

TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON

MONDAY, APRIL 18, 2011
4:30 p.m.



A G E N D A

Page

CALL TO ORDER (4:30 P.M.)

1. AGENDA APPROVAL
2. 2011-2015 FINANCIAL PLAN

THE REGULAR SESSION OF COUNCIL WILL RESUME AT 7:00 P.M., FOLLOWING THE
GOVERNMENT SERVICES COMMITTEE MEETING

3. MINUTES

- 3.1. Minutes of the Regular Meeting of Council held April 4, 2011

1 - 4

4. PUBLIC HEARING

None

5. DELEGATIONS

- 5.1. Darrell Byron, Royal Canadian Legion Branch 171
Request for a Grant-in-Aid for 2011 Highland Gathering

6. PROCLAMATIONS

Mayor Hutchins has proclaimed:

- 6.1. April 28, 2011 as the annual "Day of Mourning for Workers Killed and Injured on the Job"
- 6.2. The week of May 1 to 7, 2011 as "North American Occupational Safety and Health Week"
- 6.3. The week of May 15 to 21, 2011 as "National Public Works Week"
- 6.4. The month of May 2011 as "Vision Health Month" and May 26, 2011 as "Shades of Fun Day"

in the Town of Ladysmith

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7. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS	
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9. BYLAWS	
9.1. Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 36), 2011, No. 1753 May be read a first and second time, and a public hearing may be scheduled.	31 – 32
9.2. Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 86), 2011, No. 1754 May be read a first and second time, and a public hearing may be scheduled.	33 – 35
9.3. Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2011, No. 1755 May be adopted.	36
9.4. Town of Ladysmith Development Cost Charges Roads Appropriation Bylaw 2011, No, 1756 May be adopted.	37
10. CORRESPONDENCE	
10.1. Kinsmen Club of Ladysmith Letter of thanks to Town staff for support during Phase I of the Brown Drive Playground <u>Staff Recommendation</u> <i>That Council receive the correspondence from the Kinsmen Club of Ladysmith thanking Town staff for support during construction of Phase I of the Brown Drive Playground, and that the letter be circulated to staff.</i>	38
10.2. Renee Masur Help for La Rosa Residents <u>Staff Recommendation:</u>	39

That Council consider whether it wishes to refer the request by Renee Masur to install a bench at the trolley stop at the top of Cook Street to the Trolley Committee for review and recommendation.

**10.3. Ladysmith Chamber of Commerce
Island Rail Service**

40 - 41

Staff Recommendation:

That Council consider whether it wishes to take action to support fundraising to carry out the upgrades needed to re-establish Vancouver Island Rail Service, as proposed in the correspondence from the Ladysmith Chamber of Commerce, dated April 12, 2011.

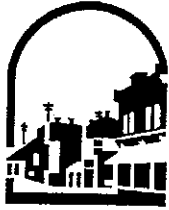
11. NEW BUSINESS

12. UNFINISHED BUSINESS

13. 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

MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
APRIL 4, 2011

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Lori Evans

Councillor Steve Arnett
Councillor Duck Paterson

Councillor Jillian Dashwood
Councillor Bruce Whittington

COUNCIL MEMBERS ABSENT:

Councillor Scott Bastian

STAFF PRESENT:

Ruth Malli

Sandy Bowden

Joanna Winter

CALL TO ORDER

Mayor Hutchins called the meeting to order at 6:17 p.m.

EXECUTIVE SESSION

2011-146

It was moved, seconded and carried that this meeting retire into Executive Session at 6:17 p.m.

RISE AND REPORT

Council rose from the Executive Session of Council and reported on the following:

- Staff were directed to advertise the Town's intention to enter into a lease with the Ladysmith Resources Centre Association (LRCA) for the Ladysmith Community Services Centre, once the lease has been approved by the LRCA.

AGENDA APPROVAL

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

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

- 14.1 Resolution to go forward to the 2011 convention of the Union of BC Municipalities regarding watershed protection.

2011-147

It was moved, seconded and carried that the agenda for the Council Meeting of April 4, 2011 be adopted as amended.

MINUTES

2011-148

It was moved, seconded and carried that the minutes of the Council Meeting of March 21, 2011 be adopted as circulated.

2011-149

It was moved, seconded and carried that the minutes of the Special Council Meeting of March 30, 2011 be adopted as circulated.

**COUNCIL COMMITTEE
REPORTS**

Mayor Hutchins shared with Council an invitation to attend the Ladysmith Ambassadors Coronation Evening on Saturday, April 16.

Councillor Dashwood requested assistance in seeking funds to support the Ladysmith Early Years Partnership to provide child care for Ladysmith residents attending workshops hosted by the Early Years Partnership.

Government Services Committee Report

2011-150

It was moved, seconded and carried that the requests from L. Brown, D. McKay, M. Fleming, F. Pratt, P. Laycock, and M. Fraser for the establishment of a fenced dog park and related amenities be referred to the Parks, Recreation and Culture Commission to review sites and costs and to report back to the Committee.

2011-151

It was moved, seconded and carried that the request from Brian McLaurin in his correspondence of February 25, 2011 regarding the development of a tree bylaw be referred to staff to review and report back.

2011-152

It was moved, seconded and carried that the March 5, 2011 correspondence from Sandra Dall be referred to the Parks, Recreation and Culture Commission to review guidelines for dogs on and off leash on trails throughout the Town of Ladysmith.

Councillor Paterson reported that the regular meeting of the Protective Services Committee will be rescheduled to May 4, 2011.

STAFF REPORTS

2011-153

Financial Plan Meeting Schedule

It was moved, seconded and carried that Council authorize the following schedule of meetings to review the Financial Plan and relevant bylaws:

Wednesday, April 13

Monday, April 18

Tuesday, April 26 (if necessary)

Monday, May 2

Monday, May 9

2011-154

Request to Waive Fees for Access to Records Application

It was moved, seconded and carried that the request for the

Town to waive fees associated with processing a Request for Access to Records under the Freedom of Information and Protection of Privacy Act for all Executive Session minutes from January 2009 to February 2011 be denied.

2011-155

Application to Green Municipal Fund for Phase III of Waste Water Treatment Plant

It was moved, seconded and carried that staff be requested to submit a letter of interest to the Green Municipal Fund for Phase III of the Waste Water Treatment Plant Upgrade, and that, if invited, staff be authorized to prepare a detailed application.

CORRESPONDENCE

2011-156

**Maureen Kirkbride, TELUS Corporation
TELUS Investment and Other Activities in Ladysmith**

It was moved, seconded and carried that the correspondence from M. Kirkbride of TELUS Corporation, regarding TELUS investment and other activities in Ladysmith be received.

BYLAWS

2011-157

**Ladysmith Sale of Real Property Reserve Fund Appropriation
Bylaw 2011, No. 1755**

It was moved, seconded and carried that Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2011, No. 1755 be given first, second and third readings.

2011-158

**Ladysmith Development Cost Charges Roads Appropriation Bylaw
2011, No. 1756**

It was moved, seconded and carried that Ladysmith Development Cost Charges Roads Appropriation Bylaw 2011, No. 1756 be given first, second and third readings.

NEW BUSINESS

2011-159

**Resolution for Union of British Columbia Municipalities Regarding
Watershed Protection**

It was moved, seconded and carried that staff be requested to work with the Mayor, Deputy Mayor and staff of the Union of British Columbia (UBCM) Municipalities to draft a resolution to be put forward at the 2011 UBCM convention calling for senior government assistance in the acquisition of watershed lands by local governments for future protection.

QUESTION PERIOD

B. Drysdale enquired about the fees associated with the processing of an access to information request.

R. Johnson inquired about the 2011 Financial Plan documentation and public process.

ADJOURNMENT

2011-160

It was moved, seconded and carried that this meeting of Council be adjourned at 7:37 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)

Pages 5 through 7 deleted



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: April 13, 2011
File No: 3060-11-06

Re: Development Permit Amendment Application – Ladysmith Maritime Society (LMS)

RECOMMENDATION(S):

That Council issue Development Permit 3060-11-06 to permit revisions to the Ladysmith Maritime Society Visitor Centre (Block C of District Lot 2016, Cowichan District, Lease #1407751) as well as an electrical building to be located on the upland (Rem. Lot 4, Plan 45800, Oyster District);

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 amendment application for revisions to the location and design of the proposed Ladysmith Maritime Society (LMS) Visitor Centre; and for a proposed electrical building.

INTRODUCTION/BACKGROUND:

In April 2010, a Development Permit was issued to permit a new Visitor Centre at the LMS marina. Since that time LMS has successfully secured funding from Solar BC to install solar panels on the Visitor Centre. In addition, the LMS wishes to proceed with an electrical building on the upland to house electrical services for the marina.

SCOPE OF WORK:

Proposed amendments to the Visitor Centre development permit are:

- An increased floor area for the upper storey of the building to accommodate a meeting room 93m² (1000ft²) in size. Previously it was office space and outdoor deck space.
- Adding egress stairs from the second floor on the north side of building.
- A change in the roofline angles to maximize sun potential for roof top solar panels (for hot water heating).
- An amendment to the height of the building to 8.5 metres for solar panels and a revised roof design for solar capture (previous height was 7.9 metres).
- Barge design is now a single monolith barge and the waste water tank is now within the barge.
- A new location for the building within the marina.

The surface of the water in this area is zoned 'Water Marina Zone (W-2)'. Design guidelines for the subject area can be found in the Official Community Plan 'Waterfront Development Permit Area (DP# 1)' guidelines; and in the 'Waterfront Area

Plan'. The objectives of the waterfront design guidelines are to ensure the waterfront area is an active, beautiful, useful, year round place for local residents and tourists of all ages and capabilities. Also, to ensure the waterfront is a place to encourage the growth of tourism activities and services.

The electrical building is proposed to be in the upland marina parking area, against the bank, 8.5 metres from the foreshore (or top of bank). The building is proposed to be 21m² (223ft²) in size. The building will be constructed of split face block with metal roofing and will be located on a concrete slab. It is anticipated that the electrical building will blend in with a future parking plan for the LMS community marina.

ALTERNATIVES:

That Council not issue development permit 3060-11-06 for reasons related to the development permit guidelines.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS: n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The revised plans for the Visitor Centre were presented to the Advisory Design Panel (ADP) at their meeting April 12, 2011. The ADP recommends support of the revised Visitor Centre as presented.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The revised plans for the Visitor Centre and the proposed electrical building have been referred to the Director of Public Works, the Building Inspector, and the Director of Parks, Recreation and Culture for review.

RESOURCE IMPLICATIONS:

Processing the Development Permit amendment is within available staff resources. Public Works staff are involved in some aspects of this project.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

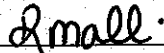
The Sustainability Visioning Report encourages facilities that support tourism in the waterfront area and green building design.

ALIGNMENT WITH STRATEGIC PRIORITIES: n/a

SUMMARY:

It is recommended to support the Development Permit application permitting revisions to the LMS Visitor Centre and an electrical building on the upland.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

DP Form 3060-11-06

TOWN OF LADYSMITH
DEVELOPMENT PERMIT 3060-11-06
(Section 920 Local Government Act)

DATE: April 18, 2011

TO: Ladysmith Maritime Society (Operator)
Block C of District Lot 2016, Cowichan District

Address: P.O. Box 1030
Ladysmith, B.C.
V9G 1A7

1. This Development Permit replaces Development Permit 3060-09-10 and 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:

Block C
District Lot 2016
Cowichan District
Lease # 1407751
(referred to as the "Land")

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

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

a) For the purposes of Development Permit 3060-11-06 Section 30.2(5) is replaced with the following: The maximum height of the Visitor Centre shall not exceed 8.5 metres as shown in Schedule C.

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

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

i) Construct the building as shown in:

- a) Schedule A: Site Plan (de Hoog & Kierulf architects)
- b) Schedule B: 3D Views (de Hoog & Kierulf architects)
- c) Schedule C: South and West Elevations and Materials (de Hoog & Kierulf architects)
- d) Schedule D: LMS Electrical Building (located on Lot 4, Plan 45800, Oyster District)

ii) Locate the electrical building no closer than 8.0 metres from the high-water mark of the sea.

iii) Not place a roof mounted sign(s). Signage requires a separate development permit.

iv) Place lighting only to illuminate necessary onsite areas and shall be low-impact. Lighting shall not glare or spill onto adjacent sites.

7. The terms of this Permit 3060-11-06 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
8. 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.
9. The plans and specifications attached to this Permit are an integral part of this Permit.
10. This Permit prevails over the provisions of the Bylaw in the event of conflict.
11. Despite issuance of this permit, construction may not start without a Building Permit, Sign Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF
LADYSMITH ON THE ____ DAY OF _____ 201__.

MAYOR

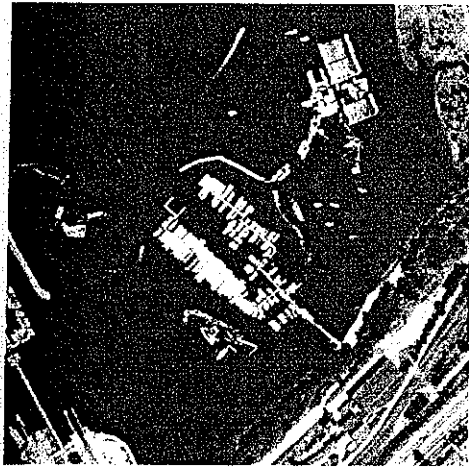
CORPORATE OFFICER

OWNER

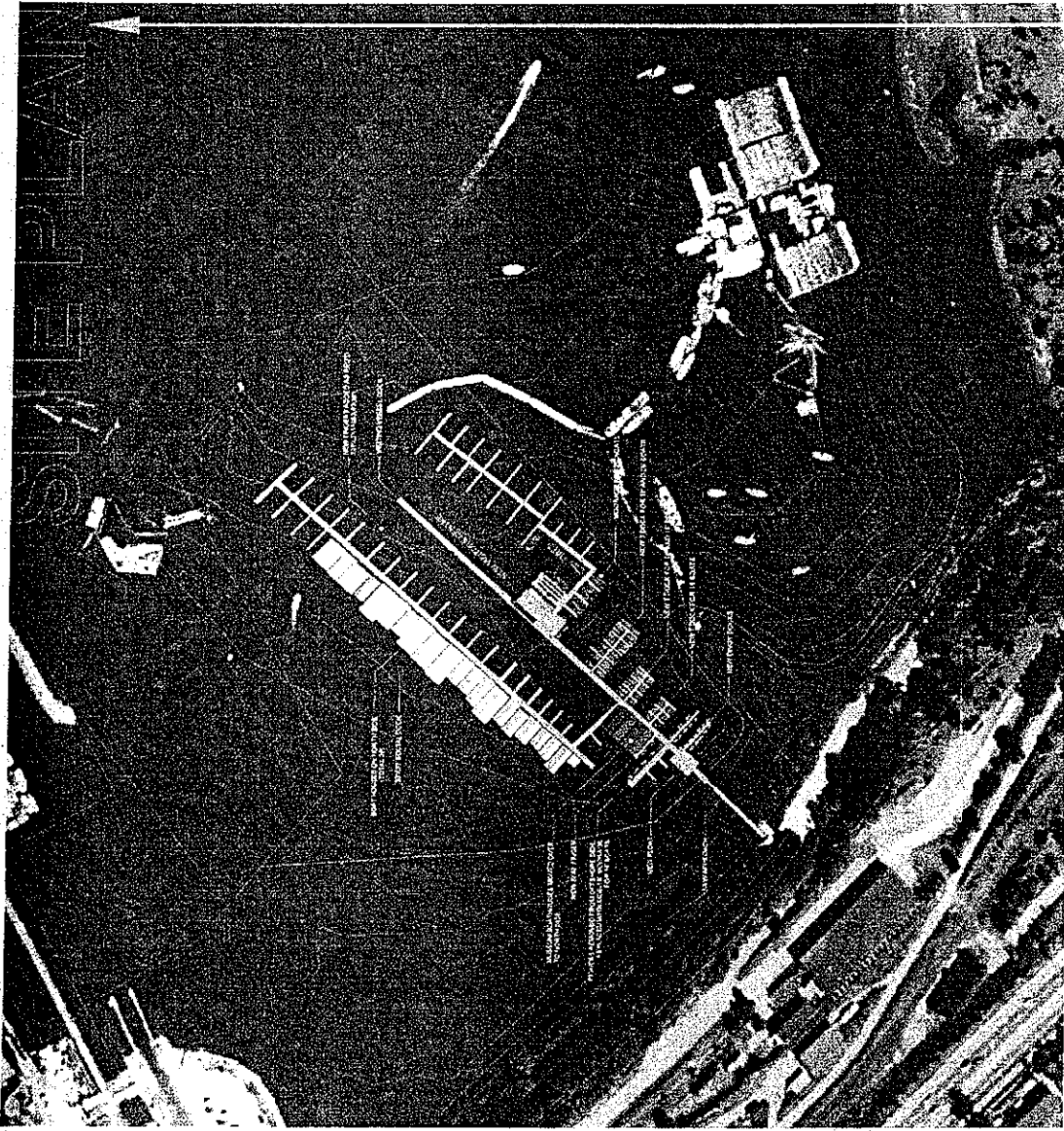
OWNER

PLEASE PRINT NAME

PLEASE PRINT NAME



EXISTING SITE (IMAGE: GOOGLE EARTH)

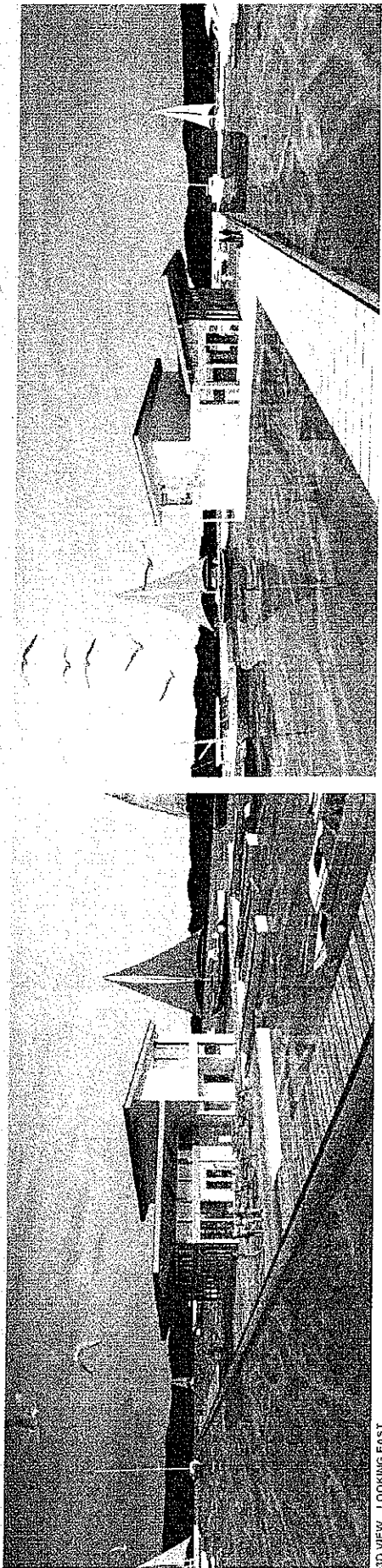


Proposed Visitor Centre

Site Plan

Ladysmith Maritime Society (LMS)
LMS Community Marina

de Hoog & Kierulf architects
 111 West Street, Suite 100
 Toronto, Ontario M5H 1A7
 Tel: 416-593-1117



3D VIEW _ LOOKING SOUTH



3D VIEW _ LOOKING WEST

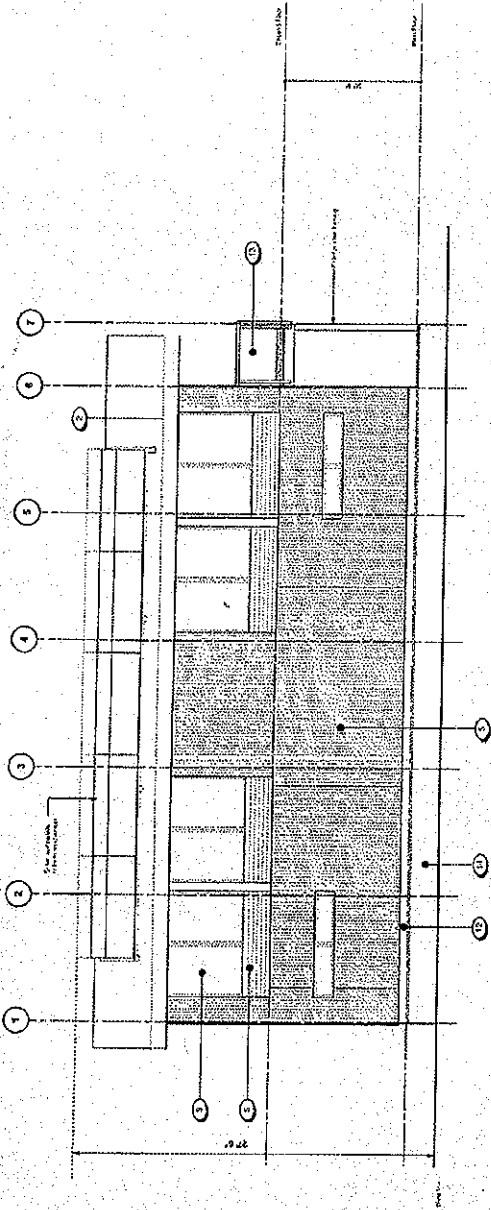
LMS Community Marina

Proposed Visitor Centre
3D VIEWS

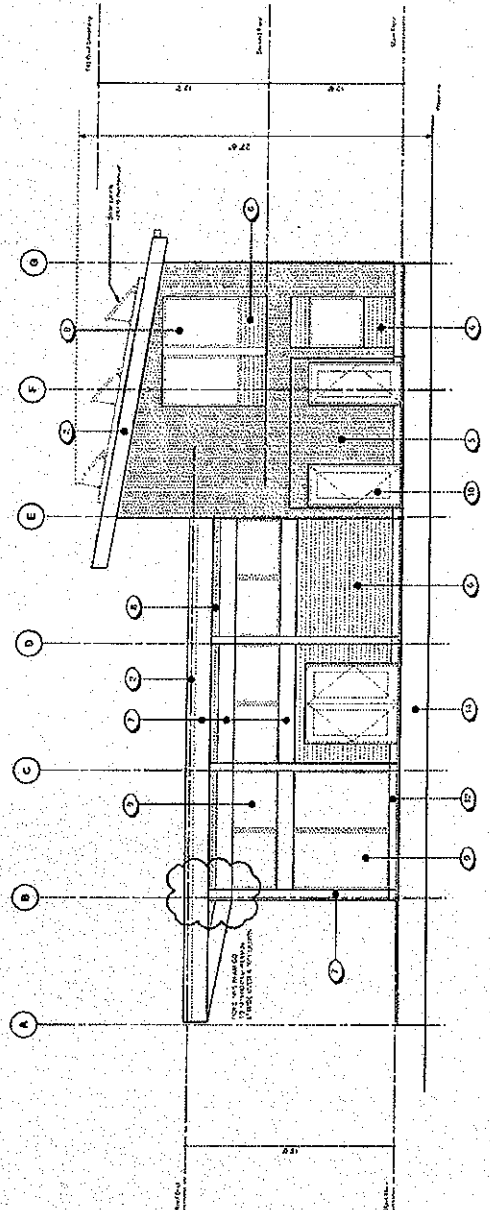
de Hoog & Kierulff architects

MATERIALS LEGEND

- ① COMPACTED WITH AGGREGATE
- ② EXTERIOR BRICK
- ③ EXTENDED METAL PANEL
- ④ VENEER METAL PANEL
- ⑤ PREFINISHED METAL CLUTTER
- ⑥ COMPACTED WITH METAL CLUTTER
- ⑦ POLYMER CONCRETE
- ⑧ REINFORCED CONCRETE
- ⑨ CERAMIC TILES
- ⑩ EXTENDED METAL PANEL
- ⑪ POLYMER CONCRETE
- ⑫ POLYMER CONCRETE
- ⑬ POLYMER CONCRETE
- ⑭ POLYMER CONCRETE
- ⑮ POLYMER CONCRETE
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- ⑲ POLYMER CONCRETE



⑪ South Elevation

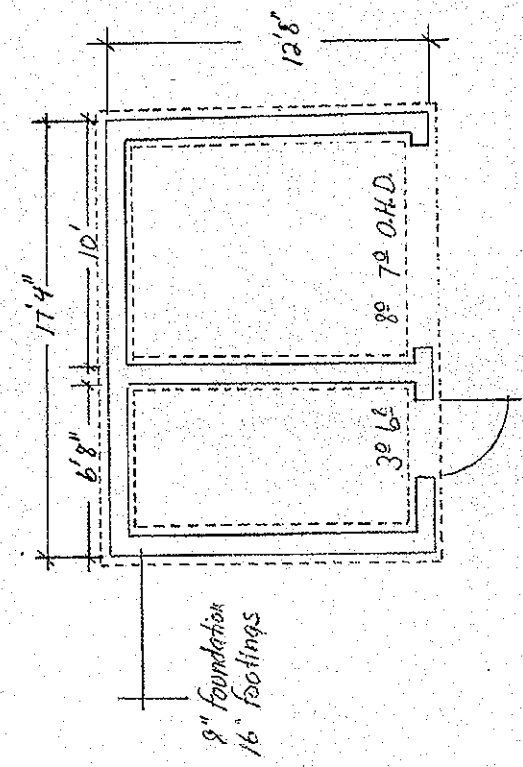


⑫ West Elevation

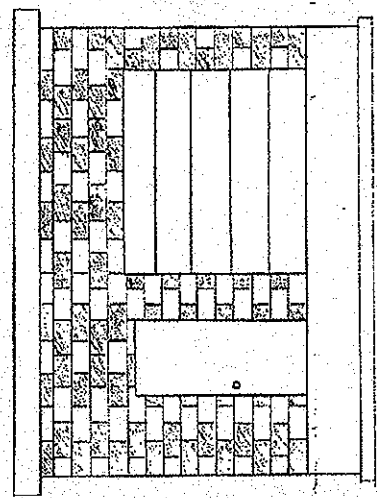
de Hoog & Kierulf architects
 1011 CA Amsterdam, The Netherlands
 020 6622 3000
 info@dehoogkierulf.nl
 www.dehoogkierulf.nl

Luigi Moro Minerva Stoeny
 Proposed Visitor Centre
 South & West Elevation
 10/2021
 AEC

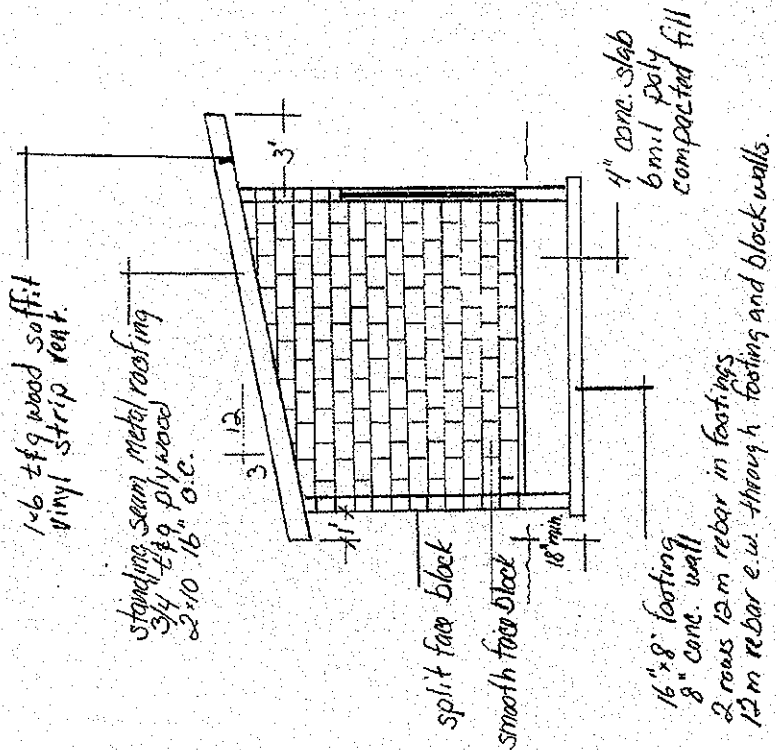
Schedule C: South and West Elevations and Materials
(de Hoog & Kierulf architects)



Floor plan.



Front elevation



Cross Section.



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: April 15, 2011
File No: 3060 11 01

Re: Development Permit Application – 17 Gatacre Street – Oak Development Ltd.
(Lot 8, Block 10, D.L. 56, Oyster District, Plan 703)

RECOMMENDATION(S):

That Council issue Development Permit 3060-11-01 to permit a mixed-use (commercial and residential) building at 17 Gatacre St. (Lot 8, Block 10, District Lot 56, Oyster District, Plan 703), subject to determination of the value of the landscape bond;

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 proposed mixed-use commercial/residential building at 17 Gatacre Street.

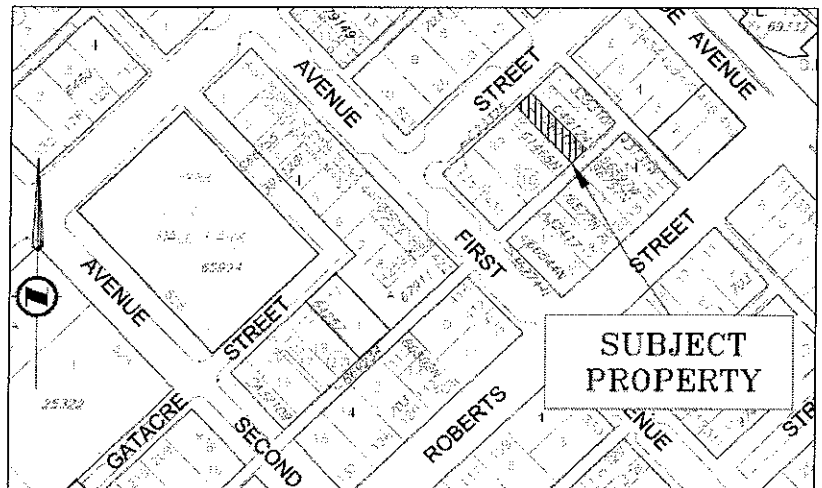
INTRODUCTION/BACKGROUND:

The subject property is 334m² (3595m²) in size and is currently vacant. The applicant is proposing to construct a building with 211m² (2280ft²) of commercial space on the main

level, and two residential units above, each 106m² in size. The building is proposed to be 8.2 metres in height. Exterior finishing includes cedar siding, wood trim, heritage style commercial wood doors, vinyl windows, cedar railings, and brick trim (front at grade). The building will be designed such that it is possible to have two commercial units on the main floor. One will be entered at Gatacre St. and one would be entered at the rear from the lane. Doors to access the residential units would be available at Gatacre St. and at the rear from the lane. Including public use of the rear of the building has resulted in a more significant landscape treatment of the rear lot area.

SCOPE OF WORK

The property falls within the Development Permit Area 2 – Downtown (DPA2) and Development Permit Area 4 – Multi-Family Residential (DPA 4). The objectives of DPA2 are to ensure that new development is compatible with the form, scale, and character of existing development to strengthen the downtown as the primary



commercial focus and to realize the heritage, economic, cultural and architectural potential of this area. The objectives of DPA4 are to ensure the design is compatible with the form and character of adjacent development. These guidelines have been considered in the review of this development proposal, specifically as follows:

- *Incorporate existing Downtown themes, roof structures, and canopies. The scale bulk, mass, character, shape, and form of new development and redevelopment should relate positively to that of adjacent development. A gabled roof was chosen to blend with the streetscape.*
- *Incorporate varied roof lines, pitch, façade (use of natural materials for exterior finishing):* The façade includes variations such as balconies, wood trim around the windows, cedar siding and brick.
- *Landscaping shall include appropriate vegetation, lighting, paving and exterior storage. Landscaping should afford privacy for adjacent property owners. Service, and refuse areas shall be landscaped, fenced or buffered:* Upon request by staff the applicant has submitted a professional landscape design for the parking area at the rear. The submitted landscape plan, Schedule B of the development permit, is a substantial improvement to the original submission. The value of the landscaping is to be determined. A bond for 100% of the landscape works will be submitted by the applicant.
- *Barrier free design principles shall be used:* The commercial unit at the rear is wheelchair accessible.
- *Exterior materials shall be consistent with the heritage theme of Ladysmith:* The exterior materials include commercial wood doors at the entry, cedar siding, cedar railings for the balcony, and heritage colours.
- *Parking may be reduced to permit appropriate development:* The Zoning Bylaw requires 9 parking stalls for this development (6 stalls for the commercial use and 3 stalls for the multi-family residential use). The applicant is utilizing the Zoning Bylaw option that allows a payment of \$4000 per stall in lieu of provision of 50% of the stalls in the Downtown area. The applicant is proposing to construct 4 parking stalls onsite and is requesting a variance for one parking stall.

To make efficient use of the rear parking area, the applicant is requesting a reduced parking stall size. The reduced parking space dimension is in-line with size standards used by other communities. The aisle width is also 0.3 metres less than engineering standards generally recommend. A summary of the requested variances are shown in Table 1.

Table 1: 3060-11-01 Requested Variances

	Required	Requested	Requested Variance
Onsite Parking Spaces	5 parking spaces constructed on-site and \$16,000 in lieu of 4 stalls.	4 parking spaces constructed onsite	1 parking space
Parking stall width (adjacent to fence)	2.9 metres	2.4m	0.5 metres

The property is zoned C-2 General Commercial. The proposed use, commercial use on the main floor with residential units above, is permitted within the zone. The proposal also meets the required setbacks, coverage, and height restrictions.

ALTERNATIVES:

To not support the development permit application for reasons related to the DPA2 guidelines.

FINANCIAL IMPLICATIONS: N/A

LEGAL IMPLICATIONS:

A development permit is required prior to constructing a building on this property.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

This application was presented to the Advisory Design Panel (ADP) on February 28, 2011. A representative from the Heritage Revitalization Advisory Commission participated at this ADP meeting. The following motion was passed:

It was moved, seconded and carried that the Advisory Design Panel (ADP) advises Council that it supports the concept of the commercial/residential building at 19 Gatacre Street subject to the applicant addressing the general issues identified at the February 16, 2011 ADP meeting relating to front and rear façade appearance, as well as the design and function of the rear parking area.

The applicant revised the plans in response to the ADP identified issues and the applicable design guidelines.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The development proposal has been reviewed by the Building Inspector and the Director of Public Works. The Director of Public Works has indicated that the rear parking area will work (although it will be tight) as presented in Schedule B of the development permit.

RESOURCE IMPLICATIONS:

Processing Development Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The Visioning Report supports mixed use development in the downtown area.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning and community design are strategic Council directions.

SUMMARY:

It is recommended to support the Development Permit for a mixed-use commercial/residential building at 17 Gatacre Street, subject to determination of the value of the landscape bond.

I concur with the recommendation.



Ruth Mali, City Manager

ATTACHMENTS:

DP 3060 11 01 Form

TOWN OF LADYSMITH
DEVELOPMENT PERMIT 3060-11-01
(Section 920 Local Government Act)

DATE: April 18, 2011

TO: Oak Development Ltd., Inc.No. BC0458681 (R. Jackson)

Address: 10855 Boas Road, North Saanich, B.C. V9L 5J1

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:

That part of Lot 8
Block 10
District Lot 56
Oyster District
Plan 703

Lying The North East of a Boundary Parallel to and Perpendicularly Distant 30 Feet from the South West Boundary
PID #008-547-629
CIVIC ADDRESS 17 Gatacre Street
(referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the construction of a building or structure on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws, except as varied by this Permit; subject to the conditions, requirements and standards imposed and agreed to in section 6 of this Permit.
4. With respect to the Land, Town of Ladysmith Zoning Bylaw 1995, No. 1160 is hereby varied as follows:
 - (a) Section 5.18 "Off-street Parking and Loading" is varied as shown on Schedule B: Landscape Plan and Notes.
5. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw No. 1160.
6. The Permittee, as a condition of the issuance of this Permit, agrees to:
 - (a) Develop the Land as shown in:
 - (ii) Schedule A: Site/Floor Plans/Elevations/Sections (Kevin Lamont, April, 2011).
 - (iii) Schedule B: Landscape Plan and Notes (Gemella Design Inc., April 2011).
 - (b) Submit \$16,000 (4 parking stalls x \$4000) to the Town of Ladysmith "Municipal Parking Fund" as required by Section 5.18(d) and (e) of the Town of Ladysmith Zoning Bylaw.
 - (c) The following reviews by the Landscape Architect:
 - (i) Base/subbase for all pedestrian (landscape) paving;
 - (ii) Irrigation trench and system test (prior to back filling the trenches);
 - (iii) Growing medium (soil) source and testing;
 - (iv) Tree wells and planting areas - subgrade condition and depth.
 - (v) All plant material must be either inspected at the nursery or on the site upon delivery (no planting is to occur prior to the Landscape Architectural field review);

- (vi) Any shop drawings (such as retaining wall guardrails if required as per Building Code. Note, areas with a grade change greater than 24" from grade require guards).
 - (vii) Landscape Plan installation review and sign-off to be provided with Letter of Credit cancellation request.
 - (d) Obtain permission from adjacent property owners to permit the placement of the "Cedar Trellis" as shown in Schedule B.
 - (e) Replace the existing fences shown on Schedule B in the event that they are damaged during construction.
 - (f) Ensure that lighting is oriented away from adjacent properties.
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 respecting landscaping. The Letter of Credit shall be automatically renewed annually, shall be automatically extended, and shall be in the amount of \$ _____.
 8. Should the Permittee fail to satisfy the conditions referred to in section 6 and 7 of this Permit, the Town of Ladysmith may undertake and complete the works required to satisfy the landscaping 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 **3060-11-01** 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. Despite issuance of this permit, construction may not start without a Building Permit, Sign Permit or other necessary permits.

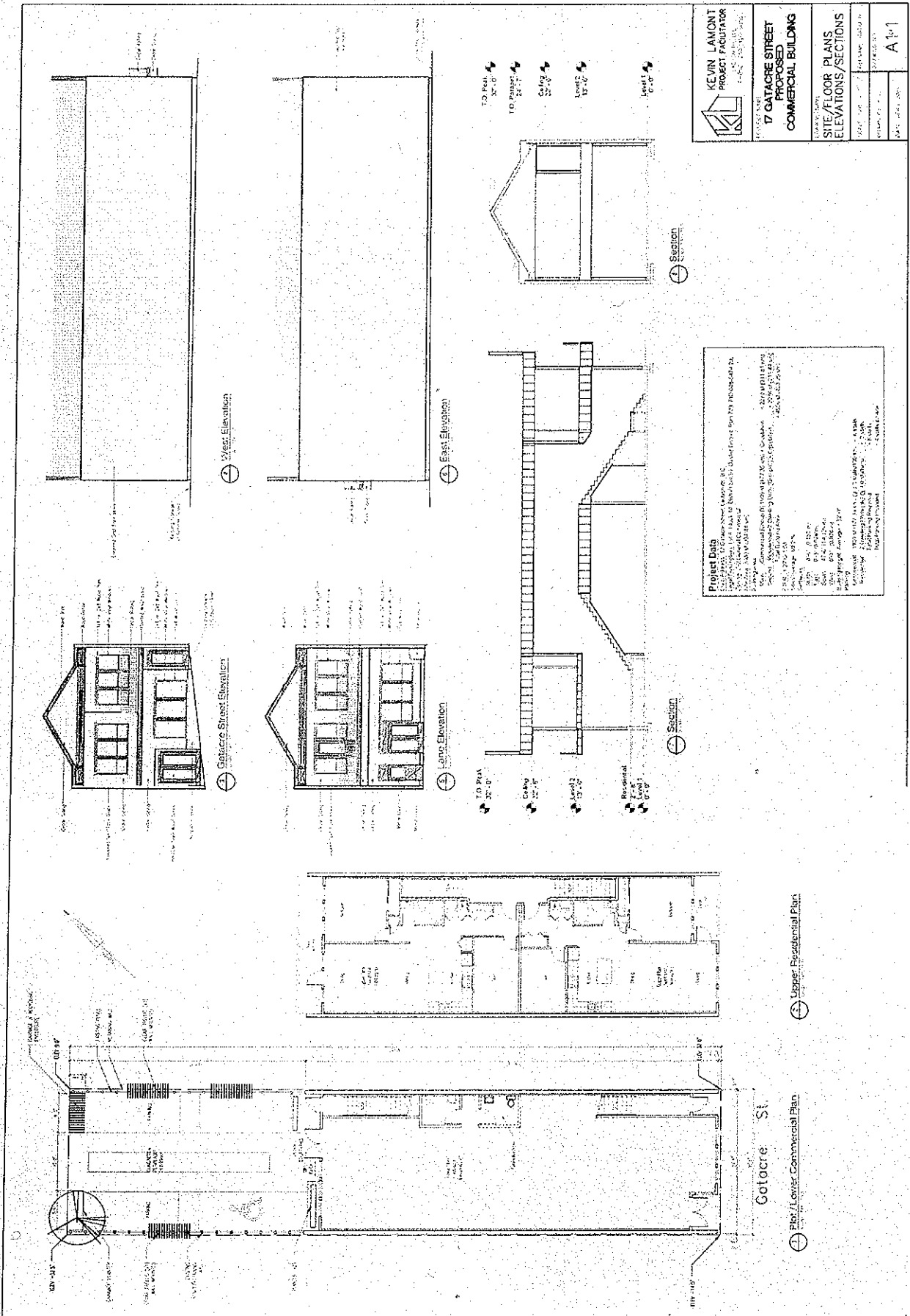
AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF
LADYSMITH ON THE ____ DAY OF _____ 201__.

MAYOR

CORPORATE OFFICER

OWNER

PLEASE PRINT NAME



**KEVIN LAMONT
PROJECT ARCHITECT**

**7 GATACRE STREET
PROPOSED
COMMERCIAL BUILDING**

**SITE/FLOOR PLANS
ELEVATIONS/SECTIONS**

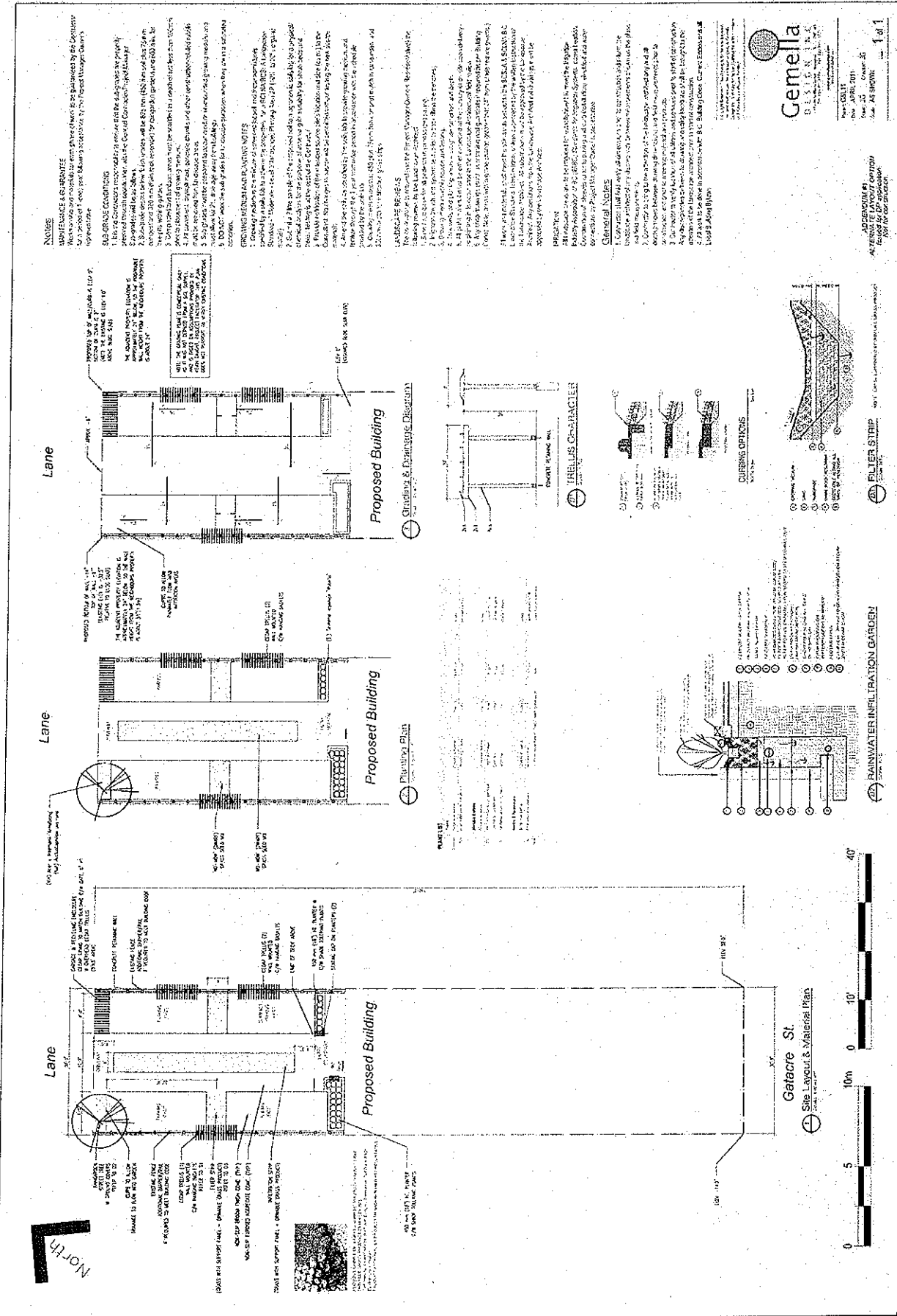
DATE: 4/11/11
SCALE: AS SHOWN
DRAWN BY: KLM
CHECKED BY: KLM

A-1

Project Data

Location: 7 GATACRE STREET, LEXINGTON, MA 01846
 Client: COMMERCIAL DEVELOPMENT GROUP, INC.
 Architect: KEVIN LAMONT PROJECT ARCHITECT, 100 N. BROAD STREET, LEXINGTON, MA 01846
 Designer: KEVIN LAMONT PROJECT ARCHITECT, 100 N. BROAD STREET, LEXINGTON, MA 01846
 Date: 4/11/11
 Scale: AS SHOWN
 Drawing Number: 101-1101-01
 Project Number: 101-1101-01
 Revision: 1

Schedule A: Site/Floor Plans/Elevations/Sections
(Kevin Lamont, April 2011)



NOTES

1. GENERAL NOTES

All work shall be in accordance with the Plans and Specifications prepared by the Engineer and the Standard Specifications for Road and Bridge Work of the Department of Transportation, 2003 Edition, as amended.

2. MATERIALS

All materials shall be of the quality and quantity specified in the Plans and Specifications. Materials shall be tested and approved by the Engineer before use.

3. CONSTRUCTION

Construction shall be in accordance with the Plans and Specifications. The Contractor shall be responsible for obtaining all necessary permits and approvals.

4. UTILITIES

The Contractor shall locate and protect all existing utilities before construction. All new utilities shall be installed in accordance with the Plans and Specifications.

5. DRAINAGE

Drainage shall be provided in accordance with the Plans and Specifications. All drainage shall be directed to the street or other approved location.

6. IRRIGATION

Irrigation shall be provided in accordance with the Plans and Specifications. All irrigation shall be installed in accordance with the Plans and Specifications.

LANDSCAPE SPECIFICATIONS

1. PLANTING

Plants shall be of the quality and quantity specified in the Plans and Specifications. Plants shall be installed in accordance with the Plans and Specifications.

2. MULCHING

Mulch shall be of the quality and quantity specified in the Plans and Specifications. Mulch shall be installed in accordance with the Plans and Specifications.

3. SOIL PREPARATION

Soil shall be prepared in accordance with the Plans and Specifications. All soil shall be tested and approved by the Engineer before use.

4. IRRIGATION

Irrigation shall be provided in accordance with the Plans and Specifications. All irrigation shall be installed in accordance with the Plans and Specifications.

CONCRETE WORKING NOTES

1. GENERAL

Concrete shall be of the quality and quantity specified in the Plans and Specifications. Concrete shall be installed in accordance with the Plans and Specifications.

2. FORMWORK

Formwork shall be of the quality and quantity specified in the Plans and Specifications. Formwork shall be installed in accordance with the Plans and Specifications.

3. REINFORCEMENT

Reinforcement shall be of the quality and quantity specified in the Plans and Specifications. Reinforcement shall be installed in accordance with the Plans and Specifications.

4. CURING

Concrete shall be cured in accordance with the Plans and Specifications. All concrete shall be tested and approved by the Engineer before use.

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GENERAL NOTES

1. CONTRACTOR

The Contractor shall be responsible for obtaining all necessary permits and approvals. The Contractor shall be responsible for the quality and quantity of all work.

2. MATERIALS

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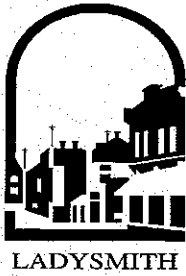
Gemella
DESIGN, INC.

10101 W. 10th Ave., Suite 100
Denver, CO 80231
Tel: 303.751.1111
Fax: 303.751.1112
www.gemelladesign.com

DATE: APRIL 2011
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN
SHEET NO: 1 of 1

APPENDIX B
Landscape Plan and Notes
FOR CONSTRUCTION

Schedule B: Landscape Plan and Notes
(Gemella Design Inc., April 2011)



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: April 13, 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 approves of the completed Official Community Plan consultation pursuant to S. 879 of the Local Government Act for OCP amendment application 3360-09-01 (11&17 Warren St.):
 - a) Refer the application to the Advisory Planning Commission (APC) and the Advisory Design Panel (ADP) for review and comment.
2. That Council accepts a land use agreement (covenant) for rezoning application 3360-09-01 that includes:
 - a performance bond (1% of construction costs) to secure the commitment that the building will meet the ASHRAE 90.1 (2004) energy performance standard;
 - a contribution of \$14,000 towards the Town's community amenity fund;
 - the December 2010 Ellins Architect Inc. site plan and building elevation drawings for 11 and 17 Warren Street (which includes indoor bicycle storage);
 - a commitment to installing a permeable parking area and landscaping with primarily native species; and
 - a commitment to no restrictions on the renting of the residential units.
3. That Council give first and second reading to Bylaw 1753 cited as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.36), 2011 No.1753" and Bylaw 1754 cited as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.86), 2011, No.1754".
4. That a public hearing be scheduled for Bylaw 1753 and Bylaw 1754.

PURPOSE:

The purpose of this report is to present Bylaw 1753 amending the Official Community Plan (OCP) and Bylaw 1754 amending the Zoning Bylaw to permit a three storey building with 14 residential apartments and one commercial space at 11 and 17 Warren Street.

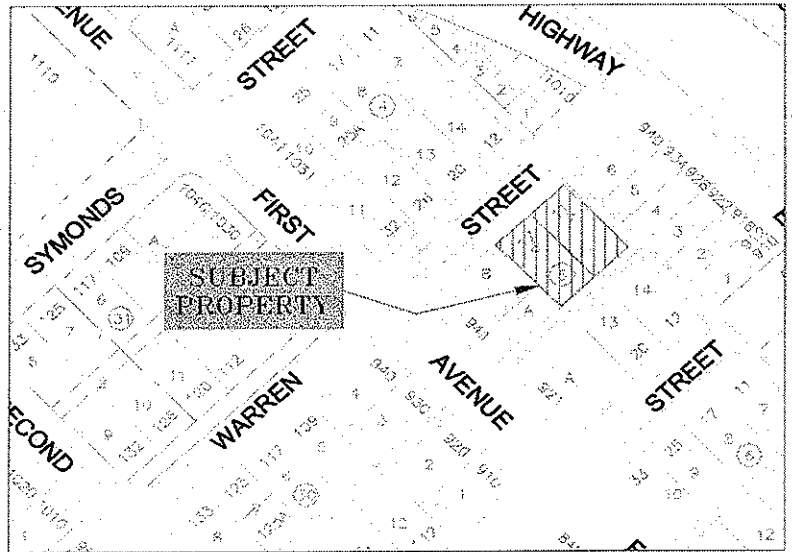
INTRODUCTION/BACKGROUND:

At the March 14, 2011 meeting Council directed staff to:

1) Prepare a bylaw to amend the Official Community Plan 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.

2) Prepare a bylaw to amend the Zoning Bylaw to permit one commercial unit and 14 residential units at 11 and 17 Warren St. through density bonusing for amenities.

3) Explore the options for affordable and accessible units with the developer of the proposed construction at 11 and 17 Warren Street.



Regarding affordable housing, the applicant has agreed that the renting of the residential units in the building shall be permitted and shall not be restricted. Additionally, the applicant has agreed that two residential units will be accessible units for those with mobility challenges. These units will meet the “adaptable dwelling unit” criteria of the BC Building Code. It is anticipated that the two bedroom residential units will cost in the range of \$225,000 to \$250,000.

SCOPE OF WORK:

Bylaw 1753

Bylaw 1753 proposes to amend the OCP by:

- Adding policy language that states a density increase up to 110 residential units per hectare may be considered in the Downtown when the density bonus amenity is a highly energy efficient building, or when alternative energy sources are utilized, as well as other features and amenity fund contributions are provided that contribute to reducing the impacts of climate change.

Bylaw 1754

Bylaw 1754 proposes to amend the Zoning Bylaw by adding a new zone “Downtown Residential Mixed Use Zone (R-4)” for the proposed development of 11 and 17 Warren St. The proposed R-4 Zone includes the following:

- Permitting multi-family residential dwellings, home occupations, personal service establishments, and professional offices. Permitted commercial business hours are 7 a.m. to 10 p.m..
- For the subject property a density bonus is proposed of 110 dwelling units per hectare of land. The density bonus amenities secured in Bylaw 1754 are indoor bicycle storage; two adaptable dwelling units; a building that meets the ASHRAE

90.1 (2004) energy performance standard; and that the use of the building will be free of rental restrictions.

Covenant

A land use agreement (covenant) is also proposed to contain the following commitments from the developer:

- A performance bond (1% of construction costs) to secure the commitment that the building will meet the ASHRAE 90.1 (2004) energy performance standard;
- A contribution of \$14,000 towards the Town's community amenity fund;
- 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 installing a permeable parking area and landscaping with primarily native species; and
- A commitment to no restrictions on the renting of the residential units.

ALTERNATIVES

To not give first and second reading to Bylaw 1753 and 1754 for reasons provided by Council.

FINANCIAL IMPLICATIONS n/a

LEGAL IMPLICATIONS

As this application proposes to amend the OCP, Council must consider whether consultation on the OCP amendment should be early and on going, and consider whether consultation is required with:

- (i) the boards of the CVRD and the RDN
- (ii) the council of a municipality adjacent to Ladysmith
- (iii) First Nations
- (iv) the school district, great boards or improvement district boards, and
- (v) the provincial or federal government and their agencies.

The application was referred to the Advisory Planning Commission and the Advisory Design Panel. The proposal does not appear to impact other agencies' interests. If the application proceeds a public hearing will be required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS

If the application proceeds the applicant will be required to hold a neighbourhood information meeting. The application has been referred to the Advisory Planning Commission and the Advisory Design Panel and their comments were previously provided to Council.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS

The proposed OCP and rezoning amendment application has been referred to the Director of Public Works, the Fire Chief, 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 OCP and Visioning Report. This proposal provides the following features: energy efficient building design that meets the ASHRAE 90.1 (2004) standard; a permeable parking area; indoor bicycle storage; two adaptable dwelling units for mobility challenged persons; and renting of units shall be not be restricted.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY

It is recommended to give first and second reading to Bylaw 1753 and 1754.

I concur with the recommendation.



Ruth Mali, City Manager

ATTACHMENTS:

Bylaw 1753

Bylaw 1754



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Pat Durban, Director of Parks, Recreation & Culture
Date: April 13, 2011
File No:

RE: Development Cost Charge Parks Reserve - DL108 Playfield Project

RECOMMENDATION(S):

That Council authorize the apportionment of not more than \$100,000 from Development Cost Charge Parks Reserve, if required, to permit the Town of Ladysmith to increase its share of the contribution to the Recreation Infrastructure Canada (RInC) Grant DL108 Playfield Project.

PURPOSE:

This action will permit the completion to the DL108 Playfield Project as identified in the RInC Grant Application.

INTRODUCTION/BACKGROUND:

When the original RInC Grant Application Project estimate was finalized, the financial contributions to cover these costs included \$200,000. from the Mid Isle Soccer Association and the Nanaimo and District Youth Soccer Association. It has now been identified that the maximum contributions from the soccer associations may be \$100,000 and as there are sufficient funds in the Development Cost Charge Parks Reserve to cover this shortfall, the recommendation has been forwarded for Council's consideration.

SCOPE OF WORK:

This will permit completion of landscaping, some paving, installation of a Children's playground structure and additional parking.

ALTERNATIVES:

If the funds are not realized, the project will be finalized as it now stands and the proposed works will have to wait till other funds become available.

FINANCIAL IMPLICATIONS:

The shortfall will result in a reduced contribution from the RInC program, which could collectively amount to approximately \$130,000.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Not completing the project as proposed could have a negative impact on the final look and function of the facility.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

N/A

RESOURCE IMPLICATIONS:

The shortfall may require the Town forces to complete some of the works out of existing budgets.

March 30, 2011

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 G, Safe and Healthy Community.

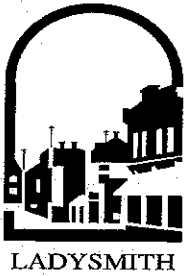
SUMMARY:

Supporting the recommendation to apportion funds from the Development Cost Charge Parks Reserve will permit the completion of the first phase of the DL108 Playfield Project as proposed.

I concur with the recommendation.



Ruth Malli, City Manager



Town of Ladysmith

COMMITTEE REPORT

To: Council
From: Trolley Committee
Date: April 13, 2011
File No:

Re: RECOMMENDATIONS FROM THE APRIL 4, 2011 TROLLEY COMMITTEE MEETING

RECOMMENDATION(S):

The following recommendations were adopted at the April 4, 2011 Trolley Committee meeting and are presented for the Government Services Committee's consideration:

It was moved, seconded and carried that the Trolley Committee recommends to Council that Staff be requested to collect ridership data during the months of May and June 2011 as well as July and August.

It was moved, seconded and carried that the Trolley Committee recommends to Council that Staff be requested to explore the possibility of the trolley travelling outside the Town boundaries on occasion to transport specific groups to and from an event.

It was moved, seconded and carried that the Trolley Committee recommends to Council that the Town promote riders to provide a donation of at least \$1.00 when using the trolley.

It was moved, seconded and carried that the Trolley Committee recommends to Council that Staff be requested to develop a trolley donor card system to enable riders to pre-purchase donations and display a donor card when getting on the trolley rather than having to have money available each time they board the trolley.

It was moved, seconded and carried that the Trolley Committee recommends to Council that the Draft Trolley Rental Policy be approved subject to clarification of Item No. 2 (prohibiting the trolley to leave the Town boundaries) and deletion of Item No. 8 (restricting rentals to between 8:00 a.m. and 11:00 p.m.). (See attached.)

NOTE

For Committee's information, staff confirms that the trolley must not travel outside the Town's boundaries whatsoever. Therefore staff recommends that Item No. 2 in the draft Trolley Rental Policy not be deleted.

TOWN OF LADYSMITH
POLICIES AND PROCEDURE MANUAL

TOPIC:	TROLLEY RENTAL POLICY
APPROVED BY:	DATE: March 15, 2011
RESOLUTION #: 2011-015	
<p>The Ladysmith trolley is available for rent by Ladysmith organizations and residents. Trolley rental arrangements are the responsibility of the Director of Public Works. The trolley is only available for rent when it is not required for the provision of the Town of Ladysmith regular weekly transit service. The Town does not guarantee which trolley vehicle will be available at the time of the rental arrangement. The Town reserves the right to cancel a rental booking in order to meet operational requirements.</p> <p>Trolley rentals must comply with the following criteria:</p> <ol style="list-style-type: none">1. The organization or individual renting the trolley must reside or operate within Ladysmith.2. Due to licensing requirements, the trolley is not permitted to travel outside the Town boundaries.3. The consumption of alcohol is prohibited on the trolley.4. Smoking is prohibited on the trolley.5. The trolley may only be operated by a qualified Town of Ladysmith trolley operator.6. The trolley rental rate is \$100 per hour for a minimum of four hours.7. Bona fide not-for-profit local organizations are eligible to receive a 25% rental discount.8. Functions or events in which the trolley is involved must comply with all Town bylaws and other regulations.9. The individual responsible for the trolley rental must ensure that the trolley event does not disrupt or disturb Town residents or businesses.10. At least 24 hours notice is required to cancel the trolley rental contract.	

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TOWN OF LADYSMITH

BYLAW NO. 1753

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) The "Official Community Plan Bylaw, 2003, No. 1488" is hereby amended as set out in Schedule A to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.36), 2011, No. 1753".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

on the day of

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

BYLAW NO. 1753
SCHEDULE A

(1) Schedule "A" – "Town of Ladysmith Community Plan" is amended as follows:

- (a) The paragraph 'Downtown Mixed Use' in Section 3.8.1 'Land Use Designations' is amended by adding a new sentence following the sentence: "Density increases to allow up to 100 units per hectare for residential development may be considered through density bonusing (for such amenities as senior's housing/affordable housing/underground parking) as provided in the Zoning Bylaw", as follows:

"Density increases to allow up to 110 units per hectare for residential development may be considered through density bonusing (for such amenities as highly energy efficient buildings, utilizing alternative energy sources such as solar, wind, or geothermal and other features or community amenity fund contributions that contribute to reducing the impacts of climate change) as provided in the Zoning Bylaw."

- (b) Table 8 "Density Summary" – Delete the following note:

"1 Bonus density potential up to 100 uph."

And replace it with the following note:

"1 Bonus density potential up to 110 uph."

TOWN OF LADYSMITH

BYLAW NO. 1754

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

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

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

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

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is hereby further amended by adding a new zone "Downtown Residential Mixed-Use (R-4)", as shown on Schedule 1 to this Bylaw.
- (2) The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160", is hereby amended by placing "Downtown Residential Mixed-Use (R-4)" on Lot 7 and Lot 8, Block 5, District Lot 24, Oyster District, Plan 703A (11 and 17 Warren St.) as shown on Schedule 2 to this Bylaw.

CITATION

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 86), 2011, No. 1754".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

on the day of

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

BYLAW No. 1754 – SCHEDULE 1

12A.0 DOWNTOWN RESIDENTIAL MIXED USE ZONE (R-4)

12A.1 Permitted Uses

The following uses and no other uses are permitted in this Zone:

- (a) multi-family residential dwellings;
- (b) home occupation;
- (c) personal service establishment;
- (d) business or professional office.

12A.2 Conditions of Use

- (1) The maximum parcel coverage shall not exceed 75 percent.
- (2) The height of a principal building shall not exceed 12 metres.
- (3) The height of an accessory building shall not exceed 7.5 metres.
- (4) No buildings or structures located on a parcel within this Zone shall be closer than:
 - (a) 0.0 metres to the front lot line.
 - (b) 2.0 metres to one side lot line and a minimum of 1.5 metres to the other side lot line.
 - (c) 4.5 metres to the rear lot line.
- (5) A personal service establishment, business, or professional office use must be located at grade below the primary multi-family residential use.
- (6) The permitted hours of operation for a personal service establishment, business, or professional office use are from 7 a.m. to 10 p.m.
- (7) The maximum number of dwelling units permitted in this Zone is 75 units per hectare of lot area.
- (8) The minimum finished floor area for each different type of dwelling unit contained in a multi-family residential use building shall be in compliance with the requirements set out in the table below:

Type of Dwelling	Minimum Finished Floor Area Per Dwelling
Bachelor Dwelling Unit	32.0 square metres
One Bedroom Dwelling Unit	60.0 square metres
Two Bedroom Dwelling Unit	70.0 square metres
Three Bedroom Dwelling Unit	85.0 square metres
Townhouse	70.0 square metres

12A.3 Minimum Lot Size

- (1) All development must be connected to water and sewer services.
- (2) The minimum parcel size permitted shall not be less than 1336 square metres.

12A.4 Off Street Parking and Loading

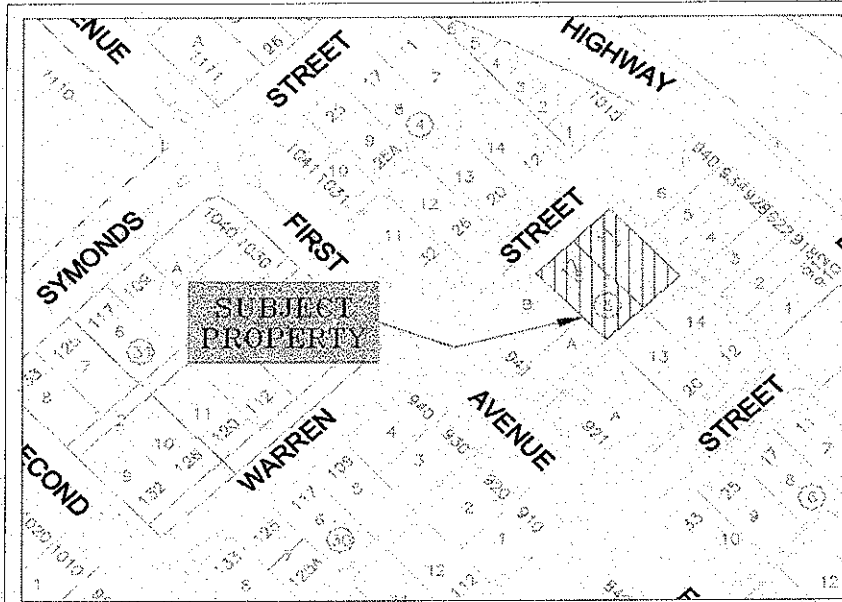
Off-street parking and loading must be provided as required by the Municipality's parking regulations.

12A.5 Density Bonus

Despite section (7) above, a density bonus may be permitted in specific locations as indicated in the table below. The table below shall be interpreted as follows: for the subject property listed in Column One, and where the developer provides the amenities listed in Column Two, a density bonus is permitted as listed in Column Three.

COLUMN ONE: SUBJECT PROPERTY	COLUMN TWO: AMENITIES	COLUMN THREE: DENSITY BONUS
Lot 7 and Lot 8, Block 5, District Lot 24, Oyster District, Plan 703A (11 and 17 Warren St.)	Use of the building will be free of rental restrictions. Two adaptable dwelling units as defined by subsection 3.8.5 of the Building Code of British Columbia. The building built on the land meets or exceeds the ASHRAE 90.1 (2004) energy performance standards. Indoor bicycle storage for 11 bicycles.	The maximum number of dwelling units permitted is 110 units per hectare of lot area (14 units).

BYLAW No. 1754 – SCHEDULE 2



TOWN of LADYSMITH

BYLAW NO. 1755

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

WHEREAS the sum of \$2,287,860.42 is on deposit in the Sale of Real Property Reserve Fund;

AND WHEREAS it is deemed necessary to appropriate the sum of \$1,842,544.25 from the Sale of Real Property Reserve Fund for the purpose of expenditures with respect to the capital projects and the machinery or equipment necessary for them and extension or renewal of existing capital works;

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

1. The sum of \$1,842,544.25 (one million, eight hundred forty two thousand, five hundred forty four dollars and twenty five cents) is hereby appropriated from the Sale of Real Property Reserve Fund and transferred to the General Revenue.

CITATION

2. This bylaw may be cited for all purposes as "Sale of Real Property Reserve Fund Appropriation Bylaw 2011, No. 1755".

READ A FIRST TIME on the 4th day of April , 2011

READ A SECOND TIME on the 4th day of April , 2011

READ A THIRD TIME on the 4th day of April , 2011

ADOPTED on the day of April , 2011

Mayor (R. Hutchins)

36 Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1756

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

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

WHEREAS there is an unappropriated balance in the Development Cost Charges (Roads) Restricted Reserve of \$577,084.54, and

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

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

1. The sum of thirty three thousand (\$33,000.00) is hereby appropriated from the Development Cost Charges Restricted Reserve (Roads), to be expended for the purpose of debt repayment for and construction of road projects.
2. This bylaw may be cited as the "DCC Roads Appropriation Bylaw 2011, No. 1756".

READ A FIRST TIME on the 4th day of April , 2011

READ A SECOND TIME on the 4th day of April , 2011

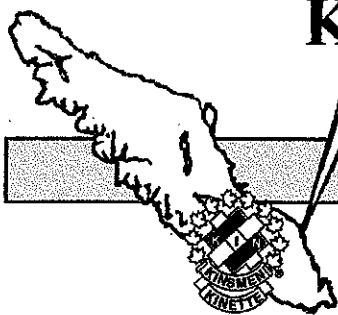
READ A THIRD TIME on the 4th day of April , 2011

ADOPTED on the th day of April , 2011

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

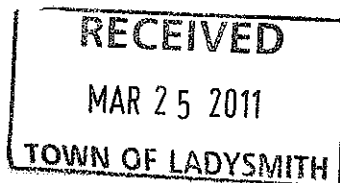
Kinsmen Club of Ladysmith On The 49th Parallel



P.O. Box 324, Ladysmith, B.C. V9G 1A3

March 21, 2011

Mayor and Council
Town of Ladysmith,
P.O. Box 220
Ladysmith, B.C.



Dear Mayor Hutchins and Councillors;

The members of the Ladysmith Kinsmen Club wish to take this opportunity to THANK YOU, council, city staff and employees for the support shown in the construction of phase one of the playground project.

The support shown has been stupendous and it certainly went a long way in bringing this part of the project to a very successful and fun completion.

Our members wish to really acknowledge the help from the folks at the Parks, Recreation and Culture Dept. as well as the employees from Public Works and also the Town's Finance Dept.

We cannot say enough about all the folks that work for the Town, but, on top of that we would like to express a very special thanks to Neil and Mike and Issac. Those two guys from Public Works are absolutely amazing hardworkers and super cooperative. What they did to help us complete this part of the playground in horrible weather was fantastic.

Again... everybody from the Town was GREAT and we really do want to thank everybody.

Yours in Kin

A handwritten signature in black ink, appearing to read 'Rod Saunders'.

Rod Saunders

President

Ladysmith Kinsmen Club

From: Renee Masur [REDACTED]
Sent: April 11, 2011 11:26 AM
To: Julie Tierney
Subject: Help for La Rosa Residents

To the Town of Ladysmith,

My name is Renee Masur and I live right down the street from La Rosa Gardens. Every sunny day, Lillian, a resident of la Rosa, walks down our street and sits on a bench in our neighbourhood. The walk down the block is just long enough that she needs a short break. She sits on the bench to get some energy and spend some time with our friendly neighbourhood cat, Spaz. When she feels ready, she makes her way back up the hill. Many residents use the little bench as a place to rest for their afternoon walks. My dad was out for a walk the other day had a chat with her. Many of the residents at La Rosa no longer drive and rely on the Trolley to get them to town. Lillian told my dad that she wished their was a bench at the trolley stop as it's very tiring for her to have to stand and wait for the trolley to pick her up. With the weather warming up, I think many of the residents will frequent downtown for their afternoon excursions. I was hoping that the town could put a bench on the grass next to the sidewalk and trolley stop at the top of Cook St. It would be very much appreciated by all the residents of La Rosa and folks in our neighbourhood!

Thank you so much!

Sincerely,
Renee Masur

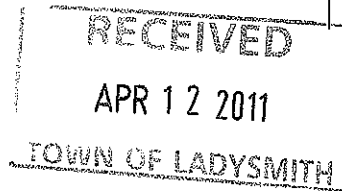
LADYSMITH

CHAMBER OF COMMERCE

P.O. Box 598
411B First Avenue,
Ladysmith, B.C. V9G 1A4

T 250 245 2112
F 250 245 2124
E info@ladysmithcofc.com
www.ladysmithcofc.com

April 12, 2011



Dear Councillor

I agree with Graham Bruce in his April 07th comment printed in the Victoria Times Colonist, that if the Island Rail service on Vancouver Island shuts down it will be a terrible travesty for Island residents and new tourists visiting our beautiful Island.

We in Ladysmith look to the Island rail service as a major component of our future community development. Transportation both south & north for our residents is key. Our focus in Ladysmith centres around new sustainable growth focusing around & encouraging green initiatives. An efficient functioning rail system would be key in reducing automobile pollutants produced by the thousands of vehicles passing back & forth through our highway corridor daily.

As President of the Ladysmith Chamber of Commerce we are starting fundraising initiatives to assist the Town in establishing the rail station as the central focus of a new Visitor Information Center. Our residents could welcome passengers on the rail cars and promote our community as an Island destination. Can you imagine ambassadors dressed in period costume greeting passengers with their pleasant Ladysmith smile! I can!

Our Chamber is now developing initiatives to create a dedicated fund to assist in upgrades required to renovate the existing train station. You can imagine our disappointment when reading Graham Bruce's announcement that the rail service is being suspended until upgrades are completed. If upgrades are not completed it may well be the demise of a unique opportunity. Mr. Bruce's estimate to complete the needed upgrades is \$15 million dollars, split by governments.

We urge all governments to fund the upgrades needed to maintain and expand a unique transportation service on Vancouver Island.

The Ladysmith Chamber of Commerce is sponsoring its annual golf tournament on Friday June 24, 2011 at the Cottonwood golf course, proceeds to a dedicated building fund for the Ladysmith Train station upgrades. We intend to do our part to promote a greater usage of the rail system in Ladysmith, we encourage all levels of government to "hop on board" and do their part in making this rail service a great success!

Kind Regards,
Rob Waters
President Ladysmith Chamber of Commerce
Chair of the Ladysmith Tourism Advisory Committee