

TOWN OF LADYSMITH

SCHEDULE FOR TUESDAY, SEPTEMBER 6, 2011
COUNCIL CHAMBERS, CITY HALL

6:30 p.m. PUBLIC DIALOGUE WITH COUNCIL

- *This monthly dialogue session will occur the first Monday of each month from 6:30 p.m. to 6:55 p.m.*
- *Attendees are requested to sign a “sign in” sheet at the session*
- *This session does not form part of the Regular Council Meeting*
- *Notes may be taken to reflect the general discussion and points raised, including queries for which a response was not provided during the session. Notes **do not** form part of regular Council minutes*
- *The imposition of a time limit for speakers is at the discretion of the Chair*

7:00 p.m. REGULAR COUNCIL MEETING

EXECUTIVE (CLOSED) SESSION

Page

REGULAR COUNCIL MEETING AGENDA

CALL TO ORDER

1. AGENDA APPROVAL

2. MINUTES

- 2.1.** Minutes of the Regular Council Meeting held on August 15, 2011

1 - 3

3. BYLAWS (OCP / ZONING)

None

4. DELEGATION

- 4.1.** D. Parhar & C. Parhar, Island Pacific Transport Ltd.
Business Licence Application for Island Pacific Transport Ltd.

5. PROCLAMATIONS

Mayor Hutchins has proclaimed:

- 5.1.** The Month of September 2011 as Big Bothers, Big Sisters Month

5.2. The week of November 13 to 20, 2011 as Restorative Justice Week

in the Town of Ladysmith

6. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS**4 - 13****6.1. Development Permit Application – 142 Trans Canada Highway
Lot 6, District Lot 139, Oyster District, Plan 7217****6.2. Development Permit Application – 341 Chemainus Road
Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District,
Plan VIP 79606****14 - 18****6.3. Development Variance Permit – 341 Chemainus Road
Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District,
Plan VIP 79606****19 - 22****7. COUNCIL COMMITTEE REPORTS****7.1. Mayor R. Hutchins**

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

7.2. Councillor S. Bastian

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

7.3. Councillor J. Dashwood

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

7.4. Councillor S. Arnett

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

7.4.1. Government Services Committee Recommendations**7.5. Councillor D. Paterson**

Protective Services Committee; Celebrations Committee; Festival of Lights

7.6. Councillor L. Evans

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

7.7. Councillor B. Whittington

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

8. STAFF / ADVISORY COMMITTEE REPORTS

- | | | |
|-------------|---|----------------|
| 8.1. | Rezoning Application – LANDECA Services Inc.
Lot A, District Lot 126, Oyster District, Plan VIP73132 (Malone Road) | 23 – 32 |
| 8.2. | Secondary Suites – Proposed Enforcement Policy Guide | 33 – 36 |
| 8.3. | Ladysmith RCMP Detachment Janitorial Contract | 37 – 38 |
| 8.4. | Town of Ladysmith Proposed Logo Update | 39 – 41 |
| 8.5. | Island Corridor Foundation Permissive Tax Exemption | 42 – 44 |
| 8.6. | Temporary Loan Authorization Bylaw | 45 – 46 |

9. CORRESPONDENCE

- | | | |
|-------------|---|----------------|
| 9.1. | Chuck Forrest
Dangerous Intersection | 47 – 49 |
|-------------|---|----------------|

Staff Recommendation:

That Council consider if it wishes to refer the issues raised by C. Forrest in his correspondence of August 28, 2011 regarding the intersection at Roberts Street and Third Avenue to staff for investigation and recommendation.

- | | | |
|-------------|--|-----------|
| 9.2. | Mitch Kenyon, Municipal Insurance Association of British Columbia
Voting Delegate at Municipal Insurance Association of BC Annual General Meeting | 50 |
|-------------|--|-----------|

Staff Recommendation:

That Council consider if it wishes to appoint a voting delegate and up to two alternates for the Municipal Insurance Association Annual General Meeting on September 24, 2011.

- | | | |
|-------------|--|-----------|
| 9.3. | Krista Seggie, South Wellington and Area Community Association
Train Transportation on Vancouver Island | 51 |
|-------------|--|-----------|

Staff Recommendation

That Council consider if it wishes to provide a copy of recent correspondence to the provincial and federal governments regarding the need to invest in rail infrastructure on Vancouver Island to the South Wellington and Area Community Association.

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| 9.4. | Bev DeJong and Ross MacLennan
Cat Licensing | 52 - 53 |
|-------------|--|----------------|

Staff Recommendation:

That Council consider if it wishes to receive the correspondence from D. DeJong and R. McLennan regarding the issue of cat licensing and refer it to staff for preparation of a response.

10. BYLAWS

- 10.1. Town of Ladysmith Tax Sale Redemption Period Extension Bylaw 2011, No. 1777** **54**
 May be read a first, second and third time.
- The purpose of Bylaw 1778 is to extend the one-year tax sale exemption period for the property located at 422 First Avenue for a further one-year period.*
- 10.2. Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1778** **55**
 May be read a first, second and third time.
- The purpose of Bylaw 1778 is to enact the fare schedule for the Ladysmith Trolley Service adopted by Council at its regular meeting of August 15, 2011.*
- 10.3. Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 20011, No. 1779** **56**
 May be read a first, second and third time.
- The purpose of Bylaw 1779 is to amend the Building and Plumbing Bylaw to incorporate new requirements for low-flush toilets and urinals.*
- 10.4. Town of Ladysmith Water System Construction Interim Financing Bylaw 2011, No. 1780** **57**
 May be read a first, second and third time.
- The staff report concerning Bylaw 1780 will be considered by Council under Agenda item 8.6*

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

14. EXECUTIVE SESSION

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

- 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

ADJOURNMENT



LADYSMITH

MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
AUGUST 15, 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
Erin Anderson

Sandy Bowden
Joanna Winter

Felicity Adams

CALL TO ORDER

Mayor Hutchins called the meeting to order at 6:31 p.m.

EXECUTIVE SESSION

2011-358

It was moved, seconded and carried that Council retire into Executive Session at 6:31 p.m.

AGENDA APPROVAL

Mayor Hutchins reconvened the Regular Meeting of Council at 7:00 p.m.

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

11.1 Ladysmith Days Appreciation and Follow-Up

2011-359

It was moved, seconded and carried that the agenda for the Council Meeting of August 15, 2011 be adopted as amended.

MINUTES

2011-360

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held August 2, 2011 be approved as amended to correct Resolution 2011-344 to correct "...308 litres per flush..." to "...3.8 litres per flush...".

**DEVELOPMENT PERMITS /
DEVELOPMENT VARIANCE
PERMITS**

- 2011-361** **Development Variance Permit Application – 341 Chemainus Road**
It was moved, seconded and carried that staff be directed to proceed with the statutory notice for Development Variance Permit Application 3090-11-03 for Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan Land District, Plan VIP 79606 (341 Chemainus Road).

**STAFF / ADVISORY
COMMITTEE REPORTS**

- 2011-362** **Purchase of Custom Multi-Use Fire Vehicle**
It was moved, seconded and carried that the contract for the purchase of a Ford chassis Custom Multi-Use Fire Vehicle by five-year lease through the Municipal Finance Authority be awarded to DEKL Equipment Ltd. For a total price of \$78,445.00 plus Harmonized Sales Tax to be funded through the Municipal Finance Authority.

- 2011-363** **Alternative Approval Process – Water Works Project**
It was moved, seconded and carried that in accordance with Section 86(8) of the Community Charter, Council accept the results of the alternate approval process as certified by the Corporate Officer and further that Council adopt Town of Ladysmith Water System Construction Loan Authorization Bylaw 2011, No. 1763 to authorize the borrowing of \$1,000,000 to fund the water works project.

- 2011-364** **Secondary Suites**
It was moved, seconded and carried that the relevant clause in Sections 4, 5, 6, 7, 8 and 10 of proposed Bylaw 1774 be amended to read “A Bed and Breakfast use is not permitted in a single family dwelling containing a secondary suite, unless the lot size is at least 1,000 square metres (10,764 square feet).”

BYLAWS

- 2011-365** **Ladysmith Water System Construction Loan Authorization Bylaw 2011, No. 1763**
It was moved, seconded and carried that Town of Ladysmith Water System Construction Loan Authorization Bylaw 2011, No. 1763 be adopted.

Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 87) 2011, No. 1774

2011-366

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 87) 2011, No. 1174 be read a first and second time and that a public hearing be scheduled.

NEW BUSINESS

2011-367

Ladysmith Days

It was moved, seconded and carried that letters of congratulations and appreciation be sent to the organizers, volunteers and sponsors of Ladysmith Days, and that the Town place an advertisement of appreciation in the local newspaper.

QUESTION PERIOD

R. Johnson enquired about the following matters:

- the interest rate on MFA leases
- how the decision to extend the outfall for the Sewage Treatment Plant or move to tertiary treatment will be determined
- the size limit for secondary suites as outlined in Bylaw 1774

2011-368

Recess

It was moved, seconded and carried at 7:51 p.m. that Council retire into Executive Session after a two-minute recess.

ARISE AND REPORT

Council arose from Executive Session at 8:35 p.m. without report.

ADJOURNMENT

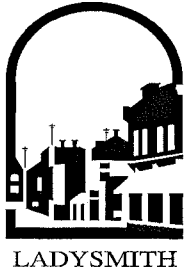
2011-369

It was moved, seconded and carried that this meeting of Council be adjourned at 8:35 p.m.

CERTIFIED CORRECT

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: August 30, 2011
File No: 3060-11-16

Re: Development Permit Application – 1142 Trans Canada Highway
Lot 6, District Lot 139, Oyster District, Plan 7217

RECOMMENDATION(S):

That Council issue Development Permit 3060-11-16 to permit a four-plex residential development at 1142 Trans Canada Hwy (Lot 6, District Lot 139, Oyster District, Plan 7217), subject to determination of the value of the landscape bond;

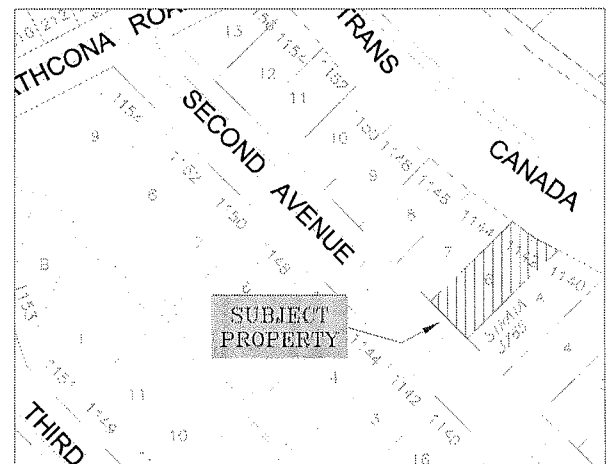
AND THAT the Mayor and Corporate Officer be authorized to sign the Development Permit.

PURPOSE:

The purpose of this report is to consider a development permit application for a proposed four-plex residential development at 1142 Trans Canada Highway.

INTRODUCTION/BACKGROUND:

In 2009 the subject property was rezoned to permit a four unit residential development. The property is 934m² (10,055ft²) in size and is currently vacant. The property is bordered by the Trans Canada Highway to the north-east and Second Avenue to the south-west. The property to the south-east contains four attached townhomes, and the property to the north-west contains a single family dwelling.



SCOPE OF WORK:

The subject property falls within Development Permit Area 4 – Multi-Family Residential (DPA 4). The DPA 4 guidelines include the following:

Ensuring that the scale, mass, and character of new development relates positively to that of adjacent development and preserving the residential character of the area. The layout of the four attached residential units takes advantage of the existing sloped grades by stepping the units down the property. The building form is consistent with other multi-family developments in the neighbourhood and the architectural style and scale is in keeping with the Ladysmith heritage themes. The units are 2-storeys in height, and the peaked roof for each unit creates the image of 4 single family dwellings.

Ensure the use of natural materials for exterior finishing.

Exterior finishing materials include horizontal and vertical hardi-board siding, wood trim around windows and doors, hardi-shingles, and vinyl windows. The colour scheme uses a combination of blues and greens with warm cedar-toned shingles.

Design of building should acknowledge varying influence of sunlight during the day and take advantage of natural light.

The proposed residential units are tucked into a slope thus it is more challenging to capture natural light. However, there are patio doors at the rear which will bring light into the great room, dining and kitchen area. Large windows are also proposed for the first storey front elevation as well as the second storey front and rear.

Pedestrian and vehicular movement onsite should be separated, and barrier free design principles shall be used where possible.

The site plan is proposing that the 7 parking stalls be consolidated in a designated area off Second Avenue, such that residents access their unit via a pedestrian walkway. This will allow for a more green, permeable site overall and will permit more outdoor space for each residential unit.

Landscaping shall provide privacy to residents and adjacent property owners.

The landscape plan proposes the planting of 4 vine maples trees, 5 dogwood trees, 2 fruit trees, 3 douglas fir trees, as well as many native shrubs and perennials. Fencing is proposed for the sides and rear property lines. Landscaping and fencing will also be used to create private outdoor areas at the rear of the site. The lighting shall be oriented away from adjacent properties. Each unit contains a separate storage room for refuse and other items. Each residential unit will be responsible for bringing refuse, organics, and recycling to Second Avenue for pick-up.

The subject property is zoned 'Medium Density Residential (R-3-A)'. The proposed development meets all requirements of the R-3-A zone. There is a covenant on title and the proposed four-plex development meets the covenant requirements in the following ways:

- ✓ a water meter shall be installed in each unit;
- ✓ triple glaze windows will be used for most windows in each unit,
- ✓ natural materials and finishes will be used for the exterior façade; and
- ✓ a landscape plan has been prepared by a landscape architect with the required elements.

The proposed development will be a positive contribution to the Second Avenue residential area, it is recommended to support the development permit application.

ALTERNATIVES:

To not support the proposed development for reasons related to the Development Permit Area 4 guidelines or design covenant.

FINANCIAL IMPLICATIONS; n/a

LEGAL IMPLICATIONS; n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

At its July 2011 meeting the Advisory Design Panel passed a motion of support for the proposed Ellins Architect four-plex designs for 1142 Trans Canada Highway.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposal has been referred to the Director of Public Works, the Fire Chief, and the Building Inspector and they have no concerns.

RESOURCE IMPLICATIONS:

Processing Development Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Encouraging infill development is consistent with the Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

It is recommended to support Development Permit application 3060-11-16.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

DP Form 3060-11-16

TOWN OF LADYSMITH
DEVELOPMENT PERMIT 3060-11-16
(Section 920 Local Government Act)

DATE: September 6, 2011

TO: Lovely Ventures Inc., Inc. No. BC0860672

Address: PO Box 2345
Ladysmith, BC
V9G 1B8

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 6
District Lot 139
Oyster District
Plan 7217
PID# 005-739-977
CIVIC ADDRESS: 1142 Trans Canada Highway
(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 5 and 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. The Permittee, as a condition of the issuance of this Permit, agrees:

a) To develop the lands as shown in:

Schedule A: Site Plan/Section – Ellins Architect (June 2011)
Schedule B: West and South Elevations – Ellins Architect (June 2011)
Schedule C: East and North Elevations – Ellins Architect (June 2011)
Schedule D: Landscape Plan – Gemella Design (August 2011)
Schedule E: Landscape Details – Gemella Design (August 2011)

b) That the exterior finishing scheme of the four-plex building be as follows:

- i) Cedar shake for gables and posts;
- ii) Hardi 'Board and Batten' siding and Hardi horizontal siding;
- iii) Wood and 'Barge Board' fascias, belly bands, corner trim, window trim and door trim;
- iv) Cloverdale Paint colours include: brighton beach (8599), head for the beach (8480), beach bum (8481), gothic grey (8312), raw steel (8313), and campiello (8500); and
- v) Triple glaze windows shall be used for main floor windows and east elevation windows.

6. 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 for a period of two years, shall be automatically extended, and shall be in the amount of \$ _____.
7. 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 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.
8. 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.
9. 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 **3060-11-16** or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
10. 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.
11. The plans and specifications attached to this Permit are an integral part of this Permit.
12. This Permit prevails over the provisions of the Bylaw in the event of conflict.
13. 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

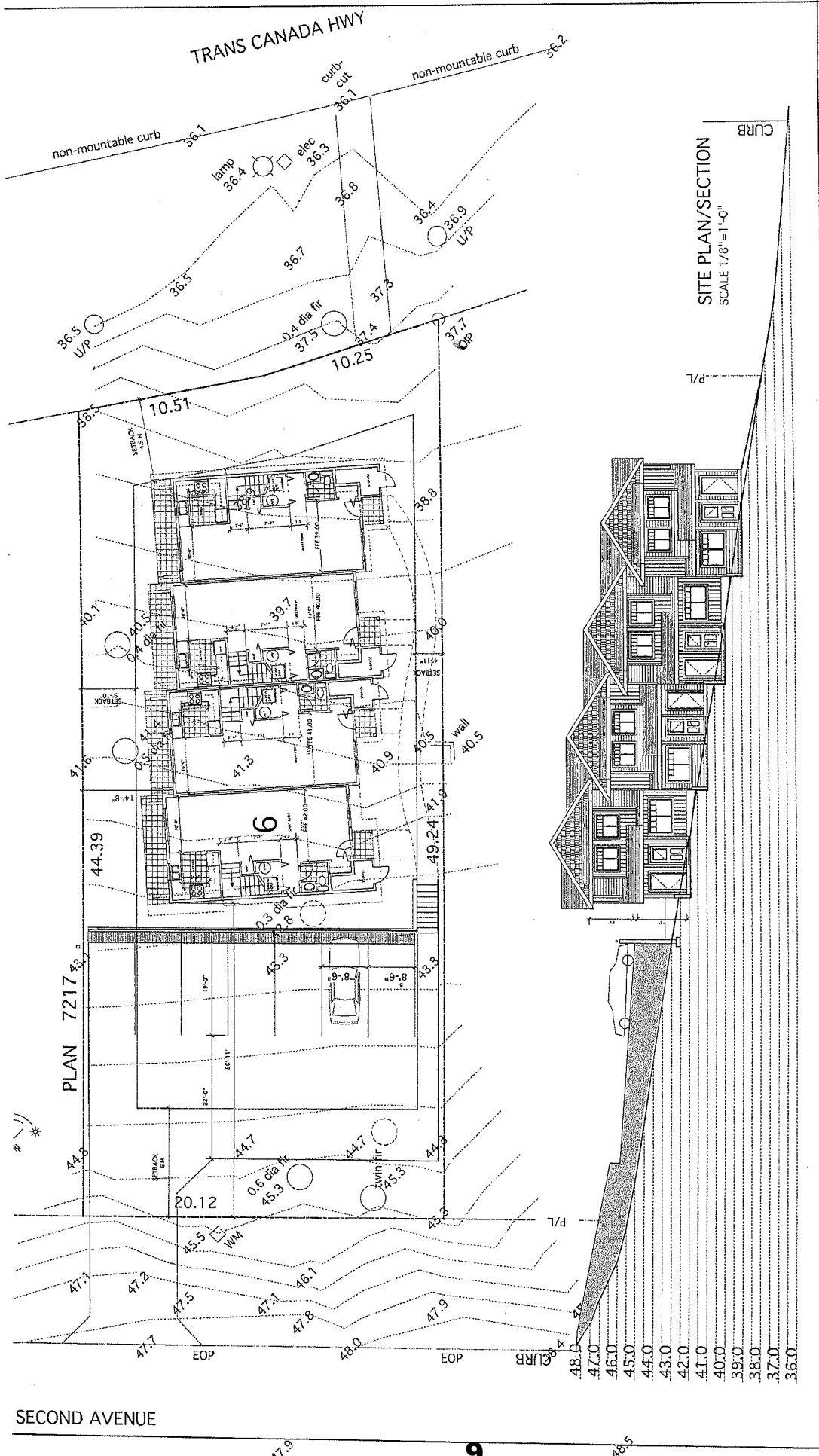
CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

OWNER

PLEASE PRINT NAME



SECOND AVENUE

DRAWING: SITE PLAN/SECTION PROJECT NO. 2011-06 DRAWING NO. A2	DRAWN: AK IE DATE: JUNE 2011
	SCALE: 1/8"=1'-0" PROJECT NO. 2011-06 DRAWING NO. A2

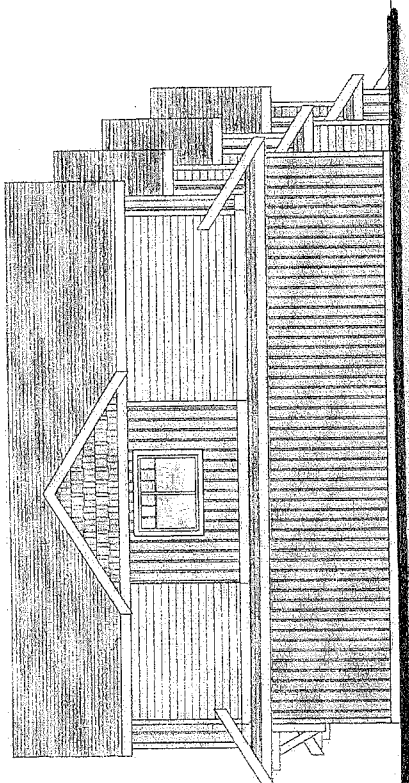
JERRY G. ELLINS ARCHITECTURE INC. 2011-06-16
 1111 10th Ave S, Suite 201
 Vancouver, BC V6Z 1K1
 Tel: (604) 272-4212
 Fax: (604) 272-4213
 www.ellinsarchitect.com

ellins architect inc.
 architecture • planning • interior design

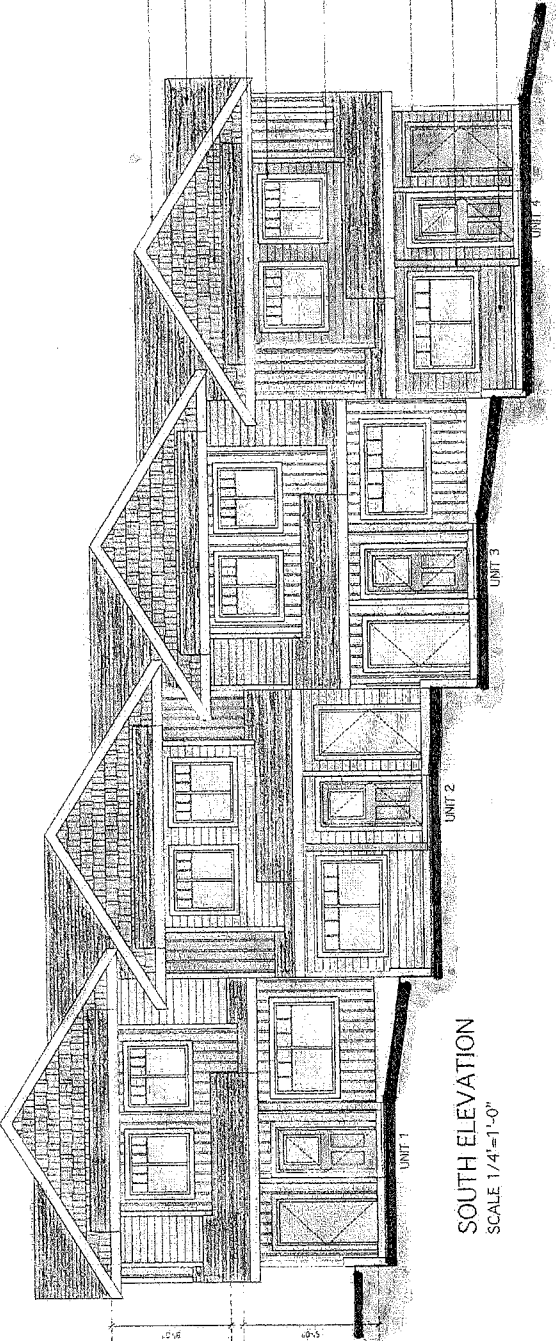
4-PLEX SECOND AVE.

LADYSMITH B.C.

Schedule A: Site Plan/Section - Ellins Architect (June 2011)
 DP 3060-11-16 - Lovely Ventures Inc., Inc. No. BC0860672

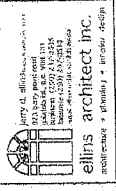


WEST ELEVATION



SOUTH ELEVATION
SCALE 1/4"=1'-0"

- METAL FLASHINGS
- FIBREGLASS SHINGLES
- CEDAR SHINGLE SIDING
- 1/8" WOOD FASCIA/BELLY BANDS
- 4" WOOD TRIM AROUND WINDOWS AND DOORS
- HARDI BOARD & BATTEN SIDING
- 4" HARDI CORNER TRIM
- WOOD POST
- HARDI HORIZONTAL SIDING



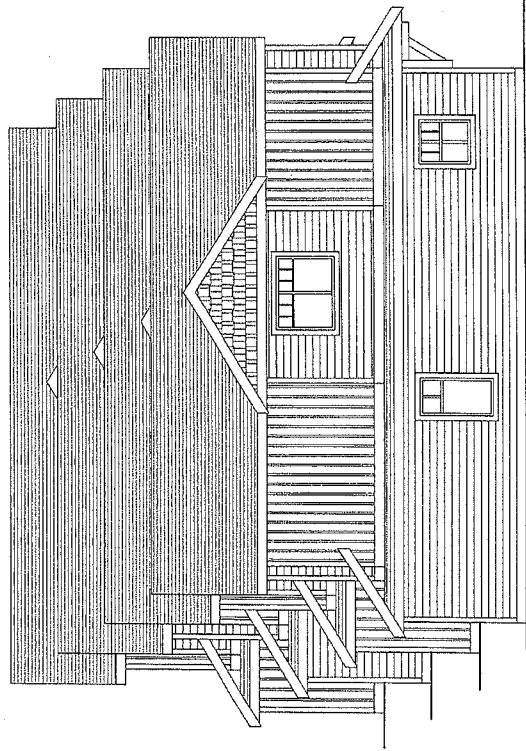
DRAWING: ELEVATIONS 2

DRAWN BY: AK, JE
DATE: JUNE 2011
SCALE:
PROJECT NO.: 2011-06
DRAWING NO.: A7

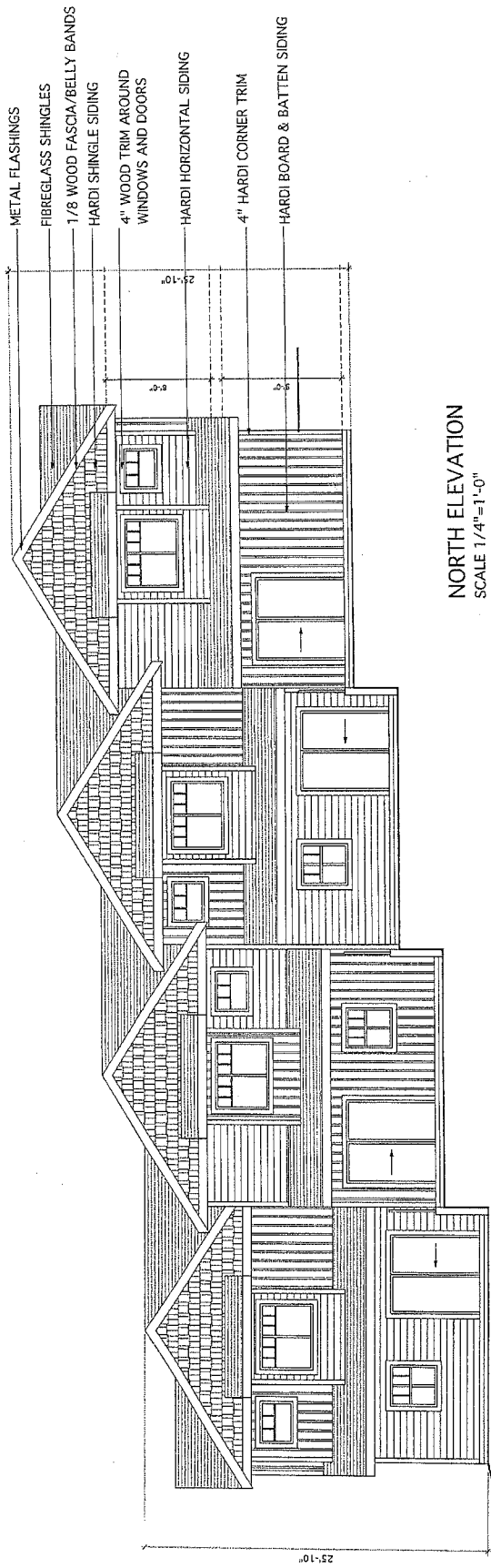
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4-PLEX SECOND AVE.
LADYSMITH B.C.

Schedule B: West and South Elevations - Ellins Architect (June 2011)
DP 3060-11-16 - Lovely Ventures Inc., Inc. No. BC0860672




EAST ELEVATION



- METAL FLASHINGS
- FIBREGLASS SHINGLES
- 1/8 WOOD FASCIA/BELLY BANDS
- HARDI SHINGLE SIDING
- 4" WOOD TRIM AROUND WINDOWS AND DOORS
- HARDI HORIZONTAL SIDING
- 4" HARDI CORNER TRIM
- HARDI BOARD & BATTEN SIDING

NORTH ELEVATION
SCALE 1/4" = 1'-0"


 ellins architect inc.
 2020 1st Street, Suite 100
 Raleigh, NC 27601
 Phone: (919) 246-8888
 Fax: (919) 246-8889
 www.ellinsarchitect.com

DRAWING NO. 2011.11.01
 PROJECT NO. 3060-11-16

DRAWN BY: AK JE
 DATE: JUNE 2011
 SCALE:
 PRODUCT NO. 01111.01C
 DRAWING NO. A/C

Client's Project: Three (3) sets of drawings for a 4-unit townhome project at 400 West 10th Street, Raleigh, NC. The project is a 4-unit townhome project. The drawings are for the exterior elevations of the building. The drawings are for the exterior elevations of the building. The drawings are for the exterior elevations of the building.

4-PLEX SECOND AVE.
 LADYSMITH B.C.

Schedule C: East and North Elevations - Ellins Architect (June 2011)
 DP 3060-11-16 - Lovely Ventures Inc., Inc. No. BCC0860672

4-PLEX
SECOND AVE
LADYSMITH BC

LANDSCAPE PLAN

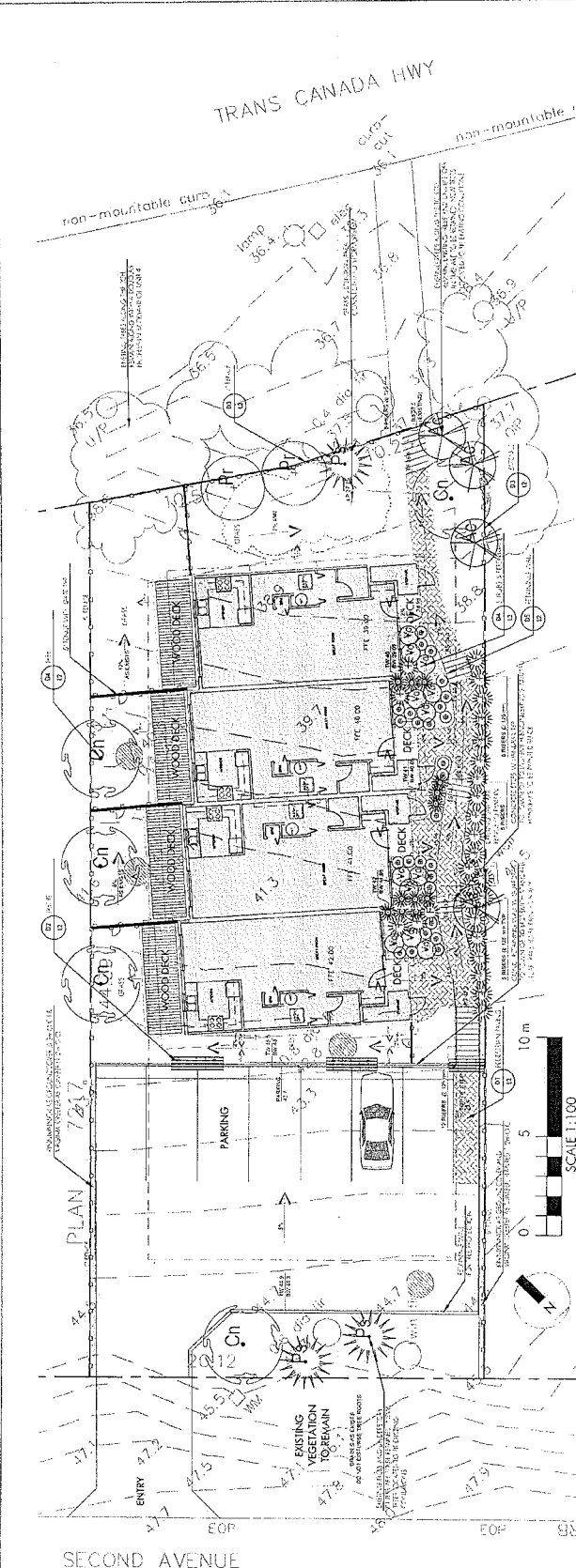
FILE NAME: A080111.DWG

Project: EL11
Date: AUGUST 2011
Drawn by: JG
Checked by: JG
Scale: NOTED
Sheet: L1 of 2



Issues & Revisions

No.	Date	Drawn
1	13/08/2011	JG
2	15/08/2011	JG



LEGEND PLANT LIST

Symbol	Botanical Name	Common Name	Qty	Spacing	Stock Size	Flowering	Foliage	Notes
AC	Alnus	Witch Hazel	4	1.2m	45 pot	✓	✓	small tree
Ch	Chamaecyparis	Weymouth Pine	5	1.2m	60 cal	✓	✓	tree
Pr	Prunella	Blackberry	2	1.2m	15 pot	✓	✓	large shrub
Pt	Prunella	Blackberry	3	1.2m	15 pot	✓	✓	large shrub
Sh	Shrub	Shrub	12	1.2m	21 pot	✓	✓	small flowering shrub
Vb	Viburnum	Viburnum	12	1.2m	21 pot	✓	✓	small flowering shrub
F	Fern	Fern	30	0.45m	10 cal pot	✓	✓	evergreen ground cover
F	Fern	Fern	12	1.2m	21 pot	✓	✓	large fern
L	Lupinus	Lupine	12	1.2m	10 cal pot	✓	✓	perennial summer flowering, use weed detector area for fertility
Vc	Virginia Creeper	Virginia Creeper	12	1.2m	41 pot	✓	✓	climber for walls
Tr	Trillium	Trillium	7	0.3m	10 cal pot	✓	✓	flowering ground cover
Ls	Lewisia	Lewisia	7	0.3m	10 cal pot	✓	✓	perennial spring color
Gr	Grass	Grass	7	0.3m	10 cal pot	✓	✓	ground cover

Notes:
 - **Flowering:** E=Evergreen, F=Fall Colour, Fl=Flowering
 - **Foliage:** E=Evergreen, F=Fall Colour, Fl=Flowering
 - **Stock Size:** 10 cal pot, 15 pot, 21 pot, 41 pot, 45 pot

Planting & Tree Protection Notes:
 1. EXISTING TREES TO REMAIN TO BE PROTECTED BY TREE PROTECTION FENCING AND SIGNAGE.
 2. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND SHRUBS TO REMAIN.
 4. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 5. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 6. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 7. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 8. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 9. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.
 10. ALL NEW PLANTING TO BE INSTALLED IN ACCORDANCE WITH THE BSA SCHEDULE 10.3.

Schedule D: Landscape Plan - Gemella Design (August, 2011)
 DP 3060-11-16 - Lovely Ventures Inc., Inc. No. BC0860672

4-PIEX
SECOND AVE
LADYSMITH BC

LANDSCAPE DETAILS

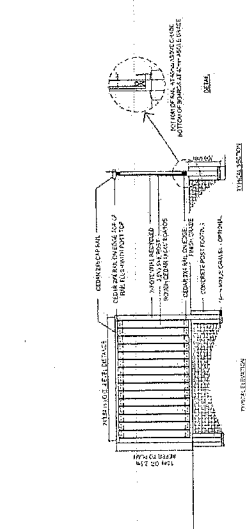
Sheet

Project: LFL11
Date: AUGUST, 2011
Drawn: JG
Checked: JG
Scale: NOTED
Date: 12. of 2

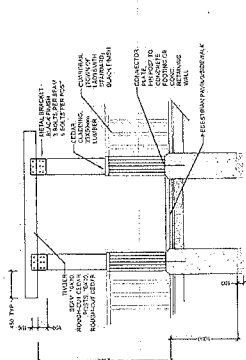
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Date: AUGUST, 2011
Drawn: JG
Checked: JG
Scale: NOTED
Date: 12. of 2



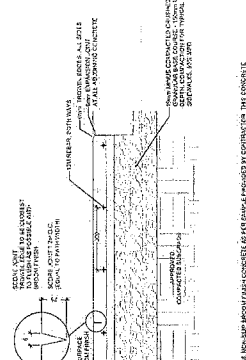
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Date: 12. of 2



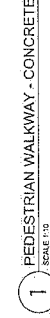
1 PEDESTRIAN WALKWAY - CONCRETE
SCALE 1:10



2 TRELLIS
SCALE 1:10



3 FENCE
SCALE 1:10



4 TREE, SHRUB, AND GROUND COVER AT OP SUBGRADE
SCALE 1:25



5 RETAINING WALL
SCALE 1:25

Schedule E: Landscape Details - Gemella Design (August 2011)
DP 3060-11-16 - Lovely Ventures Inc., Inc. No. BCO860872



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: August 31, 2011
File No: 3060 11 -17

Re: Development Permit Application – 341 Chemainus Road (Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District, Plan VIP79606)

RECOMMENDATION(S):

That Council issue Development Permit 3060-11-17 to permit a third storey to be constructed on the dwelling at 341 Chemainus Road (Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan District, Plan VIP79606).

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

PURPOSE:

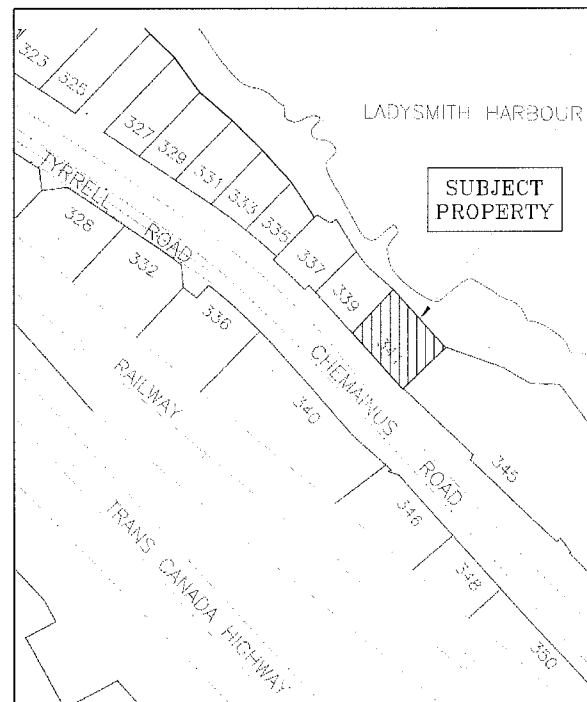
The purpose of this report is to consider a development permit application for the property at 341 Chemainus Road.

INTRODUCTION/BACKGROUND:

The applicants are proposing to construct a third storey to their dwelling at 341 Chemainus Road. A 'Riparian Development Permit' is required as Russell Creek runs adjacent to the subject property. A Development Variance Permit is also required (File No. 3090-11-03).

SCOPE OF WORK:

The subject property falls within the 'Riparian Development Permit Area' (DPA 6). The purpose of DPA 6 is to protect streams and their riparian areas. The applicant is proposing to construct a third storey on their dwelling at 341 Chemainus Road. The proposed construction will occur within the existing footprint of the dwelling and no disturbance of soil is proposed in relation to the home renovations. The applicant retained the services of Anita Davey of Davey Consulting to complete a Riparian Area Assessment Report. The report states that the section of Russell Creek adjacent to the subject property can be characterized as a concrete channel spillway, as shown in Photo 1. The creek does not support a fish population and the creek contains low fisheries values due to the barriers to fish movement. Despite these limitations a 'Streamside Protection and Enhancement



Area' (SPEA) has been identified to be 5 metres from the edge of the concrete wall of the stream. The following strategies were identified to protect the SPEA:

- No removal of vegetation in the SPEA (except danger trees);
- The concrete spillway shall be inspected annually (checking to ensure discharge is directed to correct locations at heavy rainfall events and checking for cracking, scouring, movement of base-slab/walls, and materials blocking the channel).
- New drainage, such as drainage leaders and controlled rainwater, must not be directed into the outfall of the creek.
- The debris and rubble shall be removed from the SPEA area and;
- Only native species may be planted within the SPEA area.



Photo 1: Russell Creek Concrete Channel Spillway adjacent to 341 Chemainus Road

ALTERNATIVES: n/a

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

A development permit is required prior to construction occurring.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS: n/a

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposal has been referred to the Director of Public Works and the Building Inspector.

RESOURCE IMPLICATIONS:

Processing development permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Protection of riparian areas is supported in the Visioning Report.


ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective planning and land use management is a Council strategic direction.

SUMMARY:

It is recommended to support Development Permit 3060-11-17.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

DP Form 3060-11-17

TOWN OF LADYSMITH
DEVELOPMENT PERMIT 3060-11-17
(Section 920 *Local Government Act*)

DATE: September 6, 2011

TO: Kenneth Howard Gibson and Linda Cora Gibson
(PERMITTEE)

Address: 1012 Carolwood Drive
Victoria, B.C.
V8X 3V2

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 A
District Lot 42, Oyster District and
District Lot 553, Cowichan District
Plan VIP79606
PID# 026-427-044
CIVIC ADDRESS: 341 Chemainus Road
(referred to as the "Land")

3. This Permit has the effect of authorizing the issuance of a building permit for the alteration of a building or structure on the Land, subject to the conditions, requirements and standards imposed and agreed to in section 5 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. The Permittee, as a condition of the issuance of this Permit, agrees that the Streamside Protection and Enhancement Area (SPEA) (as defined in the provincial Riparian Area Regulation), shall be 5 metres from the concrete wall of the Russell Creek channel spillway and the following riparian protection measures shall be respected:
 - a) No removal of vegetation in the SPEA (except danger trees);
 - b) The concrete spillway shall be inspected annually (checking to ensure discharge is directed to correct locations at heavy rainfall events and checking for cracking, scouring, movement of base-slab/walls, and materials blocking the channel).
 - c) New drainage, such as drainage leaders and controlled rainwater, must not be directed into the outfall of the creek.
 - d) Debris and rubble shall be removed from the SPEA area;
 - e) Only native species shall be planted within the SPEA area.

6. 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 3060-11-17 or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
7. 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.
8. The plans and specifications attached to this Permit are an integral part of this Permit.
9. This Permit prevails over the provisions of the Bylaw in the event of conflict.
10. 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 _____ 201__.

MAYOR

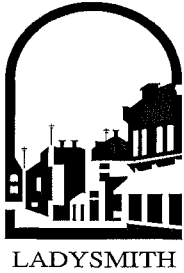
CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

OWNER

PLEASE PRINT NAME



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
 From: Felicity Adams, Director of Development Services
 Date: August 31, 2011
 File No: 3090-11-03

Re: Development Variance Permit Application – 341 Chemainus Road
Lot A, District Lot 42, Oyster District, and District Lot 553 Cowichan Land
District, Plan VIP79606

RECOMMENDATION(S):

THAT Council approve Development Variance Permit 3090-11-03 for Lot A, District Lot 42, Oyster District, and District Lot 553, Cowichan Land District, Plan VIP79606 (341 Chemainus Road) to permit the third storey of the dwelling to be setback 5 metres from the high water mark of the sea; and authorize the Mayor and Corporate Officer to sign DVP 3090-11-03.

PURPOSE:

The purpose of this report is to obtain Council direction regarding a DVP application to vary the setback from the sea to permit a third storey to be constructed on the existing dwelling at 341 Chemainus Road.

INTRODUCTION/BACKGROUND:

Although the applicants, Ken and Linda Gibson, have several improvements planned for their property at 341 Chemainus Road, at this time they would like to only proceed with improvements to the dwelling (including constructing a third storey). To permit the third storey construction a variance to the setback from the high water mark of the sea is required. The applicants are not proposing any changes to the existing footprint of the dwelling. The existing dwelling is shown in Figure 2. The existing dwelling is non-conforming with respect to the required setback from the sea. By adding an additional storey this non-conformity is increased, thereby triggering the need to consider a siting variance.

SCOPE OF WORK:

The subject property is within the Suburban Residential Zone (R-1). The proposed dwelling renovations and proposed third storey meet all requirements of the Zoning Bylaw except that a variance is needed for the setback from the sea. The required setback from the sea is 8 metres from the high-water mark (in this case the high water mark is the existing retaining wall). The dwelling is currently 0.1 metres from the retaining wall. The third storey is proposed to be 5 metres measured horizontally from the retaining wall. The plans for the proposed third storey are shown in Figure 3.

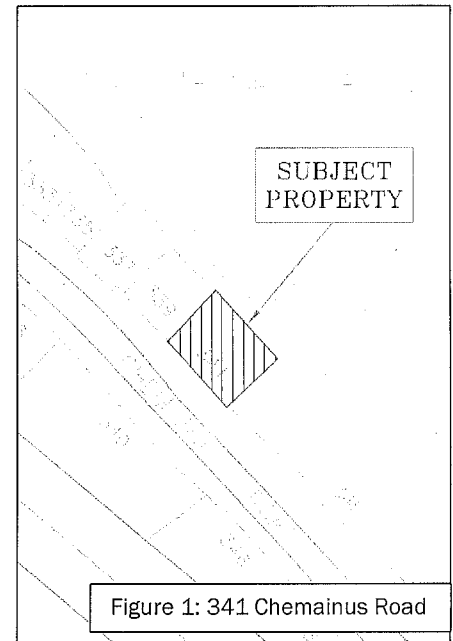


Figure 1: 341 Chemainus Road

341 Chemainus Rd.	Required Setback from the Sea	Requested Setback from the Sea	Variance Request
Dwelling	8 metres	5.0 metres	3 metres

Figure 2: Existing Dwelling

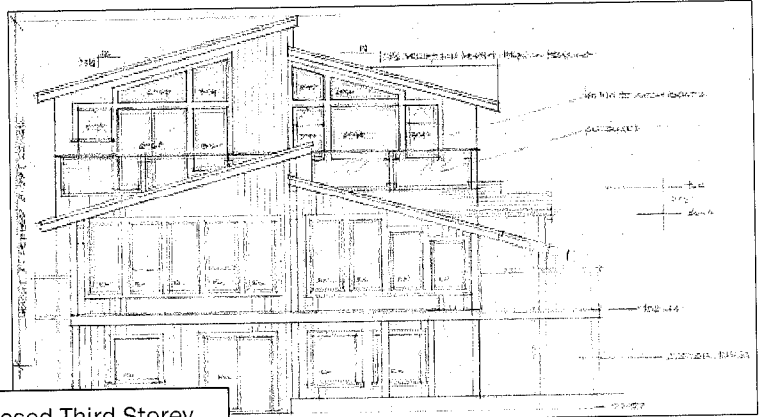
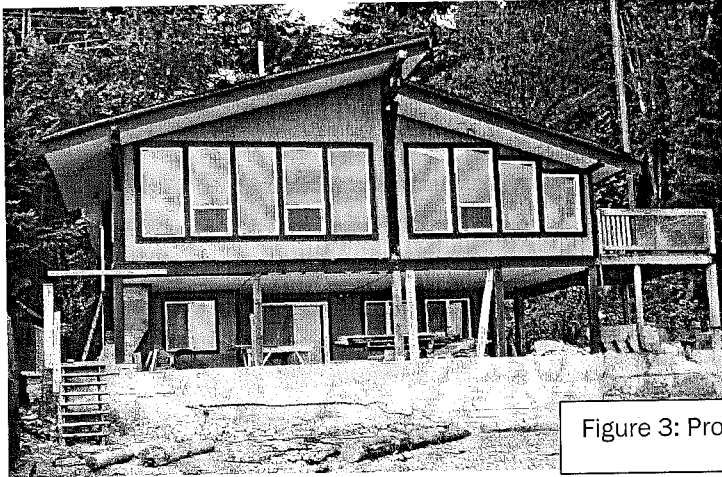


Figure 3: Proposed Third Storey

ALTERNATIVES:

To not support DVP application 3090-11-03.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

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

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Town of Ladysmith notice regarding this DVP application was sent to neighbouring properties on August 19, 2011.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Director of Public Works and Building Inspector have reviewed the plans for the proposed renovations and third storey addition to the dwelling. A report from a structural engineer will be required at the time of building permit.

RESOURCE IMPLICATIONS:

Processing Development Variance Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Improvements to existing residential property and neighbourhoods is supported by the Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

A DVP application has been received to vary the required setback from the sea to permit a third storey to be constructed on the dwelling at 341 Chemainus Road.

I concur with the recommendation.

R. Malli

Ruth Malli, City Manager

ATTACHMENTS:

DVP Form 3090-11-03

TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT 3090-11-03
DATE: September 6, 2011

TO:	Kenneth Howard Gibson and Linda Cora Gibson
ADDRESS:	1012 Carolwood Drive VICTORIA, B.C. V8X 3V2

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

Lot A, District Lot 42, Oyster District and District Lot 553, Cowichan District, Plan VIP79606
PID: 026-427-044 (341 Chemainus Road)

3. Section 5.4 "Setbacks from a Watercourse and Sea" of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:

From:

(1)(c) In the case of a parcel adjacent to or abutting against the sea, 8.0 metres horizontally distant from the high-water mark of the sea or 8.0 metres horizontally distant inland from the top of the slope on a parcel with an average slope of 30 percent or more.

To:

(1)(c) In the case of a parcel adjacent to or abutting against the sea, the third storey of the dwelling shall be setback 5.0 metres horizontally distant from the retaining wall as shown on Schedule A.

4. Section 5.11 (1) 'Yards' of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, does not apply to the third storey setback from the high water mark of the sea for the subject property.
5. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.
6. The following plans and specifications are attached:
 - a) **Schedule A – Site Plan and Building Section (341 Chemainus Road)**
7. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION passed by Municipal Council on the day of , 2011.

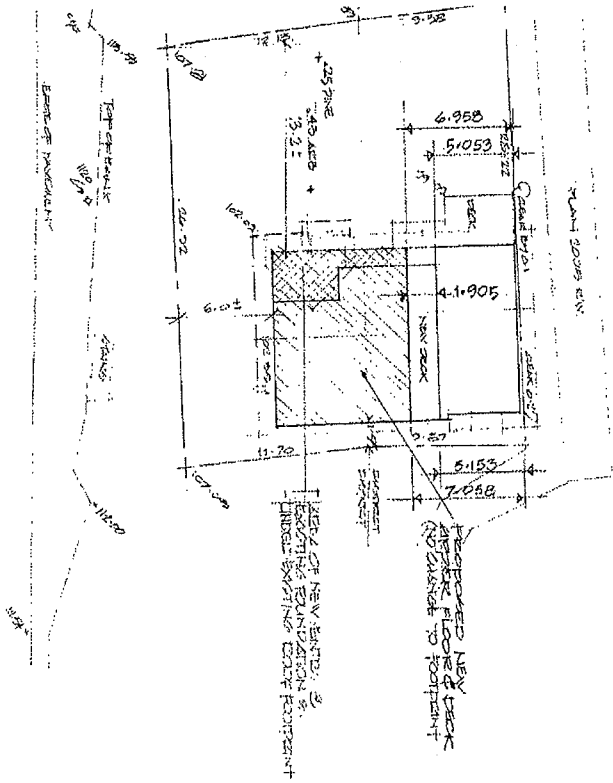
Mayor (R. Hutchins)

21

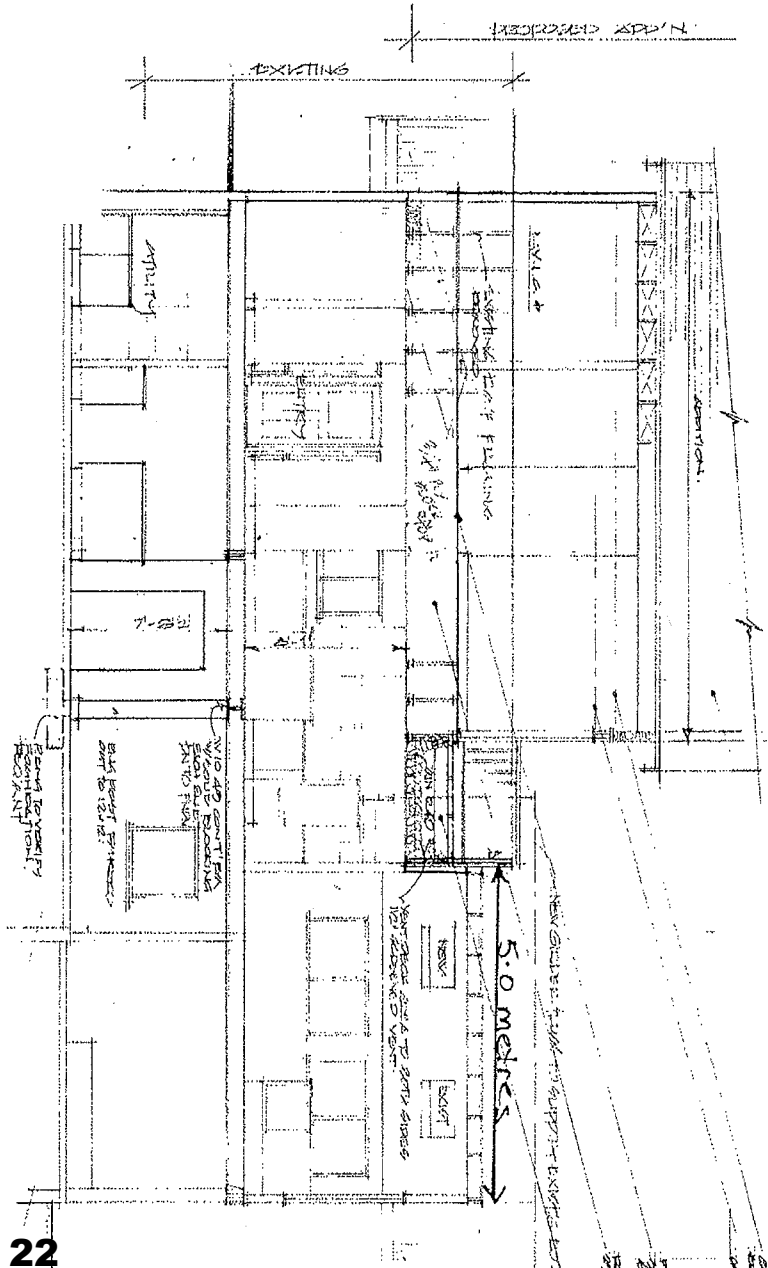
Corporate Officer (S. Bowden)

Site Plan

2005 SOUTH WATERWAY

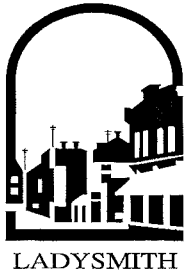


ATLANTIC ROAD



Building Section

(View from adjacent lot to the south)



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: August 31, 2011
File No: 3360-11-01

Re: Rezoning Application – LANDECA Services Inc.
Subject Property: Lot A, District Lot 126, Oyster District, Plan VIP73132

RECOMMENDATION(S):

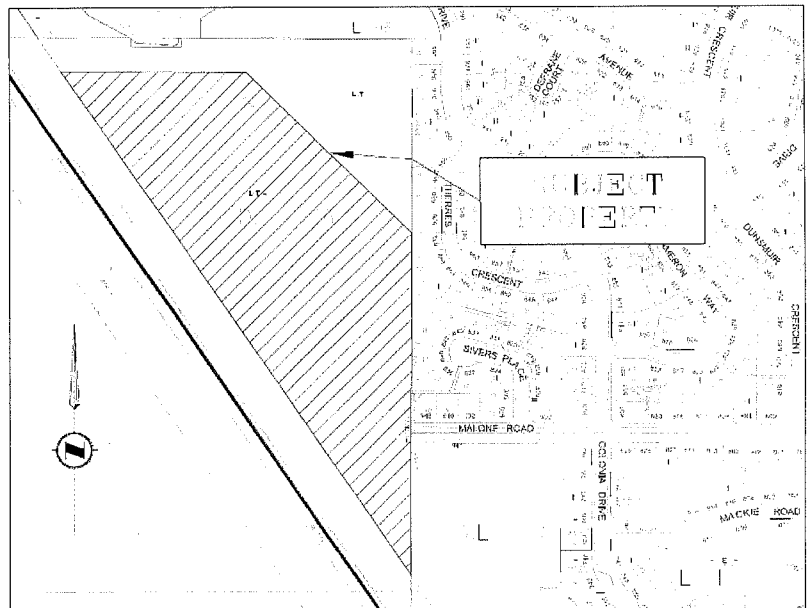
That Council refer Zoning Bylaw amendment application 3360-11-01 (Landeca–Malone Road) to the Advisory Planning Commission (APC) and the Advisory Design Panel (ADP) for review and comment; and direct that the applicant hold two neighbourhood information meetings.

PURPOSE:

The purpose of this staff report is to seek direction regarding the consultation process for an application from Landeca Services Inc. to amend the Zoning Bylaw.

INTRODUCTION/BACKGROUND:

A rezoning application has been received for a 7.7 hectare (19 acre) site at the end of Malone Road. The applicant is proposing that the site be zoned to permit a mixed residential neighbourhood with a range of housing options and densities. At this early stage in the application process staff is seeking direction regarding the public consultation process for the proposed development. The Official Community Plan designates the property as multi-family residential and single family residential.



SCOPE OF WORK:

Context and Ecology

The subject property is bounded by Rocky Creek and parkland to the north, a single family residential neighbourhood to the east, and the BC Hydro Right of Way and forestry lands to the south and west. The site is characterized by sloping topography, with young forests, and rocky outcrop areas. A tributary to Rocky Creek exists in the southern area of the property, and part of the Rocky Creek riparian area extends into the property on the northern boundary. An ecological assessment was completed by Madrone Environmental Services which reveals that the site lies within the Coastal

Douglas Fir, Moist Maritime Subzone. In line with the recommendations of the ecological assessment the applicant proposes to protect the riparian areas, maintain contiguous forest around the riparian areas, preserve the rocky outcrops, and to remove invasive species.

Proposed Residential Areas

The proposed development consists of approximately 103 multi-family units with a density of 37 units per hectare, consistent with the Medium Density Residential Zone (R-3-A). Also, the applicant is proposing 7 single family lots and 24 residential lots that may contain a single family dwelling or a duplex. See attached Schedule A and B 'Proposed Land Use Areas'.

It is proposed that site specific design guidelines be established specifically for the multi-family areas on this property. The design guidelines would address the following key topics:

- Building design
- Site and landscape design
- Circulation
- Stormwater management
- Green buildings and
- Protection of rocky outcrops and park dedication in the multi-family area.

Proposed Roads and Paths

Malone Road is a major collector road and the applicant is required to extend this collector road through the site to permit access to lands beyond to the west and south. The Malone Road extension is also part of Ladysmith bicycle route. In addition, a local road (Road 'A') is proposed through the site, which will also permit access to lands west of the subject property. 'Green Streets' are proposed which include stormwater management in a planted boulevard as well as cycling and pedestrian paths. Path connections to Kinsmen park are also proposed.

Proposed Amenity Contributions

Although amenity discussions are still underway, the applicant has confirmed the following amenity contributions:

- Dedication of one serviced residential lot to 'Habitat for Humanity';
- Park dedication within the proposed multi-family area;
- Dedicating the Rocky Creek riparian area (to the north) as park, to add to existing parkland;
- Dedicating the Rocky Creek tributary riparian area as park or protected area; and
- A commitment to energy efficient buildings and
- A commitment to adaptable units.

Official Community Plan Policies

The subject property is within the 'Urban Containment Boundary' and is designated "Multifamily Residential" with a portion designated "Single Family Residential". The Official Community Plan policies that are particularly relevant for the proposed residential development are:

- To ensure neighbourhoods are at a pedestrian scale;

- To protect ecological features such as steep slopes and riparian corridors;
- To encourage integrated neighbourhoods that incorporate a variety of housing types, densities, and that accommodate a variety of ages;
- To integrate transportation planning with land use planning;
- To encourage greenway corridors for walking and cycling;
- To encourage “Green Streets”;
- To incorporate alternatives for onsite stormwater retention and detention; and
- To ensure that hillside development will be designed to fit the natural landscape.

The proposed development has the potential to meet all of the policies listed above. If Council wishes to proceed with consultation, staff will work with the applicant to ensure the above policies are addressed.

CURRENT AND PROPOSED ZONING:

	<i>Current</i>	<i>Proposed</i>
<i>OCP</i>	Multi-Family Residential and Single Family Residential	Multi-Family Residential and Single Family Residential
<i>Development Permit Areas (DPA)</i>	Riparian DPA 6 and Multi-Family DPA 4	Riparian DPA 6 and a new Multi-Family DPA with guidelines specific to the subject property.
<i>Zoning</i>	Primary Forestry (F-1) (Zoning Bylaw #1020)	Medium Density Residential (R-3-A), Urban Residential Zone (R-2), and Suburban Residential Zone (R-1)
<i>Minimum lot size:</i>	20 hectares	To be determined
<i>Use:</i>	Management and harvesting of primary forest products, Gravel Extraction, Silviculture	Multi-Family and Single Family Residential
<i>Servicing</i>	Municipal services	Municipal services

ALTERNATIVES:

To not proceed with the proposed rezoning application, and to not proceed with consultation.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

A public hearing will be required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The applicants propose to hold two neighbourhood meetings to obtain input from the community regarding the proposed development. One meeting would be held at an early stage to seek neighbourhood input.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposed rezoning has been referred to the Director of Public Works and Director of Parks, Recreation and Culture for review.

RESOURCE IMPLICATIONS:

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

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The Visioning Report states that new neighbourhoods in Ladysmith shall offer a blend of housing options; streets shall be a pedestrian oriented design; buildings shall be energy efficient, the landscape needs to support healthy local ecosystems and habitat; opportunities for recreation shall exist; and innovative infrastructure shall be utilized. The 'Sustainable Development Checklist' was created to reflect the Visioning Report and the Official Community Plan. The applicant's completed checklist is attached.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

A mixed residential neighbourhood with a range of housing options and densities is being proposed for a 7.7 ha site at the end of Malone Road. It is recommended to refer the development application to the Advisory Planning Commission (APC) and the Advisory Design Panel (ADP) for review and comment; and it is recommended that the applicant hold two neighbourhood information meetings.

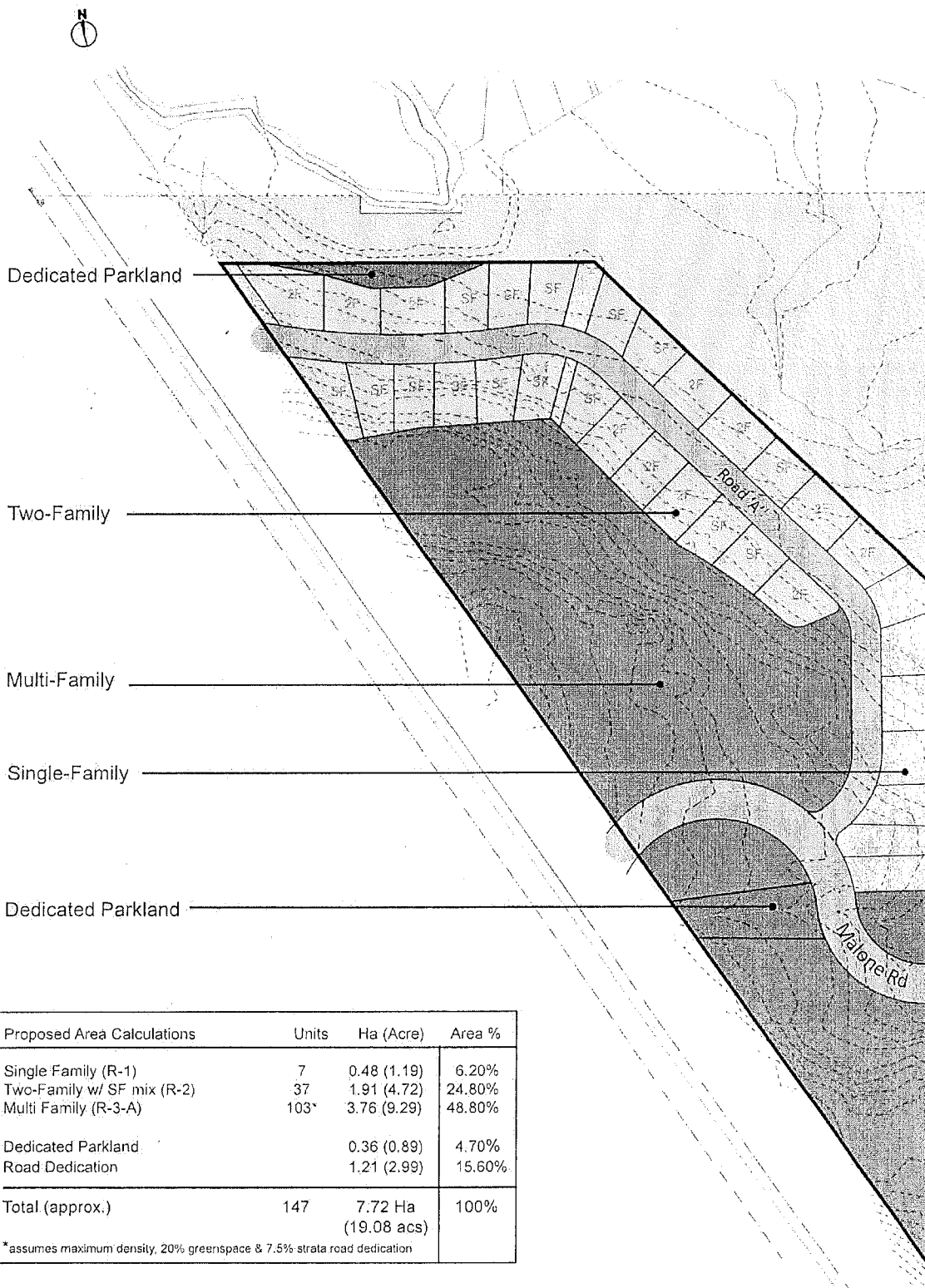
I concur with the recommendation.

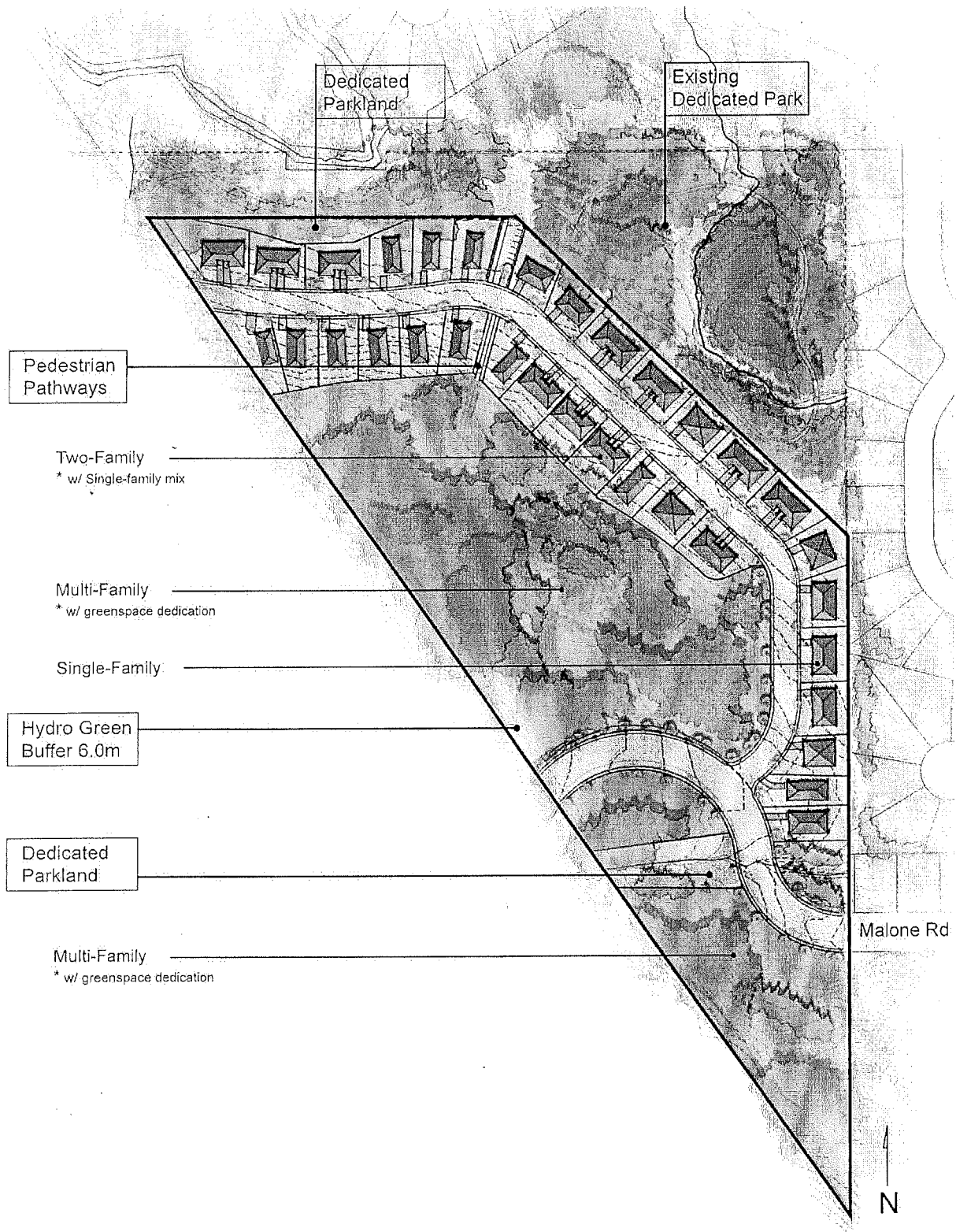


Ruth Malli, City Manager

ATTACHMENTS:

- Schedule A: Proposed Land Use Plan (with proposed densities)
- Schedule B: Proposed Land Use Plan (with additional site details)
- Schedule C: LandEca Sustainable Development Checklist







TOWN OF LADYSMITH

Sustainable Development Checklist – submit with your application form

PURPOSE

The intent of the *Sustainable Development Checklist* is to provide sustainability criteria and best practices for development proposals. By using the checklist, applicants will understand the Ladysmith Vision of supporting high quality projects that are a benefit and lasting legacy to the community. For more information refer to the *Community Vision for a Sustainable West Coast Town*, the *Town of Ladysmith Official Community Plan* and the *Community Energy Plan* available at www.ladysmith.ca.

INSTRUCTIONS

- Applicants for Official Community Plan and Zoning By-law Amendments are **required** to complete the Sustainable Development Checklist.
- Applicants for Development Permits, Development Variance Permits and Temporary Commercial or Industrial Use Permits are **encouraged** to complete the Sustainable Development Checklist.

SUSTAINABLE DEVELOPMENT CHECKLIST		
COMPLETE COMMUNITY LAND USE		Supporting Comments and Documentation
1.	The development adds to the diversity of land uses within an existing neighbourhood, such as employment, housing, retail, civic, educational, cultural, natural areas, and recreational.	The project includes a range of residential land use types that will diversify housing options in the neighbourhood. Parks and open spaces are also included.
2.	The development increases density in the Town's existing residential and commercial neighbourhoods.	The project provides for a range of housing densities in keeping with the policy directions and land use designation of the OCP.
3.	Buildings front onto public streets and have active frontages with windows, doorways, decks, etc. which allow interaction between people in the building and people on the street.	The project includes housing types that relate directly to public streets, where possible. Strata road access to multi-unit residential development is required due to site topography. The buildings will be designed to maximize pedestrian-orientation to the streetscape.
4.	Ground floor commercial is pedestrian oriented with separate storefronts opening onto the public right-of-way.	N/A
5.	The development adds to the diversity of housing in the neighbourhood.	The project includes a range of residential land use types that will diversify housing options in the neighbourhood – including single and two-family residential, attached and multi-family residential.
6.	Affordable or rental housing is incorporated into the development.	Greater affordability can be achieved through the introduction of higher-density residential housing forms in the neighbourhood.
7.	Development is within the Town's urban containment boundary.	Yes
8.	Hillside development is designed to fit into the natural features of the landscape.	The site is characterized by steep topography and the plan has been

Sustainable Development Checklist


		developed to respond to the natural features of the landscape.
GREEN BUILDINGS		Supporting Comments and Documentation
9.	The development retrofits an existing building with green technology.	N/A
10.	The development utilizes alternative renewable energy sources.	N/A
11.	The developer commits to constructing energy efficient buildings that meet a minimum Energuide 80 standard or ASHRAE 90.1 standard.	N/A
12.	The development meets a LEED standard or Built Green standard.	N/A
13.	The development is carbon neutral or net zero.	N/A
14.	Water conservation strategies are incorporated in the development.	Stormwater management strategies are incorporated into the public streetscape design.
15.	Water meters are installed in all units.	N/A
16.	Buildings are oriented to maximize passive solar accessibility.	N/A
MULTI-USE OPEN SPACE and LOCAL FOOD SYSTEMS		Supporting Comments and Documentation
17.	Native trees, shrubs and plants are used exclusively in the landscaping.	This provision is addressed in the Design Guidelines.
18.	Drought resistant trees, plants and shrubs are used exclusively in the landscaping.	This provision is addressed in the Design Guidelines.
19.	The landscaping creates songbird habitat.	N/A
20.	Wildlife habitat on or adjacent to the site has been inventoried, protected, enhanced and/or restored.	The site plan proposes the retention of riparian areas as dedicated parkland.
21.	The development adds to or enhances publicly owned parkland, recreation areas, and/or trail systems.	The project includes the creation of public trails to connect to existing parkland and future trail corridors.
22.	The development includes designated areas for community gardens, urban agriculture, and/or fruit trees.	N/A
23.	Riparian and watershed areas are protected.	Riparian areas have been assessed and are proposed for protection. See supporting documentation/report.
24.	Agriculture Land Reserve land is protected and respected.	N/A
LOW IMPACT TRANSPORTATION SYSTEM		Supporting Comments and Documentation
25.	The road system allows public transit to move efficiently through the development.	The site is within walking distance of an existing Trolley stop. Subject to future development of lands beyond, the project includes public roads that could accommodate future transit.
26.	The development incorporates a complete streets concept which includes pedestrians, cyclists, alternative stormwater management techniques, vehicles and public transit.	Yes. See development details in supporting documentation/report.

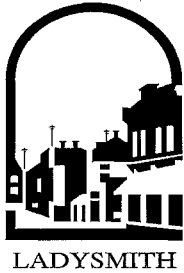
Sustainable Development Checklist

27.	Bicycle parking and end of trip facilities are included in the development.	Bicycle parking will be incorporated into the multi-family residential development.
28.	The pedestrian network is well integrated throughout the site.	Both on-street and off-street pedestrian routes are included in the plan. A network of nature walking trails is proposed.
29.	The pedestrian and bicycle network from adjacent sites is incorporated into the design.	Connectivity to existing infrastructure has been planned for; future connection to trails within the BC Hydro Right of Way has also been anticipated.
30.	There are strong connections to adjacent natural features, parks and open space.	The plan includes the creation of public trails that will link the site to adjacent parkland and future trail corridors.
31.	Surface parking is landscaped and screened. Parking areas are located to the side or rear of the building.	This provision is addressed in the Design Guidelines.
32.	The development is located within 400m of a public transit stop and bicycle/pedestrian route or recreation trail.	Yes.
33.	The development is located within 800m of a school or community service; a child care facility or health service; and a clearly defined commercial area.	Community facilities – elementary and secondary schools – are in close proximity.
34.	Every household is within 0.5 km of a park.	Yes.
INNOVATIVE INFRASTRUCTURE		Supporting Comments and Documentation
35.	Rain gardens, detention ponds and other on-site stormwater management features are incorporated into the development.	This provision is addressed in the Design Guidelines.
36.	An innovative blend of permeable or pervious surfaces are used.	N/A
37.	A non-potable water system will be installed and used for irrigation.	N/A
38.	Innovative wastewater technologies are used, such as low consumption fixtures, grey water systems, and irrigation using harvested water.	N/A
A HEALTHY COMMUNITY		Supporting Comments and Documentation
39.	Sign and building light pollution is minimized.	This provision is addressed in the Design Guidelines.
40.	Accessibility features are included such as mobility impaired oriented suites and adaptable rental units.	N/A
41.	A public art or heritage feature is provided such as a mural, historic artifact, or sculpture.	N/A
42.	A heritage building is being restored or maintained.	N/A
43.	Other social amenities are provided such as a pocket park or street furniture.	The site plan proposes retaining a central greenspace and includes the creation of public trails to connect to existing parkland and future trail corridors.
44.	Indoor or outdoor private amenities are provided such as a daycare or a recreation room.	N/A
45.	Mature trees are retained on site.	The plan has been developed to respond to the natural features of the landscape.

Sustainable Development Checklist

46.	Buildings do not create shadow or shade conditions that negatively impact on the site or on adjacent properties.	N/A
47.	Utility and service areas and equipment are screened with high quality landscaping from adjacent streets and properties.	N/A
48.	The citizens of the neighbourhood were involved in the planning of the development.	Pending
LOCAL, DIVERSE ECONOMY		Supporting Comments and Documentation
49.	Local employment is created during construction.	N/A
50.	Direct employment is created after construction.	N/A
51.	The development facilitates growth in Ladysmith's targeted economic sectors (marine, professional services, tourism, wood products manufacturing, green industry, and food and beverage processing).	N/A
52.	Community opportunities for training, education, entertainment or recreation will be created.	N/A
53.	Local commercial or industrial land is maintained or enhanced.	N/A
54.	The proposed uses will add diversity to the local economy.	N/A

Submitted By:	
Applicant's Name: <i>(Please print)</i>	ALLISON WOOD
Applicant's Signature:	
Date:	JANUARY 10/2021



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: September 1, 2011
File No: 3760-02

Re: **SECONDARY SUITES: ENFORCEMENT POLICY AND IMPLEMENTATION**

RECOMMENDATION(S):

1. That Council directs that an enforcement policy regarding secondary suites be prepared based on:
 - a) Highest priority – Suites not meeting basic life safety requirements
 - b) Medium priority – New complaints received after the adoption of Bylaw 1774
 - c) Lower priority – Complaints received after the adoption of Bylaw 1774 about newly constructed suites with a building permit.
2. That Council directs that the Building and Plumbing Bylaw 1994, No. 1119 be amended to waive building permit fees for five years for new work to an existing secondary suite requiring a building permit, following the adoption of Bylaw 1774.
3. That Council confirms that user fees (wastewater, water, garbage/recycling/organic waste collection) will be applied to a secondary suite and any required bylaw amendments to facilitate this direction be prepared.

PURPOSE:

The purpose of this report is to seek direction from Council regarding a policy to guide enforcement for in-home secondary suites and direction regarding secondary suite implementation.

INTRODUCTION/BACKGROUND:

At its meeting held June 20, 2011, Council provided the following direction to staff.

It was moved, seconded and carried that the phased implementation of secondary suite policy and regulation, through the creation of:

Phase 1

- (a) zoning regulations for in-home secondary suites consistent with the secondary suite regulations in the BC Building Code;*
- (b) relaxed standards for the approval of existing in-home secondary suites;*
- (c) advisory design guidelines for in-home suites;*
- (d) land use (OCP) policy to support detached secondary suites (coach houses and ground-oriented cottage suites) and*

Phase 2

- (e) *new regulations and design standards for detached secondary suites within the scope of work for the Zoning Bylaw project.*

SCOPE OF WORK:

Staff explored the creation of relaxed building standards for existing secondary suites; however, because of concurrent authority (where local governments and the provincial government share an interest in regulating activities) Provincial approval is required and it has been determined that the Town is unlikely to get such approval. The provincial Building Standards Branch advises that in its opinion secondary suites building standards are not unique to individual municipalities. There has not been any request from a municipality for unique standards approved. Any relaxed building standards would therefore be established through the Building Code and be applicable province-wide.

Staff therefore approached this direction from the perspective of enforcement policy which is within the jurisdiction of the Council. If secondary suites are approved as a permitted land use within a single family dwelling (proposed Bylaw 1774), and there are bylaw complaints received regarding existing secondary suites or new suites, policy direction regarding enforcement priorities is appropriate.

A high level of community acceptance of existing secondary suites was identified during the public consultation process, and supported by the public as long as health and safety standards are not compromised. As such, the Building Inspector/Bylaw Enforcement Officer and the Fire Chief were asked to consider what could be considered as higher, medium and lower priorities for enforcement from a life safety perspective. The draft Policy to Guide Enforcement is attached to this report.

ALTERNATIVES:

That Council direct staff to research additional policy issues.

FINANCIAL IMPLICATIONS:

Suites are currently charged an additional \$13 per dwelling unit per month user rate for each of sewer and garbage. Water is charged based on the "All Others" base rate plus consumption.

A building permit is based on the value of the cost and type of construction. By waiving the permit fee for a five year period for improvements to existing secondary suites, it provides an incentive for home owners to undertake improvements. A longer time period (e.g. five years) helps to manage the potential impact on staff resources from an influx of applications if the fee reduction was for a shorter time period.

LEGAL IMPLICATIONS:

Council may develop policy guidance for bylaw enforcement purposes. Legal Counsel reviewed the policy direction.

The Community Charter provides for a "Section 57 Notice" that building regulations have been contravened which is registered against the title of the property on the direction of Council. Other bylaw enforcement remedies are also available.

The process of consideration for a Section 57 Notice involves a recommendation from the Building Inspector. The process requires notice to the Owner who is provided the opportunity to address Council. If the Council confirms the building inspector's recommendation, a Notice is registered on the title of the property. There are also provisions for the removal of Notices when the contravention has been remedied.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

During the secondary suites community consultation process, alternate standards for existing suites were discussed with the public. Residents were supportive as long as health and safety standards are not compromised. There was a high level of support (81%) for the legalization of existing secondary suites in the results of the telephone survey. The enforcement of community standards was also identified as important by the public.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Building Inspector/Bylaw Enforcement Officer and the Fire Chief provided direction on the enforcement approach.

RESOURCE IMPLICATIONS:

The Policy will be prepared by the Corporate Services Department with the input of other Department staff.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Complete community land use is the first of eight pillars in the Ladysmith sustainability strategy. The Green Building strategy encourages the retrofit of existing buildings to reduce environmental impacts.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Undertaking a secondary suites policy and regulations study with community involvement is a Council priority. Effective land use planning and community design are strategic directions.

SUMMARY:

Council has previously provided direction to staff to develop alternate standards for existing secondary suites located within a single family dwelling. A policy to guide enforcement for secondary suites is recommended.

I concur with the recommendation.



Ruth Malli, City Manager

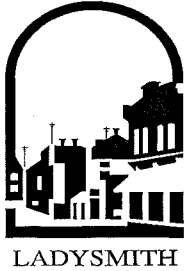
ATTACHMENTS:

"Draft Policy to Guide Enforcement".

ATTACHMENT 1

DRAFT			
Policy to Guide Enforcement – Secondary Suites			
Standard	New Secondary Suite in a New Single Family Dwelling	New Secondary Suite in an Existing Single Family Dwelling	Existing Secondary Suite within an Existing Single Family Dwelling
Building Code Compliance	Required	Required	For new work requiring a building permit.
Building Permit Required for work requiring a building permit	Required	Required	Required. Fee waived for five years following adoption of Bylaw 1774.
Secondary suite proposed/exists	Full Building Code compliance	Full Building Code Compliance	Work done without a permit: Section 57 Notice or other bylaw enforcement action. See Table 1 for Policy Guide to Enforcement
Must not exceed maximum permitted size	Required	Required	Required
Must meet minimum requirements for on-site parking	Required	Required	Required

TABLE 1	
Secondary Suite Within a Single Family Dwelling	
Enforcement of Compliance with the Building and Plumbing Bylaw	
Higher Priority for Enforcement	Suites not meeting basic life safety requirements.
Medium Priority for Enforcement	New complaints received after the adoption of Bylaw 1774.*
Lower Priority for Enforcement	Complaints received after the adoption of Bylaw 1774 about newly constructed suites with a building permit.*
	*The Building Inspector may create working guidelines for dealing with building standard enforcement issues which are not basic life safety requirements. The guidelines may be updated from time to time.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Sandy Bowden, Director of Corporate Services
Date: August 30, 2011
File No:

Re: JANITORIAL SERVICES FOR RCMP BUILDING

RECOMMENDATION:

THAT Council waive the purchasing policy and authorize the extension of the Ladysmith RCMP Detachment janitorial services contract with Big Island Building Services for a further two years effective June 1, 2011, for a monthly fee of \$871.00 per month plus applicable taxes.

INTRODUCTION/BACKGROUND:

Big Island Building Services has been providing janitorial services at the Ladysmith RCMP Detachment since May 2009. The company was engaged on a two-year contract with the Town after a request for proposals was issued in the spring of 2009.

The RCMP require that any contractors working in their detachments have full security clearance. This type of clearance is more extensive than the usual criminal record check, and can take up to six months. Big Island's cleaning staff were required to receive this security clearance in 2009.

Due to the length of time required to process a security clearance, and the fact that the Ladysmith Detachment is satisfied with the work carried out by Big Island Services, the Detachment has requested that the Town consider foregoing the usual process of requesting quotes, and renew the contract with Big Island Building Services for a two-year period.

The organization currently supplies janitorial services for seven RCMP detachments on Vancouver Island, in addition to the Ladysmith Detachment.

The contract includes a requirement that the contract continue to use green cleaning products, in accordance with Town policy.

ALTERNATIVES:

Council can choose to direct staff to seek quotes for the janitorial services at the Ladysmith RCMP Detachment.

FINANCIAL IMPLICATIONS:

The monthly fee would remain the same as in the previous contract.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Given the stringent requirements of the RCMP's security clearance process and the fact that Big Island's fees are competitive and no fee increase is proposed, staff does not anticipate any comments from the community.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services staff will set up the contract and Financial Services staff will manage the payments.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

SUMMARY:

Under the terms of the lease between the Town and the RCMP for the Ladysmith RCMP Detachment, the Town is responsible for securing janitorial services for the detachment. The contract with the current contractor, Big Island Building Services, expired in the spring. The RCMP have requested that the Town consider waiving the purchasing policy in order to renew the contract with Big Island Building Services for a two year period due mainly to the timeline associated with the security clearance required for any contractors working in RCMP premises.

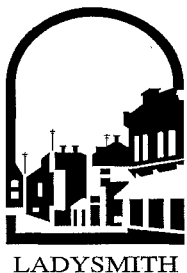
I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Sandy Bowden, Director of Corporate Services
Date: August 31, 2011
File No:

Re: PROPOSED LOGO UPDATE

RECOMMENDATION(S):

That Council support in principle the proposed design of an updated Town of Ladysmith logo, subject to review by the Heritage Revitalization Advisory Commission, the Ladysmith Downtown Business Association and the Ladysmith Chamber of Commerce.

PURPOSE:

The purpose of this report is to seek Council direction regarding a logo update proposed for the Town.

INTRODUCTION/BACKGROUND:

During discussion with our website designers, the question of the Town's logo was raised. Specifically, the designers noted that the Ladysmith logo is difficult to work with, because of its complexity, particularly in regard to the very detailed townscape graphic. The designers suggested simplifying the logo to achieve a more updated look (no more hydro poles, for example) while at the same time respecting the history and tradition inherent to the Town.

Given the fact that the Sustainability Visioning Report had also suggested consideration of rebranding as part of the implementation strategy, staff asked the designers for suggestions on updating the logo. Their design is attached.

SCOPE OF WORK:

If Council is supportive of the new design, staff recommends referring the updated design to the Heritage Revitalization Advisory Commission, Ladysmith Downtown Business Association and Ladysmith Chamber of Commerce for review. After approval, the new logo would be incorporated into the Town website, letterhead and other publications and communications materials.

ALTERNATIVES:

Council can choose not to pursue a logo update at this time.

FINANCIAL IMPLICATIONS:

The new logo would be phased in as new communications materials are required; cost to implement would therefore be minimal.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Staff anticipate that the public will be pleased to see that the new logo, while similar in style to the existing logo, captures Ladysmith's heritage and character.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

All departments would be involved in incorporating a new logo design into Town publications and all communications materials.

RESOURCE IMPLICATIONS:

N/A

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The implementation plan for the overall Ladysmith Sustainability Vision recommended by the consultants on the visioning initiative includes a rebranding strategy for the Town.

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

SUMMARY:

Due to difficulties of working with the existing Town logo, the website designers suggested an update of the logo that maintains the style of the existing logo and the heritage nature of the Town. The proposed design is attached for Council's approval in principle, subject to review by appropriate advisory bodies.

I concur with the recommendation.

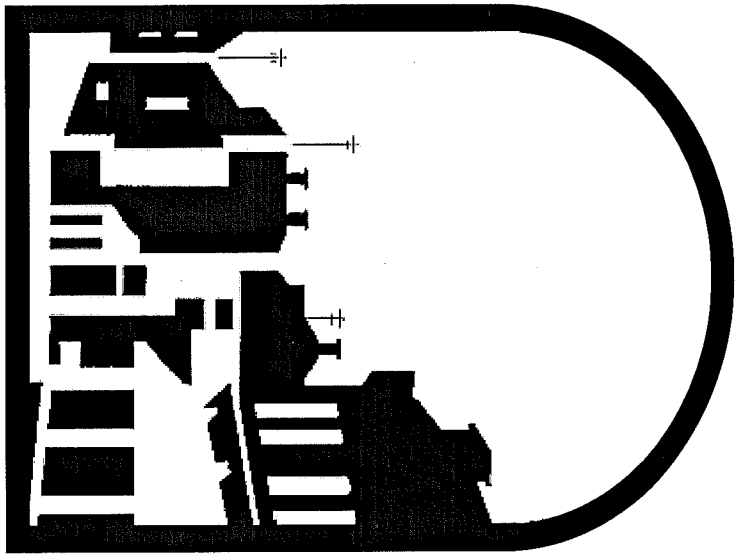


Ruth Malli, City Manager

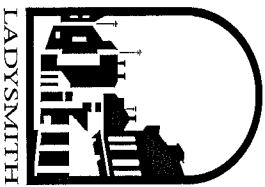
ATTACHMENTS:

Proposed logo

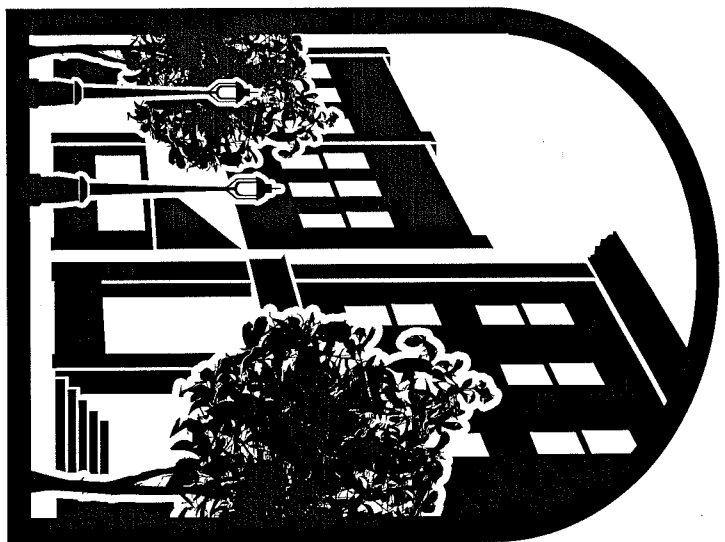
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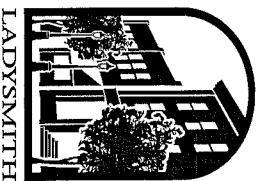
LADYSMITH

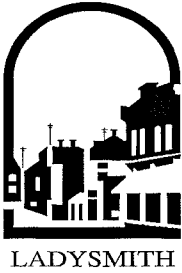


PROPOSED



LADYSMITH





Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: August 11, 2011
File No:

Re: Island Corridor Foundation Permissive Tax Exemption

RECOMMENDATION(S):

That Council provide direction to staff with respect to development of a 10-year Permissive Tax Exemption bylaw based on the following options:

- a) A 10-year Permissive Tax Exemption on all properties owned by Island Corridor Foundation within the Town of Ladysmith; or
- b) A 10-year Permissive Tax Exemption on all rail line properties (Class 2) owned by Island Corridor Foundation within the Town of Ladysmith (does not include the Train Station); or
- c) A year-to-year exemption to all Island Corridor Foundation property within the Town of Ladysmith.

PURPOSE:

To seek Council direction in regards to correspondence received on July 22, 2011 from the Island Corridor Foundation requesting Council's consideration of providing a 10-year Permissive Tax Exemption.

INTRODUCTION/BACKGROUND:

Council will recall that at the Council meeting held on April 2, 2011 the following resolution was adopted:

That staff be requested to review the opportunity for ten-year terms for permissive property tax exemptions for the Island Corridor Foundation and other organizations that currently receive annual property tax exemptions from the Town of Ladysmith.

In accordance with Section 224 of the *Community Charter*, Permissive Tax Exemptions are permitted providing certain criteria are met. Island Corridor Foundation falls under the non-profit category (Section 224.2(a)).

A Permissive Tax Exemption Bylaw is prepared each year and must be approved prior to October 31 for the exemptions to be in place for the following year.

Since 2008, a year-to-year Permissive Tax Exemption has been granted to Island Corridor Foundation (ICF) for the properties within Ladysmith to support ICF's attempt to own and maintain the E&N Railway. There is a cost to granting this exemption. In 2011, approximately the tax forgone as the result of the ICF's Permissive Tax Exemption was \$11,580.

Other areas, such as the City of Nanaimo, have granted this request, though it only extends to the rail lines (Class 2). The District of North Cowichan is pursuing a 10-year exemption for all ICF properties starting in 2012.

Staff is requesting that Council decide which type of exemption to pursue. Not permitting an exemption is also an option.

There are 9 ICF folios within the Town of Ladysmith. Eight of the folios are Class 2 – Utilities and one folio is Class 6 – Business/Other for the train station.

Option A - Provide 10-year exemption to all ICF properties

As with 2011, the cost of this decision would be approximately \$11,500 each year. Factoring in basic inflation of 2% each year, the 10-year cost could be approximately \$130,000 over the 10 year period.

Included in this option is the Train Station. The taxes on this property are currently exempted at approximately \$1,425. This figure assumes that nothing changes with the train station property.

Option B - Provide a 10-year exemption to only Class 2 Railway properties

The cost in 2011 would have been approximately \$10,075. As in Option A, the costs over 10 years would be approximately \$113,000.

Option C - Provide a year-to-year exemption for all properties

This would be an annual decision, though the costs would be no different from the above options. The only difference would be in the process of exempting ICF.

In all cases, the risk to the Town for a long-term commitment is minimal. As per Section 224 (7) of the *Community Charter*, if the property was to change ownership or use, the exemption could no longer apply.

Granting a 10-year exemption by bylaw would provide greater stability in funding for ICF and could offer the Town of Ladysmith cost savings and opportunities in future negotiations.

ALTERNATIVES:

Not granting an exemption for any of the properties is an option.

Encouraging a renovation and 10-year revitalization exemption for the train station is another alternative. The effect of this exemption would be to allow the owner to revitalize the improvement with minimal property taxation increase for a maximum period of 10 years. Revitalization Exemptions are set out in the *Community Charter* Section 226 with specific criteria in place to qualify.

FINANCIAL IMPLICATIONS:

Depending on the option that Council recommends, the financial impact could range from \$10,000 - \$15,000 of tax money shifted to other property owners, per year.

LEGAL IMPLICATIONS:

The Permissive Tax Exemption bylaw is detailed in Section 224 of the *Community Charter*. As required by the *Charter*, the desired option must be presented by bylaw to Council and adopted prior to October 31st. Statutory notification will be published in the newspaper and the exemption notification will be forwarded to BC Assessment.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There is a movement to redevelop the Train Station. Community groups have expressed interest in using the renovated site for tourism and other community space.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services Department and the Finance Department will work together to complete the bylaw and all the statutory requirements.

RESOURCE IMPLICATIONS:

Not applicable.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This supports Strategy #1 - Complete Land Use and #2 - Low Impact Transportation.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Wise financial management is a Council strategic direction.

SUMMARY:

Council has previously granted a year-to-year Permissive Tax Exemption to all Island Corridor Foundation properties. Island Corridor Foundation requested that this year-to-year exemption be extended into a 10-year exemption. As there are options for this type of exemption, it is requested that Council decide which option they prefer for Staff to complete the necessary bylaw and statutory notification.

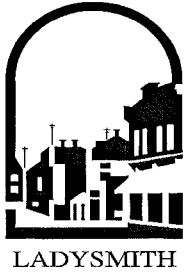
I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: August 25, 2011
File No:

Re: TEMPORARY LOAN AUTHORIZATION BYLAW

RECOMMENDATION(S):

That Council give first three readings to Water System Construction Interim Financing Bylaw 2011, No. 1780.

PURPOSE:

To obtain approval for interim borrowing of \$1,000,000 to fund the construction of a new water works system. The borrowing is required during this interim period before the official borrowing via the CVRD and Municipal Finance Authority can occur in the Spring of 2012.

INTRODUCTION/BACKGROUND:

Council will recall that at the August 15th Regular Meeting Council adopted a bylaw to borrow \$1,000,000 towards the construction of the waterworks projects that have been approved in the 2011 Financial Plan. The borrowing bylaw is currently in the 'Quashing Period' of the Alternate Approval Process, which ends in mid September.

The next stage of this long-term borrowing is to present the package to the CVRD which in turn will borrow through the Municipal Finance Authority (MFA) in the Spring of 2012.

In the meantime, the Town can utilize interim financing to temporarily borrow the authorized funds directly from the MFA.

SCOPE OF WORK:

The interim borrowing is set-up between the Town and MFA once the bylaw is approved.

The long term borrowing bylaw is required to sit for a quashing period of 1 month after approval by the Town. It is then passed to the CVRD for borrowing at MFA in the Spring of 2012.

ALTERNATIVES:

Construction could be delayed until the Spring of 2012 when the MFA issues the group borrowing.

FINANCIAL IMPLICATIONS:

Interest rates are always a consideration. Borrowing through the MFA is the most cost effective, though interest rates could increase between now and the actual borrowing.

LEGAL IMPLICATIONS:

The borrowing process is tightly regulated.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Citizens are aware through newspaper articles and tax notice inserts that this project is scheduled for 2011.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Finance Department will coordinate the borrowing with Corporate Services.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with the priority Enhanced Standard of Infrastructure.

SUMMARY:

It is requested that Council consider first three readings of the temporary borrowing bylaw in order to proceed with the water works construction.

I concur with the recommendation.



Ruth Mali, City Manager

ATTACHMENTS:

none

From: Chuck Forrest
Sent: August 28, 2011 11:18 AM
To: 'Angus Armstrong'; Bruce Whittington; Duck Paterson; Jillian Dashwood; Lori Evans; Rob Hutchins; info; Scott Bastian; Steve Arnett; Tom Skarvig
Subject: Dangerous intersection
Attachments: Roberts eastbound.JPG; Roberts westbound.JPG
Ladysmith Town Council:

I would like to bring to your attention what appears to be a dangerous intersection in Ladysmith. Because of my proximity to the cross streets of Roberts and 3rd Ave. I have had the opportunity to witness several instances of dangerous vehicle/pedestrian and vehicle/vehicle interactions. This juncture has stop signs on 3rd Avenue but not on Roberts. Because of the topography of the old creek, the traffic that is westbound on Roberts broaches the top of the hill followed by a slight down slope and immediate encroachment of the above intersection. Under normal circumstances this would not be an issue but due to the steepness of the hill most traffic is still accelerating when they crest the hill and some appear to have difficulty slowing down if they encounter traffic or pedestrians in the roadway ahead. The other apparent factor is the number of vehicles that broach the crest only to realize that they have gone the wrong direction and conduct a u-turn in the intersection or on Roberts. Again this produces a hazard to the traffic westbound with the sudden appearance of traffic broadside on the road.

Due to the controversy next door I have not set up a camera for proof of these near misses but have many neighbours as witness to their occurrence. A dangerous intersection sign near the top of the crest is not sufficient as at that point most people have their eyes on the road and not the meridian. A stop sign, westbound, may work but will only encourage more u-turns within the intersection. Some form of traffic calming would be the best answer but unfortunately the most costly. I do realize that this is not a high priority on the city's agenda but hope that it can be addressed before there is an accident and someone is injured. I have spoken with Tom Skarvig on this matter and it appears that it is a council decision before city works becomes involved.

I am sending this now as I feel that it should be addressed on the 02 Sept council meeting.
Please advise if further is required on my part.

Chuck Forrest
410 3rd Ave





From: Mitch Kenyon [mailto:mkenyon@miabc.org]
Sent: August 10, 2011 10:30 AM
To: Sandy Bowden
Subject: MIA Voting Delegate

The 24th Annual General Meeting of the Subscribers of the Municipal Insurance Association of British Columbia is scheduled to take place at 3 PM on Tuesday, September 27th, 2011 in Vancouver.

At the AGM, there will be a resolution to expand coverage for members' shared services. There will also be elections for five directors on our Board. The five positions are:

Group A Representative, up to 2,000 population
Group B Representative, 2,001 to 5,000 population
Group C Representative, 5,001 to 25,000 population
Group D Representative, over 25,000 population
Regional District Representative.

Interested candidates should contact Mayor Causton, Chair of the Nominating Committee, c/o the MIABC office.

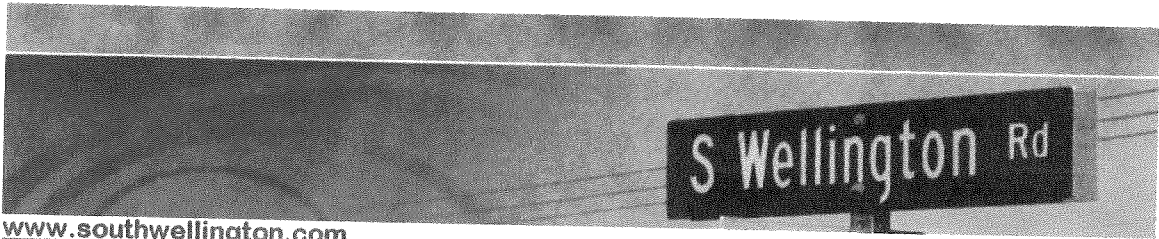
In accordance with Article 6.13 of the Reciprocal Agreement, the following Delegate and two Alternates have been registered with the MIABC to vote your interests. Any change to this information shall require a resolution of Council/Board to be forwarded to the MIABC by September 13th, 2011. Also, to improve communications, can you please provide us with e-mail addresses for the delegate and alternates at your earliest convenience?

Voting Delegate: Mayor Robert Hutchins
Email address:

Alternate #1: Councillor Scott Bastian
Email address:

Alternate #2:
Email address:

Regards,
Mitch Kenyon



www.southwellington.com

**South Wellington and Area Community Assoc.
2969 Grandby Rd.
Nanaimo, B.C.
V9X 1S7
Ph. 250 245 0440**

AUG - 8 2011

July 28, 2011

Regarding the need to invest in train transportation on Vancouver Island:

At our recent meeting the membership agreed to write a letter to a wide range of people that are in a position to show leadership in revitalizing the train system in our community and on Vancouver Island.

We would request that you do all that you can to make this a priority when it comes to investing our tax dollars in our community. We feel that much has been invested in the Port, the Airport and the Highway system and that it is time to recognize the importance of the rail system and make investments that will make it usable for commuting and for freight transportation now and in the future.

As the highways become busier we feel that increased demand on road transportation for both people and goods could be better met with increased use of the rail system.

With this in mind we would ask that you do all that you can to make this happen.

Sincerely,

Krista Seggie for
South Wellington and Area Community Association

cc: Leonard Krog MLA
Doug Routley MLA
Jean Crowder MP
Graham Bruce
Mayor and Council, Ladysmith
Mayor and Council, Nanaimo
Regional District Nanaimo Directors
Cowichan Valley Regional District Directors
Island Corridor Foundation

RECEIVED
AUG 10 2011
TOWN OF LADYSMITH

August 10, 2011

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

Dear Mayor and Councillors,

July 19th Town Meeting Cat Licencing:

We had the town meeting on our agenda, but unfortunately circumstances prevented us attending the meeting but we are sending this letter to try and make up for our absence. Having moved to Ladysmith only a year ago, we were looking forward to learning about current issues. Fortunately the Chronicle has given us a good overview of the meeting.

We would like to commend the town for providing this and other input opportunities for its residents.

As cat owners we would like to cast our two votes against a cat licensing bylaw. Our kitty is eleven years old and pretty much stays in our yard. However she is an outdoor cat and once cats are outdoor cats it is almost impossible to train them to be house cats.

We have a number of cats in our neighbourhood, and by and large we do not have problems with them. They are well looked after by their owners and generally well behaved. We have lots of flowers and a number of visiting cats but see no evidence that visiting cats are causing us any problems.

Licensing cats will not make cat owners any better or worse than they already are and I'm sure you are aware of this from dog licensing. We still find dog feces in our yard and around town when we walk, and the licensing will just not make responsible pet owners.

We would appreciate knowing the reasons that the Town is broaching the subject of cat licensing.

1. Have you had a number of complaints? If so, how many or is it just a few cranky individuals?
2. Have public health authorities in Ladysmith identified instances of rabies and toxoplasmosis being caused by cats and if so how many?
3. Is Councillor Whittington's information about contracting tapeworms and ringworms correct? My understanding in that ringworm is in fact a fungus which is transmitted by touching an infected cat OR dog OR human. It is also my understanding that tapeworms are transmitted by fleas whether they be carried by cats, OR dogs OR humans.

We would appreciate hearing from you in respect to these questions.


Now that we have addressed our concerns, we would like to pass on kudos.

As mentioned, we have only been in Ladysmith for a year, but we think it is a lovely, lovely town and are very happy with our decision to move here. It's beautiful, the people are great and we are impressed with the services.

The council seems sensible and promotes the town and special events well. We appreciate the "small" town friendly atmosphere with its reasonable mix of good common sense by-laws but not overdoing it with things like this proposed cat bylaw.

Also we have been very impressed with the assistance offered by and the friendliness of the Town Office staff. Any dealings have just been great and it's a pleasure to go into the Town Office.

Respectfully,


Bev DeJong and Ross MacLennan

TOWN OF LADYSMITH

BYLAW NO. 1777

A Bylaw to Extend the Tax Sale Redemption Period for 422 1st Avenue

WHEREAS the property at 422 1st Avenue was sold for taxes at public auction on September 27, 2010.

AND WHEREAS the Town Of Ladysmith was the default purchaser.

AND WHEREAS the current redemption period expires on September 27, 2011.

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

1. Extend the Tax Sale redemption period for 422 1st Avenue for a period of 1 year as permitted in the *Local Government Act*.

Citation

2. This Bylaw may be cited for all purposes as “Town of Ladysmith Tax Sale Redemption Period Extension Bylaw, 2011, No. 1777”.

READ A FIRST TIME on the day of , 201

READ A SECOND TIME on the day of , 2011

READ A THIRD TIME on the day of , 2011

ADOPTED on the day of , 2011

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1778

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. Add the following Schedule "4" to "Ladysmith Fees and Charges Bylaw 2008, No. 1644":

SCHEDULE "4"

TOWN OF LADYSMITH FEES AND CHARGES BYLAW NO. 1644

<i>Trolley Transit Service</i>	<i>Fee</i>
Single Ride Fares:	
Ages 6 to 18	\$1.00/ride
Ages 19 to 64	\$2.00/ride
Ages 65 and over	\$1.00/ride
Monthly Passes:	
Ages 6 to 18	\$20.00/month
Ages 19 to 64	\$30.00/month
Ages 65 and over	\$20.00/month
Replacement of lost or stolen passes	\$5.00

2. Citation

This bylaw may be cited for all purposes as "Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2011, No. 1778".

READ A FIRST TIME on the _____ day of _____, 2011
READ A SECOND TIME on the _____ day of _____, 2011
READ A THIRD TIME on the _____ day of _____, 2011
ADOPTED on the _____ day of _____, 2011

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

**TOWN OF LADYSMITH
BYLAW NO. 1779**

A bylaw to amend "Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119"

WHEREAS the *Community Charter* empowers the Municipal Council to amend the Building and Plumbing Bylaw;

AND WHEREAS the Town of Ladysmith has adopted and wishes to amend the "Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119";

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

1. "Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119", as amended, is hereby amended by adding the following section:

6.12 Water Conservation

6.12.1 Every water closet, whether tank type or dual flush, must be a low consumption type that:

- (a) conforms with the latest Canadian Standard Association (CSA) standards, and
- (b) has an average water consumption not exceeding 6 litres per flush cycle.

6.12.2 Direct flush urinals must be a low consumption type that:

- (a) conforms with the latest Canadian Standards Association (CSA) standards and
- (b) has an average water consumption not exceeding 3.8 litres per flush cycle

2. **CITATION**

This bylaw may be cited for all purposes as "Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2011, No. 1779".

READ A FIRST TIME on the day of , 2011

READ A SECOND TIME on the day of , 2011

READ A THIRD TIME on the day of , 2011

ADOPTED on the day of , 2011

Mayor
(R. Hutchins)

Director of Corporate Services
(S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1780

A Bylaw to authorize the interim financing for the construction of a water system.

WHEREAS it is deemed desirable and expedient to construct a water system servicing the Town of Ladysmith.

AND WHEREAS the estimated cost of constructing a water system including expenses incidental thereto is the sum of \$2,470,545 of which the sum of \$1,000,000 is the amount of debt intended to be temporarily borrowed by this bylaw;

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

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of the water system generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - a) To borrow upon the credit of the Municipality a sum not exceeding \$1,000,000.
 - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the said water system.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 5 years.

Citation

3. This bylaw may for all purposes be cited as "Town of Ladysmith Water System Construction Interim Financing Bylaw 2011, No. 1780."

READ A FIRST TIME on the th day of , 2011

READ A SECOND TIME on the th day of , 2011

READ A THIRD TIME on the th day of , 2011

RECEIVED the approval of the Inspector of Municipalities on the 23rd day of June, 2011

RECEIVED the assent of the electors of the Town of Ladysmith on the 5th day of August, 2011

ADOPTED on the th day of , 2011

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)