



TOWN OF LADYSMITH

A REGULAR MEETING OF THE
COUNCIL OF THE TOWN OF LADYSMITH
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, NOVEMBER 19, 2012
7:00 p.m.

CALL TO ORDER

- | | <u>Page</u> |
|---|-------------|
| 1. AGENDA APPROVAL | |
| 2. MINUTES | |
| 2.1. Minutes of the Regular Meeting of Council held November 5, 2012 | 1-4 |
| 3. PUBLIC HEARING
None | |
| 4. DELEGATIONS | |
| 4.1. Brian Roberts, Cowichan Energy Alternatives
Meeting Climate Action Charter Targets with Local Community Carbon Offsetting
Initiatives | |
| 5. PROCLAMATIONS | |
| Mayor Hutchins has proclaimed February 20, 2013 as “Kinsmen and Kinettes Day” and
the week of February 17 to 23, 2013 as “Kinsmen and Kinettes Week” in the Town of
Ladysmith | |
| 6. DEVELOPMENT APPLICATIONS | |
| 6.1. Development Permit Application – 10864 Westdowne Road (Lot 2, District Lot
72, Oyster District, Plan VIP636224, except part in Plan VIP80408 | 5-16 |
| 7. STAFF/ADVISORY COMMITTEE REPORTS | |
| 7.1. Fees and Charges for Parks, Recreation and Culture | 17-21 |
| 7.2. Revenue Anticipation Bylaw | 22-23 |
| 7.3. Waste Water Treatment Plant – Award of Stage III Design Services | 24-26 |
| 8. CORRESPONDENCE
None | |

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9. BYLAWS	
9.1. Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2012, No. 1809 May be read a first, second and third time. The purpose of Bylaw 1809 is to establish the fees and charges for Frank Jameson Community Centre programs, services and facilities for 2013.	27-29
9.2. Town of Ladysmith Revenue Anticipation Borrowing Bylaw 2012, No. 1813 May be read a first, second and third time. The purpose of Bylaw 1813 is to establish authority for the Town to borrow up to \$4,000,000 in anticipation of revenues to be received from taxation in 2012.	30
10. NEW BUSINESS None	
11. UNFINISHED BUSINESS	
12. QUESTION PERIOD <ul style="list-style-type: none">• A maximum of 15 minutes is allotted for questions.• 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 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	
13. EXECUTIVE SESSION <p>In accordance with Section 90(1) of the <i>Community Charter</i>, this section of the meeting will be held <i>In Camera</i> to consider the following items:</p> <p>Item One 90(1)(k) 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</p> <p>Item Two 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;</p>	

Item Three

90(1)(k) 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

Item Four

90(1)(k) 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

Item 5

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;

14. RISE AND REPORT

ADJOURNMENT



**MINUTES OF A MEETING OF COUNCIL OF THE
TOWN OF LADYSMITH
HELD IN COUNCIL CHAMBERS AT CITY HALL ON
MONDAY, NOVEMBER 5, 2012**

COUNCIL MEMBERS PRESENT:

Mayor Rob Hutchins
Councillor Jillian Dashwood
Councillor Glenda Patterson
COUNCIL MEMBERS ABSENT:

Councillor Steve Arnett
Councillor Gord Horth

Councillor Bill Drysdale
Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
John Manson

Sandy Bowden
Joanna Winter

Felicity Adams

CALL TO ORDER

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

AGENDA APPROVAL

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

CS 2012-340

It was moved, seconded and carried that the agenda for the Regular Session of Council for November 5, 2012 be approved as amended.

MINUTES

CS 2012-341

It was moved, seconded and carried that the minutes of the Regular Meeting of Council held on October 15, 2012 be approved as circulated.

DELEGATIONS

**Town of Ladysmith Occupational Health and Safety Committee
Presentation of Provincial Occupational Safety and Health Week
Award**

Karen Cousins, Manager of Human Resources, presented Mayor Hutchins with the Town of Ladysmith's award for...

PROCLAMATIONS

Mayor Hutchins proclaimed November 20, 2012 as "National Child Day" in the Town of Ladysmith.

**DEVELOPMENT
APPLICATIONS**

CS 2012-342

**Rezoning Application – Lot A, District Lot 126, Oyster District,
VIP73132 (Malone Road)**

It was moved, seconded and carried that Council has considered section 879 of the Local Government Act (consultation during

Official Community Plan development) and determines that for Official Community Plan amendment application 3360-11-01 (Malone Road) the following consultation is to be undertaken:

- Referral to the Stz'uminus First Nation

CS 2012-3

Official Community Plan Amendment and Rezoning Application – 1030 Oyster Bay Drive (Lot 1, District Lot 24, Oyster District, Plan VIP72824, except part in Plan VIP81529)

It was moved, seconded and carried that the staff report regarding Official Community Plan Amendment and Rezoning Application 3360-12-02 be received.

BYLAWS (OCP/ZONING)

Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 38) 2012, No. 1790

It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 38) 2012, No. 1790 be read a first and second time and that a public hearing be scheduled.

Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 88) 2012, No. 1791

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 88) 2012, No. 1791 be read a first and second time and that a public hearing be scheduled.

Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 39) 2012, No. 1811

It was moved, seconded and carried that Town of Ladysmith Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 39) 2012, No. 1811 be read a first and second time and that a public hearing be scheduled.

Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 89) 2012, No. 1812

It was moved, seconded and carried that Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 89) 2012, No. 1812 be read a first and second time and that a public hearing be scheduled.

COUNCIL COMMITTEE REPORTS

Council members provided updates on their respective Commissions and Committees.

STAFF REPORTS

CS 2012-3

CORRESPONDENCE

Mary Marcotte, Cruisemaster, Mount Brenton Power and Sail Squadron

Request to advertise Christmas Lights Cruise on Town sign stations

CS 2012-3

It was moved, seconded and carried that staff be requested to determine appropriate locations and timing for advertising the Mount Brenton Sail and Power Squadron Christmas Lights Cruise on Town sign stations.

**Eric Van Steen, Nanaimo-Ladysmith Schools Foundation
Letter of Thanks for Town of Ladysmith Support of "Stock the Lockers" 2012 Campaign**

CS 2012-3

It was moved, seconded and carried that the correspondence from E. Van Steen, Nanaimo-Ladysmith Schools Foundation, expressing appreciation for Ladysmith support for the 2012 "Stock the Lockers" Campaign, be received, and that letters of appreciation and congratulations be sent to Delana Sword and Mimi. Zuyderduyn for spearheading a successful local campaign.

BYLAWS

CS 2012-319

NEW BUSINESS

Asset Management

Councillor Arnett noted that it is important for Council to consider long-term planning when addressing the issue of asset management.

Zoning/Density

In anticipation of the upcoming discussions on the zoning bylaw, Councillor Arnett noted that several jurisdictions such as San Francisco and other major centres are embracing progressive high density programs within their zoning regulations.

CS-2012-320

2012 Tour de Rock Fundraiser

It was moved, seconded and carried that a letter of congratulations and thanks be sent to the Chair of the Ladysmith Chapter of the Canadian Cancer Society for a successful 2012 Tour de Rock fundraiser event.

Jaedyn's Law and Memorial

A discussion ensued regarding the placement of a tree and plaque in memory of Jaedyn Amann-Hicks. The matter was referred to staff for review and recommendation, and staff were directed to review the suggestion of support for "Jaedyn's Law".

QUESTION PERIOD

R. Johnson inquired about the following matters:

- Impact of the “snow pack” on water levels in the Ladysmith watershed - it was noted that water restrictions are still in effect;
- Water levels within the Cowichan Valley Regional District
- BC Transit – it was noted that the matter will be addressed at the October 15th Council meeting;
- Live-aboard fees at the Ladysmith Maritime Society Community Marina

ADJOURNMENT

CS 2012-321

It was moved, seconded and carried that this meeting of Council be adjourned at 7:55 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: November 14, 2012
File No: 3060-12-05

Re: Development Permit Application – 10864 Westdowne Road
Subject Property: Lot 2, District Lot 72, Oyster District, Plan VIP63624, except
part in Plan VIP80408

RECOMMENDATION(S):

That Council issue Development Permit 3060-12-05 to permit site alteration and the construction of a new light industrial building at 10864 Westdowne Road (Lot 2, District Lot 72, Oyster District, Plan VIP63624, except part in Plan VIP80408); as well as an electrical building (10m² maximum size) 12 metres from the front property line and 2 metres from the side property line;

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

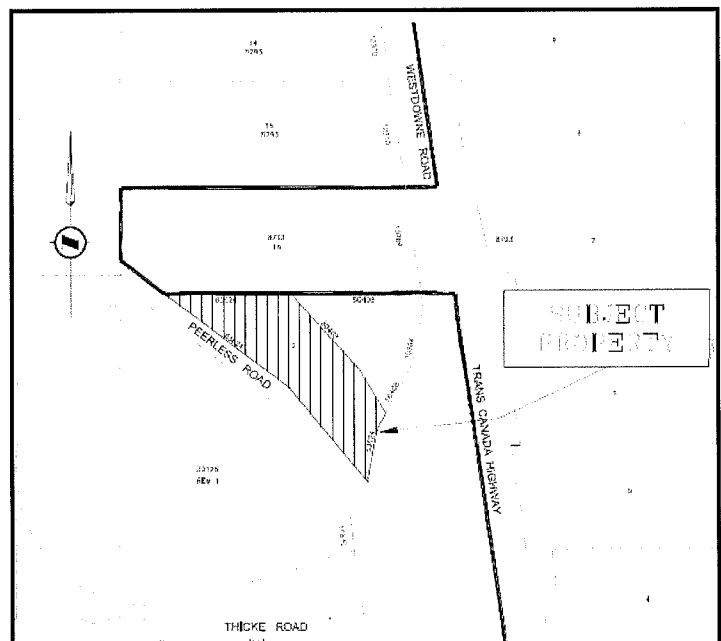
PURPOSE:

The purpose of this report is to consider a development permit application for a proposed light industrial building at 10864 Westdowne Road.

INTRODUCTION/BACKGROUND:

The applicant is proposing to construct a light industrial workshop building (225m²) with an office for a carpentry business. An electrical building (10m²) is also proposed for the site. The applicant is planning a future phase of the project to include another light industrial building (which is not part of this DP).

The subject property is 1 hectare (2.5 acres) in size, is currently vacant and contains a creek. The property is adjacent to the Peerless Transfer



Station to the west and a property zoned for light industrial use to the east. Also, the property is visible from the Trans Canada Highway. The adjacent Peerless Road is an unconstructed road right-of-way. The applicant may utilize the Peerless Road right-of-way for access to future phases of the project. A Riparian Areas Assessment Report has been prepared.

The property is zoned 'Light Industrial (I-1)' in Zoning Bylaw 1180. The proposed development meets the requirements of the I-1 Zone with the exception of the side setback for the proposed electrical building. The applicant is proposing to locate the electrical building 12 metres from the front property line and 2 metres from the side property line along Peerless Road. The required side setback is 4.5 metres thus a variance of 2.5 metres is proposed.

SCOPE OF WORK:

The subject property falls within "Development Permit Area 3 – Commercial (DPA 3)'. as well as 'Development Permit Area 6 – Riparian Development Permit Area (DPA 6)'.

Development Permit Area 3 – Commercial (DPA 3)

DPA 3 includes guidelines for for the form and character of Highway Commercial development. The objective is to ensure that new highway commercial development is compatible with existing development.

Buildings shall be appropriately set back from the street and have entrances and exists which permit safe traffic movements and safe on-site pedestrian movement:

The building is proposed to be setback 18.5 metres (60 ft) from Westdowne Road. The building will be accessed by a gravel driveway from Westdowne Road. The driveway, building, parking area, and works yard will be located on a compacted gravel pad created with 7 feet of fill that will be retained using concrete blocks. The building contains a separate pedestrian entry for the office and two overhead garage doors for the workshop area. An electrical building is proposed to be in the southern corner of the property, 4.5 from the front property line and 4.5 metres from the side property line.

Storage, service, and refuse areas shall be landscaped, fenced, and buffered to minimize intrusions on adjacent uses:

A significant portion of the property contains a riparian area which has natural vegetation that will be retained and protected. This riparian area is a natural buffer to the adjacent property to the north. The property will also contain a chainlink fence to demarcate the riparian area and for security.

Storage, service refuse, and parking areas shall include paved, brick, or stone finished pedestrian and paved parking:

It is proposed that the driveway, storage and parking be located on the compacted fill area and be finished with gravel with the requirement that paving be finalized as part of the second phase of the development.



Roof mounted signs are prohibited. All signage shall conform to the provisions of the Town of Ladysmith Sign Bylaw.

The applicant will apply for a sign permit prior to installing signage.

Lighting shall be directed to the subject site to minimize intrusion onto adjacent lands.

The applicant will ensure lighting does not intrude unnecessarily onto adjacent lands.

Pedestrian and vehicular access and egress, parking areas, as well as loading and delivery areas shall be directed away from abutting residential areas:

The site access, building, parking areas, and loading and delivery areas are all located away from residential uses.

Development Permit Area 6 – Riparian Development Permit Area (DPA 6)

The purpose of DPA 6 is to protect the natural environment, ecosystems, and biological diversity of fish bearing and non-fish bearing streams.

A qualified environmental professional will be retained for the purpose of preparing a riparian assessment area report:

A Riparian Areas Regulation Assessment Report was completed by Aquaparian Environmental Consulting Ltd. in November 2012.

Where the report describes an area designated as Streamside Protection and Enhancement Area (SPEA) the development permit will not allow any development activities to take place within the SPEA, and a survey plan shall be provided showing the location of the SPEA, as well as a plan for protecting the SPEA during land development and over the long term:

The SPEA for the subject property is 15 metres from the edge of the high water mark along the length of the stream. The surveyed location of the SPEA is shown in Schedule C of Development Permit 3060-12-05. The strategies recommended for protecting the SPEA are:

During site preparation and construction:

- The SPEA is a no-go zone.
- If possible complete site preparation during the dry season.
- No deleterious substances are to enter the watercourse such as fuel, oil or silt from excavations;
- Install a snow fence along the SPEA boundary prior to clearing and leave in place until after construction;
- The silt fencing along the SPEA boundary will be installed to also prevent migration of fines;
- Install silt fencing at the base of any spoil piles and cover with plastic if stored onsite for any time;

- If groundwater is encountered, pump sediment laden water away from the channel into vegetated areas using a 4" pump and hose assembly;
- Heavy equipment is to be clean and free of leaks;
- If possible during land clearing, remove invasive species such as Himalayan blackberry and reed canary grass within the riparian area;
- Retain an Environmental Monitor to monitor the site during site preparation and construction to ensure mitigation measures are in place and functioning appropriately and to provide additional recommendations as required;
- A fully stocked spill kit shall be available onsite at all times; and if an accidental spill occurs (i.e. oil, hydraulic fluid) stop work, contain the spill, remove contaminated soil/sorbent pads etc. in a plastic bag or closed bin and dispose of contaminated materials to a licenced disposal facility according to regulation; and
- A post development report is required to be completed by a Qualified Environmental Professional (QEP) to document if the construction was carried out as intended or if changes were required.

After construction and for the long term:

- The SPEA is to be considered a no-go zone which should be visually identified for the long term with a fence or hedge (except that invasive species may be removed from the SPEA and replanting of native species may occur in the SPEA);
- The plant species that are encouraged to be planted in the SPEA and on site are native willow species, western red cedar, and grand fir. Trees should be planted at a density of 1 per 5m². Understory shrub species appropriate to the site include salmonberry, pacific ninebark, and hardhack. Shrubs should be planted at a density of 1 per m².
- Stormwater management and site management is to be designed to prevent contaminants (fuel, oil etc) from entering the watercourse by following 'Best Management Practices'.
- The edge of the compacted fill pad shall be contained with a low retaining wall using large blast rock or lock-blocks to prevent fill material sloughing into the riparian area over time.
- A fully stocked spill kit shall be available onsite at all times; and if an accidental spill occurs (i.e. oil, hydraulic fluid) stop work, contain the spill, remove contaminated soil/sorbent pads etc. in a plastic bag or closed bin and dispose of contaminated materials to a licenced disposal facility according to regulation.

SPEA protection measures to be implemented as a condition of the development permit may include the registration of a conservation covenant over the SPEA:

A conservation covenant protecting the riparian area is already registered on the certificate of title of the subject property. The covenant states that no filling, building, removal of vegetation, or other changes to the land may take place within 15 metres

of the creek. The surveyed 15 metre covenant line is shown on Schedule C of Development Permit 3060-12-05.

ALTERNATIVES:

To not issue Development Permit 3060-12-05 for reasons related to the development permit area guidelines.

FINANCIAL IMPLICATIONS:

n/a

LEGAL IMPLICATIONS:

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

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

This application was presented to the Advisory Design Panel and the following motion was passed:

“It was moved, seconded and carried that the Advisory Design Panel recommends to Council that Development Permit application #3060-12-05 proceed to the next level.”

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This application has been referred to the Infrastructure Services Department and their comments have been integrated into the project.

RESOURCE IMPLICATIONS:

Processing development permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The Visioning Report supports maintaining a strong local industrial and commercial land base.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

It is recommended that Council support Development Permit 3060-12-05.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

DP 3060-12-05



TOWN OF LADYSMITH
DEVELOPMENT PERMIT 3060-12-05
(Section 920 *Local Government Act*)

DATE: November 19, 2012

TO: For Play Logging and Marine Limited, Inc. No. BC0890115
(PERMITTEE)

Address: 621 Nash Place
Ladysmith, B.C.
V9G 1P2

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 2
District Lot 72
Oyster District
Plan VIP63624 except part in Plan VIP 80408
PID# 023-474-262
CIVIC ADDRESS Westdowne Road
(referred to as the "Land")

3. This Permit has the effect of authorizing:
 - (a) 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; and
 - (b) the alteration of land designated in the Official Community Plan under section 919.1(1)(a) or (b) of the *Local Government Act*;

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 to:
- (a) To develop the Land as shown in:
Schedule A: Site Layout (AYPQ Architecture, 12/10/29)
Schedule B: Elevations (AYPQ Architecture, 12/10/29)
Schedule C: Survey of 15 metre covenant area and SPEA area (Turner Land Surveying – September 19, 2012)
 - (b) Despite the setback requirements of Zoning Bylaw 1180, an electrical building that is a maximum of 10m² in size, must be located 12 metres from the front property line and may be located 2 metres from the side property line.
 - (c) The Streamside Protection and Enhancement Area (SPEA) for the subject property is 15 metres from the edge of the high water mark along the length of the stream as shown in Schedule C.
 - (d) Chainlink fencing is permitted to identify the SPEA area and to provide security for the property. No fencing of any kind may be installed in the SPEA area.
 - (e) The building shown in Schedule A must be located no closer than 1.8 metres (6 ft) from the SPEA boundary.
 - (f) The required strategies for protecting the SPEA during site preparation, filling, and construction are as follows:
 - i. If possible complete site preparation during the dry season.
 - ii. No deleterious substances are to enter the watercourse such as fuel, oil or silt from excavations.
 - iii. The SPEA is a no-go zone and shall be clearly marked with a snow fence along the SPEA boundary prior to clearing and filling, and shall remain in place until the construction is complete.
 - iv. The silt fencing along the SPEA boundary will be installed to also prevent migration of fines especially during the rainy season.
 - v. Install silt fencing at the base of any spoil piles and cover with plastic if stored onsite for any time during the rainy season.
 - vi. If groundwater is encountered, pump sediment laden water away from the channel into vegetated areas using a 4" pump and hose assembly.
 - vii. Heavy equipment is to be clean and free of leaks.
 - viii. If possible during land clearing, remove invasive species such as Himalayan blackberry and reed canary grass within the riparian area.
 - ix. Retain an Environmental Monitor to monitor the site during site preparation and construction to ensure mitigation measures are in place and functioning appropriately and to provide additional recommendations as required.

- x. A fully stocked spill kit shall be available onsite at all times; and if an accidental spill occurs (i.e. oil, hydraulic fluid) stop work, contain the spill, remove contaminated soil/sorbent pads etc. in a plastic bag or closed bin and dispose of contaminated materials to a licenced disposal facility according to regulation.
 - xi. A post development report is required to be completed by a Qualified Environmental Professional (QEP) to document if the construction was carried out as intended or if changes were required.
- (f) The required strategies for protecting the SPEA after construction and for the long term are as follows:
- i. The SPEA is to be considered a no-go zone which should be visually identified with a fence or hedge, (except that invasive species may be removed from the SPEA and replanting of native species may occur in the SPEA);
 - ii. The plant species that are encouraged to be planted in the SPEA and on site are native willow species, western red cedar and grand fir. Trees should be planted at a density of 1 per 5m². Understory shrub species appropriate to the site include salmonberry, pacific ninebark, and hardhack. Shrubs should be planted at a density of 1 per m².
 - iii. Stormwater management and site management is to be designed to prevent contaminants (fuel, oil etc) from entering the watercourse by following 'Best Management Practices'.
 - iv. If soil conditions permit the rainwater from the building shall be captured and filtered in a rock-pit prior to draining offsite.
 - v. The edge of the compacted fill pad shall be contained with a low retaining wall using large blast rock or lock-blocks to prevent fill material sloughing into the riparian area over time.
 - vi. A fully stocked spill kit shall be available onsite at all times; and if an accidental spill occurs (i.e. oil, hydraulic fluid) stop work, contain the spill, remove contaminated soil/sorbent pads etc. in a plastic bag or closed bin and dispose of contaminated materials to a licenced disposal facility according to regulation.
 - vii. No yard waste may be dumped in the SPEA.
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 (3060-12-05) 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, Sign Permit or other necessary permits.

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

MAYOR

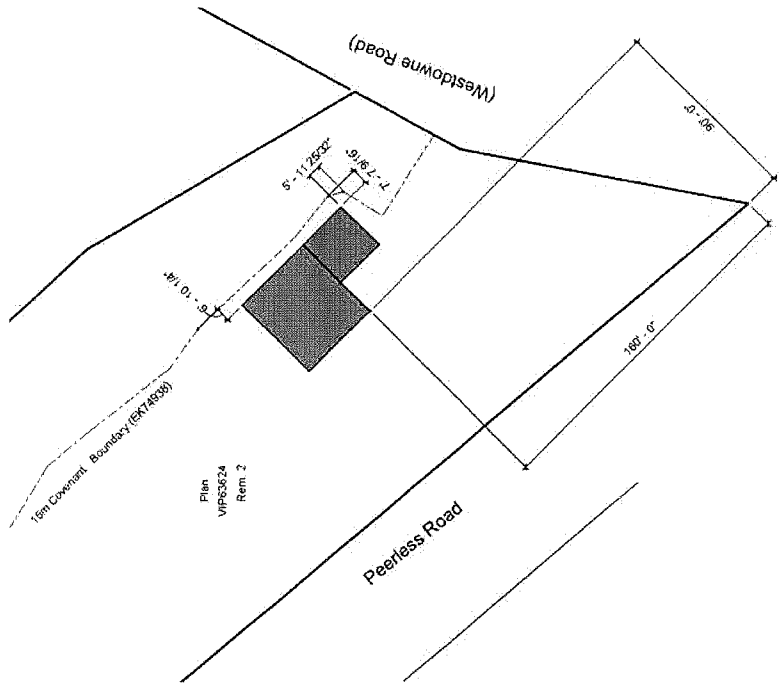
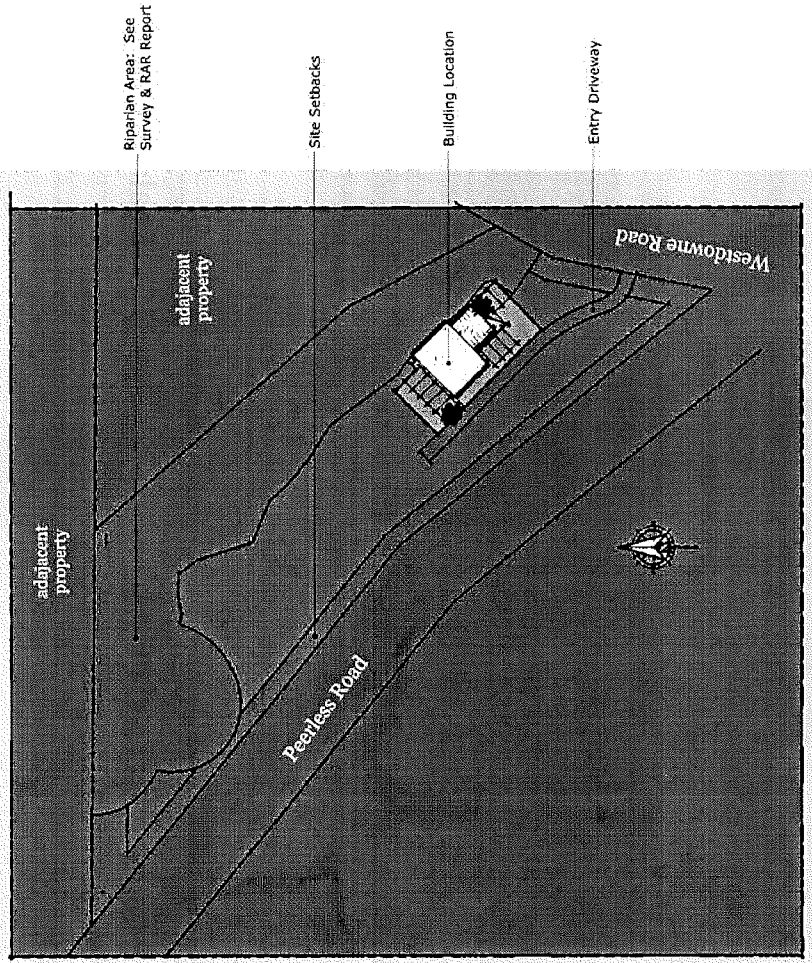
CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

OWNER

PLEASE PRINT NAME



Site Layout

Building location

AYPQ ARCHITECTURE
 13270 Doole Road, Ladysmith BC V9G 1G6 (250) 245 7555

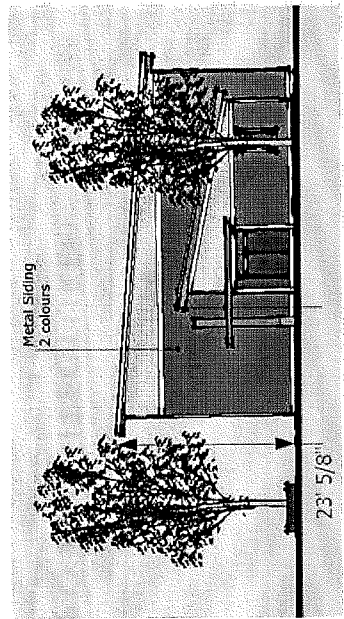
Lealand Workshop

SITE LAYOUT
 BUILDING LOCATION

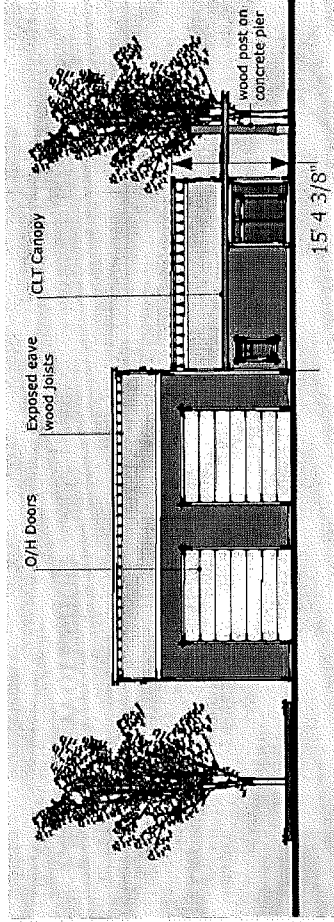
PROJECT TITLE

10 A
 12/10/29

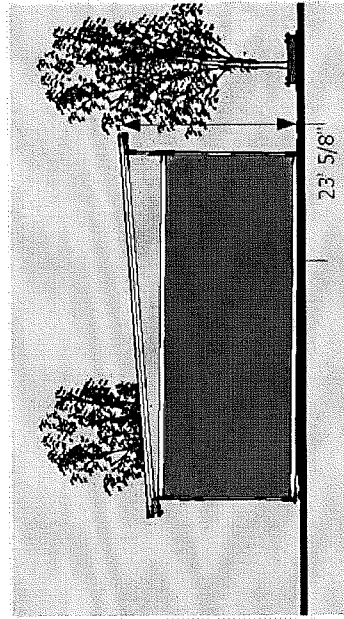
Schedule A - Site Layout (AYPQ Architecture, 12/10/29)
 DP 3060-12-05 For Play Logging and Marine Limited
 Westdowne Road



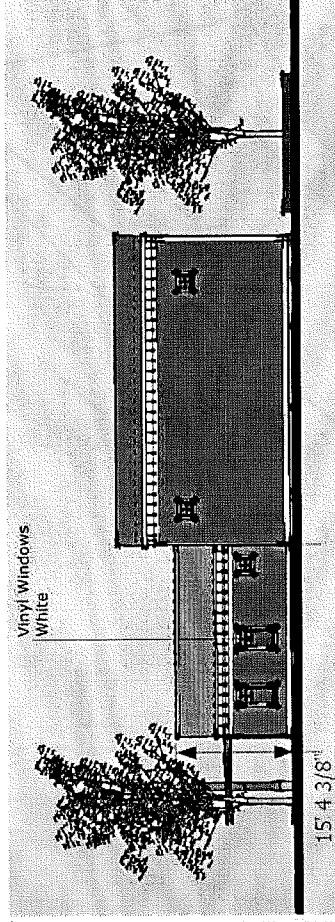
Southside Elevation



Front Elevation



Northside Elevation



Back Elevation

Revised 12/11/06 - Overall building heights added

A 04

Lealand Workshop

PROJECT TITLE

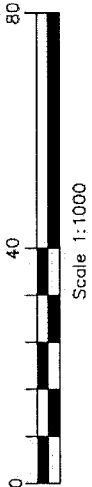
AYPQ ARCHITECTURE

13270 Doodle Road, Ladysmith BC V9G 1G6 (250) 245 7555

ELEVATIONS
1/16" = 1'-0"

Schedule B - Elevations (AYPQ Architecture, 12/10/29)
DP 3060-12-05 For Play Logging and Marine Limited
Westdowne Road

Site Plan showing:
Lot 2, District Lot 72,
Oyster District, Plan VIP63624,
Except part in Plan VIP80408.



Distances shown are in metres.

Certified correct this 19th day of September, 2012.

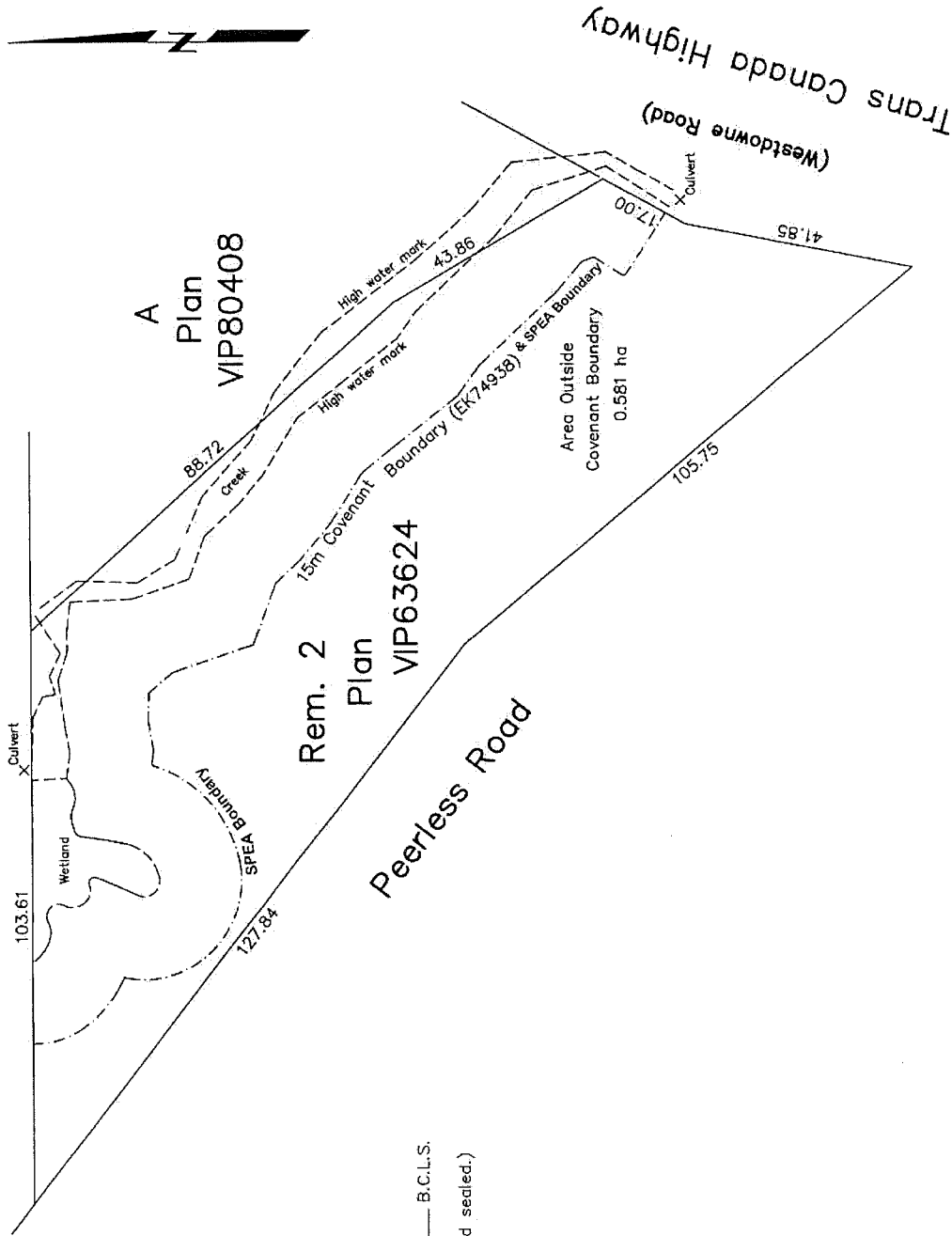
_____ B.C.L.S.

(This document is not valid unless originally signed and sealed.)

Note:
 This property is affected by
 the following registered document:
 Covenant EK74938

Turner - land surveying -

250.753.9778
 605 Comox Road
 Nanaimo, BC V9R 3J4
 File: 12-046-SITE-JGG



Schedule C - Survey of 15 metre covenant area and
 SPEA area
 (Turner Land Surveying - September 19, 2012)
 DP 3060-12-05 For Play Logging and Marine Limited
 Westdowne Road

Town of Ladysmith

STAFF REPORT



To: Ruth Malli, City Manager
From: Sandy Bowden, Acting Director of Parks, Recreation and Culture
Date: November 13, 2012
File No:

Re: FEES AND CHARGES FOR PARKS, RECREATION AND CULTURE

RECOMMENDATION:

That Council approve a two-percent increase in the Parks, Recreation and Culture user fees in accordance with the Town of Ladysmith Policy No. 05-1810-E (Parks, Recreation and Culture Fees and Charges), and that Bylaw No. 1809 be given first three readings.

PURPOSE:

The purpose of this staff report is to provide Council with information and recommendations concerning proposed fee changes for use of Town recreation facilities.

INTRODUCTION / BACKGROUND:

In the fall of 2002, Council approved Fees and Charges Policy No. 05-1810-E, which became the principle document to guide future Parks, Recreation and Culture fees and charges discussions. The policy identifies an annual review to take place each fall with recommendation to Council for implementation.

SCOPE OF WORK:

Patrons will be notified in advance about rate increases. Staff will update software, and publications will be changed as appropriate.

ALTERNATIVES:

Council can choose to maintain existing rates.

FINANCIAL / LEGISLATIVE / LEGAL IMPLICATIONS:

The proposed fees are based on a survey of facilities in communities surrounding Ladysmith and are proposed to be increased by two-percent as recommended in the Fees and Charges Policy.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is anticipated that the proposed 2% increase in recreation facilities fees will have minimal impact on the public and as noted above, advance notice will be provided to facility users.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

n/a

RESOURCE IMPLICATIONS:

No additional resources are required.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

This aligns with Sustainability Pillar #7, a Healthy Community.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Direction A, Wise Financial Management

SUMMARY:

As per Council policy regarding Community Centre Fees and Charges, the proposed fees are presented for Council's consideration.

I concur with the recommendation



Ruth Malli, City Manager

ATTACHMENTS:

Appendix A – Proposed 2013 Admission Rates

Appendix B – Proposed 2013 Facility Rates

Appendix C – Current Admission Comparison

Bylaw No. 1809 Appendix A – 2013 Admission Rates plus Applicable Taxes

Single Admissions

Type	2013 Fee
Child	2.60
Youth	3.46
Adult	4.96
Senior	3.46
Family	8.65

1-Month Pass

Type	2013 Fee
Child	N/A
Youth	34.97
Adult	43.76
Senior	34.97
Family	N/A

10 X Punch Card

Type	2013 Fee
Child	22.04
Youth	29.51
Adult	41.80
Senior	29.51
Family	73.08

3-Month Pass

Type	2013 Fee
Child	N/A
Youth	94.53
Adult	118.17
Senior	94.53
Family	N/A

30 X Punch Cards

Type	2013 Fee
Child	N/A
Youth	78.32
Adult	110.29
Senior	78.32
Family	N/A

6-Month Pass

Type	2013 Fee
Child	N/A
Youth	178.50
Adult	223.17
Senior	178.50
Family	N/A

12-Month Pass

Type	2013 Fee
Child	N/A
Youth	338.60
Adult	424.53
Senior	338.60
Family	N/A

Bylaw No. 1809 Appendix B – 2013 Facility Rates plus Applicable Taxes

(Commercial bookings plus 20 percent / Non-profit bookings less 50 percent)

Frank Jameson Community Centre

Meeting Room Hourly Rate	20.75
Meeting Room Hourly with Pool	19.15
Meeting Room Daily Rate	144.74
Gymnasium Hourly Rate	37.40
Lower Program Room Hourly Rate	36.87
Lower Program Room with Pool	19.15
Lower Program Room Daily Rate	126.39
One Pool	69.72
Two Pools	102.41

Aggie Hall

Aggie Hall Hourly Rate (no kitchen)	37.40
Aggie Hall Hourly Rate (with kitchen)	63.19
Aggie Hall Daily Rate (includes kitchen)	172.38
Aggie Hall Receptions Party, Dance	338.89

Transfer Beach

Transfer Beach Kin Shelter per Day	46.37
Transfer Beach Amphitheatre – Full Day Private Family Function	85.32
Transfer Beach Amphitheatre – Half Day Private Family Function	48.75
Transfer Beach Amphitheatre – Full Day Public Special Event	329.18
Transfer Beach Amphitheatre – Performances per Hour	23.32

Sports Fields

Aggie Ball Diamonds	No Charge
Aggie Field Lights	No Charge
Aggie Ball Diamonds Tournament per Day	121.45
High Street Little League Diamonds	No Charge
High Street Little League Diamonds Tournament per Day	121.45
Holland Creek Ball Diamonds	No Charge
Holland Creek Ball Diamonds Tournament per Day	121.45
Forrest Field per Hour – Youth	6.24
Forrest Field per Hour – Adult	22.37
Forrest Field per Day – Youth	40.58
Forrest Field per Day – Adult	150.86
Forrest Field Lights per Hour	10.00

Miscellaneous

Chairs (25)	19.77
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Appendix C – 2012 Current Admission Comparison (HST included)

	Nanaimo	Cowichan R	Cowichan NR	Qualicum (RDN)	Ladysmith
Single Admission					
Tot	Under 2 Free	2.00	4.00	Under 3 Free	Under 2 Free
Child	3.50	2.75	5.50	3.06	2.85
Youth	5.00	4.25	8.50	4.08	3.80
Adult	6.50	5.75	11.50	5.82	5.45
Senior	5.00	4.25	8.50	4.56	3.80
Family	13.00	-	-	11.83	9.50
10 X Punch Cards					
Tot	Under 2 Free	19.00	38.00	Under 3 Free	Under 2 Free
Child	28.00	26.10	52.20	27.55	24.20
Youth	40.00	40.40	80.80	36.74	32.40
Adult	52.00	54.60	109.20	52.42	45.90
Senior	40.00	40.40	80.80	40.99	32.40
Family	N/A	N/A	N/A	106.40	80.30
30 X Pass					
Tot	Under 2 Free	19.00	38.00	Under 3 Free	Under 2 Free
Child	N/A				N/A
Youth					85.80
Adult					120.90
Senior					85.80
Family					N/A
1-Month Pass					
Tot	N/A	24.00	48.00	N/A	Under 2 Free
Child		33.00	66.00		N/A
Youth		51.00	102.00		38.40
Adult		69.00	138.00		48.05
Senior		51.00	102.00		38.40
Family		N/A	N/A		N/A
3-Month Pass					
Tot	Under 2 Free	N/A		Under 3 Free	Under 2 Free
Child	95.50			79.50	N/A
Youth	135.00			106.00	103.80
Adult	175.50			151.42	129.75
Senior	135.00			118.52	103.80
Family	351.00			307.51	N/A
6-Month Pass					
Tot	Under 2 Free	N/A		Under 3 Free	Under 2 Free
Child	168.00			143.10	N/A
Youth	240.00			190.79	196.00
Adult	312.00			272.56	245.05
Senior	240.00			213.34	196.00
Family	624.00			553.52	N/A



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Erin Anderson, Director of Financial Services
Date: November 14, 2012
File No:

Re: Revenue Anticipation Bylaw

RECOMMENDATION(S):

It is recommended that Council receive this report and give first three readings to the 2012 Revenue Anticipation Bylaw No. 1813.

PURPOSE:

To give provide authorization for interim borrowing.

INTRODUCTION/BACKGROUND:

Under the *Community Charter* s.177 Revenue Anticipation Borrowing, the Town may, by bylaw, borrow money to meet current lawful expenditures and pay amounts to other local governments taxing authorities.

This is a standard bylaw that most municipalities complete at this time of year to ensure there is sufficient cash flow between now and when the property tax payments are made the following year.

The Town of Ladysmith has consistently adopted this bylaw each year though the Town has not required the execution of the borrowing. The bylaw is still necessary to ensure the appropriate approvals are in place in the event the borrowing is needed.

The requested authorization amount of this bylaw (\$4 million dollars) is well within the threshold of 75% of the prior year taxes as stipulated in the *Community Charter*.

SCOPE OF WORK:

The bylaw is on tonight's agenda. Once adopted, the bylaw is filed until needed.

ALTERNATIVES:

This bylaw is consistent with wise financial management. Council can chose not to approve the bylaw.

FINANCIAL IMPLICATIONS:

If this bylaw is not approved and the borrowing is required, additional costs could be incurred.

LEGAL IMPLICATIONS:

Not applicable.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Not applicable.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Not applicable.

RESOURCE IMPLICATIONS:

Not applicable.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:


ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

On tonight’s agenda is the 2012 Revenue Anticipation Bylaw. It is recommended that Council approve this bylaw to ensure the Town has the appropriate authorization to expedite the borrowing of funds in the event borrowing is required.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: John Manson, PEng, FEC
Date: Nov 14, 2012
File No:

RE: AWARD OF DESIGN SERVICES – STAGE III WASTE WATER TREATMENT PLANT UPGRADE

RECOMMENDATION:

That Council accept the peer review of the fee structure for Engineering Services for the Stage III Wastewater Treatment Plan Upgrade project and that staff be authorized to negotiate the contract with Opus Dayton and Knight, as previously directed.

PURPOSE:

Council has already given direction to staff to execute a fee for service contract with Opus Dayton and Knight for the pre-design, design, and tendering components of the Stage III Sewage Treatment Plant upgrading project.

The purpose of this report is to provide Council with the results of the peer review of the proposed fees and finalize the award of the contract for the Stage III Wastewater Treatment Plant Upgrade project to Opus Dayton and Knight Consultants (ODK).

INTRODUCTION/BACKGROUND:

Earlier in 2012, Council received a report from staff regarding the procurement of Engineering Services for the Stage III Wastewater Treatment Plant upgrade project. Council endorsed the following recommendations from that report:

- 1 The Town obtain an opinion from an independent Professional Engineering Consultant, qualified in the field of sewage treatment design and project management, if the work program and fee proposal for the pre design, design, and tendering work submitted from ODK is appropriate, and within the range of recommended fees for this type of work, and
- 2 If the fee is deemed appropriate, authorize staff to execute a fee for service contract with Opus Dayton and Knight for the pre-design, design, and tendering components of the Stage III Sewage Treatment Plant upgrading project.

Dwayne Kalynchuk, P.Eng, the Director of Engineering and Public Works for the City of Victoria, was requested to provide an opinion on the fee proposal submitted by Opus Dayton and Knight (See Appendix "A"). Mr. Kalynchuk has extensive

experience in the wastewater sector, having been the Manager of Engineering Services for the Capital Regional District during the initial phases of the \$1.0 Billion dollar regional wastewater project for the Victoria. My Kalynchuk also serves on the board of the American Water and Waste Association (AWWA) in the United States, and is current on industry trends in the wastewater industry.

Mr Kalynchuk is of the opinion that the fee's and services proposed by ODK is a fair proposal, with hourly estimates and rates well within the guidelines recommended by the Association of Professional Engineers and Geoscientists of BC, and the Redbook for Consulting services, published by AWWA.

Accordingly, with Council consent, staff will be entering into negotiations with ODK to secure the design and tendering aspects of the project shortly. Staff will further consider other procurement options with respect to inspection services at the appropriate time.

SCOPE OF WORK:

The procurement of Engineering services for the design and tendering stages of the wastewater Treatment plant – Stage III.

ALTERNATIVES:

Alternatives we previously considered by Council. This report covers the direction given by Council.

FINANCIAL IMPLICATIONS:

A fee for services contract in the range of \$800,000 will be negotiated for this work. The design fees are part of the 2012 and proposed 2013 budgets for the upgrading of the treatment plant.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Innovative Infrastructure.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Enhanced Standard of Infrastructure; Responsible Stewardship of the Environment.

I concur with the recommendation.

Ruth Malli, City Manager



ATTACHMENTS:

Letter from D Kalynchuk, PEng, dated Oct 22, 2012.

**Engineering and
Public Works
Department**

#1 Centennial Square
Victoria
British Columbia
V8W 1P6

Tel: 250-361-0300

Fax: 250-361-0311

www.victoria.ca



October 22, 2012

Mr. John Manson, P. Eng.
Director of Infrastructure Services
Town of Ladysmith
Box 220 – Esplanade
Ladysmith, BC
V0R 2E0

**Re: Town of Ladysmith
Pre-design, Design, and Contract Administration for Phase 3 Advanced
Secondary Wastewater Treatment Plant**

Dear Mr. Manson,

Further to our discussion I have reviewed the July 20th, 2012 proposal by Opus Dayton Knight for the above mentioned project. It is noted that the project includes pre-design, design, and contract administration for Phase 3 of the Advanced Secondary Wastewater Treatment Plant for the Town of Ladysmith. It is noted that the proposal also includes Quantity Surveyor and Geotechnical Engineering Services.

The rates and time allocations have been reviewed and compared to the "Guidelines for Budgeting Engineering Services Guide" as published by the Consulting Engineers Association of Canada. I also did a comparison utilizing the "Red Book for Consulting Services" published by the American Public Works Association.

It is my professional opinion that the proposal is a fair proposal with the hourly estimates and rates well within the guidelines noted above. Also, it would certainly be beneficial for Ladysmith to continue with a firm that has the background on your system, in particular, the knowledge of Harlan Kelly, P. Eng.

Please advise should you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Dwayne Kalynchuk".

Dwayne Kalynchuk, P. Eng.
Director of Engineering & Public Works
City of Victoria
250.361.0522

v:\wpdocs\admin\word\dkl2012\letter to john manson, town of ladysmith 2012-10-22.doc

The City of Victoria recognizes the Songhees and Esquimalt Nations in whose traditional territories we live and work
"Hay swx qa"

TOWN OF LADYSMITH

BYLAW NO. 1809

A bylaw to set the user fees for the Frank Jameson Community Centre and other recreation facilities.

WHEREAS the Council may by bylaw, pursuant to the *Community Charter* establish fees for the use of recreation or community use property in the municipality;

AND WHEREAS it is deemed appropriate to establish fees for use of the Frank Jameson Community Centre and other recreation facilities;

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

1. The fees set forth in Schedules “A” and “B” attached to and forming part of this bylaw are the fees for the use of the Frank Jameson Community Centre and other recreation facilities effective January 1, 2013.

2. **Repeal**

“Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2011, No. 1788” is hereby repealed.

3. **Citation**

This bylaw may be cited for all purposes as “Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2012, No. 1809”.

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

ADOPTED on the _____ day of _____, 2012

Mayor
(R. Hutchins)

Corporate Officer
(S. Bowden)

Bylaw No. 1809 Appendix A – 2013 Admission Rates plus Applicable Taxes

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Forrest Field Lights per Hour	10.00

Miscellaneous

Chairs (25)	19.77
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TOWN OF LADYSMITH

BYLAW NO. 1813

A Bylaw to Provide for the Borrowing of Money in Anticipation of Revenue

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

1. The Council is hereby empowered and authorized to borrow upon the credit of the Town of Ladysmith from a financial institution, the sum of up to \$4,000,000.00 (four million dollars).
2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the authorized Signing Officers.
3. When collected, revenue from property taxes must be used to repay money borrowed under this bylaw.
4. **CITATION**

This bylaw may be cited for all purposes as "Town of Ladysmith Revenue Anticipation Borrowing Bylaw 2012, No. 1813".

READ A FIRST TIME on the day of
READ A SECOND TIME on the day of
READ A THIRD TIME on the day of
ADOPTED on the day of

Mayor
(R. Hutchins)

Director of Corporate Services
(S. Bowden)