



TOWN OF LADYSMITH

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

TUESDAY, MAY 22, 2012
7:00 p.m.

A G E N D A

CALL TO ORDER

1. AGENDA APPROVAL

2. MINUTES

- | | |
|--|-------|
| 2.1. Minutes of the Regular Meeting of Council held May 7, 2012 | 1 - 7 |
| 2.2. Minutes of the Special Meeting of Council held May 10, 2012 | 8 |

3. PUBLIC HEARING

None

4. DELEGATIONS

- 4.1. Jayse Van Rooyen
British Columbia Ambassador Program
- 4.2. Jack Tieleman, Global Vocational Services
Change in Employment Services for the Town of Ladysmith

5. PROCLAMATIONS

None

6. DEVELOPMENT APPLICATIONS

7. STAFF / ADVISORY COMMITTEE REPORTS

- | | |
|--|---------|
| 7.1. Special Occasion Licence Requests | 9 - 10 |
| 7.2. Proposed BC Summer Games Bid | 11 - 17 |
| 7.3. Extension of Leases and Licence of Occupation | 18 - 19 |
| 7.4. Waste Water Treatment Plan Phase III Loan Authorization Bylaw | 20 - 23 |

8. CORRESPONDENCE

- 8.1. Medical Health Officers, Vancouver Island Health Authority
Request for Local Governments to Revisit and Strengthen Tobacco Control
Bylaws** **24 – 25**

Staff Recommendation

That Council direct staff to review actions to support smoking control requested by the Vancouver Island Medical Officers of Health in their correspondence dated April 30, 2012, and to report back to Council with recommendations for further action if appropriate.

- 8.2. Adam Seymour, Margaret Seymour, Stz'uminus Canoe Festival
Request for Town of Ladysmith Sponsorship** **26**

Staff Recommendation

That Council consider whether it wishes to sponsor the Stz'uminus Canoe Festival with a grant-in-aid in the amount of \$1,000 as requested by A. Seymour and M. Seymour in their correspondence of May 1, 2012.

- 8.3. Emily and Ben Mikulski
Request for Approval of Building Permit with Covenant for Property at 119
Forward Road** **27**

9. BYLAWS

- 9.1. Town of Ladysmith Waste Water Treatment Plant Loan Authorization Bylaw
2012, No. 1792** **28**

May be read a first, second and third time.

The purpose of Bylaw 1792 is to commence the process of securing authorization for the Town to borrow funds to support Phase III of the Waste Water Treatment Plant. A staff report concerning Bylaw 1792 is on the agenda for Council's consideration as item 7.3.

- 9.2. Town of Ladysmith Not-for-Profit Rental Housing Development cost Charges
Reduction Bylaw 2012, No. 1804** **29 – 31**

May be adopted.

The purpose of Bylaw 1804 is to provide for a reduction in development cost charges related to the development of affordable housing, as outlined in a staff report for Council's consideration earlier on the agenda.

- 9.3. Town of Ladysmith 2011 Audited Financial Statements Bylaw 2012, No. 1805** **32**

May be adopted.

The purpose of Bylaw 1805 is to adopt the 2011 audited Financial Statements as authorized expenditures for 2011.

10. NEW BUSINESS

11. UNFINISHED BUSINESS

None

12. EXECUTIVE SESSION (4:30 P.M.)

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:

Item One

90(1)(e) 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

90(1)(j) Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*

Item Two

90(1)(e) 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

Item Three

90(1)(e) 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

90(1)(j) Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*

13. QUESTION PERIOD

- A maximum of 15 minutes are allotted for questions.
- The Question Period will be comprised of two parts. The first part is reserved for questions directly related to items which appear on the agenda. If there is time remaining, questions during the second part can be on a matter of public interest under the jurisdiction of the Town.
- Each questioner will be allowed to ask one question plus a follow-up question related to the answer. If after all questioners have been heard and there is still time remaining, a questioner who has already spoken can ask one additional question plus a follow-up question related to the answer.
- Questions must be truly questions and not statements of opinions. Questioners are not permitted to make a speech.
- Questioners must avoid personal references; insinuations; violent, offensive or disrespectful remarks about another person; and unparliamentary language.
- Questions shall be addressed to the Chair.

- 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. ADJOURNMENT



MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, MAY 7, 2012

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Gord Horth

Councillor Bill Drysdale Councillor Jillian Dashwood
Councillor Glenda Patterson Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Steve Arnett

STAFF PRESENT:

Ruth Malli
Felicity Adams

Sandy Bowden
Joanna Winter

Erin Anderson

CALL TO ORDER

Mayor Hutchins called the Regular Council Meeting to order at 5:00 p.m. in order to retire immediately into Executive Session.

AGENDA APPROVAL

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

- 4.2 Jayse Van Ruyen will not be appearing before Council as a delegation
- 8.3 Remove "Annual Public Works Tenders"

CS 2012-126

It was moved, seconded and carried that the agenda for the Regular Session of Council for May 7, 2012 be approved as amended.

EXECUTIVE SESSION

CS 2012-127

It was moved, seconded and carried that Council retire into Executive Session at 5:02 p.m. in order to discuss the following item in accordance with Section 90(1) of the Community Charter:

Item 1:

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

Information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*

Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public

ARISE AND REPORT

Council arose from Executive Session without report.

MINUTES

CS 2012-128 It was moved, seconded and carried that the minutes of the Regular Meeting of Council held April 16, 2012 be approved as circulated.

CS 2012-129 It was moved, seconded and carried that the minutes of the Special Meeting of Council held April 23, 2012 be approved as circulated.

PROCLAMATIONS

Mayor Hutchins proclaimed the month of May 2012 as "Child Find's Green Ribbon of Hope Month" and May 25th, 2012 as "National Missing Children's Day" in the Town of Ladysmith.

DEVELOPMENT APPLICATIONS

Development Variance Permit Application – 123 Forward Road
Director of Development Services Felicity Adams was in attendance to present Development Variance Permit application 3090-12-01 and respond to questions from Council.

CS 2012-130 It was moved, seconded and carried that staff be directed to proceed with statutory notice for Development Variance Permit application 3090-12-01 for Lot A, District Lot 56, Oyster District, Plan 30646 (123 Forward Road).

Official Community Plan Amendment and Rezoning Application – 340 Second Avenue

Director of Development Services Felicity Adams presented the application for an Official Community Plan Amendment and Rezoning to Council, and responded to questions. The proponent, L. Kolk, responded to questions from Council.

CS 2012-131 It was moved, seconded and carried that staff be directed to work with the applicant to apply Official Community Plan policies to development application 3360-12-01 (340 Second Avenue).

CS 2012-132 It was moved, seconded and carried that it be determined that for Official Community Plan amendment application 3360-12-01 (340 Second Avenue), the following consultation is to be undertaken in accordance with section 189 of the *Local*

Government Act:

- The application is to be referred to the Advisory Planning Commission and Advisory Design Panel for review and comment
- The applicant is to host a neighbourhood information meeting as required by the Development Procedures bylaw.

Rezoning Application – 320 4th Avenue Extension

Director of Development Services Felicity Adams reminded Council that they had previously considered this rezoning application and stated that the matter is brought forward for first and second readings of the proposed rezoning bylaw.

CS 2012-133

It was moved, seconded and carried that the staff report regarding the rezoning application and proposed amendment to Bylaw 1160 for 320 Fourth Avenue Extension be approved as presented.

**COUNCIL COMMITTEE
REPORTS**

CS 2012-134

Heritage Revitalization Advisory Commission Recommendations

It was moved, seconded and carried that support in principle be given to the establishment of a Heritage Façade Improvement Grant Program, subject to a review and recommendation by staff.

CS 2012-135

It was moved, seconded and carried that a letter be sent to the owner of the Traveller's Hotel requesting that all notices be removed immediately from the façade of the building, and that a sign prohibiting such advertising notices be posted on the building.

CS 2012-136

It was moved, seconded and carried that a letter be sent to the Minister of Lands, Forests and Natural Resource Operations in support of Heritage BC and the investment in the Heritage Legacy Fund, which provides grants for community heritage projects and support for Heritage BC's operations.

CS 2012-137

Government Services Committee Recommendations

It was moved, seconded and carried that an opportunity to make a presentation to the BC Transit Independent Review Panel be requested.

CS 2012-138

It was moved, seconded and carried that May 29, 2012 be proclaimed "Day of the Honey Bee" in the Town of Ladysmith, and that a letter be sent to the federal Minister of Agriculture strongly encouraging the Government of Canada to establish a national day of recognition for the honey bee and its importance

in our food supply.

CS 2012-139

It was moved, seconded and carried that a letter be sent to the Premier of British Columbia requesting that serious consideration be given to local government input and consultation to the Expert Panel on Business Taxation and the Local Government Revenue Sources Review, with copies to the Minister of Finance and the Minister of Community, Sport and Cultural Development.

Members of Council offered birthday wishes and congratulations to Mr. Keith Turner on the occasion of his 105th birthday.

**STAFF / ADVISORY
COMMITTEE REPORTS**

**Not-for-Profit Rental Housing Development Cost Charges
Reduction Bylaw**

CS 2012-140

It was moved, seconded and carried that in order to target housing developments that support individuals and families at lower incomes, the rent criteria for the not-for-profit rental housing development cost charges incentive bylaw include "households within 80 per cent of the median household income paying 30 per cent of their income annually toward the cost of housing".

Lease of Town-Owned Properties on Oyster Bay Drive

CS 2012-141

It was moved, seconded and carried that the Town enter into a three-year lease agreement with the Arts Council of Ladysmith and District for Units J, K and L of the "Machine Shop" building at 610 Oyster Bay Drive, for an annual rental rate of \$1.00 per unit plus applicable taxes.

CS 2012-142

It was moved, seconded and carried that the Town of Ladysmith enter into two-year lease agreements with the following tenants of Town-owned properties on Oyster Bay Drive at the rental rate of \$5.00 per square foot in the first year:

Southwood Products (Units A/E)

Dennis Brown (Unit D)

Janice Richards (Unit F)

Blondeau's Wood Products (Splicing shed)

PMG Heritage Yachts (Round House and First Aid Shed)

CS 2012-143

It was moved, seconded and carried that the Town of Ladysmith enter into a two-year lease agreement with the Ladysmith Maritime Society for the "Car Shop" on Oyster Bay Drive for an annual rental rate of \$1.00 per year.

CS 2012-144

It was moved, seconded and carried that the Town of Ladysmith enter into a one-year lease agreement with the Ladysmith

Maritime society for Units C, I and M of the "Machine Shop" building for an annual rental rate of \$1.00 per unit plus applicable taxes.

CS 2012-145 It was moved, seconded and carried that staff be directed to review the current rental rate of \$5.00 per square foot and provide recommendations to Council regarding any proposed changes to the rate prior to the expiration of the first year of the lease agreements in the Town-owned buildings on Oyster Bay Drive.

CS 2012-146 It was moved, seconded and carried that staff be directed to advertise the proposed lease arrangements for Town-owned properties on Oyster Bay Drive in accordance with the legislation.

CS 2012-147 **Proposed Audited Financial Statements Bylaw**
It was moved, seconded and carried that the staff report regarding the proposed audited financial statements bylaw be approved as circulated.

CORRESPONDENCE

CS 2012-148 **John McKay, Municipality of North Cowichan
Request for Letter of Support for Joint Utilities Board Lagoons
Outfall Relocation and Resource Recovery Project**
It was moved, seconded and carried that Council write a letter of support for the Joint Utilities Board Lagoons Outfall Relocation and Resource Recovery Project, as requested by John McKay in his correspondence dated April 5, 2012

CS 2012-149 **Bruce Whittington
Request for Council to introduce tree protection legislation**
It was moved, seconded and carried that consideration of tree protection legislation as requested in the correspondence from Bruce Whittington dated April 18, 2012 be referred to staff for review and report back to Council.

CS 2012-150 **Duck Paterson, Kinsmen Club of Ladysmith
Request for Waiver of Building Permit Fees for Ramp at
Ladysmith Museum**
It was moved, seconded and carried that building permit fees be waived for the construction of a ramp at the Ladysmith Museum, as requested by the Kinsmen Club of Ladysmith in their correspondence dated April 25, 2012.

CS 2012-151 **Ladysmith Chamber of Commerce
Sponsorship Opportunity – Fifth Annual Gold Tournament**
It was moved, seconded and carried that the Town of Ladysmith

sponsor a hole at the fifth annual Ladysmith Golf Tournament for \$200, with the funds to come from the 2012 grants-in-aid budget.

Rajnana Basu, Coordinator, Cowichan Family Caregivers Support Society

Request for Grant-in-Aid for 2012

CS 2012-152

It was moved, seconded and carried that a grant-in-aid for 2012 in the amount of \$750 be provided to the Cowichan Family Caregivers Society from the 2012 grants-in-aid budget, as requested in an e-mail from Rajnana Basu dated April 28, 2012.

Rob Waters, President, Ladysmith Chamber of Commerce

Request to partner with the Town of Ladysmith on a joint promotional venture

CS 2012-153

It was moved, seconded and carried that the Town of Ladysmith partner with the Ladysmith Chamber of Commerce in the amount of \$500 on a promotional venture to showcase Ladysmith and Cowichan Region cuisine, arts and culture, with the funds to come from the public relations budget.

BYLAWS

Town of Ladysmith Financial Plan Bylaw 2012, No. 1801

CS 2012-154

It was moved, seconded and carried that Town of Ladysmith Financial Plan Bylaw 2012, No. 1801 be adopted.

Town of Ladysmith Tax Rates Bylaw 2012, No. 1802

CS 2012-155

It was moved, seconded and carried that Town of Ladysmith Tax Rates Bylaw 2012, No. 1802 be adopted.

Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 89) 2012, No. 1803

CS 2012-156

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 89) 2012, No. 1803 be read a first and second time and that a Public Hearing be scheduled.

Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw 2012, No. 1804

CS 2012-157

It was moved, seconded and carried that Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw 2012, No. 1804 be read a first, second and third time.

Town of Ladysmith 2011 Audited Financial Statements Bylaw 2012, No. 1805

CS 2012-158

It was moved, seconded and carried that Town of Ladysmith 2011 Audited Financial Statements Bylaw 2012, No. 1805 be

read a first, second and third time.

NEW BUSINESS

CS 2012-159

Ladysmith Museum Appreciation

It was moved, seconded and carried that the Town of Ladysmith provide a gift of appreciation on the opening of the Ladysmith Museum

QUESTION PERIOD

R. Johnson was advised that the Statement of Financial Information for the Town of Ladysmith will be completed before the end of June as required by legislation.

R. Johnson was advised that the Director of Parks, Recreation and Culture is retiring as of May 31 2012 and that recruitment for a new Director is underway.

R. Johnson was advised that should Council determine that fossil fuels will not be permitted to be used as an energy source in construction of a new residence, a covenant to that effect would be registered on title.

ADJOURNMENT

CS 2012-162

It was moved, seconded and carried that this meeting of Council be adjourned at 7:57 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)



MINUTES OF A SPECIAL MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
THURSDAY, MAY 10, 2012, 4:30 P.M.

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins Councillor Steve Arnett Councillor Jillian Dashwood
Councillor Bill Drysdale Councillor Duck Paterson

COUNCIL MEMBERS ABSENT:

Councillor Gord Horth Councillor Glenda Patterson

STAFF PRESENT:

Ruth Malli Sandy Bowden Erin Anderson
John Manson Joanna Winter

CALL TO ORDER Mayor Hutchins called the Special Council Meeting to order at 4:30 p.m.

AGENDA APPROVAL

CS 2012-163 It was moved, seconded and carried that the agenda for the Special Meeting of Council for May 10, 2012 be approved as circulated.

BYLAWS

CS 2012-164 **Town of Ladysmith Water Parcel Tax Bylaw 2012, No. 1796**
It was moved, seconded and carried that Town of Ladysmith Water Parcel Tax Bylaw 2012, No. 1796 be adopted

CS 2012-165 **Town of Ladysmith Sewer Parcel Tax Bylaw 2012, No. 1797**
It was moved, seconded and carried that Town of Ladysmith Sewer Parcel Tax Bylaw 2012, No. 1797 be adopted

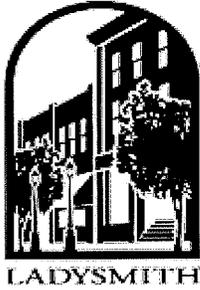
ADJOURNMENT

CS 2012-166 It was moved, seconded and carried that this meeting of Council be adjourned at 4:32 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Patrick Durban, Director of Parks, Recreation & Culture
Date: May 15, 2012
File No:

Re: **SPECIAL OCCASION LICENCE REQUESTS**

RECOMMENDATION(S):

The Parks, Recreation & Culture Commission recommend that Council consider approving the requests for Special Occasion Licences for the Royal Canadian Legion on Sep 9, 2012 at Transfer Beach and the Ladysmith Horseshoe Club on May 18-22, 2012, June 29-Jul 3, 2012, and August 3-7, 2012 at Transfer Beach.

PURPOSE:

To provide Council with information from applicants for Special Occasion Licences.

INTRODUCTION/BACKGROUND:

At the Parks, Recreation & Culture Commission meeting held on April 18, 2012 the following applications for Special Occasion Licences were considered.

1. Royal Canadian Legion Picnic – to be held at Transfer Beach Horseshoe Pitch on September 9, 2012 from 12:00pm to 5:00pm.
2. Ladysmith Horseshoe Club – to be held at Transfer Beach Horseshoe Pitch on May 18-22, 2012, June 29-July 3, 2012 and August 3-7, 2012 from 11:00am-10:00pm

Each group has completed the required application and has confirmed they will ensure this area will be fenced off, that the entrances and exits will be controlled by security, parking attendants will be on site, food will be served, and that tables and chairs will be provided. Sergeant Tim DeSaulniers of the RCMP supports the Parks, Recreation & Culture Commission recommendation.

SCOPE OF WORK:

There is no work required.

ALTERNATIVES:

Council can choose to not approve some or all of these events.

FINANCIAL IMPLICATIONS:

There are no financial implications.

LEGAL IMPLICATIONS:

There are no legal implications.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

These approvals will support the fundraising efforts of the various clubs and associations.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

There will be no interdepartmental involvement or implications.

RESOURCE IMPLICATIONS:

There will be no resource implications.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This does not align with Sustainability Visioning Report.

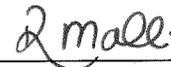
ALIGNMENT WITH STRATEGIC PRIORITIES:

This does not align with any strategic priorities.

SUMMARY:

The Parks, Recreation & Culture Commission recommend that Council consider approving the requests for Special Occasion Licences.

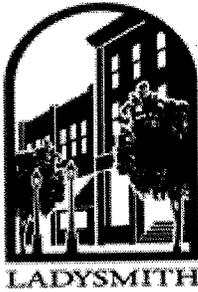
I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Patrick Durban, Director of Parks, Recreation & Culture
Date: May 17, 2012
File No:

Re: BC SUMMER GAMES BID - CVRD

RECOMMENDATION(S):

That Council approve the following recommendation from the Parks Recreations and Culture Commission, adopted at the Commission's May 16, 2012 meeting:

That Council consider supporting the bid by the Cowichan Valley Regional District to host the BC Summer Games in 2016 or 2018.

PURPOSE:

To provide Council with information about the CVRD's proposed bid to host the BC Summer Games in 2016 or 2018.

INTRODUCTION/BACKGROUND:

The Parks, Recreation & Culture Commission discussed the opportunities for many sporting groups as well as cultural organizations that would benefit from the BC Summer Games if they were held in the Cowichan Region. As with previous sporting events of this magnitude, the entire region will need to become involved and it is anticipated that every area or community will be able to host an event.

Attached is a copy of the advertisement together with excerpts from the bid application.

SCOPE OF WORK:

There is no work required at this time.

ALTERNATIVES:

Council can approve the recommendation, or choose to not support this event at this time.

FINANCIAL IMPLICATIONS:

There are no financial implications.

LEGAL IMPLICATIONS:

There are no legal implications.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

This event will benefit many various clubs and organizations as well as local businesses.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

There will be no interdepartmental involvement or implications at this time.

RESOURCE IMPLICATIONS:

There will be no resource implications at this time.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This aligns with the Healthy Community pillar of the Sustainability Vision.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This is not a Strategic Priority.

SUMMARY:

The Parks, Recreation & Culture Commission recommends that Council consider supporting the Cowichan Valley Regional District's bid to host the BC Summer Games in either 2016 or 2018.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Cowichan Valley Regional District Advertisement
Excerpts from the BC Games Bid Application Guidelines



C·V·R·D

BC SUMMER GAMES BID COMMUNITY MEETINGS

To Gauge Support for a BC Summer Games Bid for either 2016 or 2018

The CVRD Board has requested Recreation Commissions gauge the level of community support to host the BC Summer Games in either 2016 or 2018.

The public is invited to offer input during community meetings that will be held in Ladysmith, Cowichan Lake, South Cowichan, and at the Island Savings Centre. These sessions will be hosted by elected representatives at the following dates and locations:

Frank Jameson Community Centre: May 16, 7:00pm
Cowichan Lake Sports Arena: May 24, 7:00 pm
Kerry Park Recreation Centre: May 29, 7:00 pm
Island Savings Centre: May 31, 6:30 pm

For further information, please contact:
Ron Austen, General Manager
CVRD Parks, Recreation & Culture Department
250-746-2635

COWICHAN VALLEY REGIONAL DISTRICT
175 Ingram Street, Duncan, B.C. V9L 1N8
Phone: (250) 746-2500 Fax: (250) 746-5612
Email: [cvrd@cvrd.bc.ca](mailto:cvrld@cvrd.bc.ca)
Web: <http://www.cvrld.bc.ca>



CVRD

Bidding for the BC Games

The Bid Process to determine the Host Community for the 2016 and 2018 BC Summer and BC Winter Games is now open. Communities may submit bids until September 10, 2012.

As provincial multi-sport events, the BC Summer and BC Winter Games provide developing high performance athletes, coaches, and officials with a stepping-stone to prepare for higher levels of competition. The BC Games Society, in partnership with Host Communities, works to successfully stage these major events.



Benefits of Hosting

- Community, sport, and cultural celebration that builds community pride
- Trained volunteers
- Development platform for BC athletes, coaches, and officials
- New business contacts, networks, and opportunities and increased local tourism
- New sport, recreation, and cultural projects
- Significant direct economic impact
- Community Legacy Fund distributed in the Host Community

Bid Applications

Each community bidding on a BC Winter or BC Summer Games is required to prepare and submit a detailed bid document including the following information:

- Resolutions from the City and School Board and School District union(s)
- List of all major events previously hosted by the community
- List of potential facilities
- Sport facility information
- Inventory of schools for accommodation
- Transportation information
- Letters of support

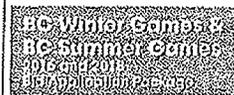
Games Dates

2016 BC Winter Games	February 25-28, 2016
2016 BC Summer Games	July 21-24, 2016
2018 BC Winter Games	February 22-25, 2018
2018 BC Summer Games	July 19-22, 2018

Bid Process Timeline

February 2012	Bid Application Package distributed to communities
March 28, 2012 10:00am	Bid Information Conference Call
September 10, 2012	Bid Application Deadline

For more information contact:
 Kelly Mann
 President and CEO, BC Games Society
 250-387-1375
 kellym@bcgames.org



Current Games Links

Upcoming BC Games

- 2012 BC Winter Games (in Greater Vernon)
- 2012 BC Summer Games (in Surrey)

Past BC Games

- 2010 BC Summer Games
- 2010 BC Winter Games
- 2008 BC Summer Games
- 2008 BC Winter Games

OGG (Guide to the Games) Sessions

- General Information

Other Links

- Other Games
- Bidding for the Games
- Future and Past Games
- Games Statistics
- In Their Own Words... Tell Us Your Story
- BC Games Alumni
- Upcoming Events
- BC Games Zone Structure

BC Games Bid Application Guidelines

1. Introduction

As an introduction to your Bid Application, please include the following information:

- The name, population, and items of general interest in your community
- The names of the members of your Bid Committee

2. Resolutions

Due to the size and scope of the BC Games, municipal support is critical to the success of the event; therefore, it is important to indicate the type of support your municipality is prepared to commit to the Host Society. Please include the following in your Bid Application:

- **Resolutions** (*Template resolutions can be found in Appendix 4*):
 - Resolution of Municipal Council indicating support for the Bid Application. This resolution should include support for a financial contribution to the Host Society of at least \$45,000 in cash, and a minimum of \$50,000 in additional in-kind services and facilities.
 - Resolution from the local school board, stating support for the Host Society, a provision for the necessary school facilities for competition and accommodation, and the necessary school buses for transportation of participants during the Games, free of charge, and for BC Winter Games, a provision that the school district will close the schools for the Thursday and Friday of the Games.
 - Note: The Host Society will cover all associated fuel and insurance costs for use of the schools buses.
 - Resolution from the union representing the school bus drivers and custodial staff, stating support for the bid and acknowledging the BC Games as an opportunity for their members to volunteer (i.e. school bus drivers to drive buses, and custodians to maintain schools during the Games).

3. Event Hosting History

List of major events in the past five years hosted by your community. Please include the following:

- Name of the event
- Participant numbers
- Volunteer numbers
- Approximate budget

To stage a successful BC Games, the Host Society Board of Directors will need to recruit, train, and direct the efforts of approximately 3,500 community volunteers for a BC Summer Games, and approximately 2,500 community volunteers for a BC Winter Games. Please provide letters of commitment to the BC Games from local sport groups,

**Appendix 2
Nominating Committee Process**

General Timeline

<u>ACTION</u>	<u>WHEN</u>	<u>WHO</u>
Phone contact made with municipality to begin process (typically the Parks and Rec Director).	20 - 25 months prior to the Games	BC Games Society President and CEO
Letter to Mayor(s) outlining Nominations Committee process, selections (copy of package also sent to municipal contact person).	20 - 25 months prior to the Games	BC Games Society President and CEO
Mayor(s) selects/appoints the Nominations Committee. This Committee is made up of key leaders including the Mayor, members of Council, Regional District representatives, Parks and Recreation senior staff, School District Board and/or staff, Chamber of Commerce President, etc. (9 - 12 people). This Committee should have representation from all communities involved in hosting the BC Games.	19 - 23 months prior to the Games	Mayor
First meeting of Nominations Committee.	19 - 23 months prior to the Games	BC Games Society President and CEO and Mayor
Nominations Committee completes selection of Board of Directors.	18 - 22 months prior to the Games	Nominations Committee
Determine date and time for Election Evening or appointment of Board by Council.	18 - 22 months prior to the Games	BC Games Society President and CEO and Mayor
Election Evening – special guests and general public are invited to an evening to formalize the Board of Director's nominations process.	17 - 21 months prior to the Games	Mayor
Games overview for Host Society President and Board of Directors.	16 - 20 months prior to the Games	BC Games Event Managers

**Appendix 3
Sport**

BC Summer Games Core Sports

This is the current list of Core Sports for the BC Summer Games. The list of sports included in the 2016 and 2018 BC Summer Games will be determined closer to the Games by the BC Games Society, through its Core Sport process. The list of sports for the 2016 and 2018 BC Summer Games may include some or all of the sports below, as well as additional sports, including those for athletes with a disability.

Sport	Categories	Maximum Participants
Athletics	M&F: 14-15 able-bodied; 13-50 Special Olympics	372
Baseball	M: 14-15	174
Basketball	M&F: U14	214
Canoe/Kayak	M&F: U16	115
Diving	M&F: 12-15	82
Equestrian	M&F: 13-18 able-bodied; 13-30 Para	109
Golf	M&F: 13-16	95
Inline Hockey	M: 14 and Under	140
Lacrosse – Box	M: 15-16	190
Lacrosse – Field	M: 14-15	190
Rowing	M&F: U17	80
Rugby	M: U14; F: U17	258
Sailing	M&F: U15 and U19	97
Soccer	M&F: U12	264
Softball	M&F: U14	344
Swimming	M&F: 12-14 able-bodied; 13+ Special Olympics; 12-30 Para	220
Synchronized Swimming	F: 12-16	105
Towed Water Sports (Water Skiing, Wakeboarding, and Barefooting)	M&F: 10-17	100
Triathlon	M&F: 14-15	70
Volleyball	M&F: 15 and Under	236
Volleyball – Beach	M&F: 17 and Under	80
Wrestling	M&F: 14-17	190
	Total	3725

**Participants – athletes, coaches, adult supervisors, and officials



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Patrick Durban, Director of Parks, Recreation & Culture
Date: May 16, 2012
File No:

Re: EXTENSION OF LEASES AND LICENCE OF OCCUPATION

RECOMMENDATION(S):

That the Town of Ladysmith enter into lease agreements with Sealegs Kayak Adventures for the use of the building at Transfer Beach Park for a term of five years with an option to renew for a further five years; with Joint Ventures Physiotherapy for the use of space at the Frank Jameson Community Centre for a five-year term; and a Licence of Occupation with the Ladysmith Community Gardens Society for the use of an area of High Street Park for a five-year term.

PURPOSE:

The purpose is to extend leases to long-term businesses and extend a Licence of Occupation to a society for the operation of a community garden.

INTRODUCTION/BACKGROUND:

Sealegs Kayaking Adventures have operated out of the kayak building since 2005, Joint Ventures Physiotherapy have operated out of the Frank Jameson Community Centre space since 2006 and the Ladysmith Community Gardens were established in 2010.

SCOPE OF WORK:

Staff will negotiate terms and conditions acceptable to the Town of Ladysmith.

ALTERNATIVES:

The Town could accept shorter terms or initiate a proposal call.

FINANCIAL IMPLICATIONS:

The Town of Ladysmith is receiving established lease revenues.

LEGAL IMPLICATIONS:

There are no legal implications.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

There will be no interdepartmental involvement or implications.

RESOURCE IMPLICATIONS:

There will be no resource implications.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This aligns with a number of goals including Local Food Systems, Healthy Community and Local Diverse Economy

ALIGNMENT WITH STRATEGIC PRIORITIES:

This does not align with any strategic priorities.

SUMMARY:

The recommendation provides stability for two ongoing local businesses and a newer goal for sustainability through the establishment of a community garden.

I concur with the recommendation.

Ruth Malli

Ruth Malli, City Manager

ATTACHMENTS:

None.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: March 12, 2012
File No:

Re: Waste Water Treatment Plant Phase 3 Loan Authorization 2012 Bylaw No. 1792

RECOMMENDATION(S):

That Council give first three readings to the Waste Water Treatment Plant Phase 3 Borrowing Bylaw 2012 No. 1792 – a bylaw to authorize the borrowing of \$10,000,000.

PURPOSE:

To ensure adequate funding is available to construct Phase 3 of the Waste Water Treatment Plant.

INTRODUCTION/BACKGROUND:

Ladysmith is continuing with the next phase of the Waste Water Treatment Plant upgrade. This Phase 3 will ensure that Ladysmith continues to meet all of the Provincial, Federal and International regulations with respect to releasing effluent into the environment.

This project is estimated to cost between \$16.2m and \$16.9m dollars. To pay for this project, the Town has received a gas tax grant of \$5.2m. Another grant and borrowing application has been submitted to another agency and the Town is awaiting a decision.

This portion of the Waste Water Treatment Plant upgrade has been discussed in detail with the Liquid Waste Management Committee. The committee analysed the project and conducted surveys with the citizens to gauge their reaction and their response to continuing with Phase 3. Positive feedback has been received. The Town has also submitted its Liquid Waste Management Plan to the Province for approval. It is unclear at this time when the Province will approve the Plan.

This phase of the project will singularly be the most labour intensive and highest dollar value project the Town has undertaken to date.

Borrowing:

To borrow money requires a number of steps as required by legislation. The first step is the first three readings of the Borrowing Bylaw which is on tonight's agenda. After receiving first three readings, the bylaw is sent to the Province to receive Inspector's Approval. Once the Inspector reviews the bylaw, it is returned to the Town to obtain electoral approval. This is usually done in the form of a referendum or Alternate Approval Process which takes at least 7 weeks, though, if a Liquid Waste Management Plan has been approved and adopted by the Province, this step is omitted. The Borrowing bylaw is then adopted, after which there is a 30-day 'quashing period'. A Certificate of Approval is then applied for by the Town to the Province which is required to obtain borrowing through the Municipal Finance Authority via the Cowichan Valley Regional District. The CVRD can only apply to the MFA twice a year for issued borrowing, though interim financing is available. As mentioned earlier, the Town has applied for an additional grant and loan funds. If this application is approved, the borrowing would go through another government

agency and the coordinating between the Town and the Cowichan Valley Regional District is not necessary.

Since there many unknowns in the process, it is financially prudent to mitigate the cash flow risk and put the borrowing bylaw through to Council at this time. Ultimately, the Town will need to borrow to fund this project; it is the steps in between that need to be confirmed by external decision makers. If notification from these external sources is not received by certain dates, alternative plans, such as Alternate Approval Process and Municipal Securities issues must be put in place.

Key Dates for Spring 2013 Borrowing:

First 3 readings of the borrowing bylaws	May 22, 2012
Receive Inspector Approval (anticipated)	June 15, 2012
Decision to go to AAP	August 15, 2012
Decision to borrow via MFA & CVRD	December 15, 2012

SCOPE OF WORK:

As detailed above, the process requires many steps and decisions from external sources that are pending. The Finance Department will take the lead on the borrowing and coordinate with Public Works for the funding of the construction.

ALTERNATIVES:

If borrowing is not commenced, this project cannot go ahead.

FINANCIAL IMPLICATIONS:

The sewer parcel tax was increased in 2012 by \$115 to partially fund the costs associated with this borrowing. Borrowing of funds was included in the 2012-2016 Financial Plan.

Other borrowing & leases currently underway:

	Original Amount	Remaining at Dec 31, 2011
RCMP Building	\$2,750,000	\$2,392,345
First Avenue	1,438,000	489,098
Sewer Improvements	93,500	31,802
Other Leases	439,365	93,385

Newly executed and pending

	Original Amount
Waterworks Construction (April 2012)	\$1,000,000
Fire Bush Truck (May 2012)	78,795
Fire Truck Lease (pending)	406,350

As detail in the borrowing steps, Inspector Approval is needed prior to this bylaw moving forward. The Inspector will review the bylaw to ensure the Town can meet the demand to service this type of debt.

The Town has very low long term debt. The Province applies strict rules on the amount of debt the municipality can obtain. Even after this borrowing for \$10m is executed, the total long term debt will be approximately \$14.5m. The cost to service (interest and principal payment) of this debt is approximately \$1.5m. This is half of what the Province allows municipalities to hold on their books. In other words, even after this new debt is fully executed, the Town still has nearly half of their debt servicing limit available.

Though authorization for the full \$10m is requested to fund the entire project, the actual cashflow will not be the full \$10m in the first year of construction. Included in the 2012 Financial Plan was \$4.5m of borrowing; the remaining borrowing is budgeted to occur in 2013. Sewer reserves will be utilized to offset the remaining construction costs.

LEGAL IMPLICATIONS:

This borrowing process is highly regulated. Strict attention to details are necessary.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

During the Liquid Waste Management Plan, citizens were encouraged to voice their opinions on this plan. Surveys were conducted in July of 2011.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This process requires a great deal of coordination between Corporate Services, Finance and Public Works.

RESOURCE IMPLICATIONS:

Staff are required to manage the borrowing process as well as the construction project during this time. The Sewer Operating Fund will be used to pay for the necessary construction work until the borrowing is executed.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This construction project aligns with Strategy #5 for Innovative Structure.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This issue aligns with Strategic Direction A – “Wise Financial Management”

SUMMARY:

On the May 22 Council meeting agenda is the Waste Water Treatment Plant Phase 3 Loan Authorization Bylaw 2012 No. 1792. It is recommended that Council give first three readings of this bylaw to ensure the process to borrow funds are in place to fund the construction of phase 3 of the Waste Water Treatment Plant.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None

TOWN OF LADYSMITH

BYLAW NO. 1792

A bylaw to authorize the borrowing for the construction of the third phase of the Waste Water Treatment Plant

WHEREAS it is deemed desirable and expedient to construct a third phase of the Waste Water Treatment Plant to the sewer system servicing the Town of Ladysmith.

AND WHEREAS the estimated cost of constructing the third phase of the Waste Water Treatment Plant to the sewer system including expenses incidental thereto is the sum of \$16,900,000.00 of which the sum of \$10,000,000.00 is the amount of debt intended to be 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 third phase of the Waste Water Treatment Plant to the sewer 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 \$10,000,000.00.
 - 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 improvements to the sewer system.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 25 years.

Citation

3. This bylaw may be cited as "Waste Water Treatment Plant Loan Authorization Bylaw No. 1792".

READ A FIRST TIME on the _____ day of May, 2012.

READ A SECOND TIME on the _____ day of May, 2012.

READ A THIRD TIME on the _____ day of May, 2012.

RECEIVED the approval of the Inspector of Municipalities on the _____ day of _____

RECEIVED the assent of the electors of the Town of Ladysmith on the _____ day of _____, 20

RECONSIDERED AND FINALLY PASSED AND ADOPTED on the _____ day of _____, 20

Mayor (R. Hutchins)

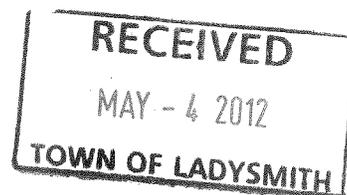
Corporate Officer (S. Bowden)



**Office of the
Chief Medical
Health Officer**

April 30, 2012

Mayor Hutchinson and Members of Council
Town of Ladysmith
PO Box 220
410 Esplanade Street
Ladysmith BC V9G 1A2



Dear Mayor Hutchinson and Members of Council:

Tobacco consumption has decreased dramatically in the past few decades. Nonetheless, tobacco remains the leading preventable cause of premature death in Canada and a leading draw on finite health care resources. Jurisdictions have risen to the challenge. The Capital Regional District has benefited from enacting healthy public policies which have translated into healthier populations and engaged youth. Smoking rates are lowest in the South Island at only 11.8%, and are 40% higher in the remainder of the region at 16.0%. In total there are still about 95,000 daily smokers in the area served by the Vancouver Island Health Authority (VIHA).

The province of British Columbia has adopted a minimum standard for tobacco control through the Tobacco Control Act. This legislation normalizes what many communities had previously implemented through their insightful and forward thinking regulatory actions. The recent provincial efforts on supporting current tobacco consumers in their efforts to stop smoking through Quit Now and nicotine replacement therapy are also to be commended.

The efforts of the industry nevertheless are relentless. We are faced with new challenges by products and marketing that continues to recruit youth and young adults into an addiction that leads to half of tobacco users dying from the use of tobacco.

The announcement by the BC government of the Healthy Families BC – Healthy Communities activities invites local governments to contribute to the health and wellbeing of their citizens with a focus on five areas, one of which is tobacco control. We would invite you to use this opportunity to contribute to the BC – wide initiative, to partner with Vancouver Island Health Authority and work together to promote and protect the health of the residents of your community. Repeated surveys have demonstrated the overwhelming public support for local regulations which restrict the public consumption and use of smoking and tobacco products. The vast majority of citizens recognize such action as a demonstration of laudable healthy public policy by local government.

NORTH ISLAND

250.331.8591

Charmaine Enns MD MHSc FRCPC

CENTRAL ISLAND

250.755.6304

Paul Hasselback MD MSc FRCPC

SOUTH ISLAND

250.519.3406

Richard Stanwick, CMHO

MD MSc FRCPC FAAP

Murray Fyfe MD MSc FRCPC

Dee Hoyano MD FRCPC CCFP

Vancouver Island communities and the province of BC have been national leaders in the efforts to reduce disease caused by tobacco use and smoking. While the current Tobacco Control regulations have been successful in achieving their intended goals, additional actions are needed to bring communities of VIHA in line with the best smoking control practices in place in the province and Canada. As the Medical Health Officers for the region of Vancouver Island we request that local governments now take steps to further the efforts to reduce tobacco use, reduce exposures to "second hand" smoke, and to model a tobacco free lifestyle. Specifically, we ask that local government revisit and strengthen tobacco control bylaws to include the following provisions should they not currently already be addressed:

- Prohibit smoking and tobacco use in areas shared by the public, specifically: public spaces, beaches, parks, sports fields, athletic facility stands, and outdoor areas of municipal facilities.
- The current provincial legislation precludes smoking within three meters of doorways, open windows and air intakes. However, a minimum of seven meters is required in outdoor areas to better protect the public and should be the prescribed distance in regulation.
- Areas not included in the Tobacco Control Regulation, namely: outdoor patios (currently exempted by regulation), transit stops (not just shelters), and where individuals are required to queue for the receipt of any service should also be prohibited.
- A developing health threat is associated with the use of Hookah/water pipes. Regardless of the material smoked in these devices the same restrictions as tobacco should be instituted through legislation. Consideration also should be given to preclude the sale and public use of Hookah pipes within the boundary of geographic regions of local governments.

All residents of the island will appreciate the additional value of consistent island – wide policies where smoking is not permitted. Hence this request is being forwarded to all local governments concurrently.

We would further request that your council consider forwarding and supporting resolutions to the UBCM process that call upon the province to implement similar, more stringent provisions in revisions to the Tobacco Control Act. Such resolutions may take time before implementation, hence the importance of your council in acting now to protect and promote the health of your constituents.

We as the Medical Health Officers would be pleased to present to council, work with your administration as requested, provide suggested modifications to existing or new by-laws or review proposed by-laws and provide comment on your endeavors.



Richard Stanwick, CMHO
MD MSc, FRCPC FAAP
South Vancouver Island



Paul Hasselback
MD, MSc, FRCPC
Central Vancouver Island



Murray Fyfe
MD, MSc, FRCPC
South Vancouver Island



Charmaine Enns
MD, MHSc, FRCPC
North Vancouver Island

RECEIVED
MAY - 1 2012
TOWN OF LADYSMITH

Adam Seymour, Margaret Seymour

Co-Coordinators

PO Box 1527 Ladysmith, BC V9G-1B1

250-245-2960

RECEIVED

MAY 0 1 2012

May 1, 2012

Rob Hutchins

410 Esplanade, PO Box 220
Ladysmith, British Columbia
V9G 1A2

Dear Mr. Hutchins

As a competitive canoe paddler, wanting to represent our Stz'mainus community we are pleased to announce that we will be hosting a canoe race July 21-22, 2012 at Kulleet Bay water front. This event promotes an active lifestyle and is also a drug and alcohol free event. The expected attendance for this event is three to five hundred from other nations.

Hosting this event is at a cost of ten thousand dollars. This could not be possible without your generous sponsorship support from Town of Ladysmith. We are looking to make this a successful annual event and are looking for a multiyear commitment of \$1,000 from each of the ten sponsors. A successful water festival requires rental fees, food, cash prizes, and subsidized travel monies for the eleven man canoes.

Sponsors of this race will be put in our canoe race schedule and acknowledgement will be announced by the emcee throughout the two day event. The management team and their family of corporate sponsors will have a free entry to the event; a business card will need to be presented at the time of entry in order to get in free.

If I can provide additional information to encourage consideration of our request, please feel free to contact Adam or myself at 250-245-2960 we would also be happy to meet with your committee to present this proposal.

Traditionally yours,



Adam Seymour



Margaret Seymour

Co-Coordinators Stz'mainus Canoe festival

RECEIVED
MAY 17 2012

Thursday, May17, 2012,
119 Forward Road,
Ladysmith,
British Columbia.

Mayor Rob Hutchins and Town Council
410 Esplanade
Ladysmith, British Columbia
V9G 1A2

Mayor Rob Hutchins, thank you for your recommendation at 2:30 P.M. Wednesday, May 16,2012, that I write a letter to make a formal request to the Mayor and Town Council, that we be permitted to have our building plan approved with a Registered Covenant on the Title indicating that we are not going to be renting.

Hereby, we are requesting that we be permitted to have our building plan approved with a Registered Covenant on the Title indicating that we are not going to be renting.

We are looking forward to the Council decision at the next Agenda meeting, the week of May21, 2012.

Sincerely,
Emily and Ben Mikulski




250-245-4286

TOWN OF LADYSMITH

BYLAW NO. 1792

A bylaw to authorize the borrowing for the construction of the third phase of the Waste Water Treatment Plant

WHEREAS it is deemed desirable and expedient to construct a third phase of the Waste Water Treatment Plant to the sewer system servicing the Town of Ladysmith.

AND WHEREAS the estimated cost of constructing the third phase of the Waste Water Treatment Plant to the sewer system including expenses incidental thereto is the sum of \$16,900,000.00 of which the sum of \$10,000,000.00 is the amount of debt intended to be 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 third phase of the Waste Water Treatment Plant to the sewer 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 \$10,000,000.00.
 - 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 improvements to the sewer system.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is 25 years.

Citation

3. This bylaw may be cited as "Waste Water Treatment Plant Loan Authorization Bylaw 2012, No. 1792".

READ A FIRST TIME on the _____ day of _____, 2012.

READ A SECOND TIME on the _____ day of _____, 2012.

READ A THIRD TIME on the _____ day of _____, 2012.

RECEIVED the approval of the Inspector of Municipalities on the _____ day of _____,

RECEIVED the assent of the electors of the Town of Ladysmith on the _____ day of _____, 20

RECONSIDERED AND FINALLY PASSED AND ADOPTED on the _____ day of _____, 20

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1804

A Bylaw to Reduce Development Cost Charges for Not-for-Profit Rental Housing

WHEREAS Council is permitted by section 933.1 of the Local Government Act to waive or reduce a development cost charge by bylaw for not-for-profit rental housing, including supportive living housing;

WHEREAS Council wishes to provide for a reduction of a development cost charge where the monthly rent for a not-for-profit rental housing unit is equal to or less than the figure calculated by multiplying the median housing income of the Town of Ladysmith by 2%, which is the equivalent of households within 80% of the median household income paying 30% of their household income annually toward the cost of housing;

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

DEFINITIONS

1. In this Bylaw:

'Eligible Development Housing Agreement' means an Agreement under section 905 of the *Local Government Act* between the Town of Ladysmith and an owner of land seeking a reduction in development cost charges.

'Not-for-profit rental housing' means one or more rental dwelling units:

- (a) that are operated as rental housing for tenants who are capable of independent living and meet eligibility criteria related to income, health or other similar criteria;
- (b) that are subsidized by the Province of British Columbia or by an incorporated not-for-profit organization; and,
- (c) that are publicly owned or owned and operated by an incorporated not-for-profit organization.

including, but not limited to, units within a development assessed as Class 3 for purposes of the *Assessment Act*.

ELIGIBLE DEVELOPMENT

2. For the purposes of this Bylaw, not-for-profit rental housing that meets the conditions in section 3 constitutes a class of eligible development.

3. To be eligible for the reduction in development cost charges, the not-for-profit rental housing shall meet the following conditions:

- (a) there is an Eligible Development Housing Agreement for a period of not less than 20 years, requiring that the monthly rent charged for each individual dwelling unit shall not exceed the figure calculated by multiplying the median household income for the Town of Ladysmith, as reported by Statistics Canada in the most recent census, by 2%; and

- (b) the owner submits an annual report to the Town of Ladysmith no later than January 15 of each year the Eligible Development Housing Agreement is in effect, confirming that each individual dwelling unit met the definition of not-for-profit rental housing as well as the eligibility criteria in section 3(a) for the previous calendar year.

4. A reduction of development cost charges granted under this Bylaw is subject to the condition that if at any time during the period of the Eligible Development Housing Agreement referenced in section 3, a dwelling unit no longer meets the definition of not-for-profit rental housing or no longer fulfills the conditions in section 3:
 - (a) it shall no longer be an eligible development under this Bylaw, and
 - (b) the owner of the land shall be liable for repayment of development cost charges in accordance with section 6.

REDUCTION

5. The Town of Ladysmith development cost charge will be reduced by 100% in respect of a dwelling unit that meets the definition of not-for-profit rental housing in this Bylaw and is an eligible development as defined in section 3.

REPAYMENT

6. The full amount of development cost charges that would have been payable on the date the building permit was approved, had the reduction not applied, plus interest at the rate of 3% per year calculated monthly since the date of the waiver compounded annually, shall immediately become due and payable to the Town for a dwelling unit that no longer qualifies as an eligible development under this Bylaw, as referenced in section 3.

PERPETUAL WAIVER

7. Once the period of the Eligible Development Housing Agreement has concluded, being a period of not less than 20 years, the development cost charges that would have applied to the original construction of the dwelling units that were part of the eligible development are thereafter waived in perpetuity and unconditionally.

FURTHER DCCS PAYABLE

8. Despite section 7, an applicant for further or additional development of the land in respect of which development cost charges have been waived under this Bylaw shall pay development cost charges that may be payable under a bylaw, as a result of such further or additional development during or after the term of the Eligible Development Housing Agreement, calculated in accordance with the bylaws applicable at the time of application for a development approval.

SEVERABILITY

9. If any part, paragraph or phrase in this Bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, that portion shall be severed and the remainder of this Bylaw shall continue in force.

CITATION

10. This Bylaw may be cited as “Town of Ladysmith Not-for-Profit Rental Housing Development Cost Charges Reduction Bylaw, 2012, No. 1804”.

READ A FIRST TIME on the 7th day of May, 2012
READ A SECOND TIME on the 7th day of May, 2012
READ A THIRD TIME on the 7th day of May, 2012
ADOPTED on the day of 2012

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)

TOWN OF LADYSMITH

BYLAW NO. 1805

A bylaw of the Town of Ladysmith to approve the 2011 Audited Financial Statements as authorized expenditures for 2011.

WHEREAS the Council of the Town of Ladysmith deems it appropriate to approve the 2011 Audited Financial Statements.

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

- (1) The 2011 Audited Financial Statements for the Town of Ladysmith, attached hereto as Schedule A, are hereby considered to be authorized expenditures for 2011.
- (2) This bylaw may be cited for all purposes as *"Town of Ladysmith 2011 Audited Financial Statements Bylaw 2012, No. 1805."*

READ A FIRST TIME on the 7th day of May, 2012

READ A SECOND TIME on the 7th day of May, 2012

READ A THIRD TIME on the 7th day of May, 2012

ADOPTED on the _____ day of _____, 2012

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)