heading "Institutional, Highway Commercial, Industrial, Local and General Commercial Zones".
8. Delete Section 8.3 and replace it with the following:
 

"On completion of the installation of a sign for which a sign permit has been issued, the permittee shall immediately give the Building Inspector the sign permit and notice of completion."
9. Delete Schedule A (fees outlined in Fees and Charges Bylaw 2008, No. 1644).
10. Delete Schedule C (Sign Application) and replaced it with Schedule 1 attached to and forming part of this bylaw.

**CITATION**

11. This bylaw may be cited as "Ladysmith Sign and Canopy Bylaw 1995, No. 1176, Amendment Bylaw 2011, No. 1751".

**READ A FIRST TIME** on the 21<sup>st</sup> day of February, 2011  
**READ A SECOND TIME** on the 21<sup>st</sup> day of February, 2011  
**READ A THIRD TIME** on the 21<sup>st</sup> day of February, 2011  
**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2011



**TOWN OF LADYSMITH**

**Sign Permit and/or Façade Development Permit Application Form**

(Schedule "C" of Bylaw No. 1176)

<input type="checkbox"/> Sign (4520-____-____)	<input type="checkbox"/> Façade (3060-____-____)	<input type="checkbox"/> Both (3060-____-____)
<b>Applicant Information</b>		
Applicant Name		
Business Name		
Telephone	Cell Phone	Email
Mailing Address		Postal Code
<b>Project Information</b>		
Project Civic Address		
Sign/Canopy Company	Phone	Email
<p style="text-align: center;"><b>SIGNAGE</b></p> <p>Provide a scaled drawing detailing:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> type of signage</li> <li><input type="checkbox"/> size of signage (all dimensions)</li> <li><input type="checkbox"/> location of signage on building, window(s), and /or canopy</li> <li><input type="checkbox"/> wording, size &amp; type of lettering</li> <li><input type="checkbox"/> colour scheme</li> <li><input type="checkbox"/> materials</li> <li><input type="checkbox"/> footing details (if applicable)</li> </ul>	<p style="text-align: center;"><b>FAÇADE - Canopies/Awnings</b></p> <p>Provide a scaled drawing detailing:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> size of canopy</li> <li><input type="checkbox"/> colour(s) of canopy</li> <li><input type="checkbox"/> canopy material</li> <li><input type="checkbox"/> location of canopy on building</li> </ul> <p><i>*For lettering on canopies use SIGNAGE list in left-hand column</i></p>	<p style="text-align: center;"><b>FAÇADE - Painting, Windows, Siding and Architectural Details</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> 2 sets of paint colour chips</li> <li><input type="checkbox"/> Sample of siding/exterior finishing</li> </ul> <p>Provide a scaled drawing detailing:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> location of each paint colour</li> <li><input type="checkbox"/> type, style, and location of windows and/or other architectural details</li> </ul>
<b>Authorization – All property owners on Certificate of Title must complete this section</b>		
I/We hereby declare that:		
<ul style="list-style-type: none"> <li>a) all of the above statements and information contained in the material submitted in support of this application are, to the best of my knowledge, true and correct in all respects.</li> <li>b) the Town of Ladysmith may discuss the application with the sign and/or canopy company.</li> </ul>		
Registered <u>Owner's</u> Name:	Registered <u>Owner's</u> Signature:	Date:
	<i>This application is made with my full knowledge and consent.</i>	
Registered <u>Owner's</u> Name:	Registered <u>Owner's</u> Signature:	Date:
	<i>This application is made with my full knowledge and consent.</i>	
Applicant's Name:	Applicant's Signature:	Date:
<p><b>Before submitting your application:</b>                  Contact the Planning Technician,                  Development Services Department                  132C Roberts Street, Ladysmith,                  BC Telephone: 250-245-6400                  Email: sblumensaat@ladysmith.ca</p>	<p><b>To submit by mail:</b>                  Town of Ladysmith                  P.O. Box 220                  Ladysmith, BC <b>V9G 1A2</b></p>	<p><b>To submit in person:</b>                  City Hall                  410 Esplanade                  Ladysmith, BC</p>

**OFFICE USE ONLY**

**Development Services Department – Design Review**

OCP Land Use	Development Permit Area	Downtown Specified Area <input type="checkbox"/> yes <input type="checkbox"/> no
--------------	-------------------------	---

Heritage Revitalization Advisory Commission recommendation (if applicable)

Bylaw Requirements for signage:

- be made of wood, metal, or plastic material to replicate wood or metal
- be compatible with the building and heritage downtown
- have a border
- have lettering that is equally spaced with a maximum of three type faces
- not be lit or have lighting by spotlight, floodlight or other incandescent light fixtures

Visioning:

- be artistic, professionally crafted, artisanal and expressive

Comments/Recommendations:

Development Services Review \_\_\_\_\_ Date \_\_\_\_\_

**Building/Bylaw Department – Technical Review**

Land Use (Sign and Canopy Bylaw #1176) – is the signage type/canopy permitted?

Signage Calculation:

Total Allowable Signage:

Total Already Used:

Total Available:

Total Applied for:

Canopy Considerations:

Other Considerations (Trim, Windows, etc.)

Comments/Recommendations:

Building Inspector \_\_\_\_\_ Date \_\_\_\_\_

# TOWN OF LADYSMITH

## BYLAW NO. 1752

### A bylaw to amend "Ladysmith Fees and Charges Bylaw 2008, No. 1644"

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

1. Delete Schedule "1" of "Ladysmith Fees and Charges Bylaw 2008, No. 1644" and replace it with the following Schedule "1":

### SCHEDULE "1"

#### TOWN OF LADYSMITH FEES AND CHARGES BYLAW NO. 1644

<i>Item:</i>	<i>Fee</i>
<b>Miscellaneous Fees:</b>	
Copies of Extracts of Minutes	\$0.25/page
Copies of Bylaws and Council Minutes	\$0.25/page
Certificate of Outstanding Taxes	\$15.00
Fence Line Fee	\$75.00
Topographic Maps	\$25.00
Waterfront Area Plan	\$20.00
Holland Creek Area Plan	\$20.00
South Ladysmith Area Plan	\$15.00
Official Community Plan	\$30.00
Engineering Specifications	\$30.00
Comfort Letter	\$100.00
Memorial Park Bench	\$2,500.00
Zoning Bylaw	\$10.00
Zoning Map	\$15.00
<b>Application Fees:</b>	
OCP/Zoning Amendment	\$1,500.00 + Advertising cost
Subdivision	\$300.00 + \$100.00 per lot
Development Permit- Multiple Family, Commercial, Industrial	\$750.00
Development Permit- Downtown Specified Area Signage / Façade Improvement	\$100.00
Development Permit- Environmentally Sensitive Areas and Hazard Lands (DPA 6&7)	\$100.00
Development Permit- Amendment	\$100.00
Development Variance Permit	\$750.00
Board of Variance	\$750.00
Temporary Use Permit	\$1,000.00 + Advertising Costs



<b>Application Fees (cont'd):</b>	
Strata Conversion	\$200.00 per unit to a maximum of \$2,500.00
Revitalization Tax Exemption Application Fee	\$250.00
Sign Permit	\$100.00
Development Variance Permit - Signage	\$100.00
Real Estate Sign	\$20.00 per agency
Temporary Sign/Banner Deposit	\$10 + \$100 performance bond per sign/banner
Ladysmith Visioning Report	\$25.00

2. Citation

This bylaw may be cited for all purposes as "Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1752".

**READ A FIRST TIME** on the 21<sup>st</sup> day of February, 2011

**READ A SECOND TIME** on the 21<sup>st</sup> day of February, 2011

**READ A THIRD TIME** on the 21<sup>st</sup> day of February, 2011

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2011

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

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