



# 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, JULY 2, 2013  
7:00 p.m.

## AGENDA

- 6:00 P.M. CALL TO ORDER to retire immediately into Executive (Closed) Session Page
1. EXECUTIVE (CLOSED) SESSION  
In accordance with section 90(1) of the *Community Charter*, this section of the meeting will be held *In Camera* to consider the following items:
- 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
  - 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
  - labour relations or other employee relations
- 7:00 P.M. RECONVENE REGULAR COUNCIL MEETING
2. AGENDA APPROVAL
3. MINUTES
- 3.1. Minutes of the Regular Meeting of Council held June 17, 2013 5-8
4. DELEGATIONS
- 4.1. Gordon Gunn, KPMG 9-25  
Ladysmith Information Systems Strategic Plan
- Staff Recommendation:  
That the Information Systems Strategic Plan be received and referred to Staff for review and preparation of an implementation plan regarding the recommendations contained in the report.
5. PROCLAMATIONS - NONE
6. DEVELOPMENT APPLICATIONS - NONE
7. BYLAWS (OCP / ZONING) – SEE SEC. 10 BELOW

**8. COUNCIL COMMITTEE REPORTS**

- 8.1. Mayor R. Hutchins  
Cowichan Valley Regional District; Ladysmith Chamber of Commerce
- 8.2. Councillor B. Drysdale  
Heritage Revitalization Advisory Commission; Protective Services Committee; Trolley Committee
- 8.3. Councillor J. Dashwood  
Trolley Committee; Ladysmith Early Years Partnership; Cowichan Valley Regional District Community Safety Advisory Commission; Social Planning Cowichan Affordable Housing Directorate
- 8.4. Councillor G. Horth  
Government Services Committee; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association
- 8.5. Councillor D. Paterson  
Protective Services Committee; Parks, Recreation and Culture Commission; Festival of Lights
- 8.6. Councillor G. Patterson  
Community Health Advisory Committee; Youth Advisory Committee; Liquid Waste Management Committee
- 8.7. Councillor S. Arnett  
Advisory Design Panel; Parks, Recreation and Culture Commission; Vancouver Island Regional Library Board; Celebrations Committee

**9. STAFF REPORTS**

- 9.1. Tourist Recreational Commercial (C-4) – Proposed Text Amendments – Bylaw No. 1830 26-30
- 9.2. Urban Rural Residential Zone (UR-1), Agriculture Zones (A-1 and A-4) and Heavy Industrial Zone (I-2) – Proposed Text Amendments 31-35
- 9.3. Lease Renewal – Festival of Lights Society - 1163 Fourth Avenue 36-39
- 9.4. Revitalization Tax Exemption Agreements 40-48
- 9.5. Special Occasion Licence Request – Ladysmith Fat Tire Festival 49-52

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**10. BYLAWS**

- 10.1. Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.93), 2013, No. 1830** **53**

May be read a first and second time, and a public hearing may be scheduled.

**11. CORRESPONDENCE**

- 11.1. Alisa Saunders – 2013 BC Ambassador Keepsake Publication: Merritt Herald** **54-56**

Staff Recommendation

That Council consider approving the proposed message of support for the Town’s candidate, Jayse Van Rooyen, in the BC Ambassador Program to be published in the 2013 BC Ambassador Keepsake Publication.

**12. NEW BUSINESS**

**13. UNFINISHED BUSINESS**

- 13.1. 2013 Stz’uminus Canoe Festival Funding Request** **57-60**

Council will recall that at the meeting held on April 15, 2013 a resolution was adopted requesting Margaret and Adam Seymour to provide a budget from the 2012 canoe festival. Attached is the available information as submitted by the recently-incorporated Gordon’s Peacock Society, the organization responsible for the 2013 canoe festival.

**14. QUESTION PERIOD**

- 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.

**15. ADJOURNMENT**





**TOWN OF LADYSMITH  
MINUTES OF A MEETING OF COUNCIL  
MONDAY, JUNE 17, 2013  
COUNCIL CHAMBERS, CITY HALL  
4:30 P.M.**

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**COUNCIL MEMBERS PRESENT:**

Mayor Rob Hutchins	Councillor Steve Arnett	Councillor Jillian Dashwood
Councillor Bill Drysdale	Councillor Gord Horth	Councillor Duck Paterson
Councillor Glenda Patterson (entered later)		

**STAFF PRESENT:**

Ruth Malli	Felicity Adams	Erin Anderson
John Manson	Clayton Postings	Joanna Winter

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**CALL TO ORDER** Mayor Hutchins called this Meeting of Council to order at 4:31 p.m.

**AGENDA APPROVAL**

**CS 2013-220** It was moved, seconded and carried that the agenda for the Council Meeting of June 17, 2013 be approved.

**MINUTES**

**CS 2013-221** It was moved, seconded and carried that the minutes of the Regular Meeting of Council held June 3, 2013 be approved.

**CS 2013-222** It was moved, seconded and carried that the minutes of the Special Meeting of Council held June 10, 2013 be approved.

**STAFF REPORTS**

**Statement of Financial Information for the Fiscal Year Ended December 31, 2012**

**CS 2013-223** It was moved, seconded and carried that the Statement of Financial Information for the fiscal year ended December 31, 2012 be approved.

Councillor G. Patterson entered the meeting (4:36 p.m.)

**CS 2013-224** It was moved, seconded and carried that the Statement of Financial Information for the fiscal year ended December 31, 2012 be amended in Section 3, Line A to read \$84,644.

**CS 2013-225** It was moved, seconded and carried that the Statement of Financial Information for the fiscal year ended December 31, 2012 be approved as amended.

**BYLAWS**

**Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644,**

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CS 2013-226

**Amendment Bylaw 2013, No. 1826**

It was moved, seconded and carried that Town of Ladysmith Fees and Charges Bylaw 2008, No. 1644, Amendment Bylaw 2013, No. 1826 be adopted.

**NEW BUSINESS**

CS 2013-227

**School District #68 Enhanced Facilities Plan - Report and Recommendations**

Whereas the Board of School Trustees of School District #68 (Nanaimo-Ladysmith) has for over three decades established and provided for the majority of its students a learning environment that seeks to ensure children stay in a single school setting as long as possible, K-7 (elementary) and 8-12 (secondary), and experience a minimal number (one) of school changes;

And whereas the Board of School Trustees has established optimal school size guidelines of Elementary - 200-400 and Secondary - 600-1200;

And whereas the Board of School Trustees is facing challenges throughout the school district including: declining enrollment, underutilization of some school facilities, aging infrastructure, and budgetary constraints;

And whereas the Board of School Trustees of School District #68 (Nanaimo-Ladysmith) is considering implementing a "Proposed 10-Year Enhanced Facilities for Learning Plan" that for Ladysmith children in the short-term and the long-term does not reflect the long-established model of K-7 and 8-12 learning environment, or SD#68 optimal school size guidelines, and seeks to place all Ladysmith students on a single site with no room for growth;

And whereas the Town of Ladysmith is a growing community with significant areas for considerable growth in both the south and the north (south and north of Holland Creek);

And whereas the Ladysmith Sustainability vision articulated by the citizens of Ladysmith supports schools in neighbourhoods within walking or biking distance;

And whereas the Early Development Instrument has consistently shown in excess of 30% of Ladysmith children have one or more area of vulnerability;

And whereas Council has strong concerns about safety of students in schools concentrated along Sixth Avenue in the vicinity of police and fire/rescue stations and about the negative effect on property values, the economy and the desirability of Ladysmith as a community due to the proposed centralization and proposed

configuration of education facilities in Ladysmith;

Therefore be it resolved that the Council of the Town of Ladysmith convey to the Board of School Trustees its strong objections to the following components contained within the "Proposed 10-Year Enhanced Facilities for Learning Plan":

- a. The closure of a south Ladysmith neighborhood school Ecole Davis Road with no plans to replace it in the same vicinity;
- b. The transfer of elementary grade students (grades six and seven) to Ladysmith Secondary School and LSS becoming grades 6-12;
- c. The requirement that Ladysmith Primary School children will experience three school changes during their elementary school years;
- d. The creation of a single large elementary school (K-5) at the Ladysmith Primary School site which according to provincial guidelines has an inadequate land area for such a school population;
- e. The concentration of Ladysmith schools along Sixth Avenue, which is also a corridor for emergency vehicles;
- f. The proposed exclusion of North Oyster students from the Ladysmith Secondary School catchment area

And that Town Council strongly encourages the Board of School Trustees to:

- a. Adopt a plan that will see the continuation of a K-7 school (200-400 students) south of Holland Creek;
- b. Seek to establish a K-7 school (200-400 students) at the Ladysmith Primary School site or work collaboratively with the Town to acquire another elementary school site in a nearby location that will serve as a neighborhood elementary school for the north end of or community;
- c. Maintain Ladysmith Secondary School as an 8-12 school and strive to utilize its present excess capacity by facilitating alternative educational opportunities, providing adult education opportunities, daycare space, etc., and work with the Town's Parks, Recreation and Culture Department to facilitate community programming opportunities and other efficiencies.

#### QUESTION PERIOD

R. Johnson enquired about the average cost of benefits for exempt staff and union staff.

R. Johnson was advised that a payout of unused vacation time requires Council approval and that this has not happened in several years.

R. Johnson enquired about the wages paid to the former Director of Parks, Recreation and Culture in 2012. He was advised that the

Statement of Financial Information Report was prepared in accordance with the regulations..

R. Johnson was advised that the budget for 2013 includes salaries for all exempt staff positions.

## EXECUTIVE SESSION

### CS 2013-228

It was moved, seconded and carried at 4:59 p.m. that this session of Council recess and that it resume at 7:00 p.m., and that Council retire into Executive (Closed) Session in order to consider the following item:

- Litigation or potential litigation affecting the municipality.

E. Anderson left the meeting.

## RISE AND REPORT

Council arose from Executive (Closed) Session at 5:25 p.m. with report on the following item:

- That the Town request that the Ministry of Environment investigate whether the area of Forward Road in the vicinity of 203 Dogwood Drive should be declared a contaminated site under the *Environmental Management Act*.

J. Winter, C. Postings and J. Manson left the meeting.

The Regular Meeting of Council resumed at 7:04 p.m.

## DEVELOPMENT APPLICATIONS

### CS 2013-229

#### Temporary Use Permit (TUP) Application – Tycor Holdings Ltd.

Lot 2, District Lot 24, Oyster District, Plan 4580 (930 Ludlow Road)

It was moved, seconded and carried that Temporary Use Permit 3340-13-01 be approved to allow a mobile food service use to be located at 930 Ludlow Road (Lot 2, District Lot 24, Oyster District, Plan 45800) for two years subject to the conditions of the Temporary Use Permit.

## ADJOURNMENT

### CS 2013-230

It was moved, seconded and carried that this Special Meeting of Council be adjourned at 7:07 p.m.

CERTIFIED CORRECT:

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

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





*cutting through complexity*

# Town of Ladysmith Information Systems Strategic Plan

Presentation to Council

July 2, 2013

**Presented by:**

Gordon S. Gunn, Partner

[ggunn@kpmg.ca](mailto:ggunn@kpmg.ca)





### Background

- KPMG engaged to develop an Information Technology (IT) Strategic Plan for 2014-2016.
- The Town currently operates without dedicated IT staff and outsources IT technical support.
- Council and staff (about 65 FTEs) are supported by desktop hardware and PC tools, telephone systems, and a wide-area network linking all municipal facilities.
- The primary corporate systems include: **Vadim** - to support financial/accounting processes, **Class** - to support recreation facility management, **MSOffice** - for office productivity and a suite of custom-developed database applications.
- There are also other applications that are critical for certain departments.
- The Town also provides access to information through its Intranet site and externally through its website.
- **This plan envisions the evolution of the Town's IT function, including infrastructure, applications, and supporting services.**

### Objectives

The objectives for the plan development were to:

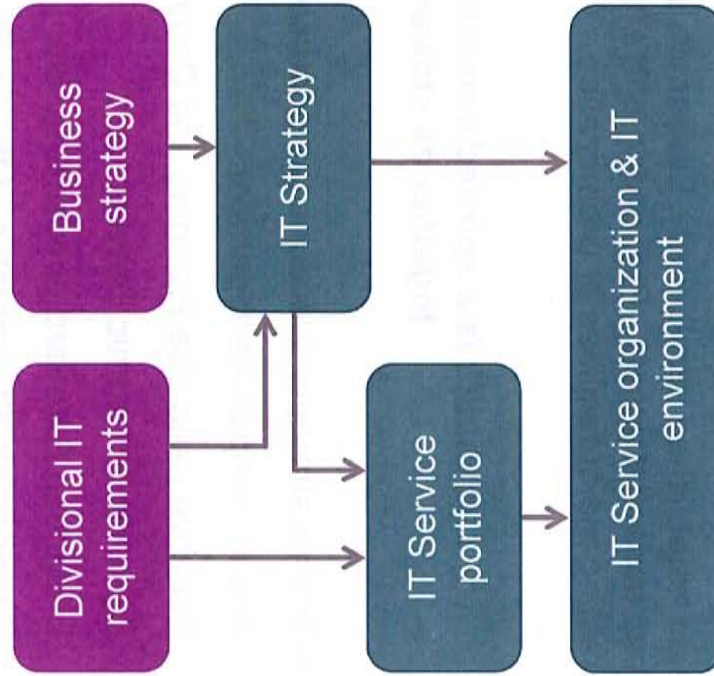
- **Assess the Town's IT operations and IT environment** (hardware/software/communication infrastructure); and
- **Develop recommendations** for moving forward with prioritized action items for the Town, as part of a coherent IT strategy, which could be executed over the next three to four years.

## Methodology – Reference model

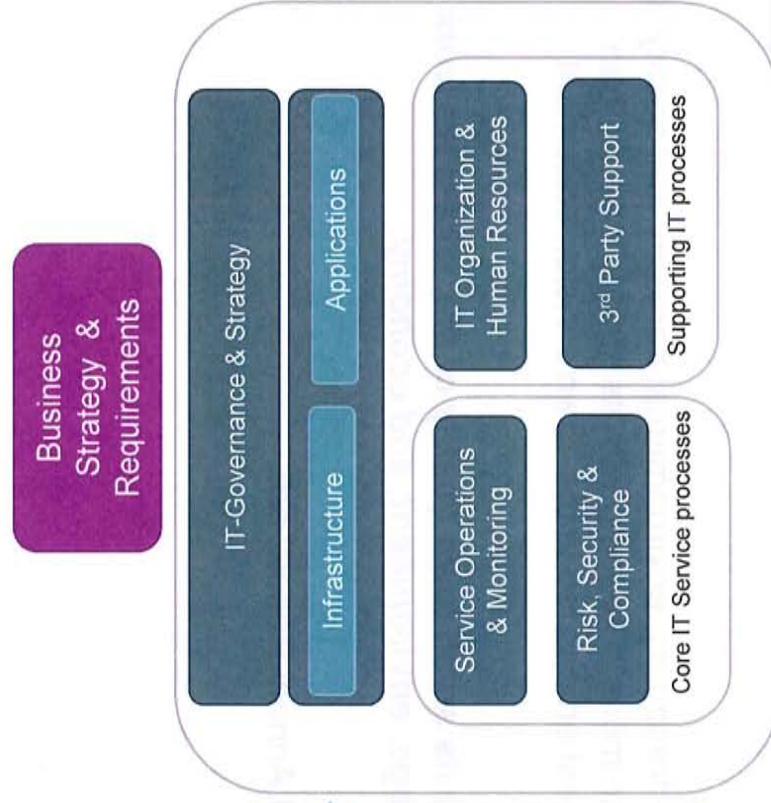


KPMG used a holistic and integrated reference model based on generally accepted IT standards to assess Ladysmith's IT function. The reference model is based on a life cycle and process approach to continuously improve IT performance.

From a business view of IT ...



... to a holistic IT reference model





### Environmental and Strategic Factors

As an established municipality, Ladysmith sees its location, tranquility, environmental harmony and quality of life as essential assets. Preserving and enhancing them are more in keeping with its strategic goals than attracting major facilities or urbanization. This is perhaps best articulated in the Town's Vision statement:

*Ladysmith is a spirited community that values its small town quality of life, where we work together as stewards of our heritage, environment, and economy.*

The Town's strategic directions (as documented in the 2011 Annual Report) are:

1. Wise Financial Management
2. Effective Land Use Planning and Community Design
3. Dynamic Economic Development
4. Enhanced Standard of Infrastructure
5. Responsible Stewardship of the Environment
6. Safe and Healthy Community
7. Supportive Corporate Governance



### Implications of Strategic Factors

- **Ladysmith is not seeking to “re-invent” itself, or depart radically from established positions.** While expectations from improved information systems include enhanced client service, improved operational efficiency, improved access to data and information, increased system reliability and value, they are not expected to support a transformation of the Town’s business model or the launching of wholly new service functions.
- **All seven of the Town’s strategic directions require reliable information resources to support their measurement and achievement.** Although enhanced information technology (IT) is not itself an explicit Town strategic direction, it is a critical enabler of all of them.
- **Ladysmith operates in a regional and provincial context where the ability to access, retrieve and exchange reliable information electronically with external stakeholders is crucial – now and in the future.**
- **As those accountable for managing the Town government, Council members need ready access to Town information through electronic tools, and robust communication channels with staff and residents.**
- **Neither Council nor staff need to operate on the “bleeding edge” of new or experimental information technology. Reliable, mainstream tools that are fit for purpose for the long term will provide the best value.**



We surveyed Council's requirements from IT systems:

- Councilors make use of access to Town IT systems and facilities today, to the degree they can.
- They find these systems to be **generally reliable**, but with **potential for enhanced coverage, richer content, and a wider array of supported services**.
- Types of information most useful to Council include:
  - Town by-laws;
  - Statistical demographic and geographic information about the Town;
  - Council meeting agendas and supporting information;
  - Town government financial information.
- **Councilors see investment in enhanced IT as appropriate and important for the Town.**
- Councilors make fairly frequent use of electronic channels for communication with both Town residents and (more frequently) staff.
- Councilors see **particular potential for the Town website to evolve into a more useful "window" into Town government, featuring more frequently refreshed broadcast information, and the capability of carrying out an expanding range of transactions** (e.g., online payment of utility bills).



The business requirements expressed by Town staff can be grouped into five key categories:

1. **Support for day-to-day transaction processing** (property tax and utility payments, building inspections, parks);
2. **Reports and information** to support management in work task monitoring, resource allocation, planning, etc.
3. **Reference information** (geographic and financial) **to support development and land use planning, zoning, etc.**
4. **Ability to exchange information with other municipalities, other layers of government, and other external stakeholders;**
5. **Support for Mayor and Council** (agendas, by-laws, resolutions and supporting materials, etc.).



### Observations

- **IT is a key enabler** of virtually all Town operations and services.
- Staff see **additional opportunities to use technology to enhance operational efficiency and service.**

### Strategic Challenges

- The IT function has **limited senior staff capacity** to oversee the function. The Town needs to build internal capacity to clarify and assess requirements, and to build and manage IT solutions to meet them.
- The Town's **information systems and holdings are also somewhat fragmented**, developed incrementally over time without a coherent strategy. **Some duplication exists** among current tools and filing systems.
- **Expectations for technology-mediated services tend to rise continuously** – among staff, residents and Council.
- As much of the Town's information is inherently linked to locations (e.g., property parcels, town facilities, roads, residences, commercial buildings), **adding geographic coding would be a key enhancement** that would render this information more useful and powerful.
- The Town's **key systems work well** – it is important that any new IT strategy not disrupt these successful elements.





### Recommendations

1. Town should **centralize information on software licenses** and conduct periodic audits against them.
2. **Cell phone usage should migrate toward a single plan and standard device.**
3. Phone system replacement should include **voice over IP.**
4. Need to flag and replace unreliable assets that require undue levels of maintenance.
5. Town should **adopt regular hardware refresh cycle** (every four years, as recommended frequency).
6. Opportunity for **mobile computing** to support Public Works and Fire staff.



### Recommendations

1. Prepare to migrate from Class to Active Net. (Class v7 support will extend through 2014.)
2. Plan for Vadim upgrade in 2015.
3. Integrate fragmented database applications, with common user interface and consistent documentation.
4. Implement IT application for Development Services to track applications for subdivisions and other developments.
5. Continue GIS strategy, building on ArcGIS licenses and cadastral layer already procured.
6. Conduct cost/benefit analysis on purchase of FireZone software (including free trial use offered by vendor). If desired, proceed to developing Business Case for purchase.
7. Develop and execute detailed vision and plan for revamped Town intranet.



### Recommendations

1. **Develop business continuity plan**, including offsite disk mirroring at least 50km away. Test with exercises.
2. **Develop and enforce standard taxonomy for departmental folders.**
3. **Allow read-only access to all files across departments**, except selected sensitive files.
4. **Analyze cost/benefit of electronic archiving** (i.e., offline server) and implement as appropriate.
5. **Coordinate public outreach activities** by Corp and Community Services, including social media.



### Recommendations

1. **Establish a fixed-term contract with Novus**, with SLAs and penalty clauses for non-performance. This recommendation is contingent upon the Town's decision with regard to adopting a shared services delivery model with a peer organization.



## IT Organization and Resources



### Recommendations

1. **Designate a senior Town staff member at the Manager level to be IT Coordinator** (part-time)
2. **Enter into discussions** with the City of Nanaimo, the District of North Cowichan and the Cowichan Valley Regional District **to consider shared service arrangements** for IT infrastructure services, help-desk support services and GIS services.
3. In the absence of a shared services arrangement, **hire a junior position as a full-time IT Technician.**
4. **Convene IT Committee**, including selected Directors and Managers, to oversee annual IT budget, approve all major IT investments, and report to Council on management of information assets and associated risks.
5. **Develop Business Case template** that would be used to propose and justify IT investments.
6. **Define IT performance indicators**, and begin reporting on them on a regular cycle.

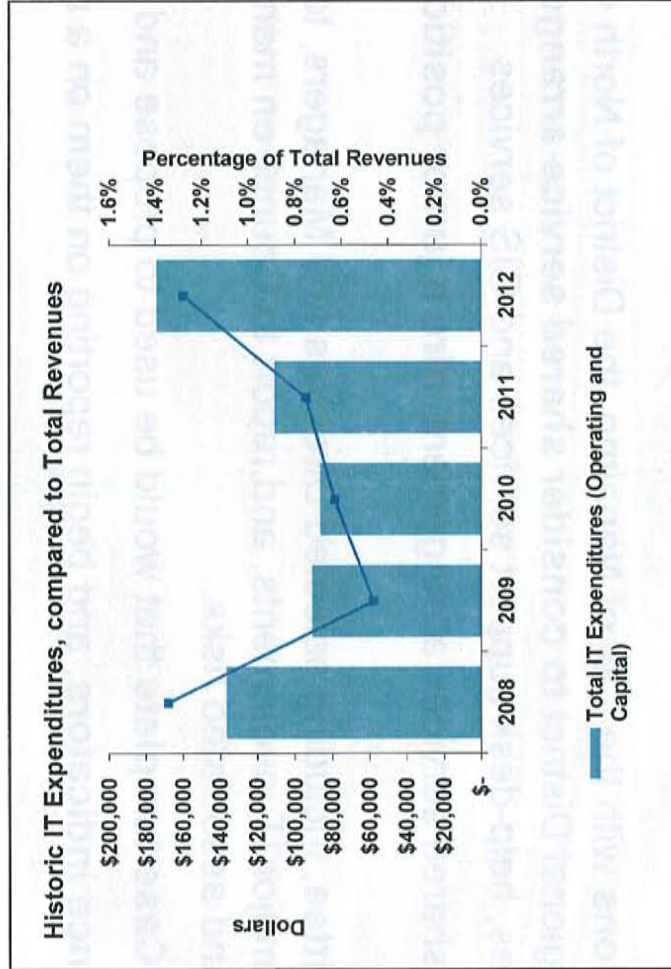


## Observations on Current Situation

Over the past five years, the Town has spent an average of 0.8% of its total budget on capital and operating IT costs. The majority of costs were for the acquisition of IT infrastructure and services. Costs for 2012 increased, in part, due to a planned refresh of workstations.

54% of IT Expenditures during the five-year period were spent with Novus, the Town's IT support firm. The expenditures include support services as well as hardware and software acquisitions.

15% of IT Expenditures during the five-year period were spent with Softchoice, a source for a wide range of hardware and software products.



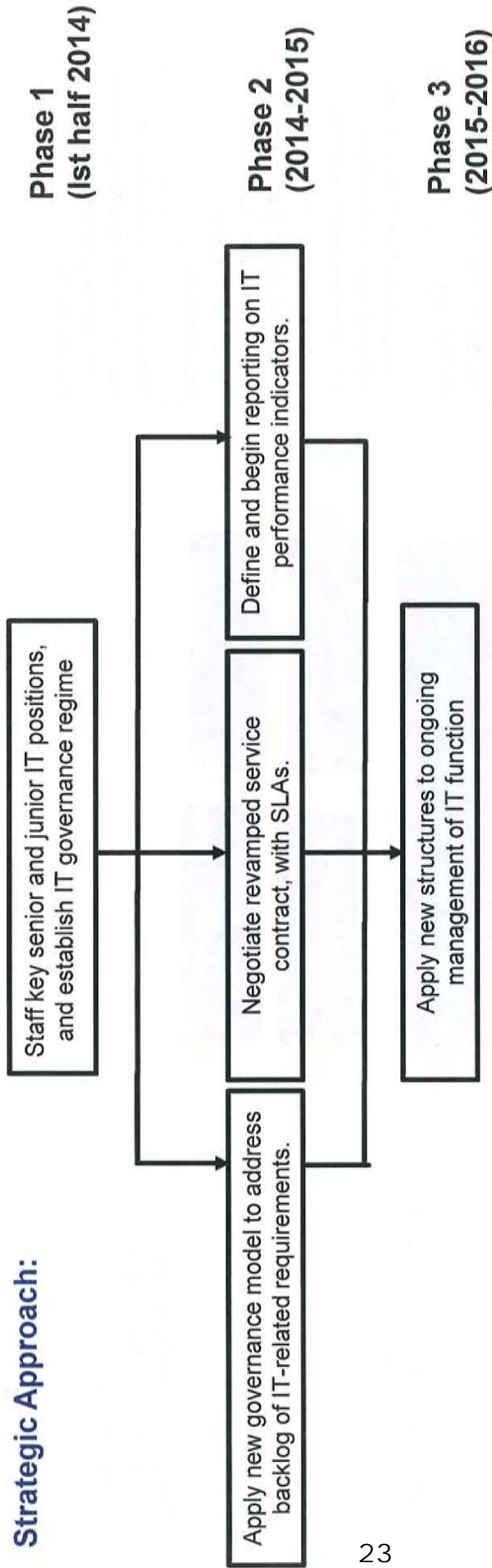
## Recommendation

1. The Town should, over the term of the IT strategic plan, increase the level of IT funding from the current level of 0.8% to between 1.3% - 2.0% of its total expenditure budget.

## Strategy Overview

**Timeframe:** Three years (2014 through 2016)

### Strategic Approach:

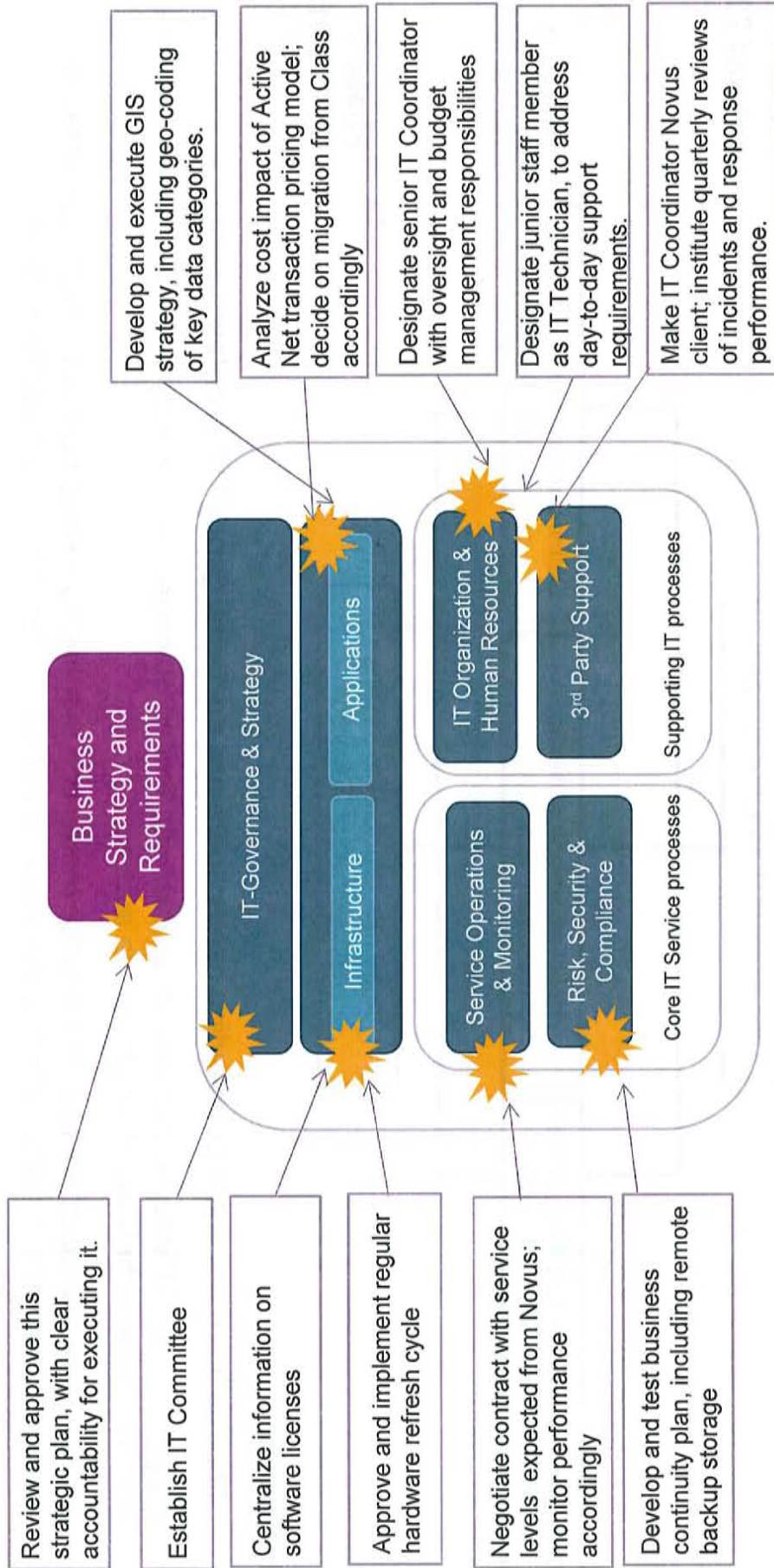


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### Rationale:

- Although there are some outstanding needs, there are no “emergency” IT problems today.
- Biggest current IT issue is its “orphan” status, with limited management capacity and governance model, and no onsite technician. This should be addressed first.
- Accountable management and governance model can then be applied to both put a more businesslike IT support agreement in place, and address some specific requirements (Class upgrade, GIS).
- Over time, the governance model, Business Case process, and performance indicators should provide a sound basis for ongoing management of the IT function.

# Key Recommendations





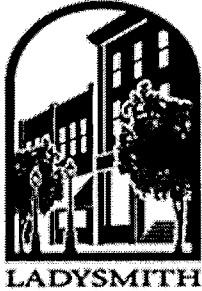


*cutting through complexity*

The information contained herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

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Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: June 26, 2013  
File No: 3360-13-03

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Re: **TOURIST RECREATIONAL COMMERCIAL ZONE (C-4) – PROPOSED TEXT  
AMENDMENTS – BYLAW 1830**

**RECOMMENDATION(S):**

That Council gives first reading and second reading to “Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 93), 2013, No. 1830”; and that a public hearing be scheduled for Bylaw 1830.

**PURPOSE:**

The purpose of this staff report is to present a bylaw to amend the Tourist Recreational Commercial (C-4) Zone to permit three additional uses: single family residential dwelling; home occupation; and professional and business office.

**INTRODUCTION/BACKGROUND:**

The C-4 Zone applies to properties on both the east and west side of Esplanade Avenue. There are commercial buildings and single family dwellings (some have been converted to business use) located within this area. Recently property owners in this area have identified zoning issues which prompted staff to bring forward this proposed bylaw amendment.

*Single Family Residential Dwelling Use*

There are several properties located within the C-4 Zone that have single family dwelling use located on the property. While these homes have existed for many years, past and current Zoning Bylaws have not included single family residential use within the C-4 Zone. While the use of these homes has legal non-conforming status, the property owners have identified a couple of issues. The first is regarding the ability to obtain a residential mortgage for a commercially zoned property and the second is about the ability to rebuild a single family dwelling if there was a significant loss due to fire. Also, permitting home occupation use within a single family dwelling is appropriate to consider.

*Professional and Business Office Use*

The Owners of Ladysmith Plumbing and Heating are planning upgrades to their property. As part of the pre-application discussions, staff determined that while the

business has operated at this location for many years (with a business licence), it has not been correctly zoned. Professional and Business Office use is an appropriate use to encourage the retention and revitalization of character homes in the C-4 zoned area and to properly zone this property for the actual use.

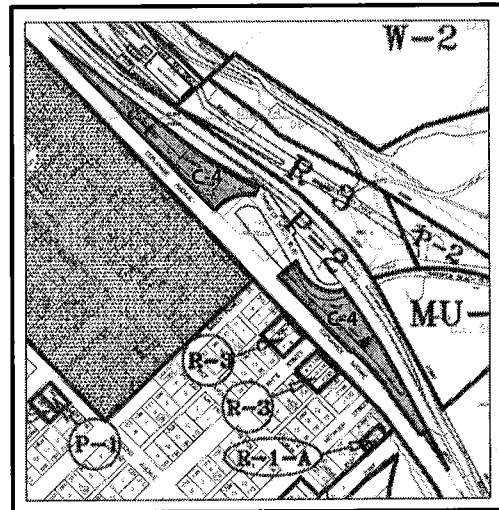
**Official Community Plan**

Properties located within the C-4 Zone are either designated as Highway Commercial, Downtown Core or Downtown Mixed Use in the Official Community Plan (OCP). OCP policies support residential use, a variety of living accommodation and ongoing residential and heritage character in the Downtown. These land use designations also support a range of commercial uses.

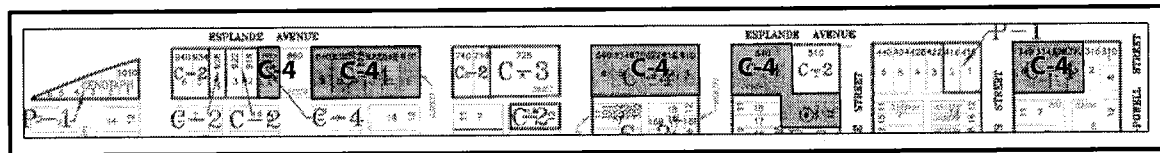
**SCOPE OF WORK:**

The stage of this proposal is to seek direction from Council to proceed with the consideration of an amendment to the Zoning Bylaw to permit single family residential dwelling use; home occupation use; and professional and business office use in the Tourist Recreational Commercial (C-4) Zone.

The C-4 Zone applies to properties on both the east and west side of Esplanade Avenue (Trans Canada Highway) as shown in the zoning map excerpts.



It is recommended that Council consider Bylaw 1830 in advance of the new Zoning Bylaw to respond to these current issues. The Zoning Bylaw update project provides the opportunity to further examine uses and ways to assist with the retention and revitalization of character homes located in the Downtown while supporting commercial development opportunities.



**ALTERNATIVES:**

That Council not proceed with Bylaw 1830.

**FINANCIAL IMPLICATIONS:**

The cost of processing the Zoning Bylaw amendment would be the Town's cost.

LEGAL IMPLICATIONS:

Approval by the Minister of Transportation and Infrastructure will also be required given the location of the properties within 800 metres of a controlled access highway.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is expected that the affected property owners will be supportive of this initiative. A public hearing will be held.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposal was referred to the Building Inspector and the Engineering Department. There are no issues with the proposal.

RESOURCE IMPLICATIONS:

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

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This proposal is consistent with the Sustainability Strategies of “complete community land use”; “green” buildings (retrofit); local diverse economy (live-work); and the value of “respect for the past” where heritage buildings are preserved wherever possible.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Council strategic directions are: (a) effective land use planning and community design, and (b) dynamic economic development.

SUMMARY:

Bylaw 1830 is presented for consideration of first and second reading and scheduling of a public hearing.

I concur with the recommendation.



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Ruth Malli, City Manager

ATTACHMENTS:

C-4 Zone  
Bylaw 1830

**19.0 TOURIST RECREATIONAL COMMERCIAL ZONE (C-4)****19.1 Permitted Uses**

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

- (a) hotel, motel;
- (b) tourist oriented retail and personal services such as gift, souvenir, hobby and craft shops, convenience store, tourist information office and travel agency;
- (c) restaurant;
- (d) tourist oriented recreational facility and public assembly uses;
- (e) uses accessory to marina operations;
- (f) campground and recreational vehicle park and uses accessory;
- (g) one single family residential dwelling per parcel, provided the same is an accessory use within the principal building and is located at the rear of the building if it is a one storey building, and on the second floor if the principal building is two stories;
- (h) park and open space;
- (i) bed and breakfast inn;
- (j) uses accessory to the above;

Site Specific Exceptions:

- (k) On the parcels described as Lot 5 and 6, Block 8, District Lot 56, Oyster District, Plan 703 (634 and 640 Esplanade Avenue), professional and business office is a permitted use.

*Bylaw  
1520*

**19.2 Conditions of Use**

- (1) The maximum parcel coverage shall not exceed 33.00 percent.
- (2) The height of a principal building shall not exceed 10.0 metres.
- (3) No buildings or structures located on a parcel within this zone shall be closer than:
  - (a) 1.2 metres to the front lot line;
  - (b) 3.0 metres to the side lot lines or the rear lot line;
- (4) The finished floor area for an accessory single family residential dwelling shall be a minimum of 80.00 square metres and a maximum of 150.0 square metres.

**19.3 Minimum Lot Size**

- (a) All development must be connected to water and sewer service.
- (b) The minimum parcel size permitted shall be not less than 600 square metres.

**19.4 Off Street Parking and Loading**

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

**TOWN OF LADYSMITH**

**BYLAW NO. 1830**

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

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

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

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

(A) The Tourist Recreational Commercial Zone (C-4) of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further as follows:

(1) By adding to section 19.1 "Permitted Uses" the following uses at the end of the list of permitted uses:

“(k) single family residential dwelling;

(l) home occupation;

(m) professional and business office.”

and renumber accordingly.

**CITATION**

(B) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.93), 2013, No. 1830”.

**READ A FIRST TIME** on the day of

**READ A SECOND TIME** on the day of

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

on the day of

**READ A THIRD TIME** on the day of

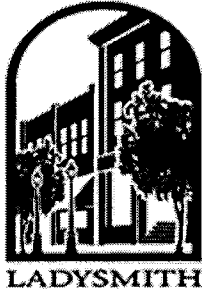
**APPROVED UNDER THE TRANSPORTATION ACT**

on the day of

**ADOPTED** on the day of

\_\_\_\_\_  
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: June 26, 2013  
File No: 3360-13-04

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Re: URBAN RURAL RESIDENTIAL ZONE (UR-1) , AGRICULTURE ZONES (A-1 and A-4) and HEAVY INDUSTRIAL ZONE (I-2) - PROPOSED TEXT AMENDMENTS

#### RECOMMENDATION(S):

1. That Council direct staff to prepare amendments to Town of Ladysmith Zoning Bylaw 1995, No. 1160 to implement the Official Community Plan Single Family Residential land use designation where it applies to areas zoned Urban Rural Residential (UR-1) by retaining zoning provisions for single family dwelling use, home occupation use, and bed and breakfast use and removing zoning provisions permitting the use of land for agriculture, horticulture, silviculture and greenhousing,, and associated regulations.
2. That Council direct staff to prepare amendments to Town of Ladysmith Zoning Bylaw 1995, No. 1160 to implement the Official Community Plan Urban Reserve land use designation where it applies to areas zoned Urban Rural Residential (UR-1) by adding a specific provision to permit agriculture, horticulture and silviculture use on parcels within the zone that are identified as having a minimum 8.0 hectare lot size.
3. That Council direct staff to prepare a bylaw amendment(s) to Town of Ladysmith Zoning Bylaw 1995, No. 1160 and Zoning Bylaw 1180, 1988 to add a definition of Medical Marihuana Growing and Production permitted under the federal Marihuana for Medical Purposes Regulation (MMPR) and to permit this use in the Heavy Industrial Zone (I-2) in the South Ladysmith Industrial Park and in the Primary Agriculture Zone (A-1) and Agricultural Recreation Zone (A-4) on lands within the Agricultural Land Reserve in South Ladysmith.

#### PURPOSE:

The purpose of this staff report is to seek direction from Council regarding locations where agriculture, horticulture, silviculture and greenhousing uses, including federally regulated medical marihuana growing and production, would be acceptable from a land use perspective.

#### INTRODUCTION/BACKGROUND:

Staff are bringing this item before Council given the potential for land use conflicts if a commercial-scale agricultural or greenhousing operation was proposed for the Urban Rural Residential Zone (UR-1) where single family residential use and agriculture, horticulture, silviculture and greenhousing uses are both currently permitted.

The UR-1 zone applies to areas being developed today as single family residential subdivisions and is located adjacent to existing residential neighbourhoods. The inclusion of agriculture, horticulture, silviculture and greenhousing uses within the UR-1 zone has the potential to result in land use impacts (e.g. non-residential traffic, odours, noise, and lighting) that are not desirable in these residential neighbourhoods.

In addition, there could be unintended consequences from the upcoming change to the licencing of medical marihuana production by Health Canada from 'residential-scale personal use production licences' to 'decentralized, commercial-scale production by private entrepreneurs'. While the residential-scale operations have their own set of impacts, these larger scale operations (which would fit within the current definitions of agriculture use and green-housing use) will have the potential for increased land use impacts and greater conflicts within residential neighbourhoods.

This change will take effect in the form of the Marihuana for Medical Purposes Regulation (MMPR) which is to come into force on April 1, 2014. Licences will be issued to persons and corporations for production and mail-order distribution. Licences will authorize marihuana production, processing and packaging on the premises. Walk in trade would not be allowed. Building and production security measures would be required. It is expected that such operations would be located in enclosed buildings, not traditional glass-sided green houses, due to security requirements. A business licence would be required. The Agricultural Land Commission has taken the position that this would be a type of farming that is permitted in the ALR, regardless of municipal zoning, and greenhouses would be permitted as a use of agricultural land.

#### SCOPE OF WORK:

The stage of this proposal is to seek direction from Council regarding locations where agriculture, horticulture, green-housing and silviculture uses would be acceptable from a land use perspective and to clarify zoning for the commercial production of medical marihuana.

UR-1 zoned lands currently under development as new residential subdivisions are designated in the Official Community Plan (OCP) for single family residential land use not for agriculture, horticulture, greenhousing or silviculture uses. This policy direction has not yet been implemented through changes to the Zoning Bylaw. This



change would be considered in the Zoning Bylaw update project; however, upcoming amendments to federal legislation prompted staff to bring these amendments to Council's attention now. In addition, some UR-1 zoned lands are located within the area covered by the Holland Creek Local Area Plan which permits single family and multiple family residential land uses, school and small scale commercial use (not agriculture). A small area located at the end of Davidson Road is zoned UR-1 and designated Urban Reserve in the OCP where agriculture and forestry (silviculture) uses would be permitted on a minimum 8.0ha parcel size.

Zoning Bylaw 1160 provides the following definitions.

***agriculture:*** means growing, rearing, producing or harvesting agricultural products; includes the processing on an individual farm of the primary agricultural products harvested, reared or produced on that farm and the storage of farm machinery and implements used on that farm; and specifically includes the keeping of dogs, horses, sheep, goats, poultry, and bees; and specifically excludes all manufacturing, processing, storage and repairs not specifically included in this definition including livestock and poultry processing;

***horticulture:*** means the practice of growing fruits, vegetables, flowers or ornamental plants and shrubs;

***green housing:*** means the use of a building or structure for the care and growing of plants, including vegetables, flowers or ornamental shrubs, in a controlled environment;

***silviculture:*** means all activities related to the development and care of forests, including seedling and tree nursery but specifically excludes the processing of wood or wood products;

**Current Zoning Regulations**

Lands zoned for agriculture use are primarily located in south Ladysmith; these lands are also in the provincial Agricultural Land Reserve. The South Ladysmith Area Plan supports agriculture use in this area, including the development of an agricultural centre located adjacent to the proposed industrial park. These lands are zoned A-1 and A-4 in Zoning Bylaw 1180. There is one parcel located on Fourth Avenue that is zoned Agriculture Zone (A-2) in Zoning Bylaw 1160.

Current Zoning	UR-1 (Bylaw 1160)	A-1 (Bylaw 1180)	A-2 (Bylaw 1160)	A-4 (Bylaw 1180)
Agriculture	✓	✓	✓	✓
Horticulture	✓	✓	✓	✓
Silviculture	✓	✓		✓
Greenhousing	✓			



**Proposed Zoning Regulations**

It is recommended that Council consider the regulation of greenhouse and medical marihuana production in advance of the new Zoning Bylaw to respond to current Health Canada initiatives regarding licencing of commercial medical marihuana operations. The Zoning Bylaw update project provides the opportunity to further examine ways to assist with local food security through zoning for small and large scale traditional agricultural operations, urban agriculture in residential zones, shellfish aquaculture, and federally licenced commercial medical marihuana. The City of Nanaimo has recently amended its Zoning Bylaw to include a definition of “medical marihuana growing and production” and to permit this use in its agriculture zones (ALR) and heavy industrial zone. A similar approach is recommended for the Town.

Proposal	UR-1 site specific use (Urban Reserve/8.0ha)	A-1 (Bylaw 1180)	A-2 (Bylaw 1160)	A-4 (Bylaw 1180)	I-2 (Bylaw 1160)
Agriculture	✓	✓	✓	✓	
Horticulture		✓	✓	✓	
Silviculture	✓	✓		✓	✓
Medical Marihuana Growing and Production		✓		✓	✓

**ALTERNATIVES:**

That Council identify other locations where agriculture, horticulture, greenhouseing, silviculture or commercial medical marihuana growing and production use would be acceptable from a land use perspective.

**FINANCIAL IMPLICATIONS:**

The cost of processing the bylaw amendments would be the Town’s cost.

**LEGAL IMPLICATIONS:**

If the proposed bylaw(s) is consistent with the OCP, Council may waive the holding of the public hearing. Statutory notice is required prior to third reading of the bylaw. This would be determined once the amendment bylaw(s) is prepared.

An outright attempt to ban or prohibit the commercial production of medical marihuana would be unlikely to survive a legal challenge as it would be sterilizing a scheme of federal regulation. Determining the appropriate locations where this use would be acceptable from a land use perspective is recommended.

If there is an OCP amendment bylaw that applies to land in the ALR, the bylaw would be required to be referred to the ALC for comment, pursuant to the LGA.



CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

It is expected that the residents of Ladysmith will be supportive of this initiative.

Some of the affected lands in South Ladysmith are Crown-owned lands. Consultation with the Stz'uminus First Nation is recommended.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The proposal will be referred to other Town Departments for input.

RESOURCE IMPLICATIONS:

Processing zoning bylaw amendments is a core function of the Development Services Department. Pursuing this amendment is not within the current work program but if Council provides direction for staff to proceed with these bylaw amendments now, it should contribute to the overall Zoning Bylaw update project.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This proposal is consistent with the overall direction from the community that Ladysmith is supportive of development if it provides more of what residents like about the town. Ensuring that development in neighbourhoods fits the scale and character of the area would have a greater likelihood of success by moving forward with the proposed amendments to the UR-1 zone.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative aligns with the following Council strategic directions: (a) effective land use planning and community design, and (b) dynamic economic development.

SUMMARY:

Staff are recommending amendments to the Town's Zoning Bylaws to implement the OCP and to identify locations where large scale agricultural use and commercial medical marihuana growing and production would be acceptable from a land use perspective.

I concur with the recommendation.



---

Ruth Mathi, City Manager

ATTACHMENTS:

None.



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Sandy Bowden, Director of Corporate Services  
Date: June 25, 2013  
File No:

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Re: Lease Renewal – Festival of Lights Society - 1163 Fourth Avenue

RECOMMENDATION:

That Council:

- a) authorize the Town to enter into a lease agreement with the Festival of Lights Society for the use of 1163 Fourth Avenue (Lot A, District Lot 146, Oyster District, Plan 34438, Part of Fourth Avenue, PID #000-290-386) for a five year term, with the option to renew the lease for two consecutive five year terms, and that the Mayor and Corporate Officer be authorized to sign the lease on the Town's behalf; and,
- b) direct staff to issue a notice of disposition in accordance with the *Community Charter*.

INTRODUCTION/BACKGROUND:

The Festival of Lights Society (FOLS) leases the Town-owned property at 1163 Fourth Avenue for on which they constructed a facility to contain their seasonal lights displays and provide meeting space for \$1 per year. The lease expired in February of 2013. Council's consideration of renewing the lease is requested. Staff has reviewed the lease document in conjunction with the FOLS and proposes the following change:

- Clause 3 - add the following statement to the end of the clause to read "The building shall not be rented or otherwise made available to any person, group or organization, save and except to the Kinsmen Club of Ladysmith, *unless the Festival obtains written approval from the Director of Corporate Services.*

The FOLS advised that other user groups, such as the Christmas Hamper Program and the Soccer Club, use the building for storage and requested that a section be included to authorize such use. Staff considers that that input from the Town will ensure that the use of the facility by other organizations is in compliance with Town bylaws.

ALTERNATIVES:

Council could deny the FOLS' request to renew the lease.

FINANCIAL IMPLICATIONS:

n/a

LEGAL IMPLICATIONS:

Staff will ensure that the lease is processed in accordance with statutory requirements.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The FOLS is widely supported both within the Ladysmith community and beyond the community.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This issue involves the Corporate Services and Financial Services Departments.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

n/a

SUMMARY:

The FOLS stores its seasonal light displays and conducts meetings in their building located on Town-owned property at 1163 Fourth Avenue. The lease for the land has expired and Council's consideration of renewing the lease for a further five year term, with an option to renew the lease for two additional five year terms is requested.

I concur with the recommendation.



---

Ruth Malli, City Manager

ATTACHMENTS:

Draft Lease Document

THIS AGREEMENT MADE THE DAY OF 2013

BETWEEN: **TOWN OF LADYSMITH**  
BOX 220 – 410 Esplanade  
LADYSMITH, B.C. V0R 2E0

(hereinafter called "the Town")

OF THE FIRST PART

AND: **FESTIVAL OF LIGHTS SOCIETY**  
BOX 98  
LADYSMITH, B.C. V0R 2E0

(hereinafter called "the Festival")

OF THE SECOND PART

**WHEREAS** the Town and the Festival wish to enter into an Agreement to provide for the siting of the building owned by the Festival and to be used for the purpose of storing Christmas decorations and to provide meeting space;

**AND WHEREAS** the Town owns property described as Lot A, District Lot 146, Oyster District, Plan 34438, Part of Fourth Avenue, PID #000-290-386 (1163 Fourth Avenue).

**NOW THIS AGREEMENT WITNESSETH**

That in consideration of the mutual covenants and agreements contained herein, the parties hereto do hereby agree as follows:

1. The Town agrees to permit the Festival to situate their storage building on Town property described above.
2. The Festival agrees to comply with all Town covenants for quiet enjoyment.
3. The building shall not be rented or otherwise made available to any person, group or organization, save and except to the Kinsmen Club of Ladysmith, unless the Festival obtains written approval from the Director of Corporate Services.
4. Notwithstanding clause 3, Town personnel and their agents and servants will have unlimited access to the site.
5. The Festival will carry liability insurance of not less than Two Million Dollars (\$2,000,000) adding the Town as an additional named insured and agree to indemnify and save the Town harmless from any liability arising out of the terms of the lease.
6. The Festival shall pay to the Town an annual rental of One Dollar (\$1.00) not later than June 30<sup>th</sup> in each year.

7. The Festival shall be responsible for all operating costs of the building and land on which the building is situated.
8. This Agreement shall be binding upon the parties hereto and their respective successors and assigns.
9. The term of this Agreement is five years from the date first above written and, provided this Agreement is not in arrears, it may be renewed at the option of the Ladysmith Festival of Lights Society for two additional terms of five years
10. All or any notice to be given by either party herein shall be given in writing addressed to:

**TOWN OF LADYSMITH**  
BOX 220 – 410 Esplanade  
LADYSMITH, B.C. V0R 2E0

And to: **FESTIVAL OF LIGHTS**  
BOX 98  
LADYSMITH, B.C. V0R 2E0

IN WITNESS WHEREOF the parties hereto on the day and year first above written have affixed their hand and seals in the presence of their duly qualified officers.

SIGNED, SEALED AND DELIVERED )  
by the **TOWN OF LADYSMITH** )  
in the presence of: )  
)  
)  
)  
\_\_\_\_\_)  
Mayor )  
)  
)  
\_\_\_\_\_)  
Director of Corporate Services )

(SEAL)

SIGNED, SEALED AND DELIVERED )  
by the **FESTIVAL OF LIGHTS SOCIETY** )  
in the presence of: )  
)  
)  
)  
\_\_\_\_\_)  
President )  
)  
)  
\_\_\_\_\_)  
Secretary )

(SEAL)



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: May 23, 2013  
File No: 1970-04-1301  
1970-04-1302

---

Re: Revitalization Tax Exemption Agreements

#### RECOMMENDATION(S):

It is recommended that Council approve entering into a Revitalization Tax Exemption Agreement for two properties:

1. 1030 Oyster Bay Drive, folio 0900.014
2. 12 Roberts Street, folio 0113.000

#### PURPOSE:

To direct staff to sign Revitalization Tax Exemption Agreements with the owners of the above properties.

#### INTRODUCTION/BACKGROUND:

The Town of Ladysmith currently has two revitalization programs available for specific property owners in designated areas of Town to take advantage of property tax relief. The Heritage Revitalization Program, which encourages heritage-theme renovation or construction of businesses located in the downtown core, has been available since 2007. In 2012, the Town adopted a Revitalization Tax Exemption – Economic Program to encourage Business (class 6) or Light Industry (class 5) properties in designated areas to construct or renovate properties & buildings to generate economic benefits in the Town.

The Town has recently received 2 applications, one for each of the programs offered by the Town:

1. 1030 Oyster Bay Drive, (Oyster Bay Quay), owned by Terra-North Inc. is applying under the Revitalization Tax Exemption – Economic Program.
2. 12 Roberts Street, (Antique Addict), owned by P. Joy and C. Goldie is applying under the Heritage Revitalization Tax Exemption Program.

Both properties meet the respective program criteria for entering into the agreement.



SCOPE OF WORK:

Once the agreements are in place, and Exemption Certification will be issued and Town staff will contact BC Assessment to implement the assessment freeze; the assessment will remain at the 2013 level for calculating municipal taxes only. The Heritage Exemption requires a bylaw amendment which will be presented at a future Council meeting.

FINANCIAL IMPLICATIONS:

These programs will impact the new construction dollars expected in the 2014.

LEGAL IMPLICATIONS:

The exemption certificate must be forwarded to BC Assessment by October 31 for the exemption to be in place for the following applicable years.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Not applicable

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Finance Department will work with the property owners regarding this matter.

RESOURCE IMPLICATIONS:

Finance Staff will be responsible for executing the agreements, creating the bylaws and forwarding the information to BC Assessment.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

This aligns with Strategy #8 – Local, Diverse Economy.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Direction B – Effective Land Use Planning and Community Design.

SUMMARY:

The Town has received two applications for Revitalization Exemptions. It is recommended that Council direct Staff to approve entering into Revitalization Agreements with the property owners.

I concur with the recommendation.

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

ATTACHMENTS:

Wagenaar – 1030 Oyster Bay Drive  
Joy/Goldie- 12 Roberts Street



## Schedule E

### Town of Ladysmith

### Revitalization Tax Exemption Program

### Application Form

#### Applicant:

Name of Applicant: OYSTER BAY QUAY  
Address: P.O. BOX 1641, LADYSMITH BC V9G1B2  
Telephone: 250-713-2696 Fax: N/A  
Name of Owner: TERRA-NORTH INC. (CAROL & GARRY WAGENNAAR)  
Address: P.O. BOX 1641, LADYSMITH, BC V9G1K5  
Telephone: 250-741-6748 Fax: N/A  
EMAIL: CWAG@SHAW.CA

#### Property:

Civic Address: 1030 OYSTER BAY DR. LADYSMITH 900.014  
Legal Description: LOT 1, PLAN VIP 72824, DISTRICT 24 ✓

OYSTER LAND DISTRICT, EXCEPT PLAN VIP 81529 ✓  
PID: 025-143-476

#### Consultant Information:

Name of Architect: OCA ARCHITECTS (IGOR NARDIN)  
Address: 208-1080 MAINLAND ST. VANCOUVER BC V6B2T4  
Telephone: 604-408-8970 Fax: 604-408-8971  
Name of Engineer: SORENSEN & ASSOCIATES ENGINEERING  
Address: 6462 PEREGRINE RD., NANAIMO, BC V9V1V5  
Telephone: 250-933-4555 Fax: 250-933-4556  
Name of Contractor: RW (BOB) WALL LTD.  
Address: 6040 HAMMOND BAY RD. NANAIMO BC V9T5M4  
Telephone: 250-756-2707 Fax: 250-756-2785

**Project Information:**

Present Use of Building: MULTI-TENNANT LEASE SPACE  
Project Timeframe: PHASE 1 COMPLETE END OF FEB. 2013

**Project Cost:**

Estimated Total Construction Cost: \$ 2.1 MILLION  
Estimated Seismic/Building Code/Sprinkler/Facade Upgrade Cost: INCL ABOVE

**Application Requirements:**

Please attach the following:

- Certificate of Title.
- Cover letter outlining scope of work.
- Scaled drawing(s) of proposed work (four-sets). 1 SET
- A total construction cost estimate - itemized (by an architect, engineer or building contractor). Receipts will be required at project completion to verify estimate accuracy.
- Letter from professional structural engineer certifying seismic upgrading costs. The cost estimate should be based on the NRC-CNRC Guidelines for Seismic Evaluation of Existing Buildings.
- Colour photographs of building exterior (where external building alterations proposed).
- Colour sketch (where external building alterations proposed).
- Material and colour samples (where external building alterations proposed).

The Town of Ladysmith reserves the right to decline approval of applications not in keeping with the Revitalization Tax Exemption Program guidelines.

I, being the registered owner \_\_\_\_\_ or authorized agent  make this application.

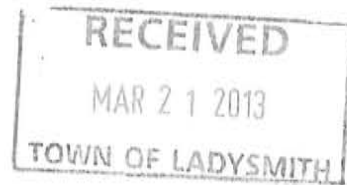
*(If applicant is not the registered owner, a letter of authorization from the owner is required before the application can be processed).*

Carol L. Wagenaar  
Signature of Applicant

March 20, 2013  
Date



TERRA – NORTH INC.  
Box 1641 Ladysmith, BC V9G 1B2



March 20, 2013

Town of Ladysmith  
410 Esplanade Avenue  
Ladysmith, BC V9G 1A2

Attention: Erin Anderson, Director of Financial Services  
Regarding: Town of Ladysmith Revitalization Tax Exemption Bylaw 2012, No. 1807

Dear Ms. Anderson,

Enclosed please find our company's application for the Town's 5 year tax exemption program. We believe our new construction at 1030 Oyster Bay Drive meets the town's criteria for program participation with the added benefit of greatly beautifying the gateway to Ladysmith.

The completed Phase 1 demonstrates the quality and attractiveness of its construction and the attached construction budget for Phase 1 only, validates that our project well exceeds the town's \$200,000 minimum investment. In light of this significant investment and the fact that we will still be investing in Phase 2 of this building, we respectfully request that the town consider a 10 year tax exemption for our project.

Per the bylaw application instructions, I am enclosing the following supporting documents:

1. Completed Schedule E application form
2. Certificate of Title
3. Scaled drawing of work (1 copy only per our conversation)
4. Construction budget prepared by RW (Bob) Wall Ltd.
5. Colour sketches of both sides of the building
6. Design Rational prepared by OCA Architects
7. Certificate showing up to date payment of taxes, charges or fees on the parcel

Please contact me at the phone number listed below if any further documentation is required. We certainly hope the Town of Ladysmith and its Council look favourably on our request.

Thank you for this opportunity and for your consideration of our request.

Sincerely yours,

Carol L. Wagenaar  
250-714-6748

RECEIVED  
FEB 25 2013  
TOWN OF LADYSMITH

R# 148871

Schedule E

Town of Ladysmith

Revitalization Tax Exemption Program

Application Form



Applicant:

Name of Applicant: ANTIQUE ADDICT

Address: 12 ROBERTS ST. 113.000

Telephone: 250-668-6353 Fax: \_\_\_\_\_

Name of Owner: PAUL JOY ✓

Address: 11190 N. WATTS RD. LADYSMITH

Telephone: 250-668-6353 Fax: \_\_\_\_\_  
Email: shop@antiqueaddict.ca

Property:

Civic Address: 12 ROBERTS ST.

Legal Description: LOT 14, BLOCK 10, PLAN V1P703, OYSTER LAND DISTRICT  
That pt lying NE of a line joining the pts of bisection of  
the SE & NW boundaries.

Consultant Information:

Name of Architect: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name of Engineer: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name of Contractor: IN-HOUSE

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name of Consultant: Brian Hogg  
293 Bayview Ave.  
250-245-9334

**Project Information:**

Present Use of Building: RETAIL SALES when renovations complete

Project Timeframe: 6-8 MONTHS

**Project Cost:**

Estimated Total Construction Cost: \$50,000 - \$60,000

Estimated Seismic/Building Code/Sprinkler/Facade Upgrade Cost: \$30,000.00 + labour

**Application Requirements:**

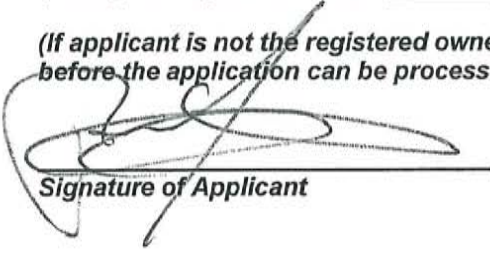
Please attach the following:

- Certificate of Title.
- Cover letter outlining scope of work.
- Scaled drawing(s) of proposed work (four sets).
- A total construction cost estimate - itemized (by an architect, engineer or building contractor). Receipts will be required at project completion to verify estimate accuracy.
- Letter from professional structural engineer certifying seismic upgrading costs. The cost estimate should be based on the NRC-CNRC Guidelines for Seismic Evaluation of Existing Buildings.
- Colour photographs of building exterior (where external building alterations proposed).
- Colour sketch (where external building alterations proposed).
- Material and colour samples (where external building alterations proposed).

The Town of Ladysmith reserves the right to decline approval of applications not in keeping with the Revitalization Tax Exemption Program guidelines.

I, being the registered owner  or authorized agent \_\_\_\_\_ make this application.

*(If applicant is not the registered owner, a letter of authorization from the owner is required before the application can be processed).*

  
\_\_\_\_\_  
Signature of Applicant

FEB. 16, 2013  
Date

# **Antique Addict**

Paul Joy  
11190 North Watts Road  
Ladysmith BC V9G 1Y6  
250 668 6353

Town of Ladysmith  
**Revitalization Tax Exemption Program**

## **Re: 12 Roberts St. - Outline of Scope of Work:**

### 2012-2013

Initial clean-up of property to allow access, removal of brush, trees, garbage etc.

Remove worn out awnings

Powerwash building

✓ Repair damaged stucco, fill in numerous cracks, replace stucco where missing

Completely remove dilapidated addition

✓ Paint building to preserve stucco using quality stucco paint in heritage colour

Repair and replace perimeter foundation and sill plate to prevent further water damage and seepage

Stabilize and seal foundation walls

Dig all new perimeter drains to correct depth

Dig new footings for wood floor in front half of building

Install vapor barrier under front half of building

Replace all wood sub-flooring

Insulate and pour new level concrete floor and extend concrete to addition area

Stabilize and continue rock retaining wall under addition area

Rebuild east side addition to spec

✓ Re-stucco east addition and north wall repairs to blend with original stucco

✓ Rebuild and extend interior support beams to code for structural safety

Rebuild roof trusses to code for structural safety

✓ Replace all single pane windows with 11 double pane windows with heritage look

✓ Design, paint and install new window trim using heritage colour and design

✓ Replace front door with regulation size door with double pane window

Replace rear utility door with set of double pane french doors

**Re: 12 Roberts St. - Outline of Scope of Work**

2013

- ✓Paint exterior of building to cover all repairs and renovations  
Redo roof flashing
- ✓Install new gutters and downspouts  
Repair roofing and install roof vents  
Replace all rotten fascia boards
- ✓Design and install new parapet to complete heritage look

Insulate entire building to 3x code requirements, R40 in ceiling, R28 in walls  
Install gypsum board on all walls and ceiling  
Paint entire interior of building  
Install crown moulding and baseboards in traditional heritage design

Design, build and install new 2 piece washroom and work space

Install 10 new exterior light fixtures on timers  
Install new exterior security motion detection light  
Install new security system with fire monitoring  
Install new heating system  
Install new hard-wired smoke detectors to code  
Install new exit and emergency lighting  
Install new interior light fixtures

Design and install new awning  
Design and install new wood signage

Design and construct new parking area at the rear of building

**Summary of Costs:**

Roofing:	\$ 2200 ✓
Lighting fixtures:	\$ 4000 ✓
Doors and windows:	\$ 4500 ✓
Stucco:	\$ 1200 ✓
Paint:	\$ 1200 ✓
Signage:	\$ 3500
Wood framing, flooring, trim:	\$10,000
Concrete:	\$ 1700
Electrical/Heating components	\$ 3000
Plumbing:	\$ 1500
Rubbish removal:	\$ 2000 ✗
Parking:	\$10,000 ✗
Labour:	\$20,000 ← portion.

48 total \$64,800





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Clayton Postings, Director of Parks, Recreation & Culture  
Date: June 24, 2013  
File No:

---

Re: Special Occasion Licence Request

RECOMMENDATION(S):

The Parks, Recreation & Culture Commission recommends that Council consider approving the Special Occasion Licence request for the Ladysmith Fat Tire Festival to be held at Transfer Beach Horseshoe Pitch from July 26 to 28, 2013.

PURPOSE:

To provide Council with information from an applicant for Special Occasion Licences.

INTRODUCTION/BACKGROUND:

At the Parks, Recreation & Culture Commission meeting held on June 19, 2013 the following application for Special Occasion Licence was considered:

Ladysmith Fat Tire Festival – to be held at Transfer Beach Horseshoe Pitch from July 26-28, 2013. This group has also requested permission to tent camp under the trees beside the Horseshoe Pitch; there will be approximately 20 participants registered for this fully-catered weekend with the majority of supplies purchased at Ladysmith shops including Bouma Meats, Old Town Bakery and 49<sup>th</sup> Parallel as well as Roberts Street Pizza.

This group has completed the required application and has confirmed they will ensure the 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:

There are no citizen or public relation 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 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 recommends that Council consider approving the request for a Special Occasion Licence.

I concur with the recommendation.



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

ATTACHMENTS

Fat Tire Event Details





### Fat Tire Festival 2013

The Vancouver Island Fat Tire Festival will consist of 3 days of non-competitive, guided group cross-country mountain bike rides July 26-28<sup>th</sup>, 2013. This event will showcase some of the spectacular riding that exists on Vancouver Island. The intention is to generate a non-competitive, festival type atmosphere celebrating mountain biking.

The plan is to involve the local communities, landowners, and businesses in this endeavor to support the catering, transportation, security, and land use needs of the event. Invitations have been extended to some major bike companies who will be in attendance to advertise their products and provide demo bikes for the participants as another "perk" to participation.

The festival site is located at Transfer Beach, Ladysmith. The intent is to have participants camp at Transfer Beach. Participants will bring their own tents. All meals will be provided by local establishments and organizations to the participants. Beer gardens with local beer from Wolf Brewery in Nanaimo and cider from Merridale Estate Cidery in Cobble Hill, will also be part of the package.

Participants, and their bikes, will be transported to the riding venue for the day. Riding venues in the first year will be Nanaimo, Cumberland and Duncan. Local guides will be recruited and hired. There will be at least 2 guides per 10 participants for the rides. Guides will be experienced mountain bike riders and instructors, with 1<sup>st</sup> aid certifications.

Families are encouraged to attend even if they are not participating in the riding. We hope to work with the local communities to advertise events that are taking place in the area i.e. farmer's markets, local festivals, kayaking, swimming etc., so that family members who are not riding can enjoy some of Vancouver Island's local attractions.



June 3, 2013

Dear Ladysmith Parks, Recreation and Culture Commission,

The Vancouver Island Fat Tire Festival will consist of 3 days of non-competitive, guided group cross-country mountain bike rides July 26-28<sup>th</sup>, 2013. This event will showcase some of the spectacular riding that exists on Vancouver Island. The intention is to generate a non-competitive, festival type atmosphere celebrating mountain biking.

The festival site is located at Transfer Beach, Ladysmith. We are requesting permission to camp at Transfer Beach. Camping will be adjacent to the Horseshoe Pit. Participants will bring their own tents. Camping will take place Thursday, July 25 at 6pm until Sunday, July 28 at 12pm

All meals will be provided to the participants by local establishments and organizations. Beer gardens with local beer from Wolf Brewery in Nanaimo and cider from Merridale Estate Cidery in Cobble Hill, will also be part of the package. We are requesting permission to serve beer and cider. Serving of beer and cider will be subject to the Town of Ladysmith Special Occasion License Application approval and the BC Liquor Control and Licensing Branch approval. Serving of beer and cider will take place in the Horseshoe Pit and be served on Friday, July 26 and Saturday, July 27, from the hours of 5:00pm-9:00pm.

Thank you for your time.

Sincerely,  
Tara Pollock  
Festival Organizer

**TOWN OF LADYSMITH**

**BYLAW NO. 1830**

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

---

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

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

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

- (A) The Tourist Recreational Commercial Zone (C-4) of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further as follows:
    - (1) By adding to section 19.1 "Permitted Uses" the following uses at the end of the list of permitted uses:
      - "(k) single family residential dwelling;
      - (l) home occupation;
      - (m) professional and business office."
- and renumber accordingly.

**CITATION**

- (B) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.93), 2013, No. 1830".

**READ A FIRST TIME** on the day of

**READ A SECOND TIME** on the day of

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

on the day of

**READ A THIRD TIME** on the day of

**APPROVED UNDER THE TRANSPORTATION ACT**

on the day of

**ADOPTED** on the day of

---

Mayor (R. Hutchins)

---

Corporate Officer (S. Bowden)

## Sandy Bowden

---

**From:** Rob Hutchins  
**Sent:** June 26, 2013 10:58 AM  
**To:** Sandy Bowden; Ruth Malli  
**Subject:** Fwd: 2013 BC Ambassador Publication: Merritt Herald  
**Attachments:** Jayse\_LadysmithCity.indd.pdf; ATT00001.htm; Ambassador 2013.indd.pdf; ATT00002.htm

Council agenda please

Rob Hutchins  
Mayor, Town of Ladysmith  
Chairperson, CVRD

Begin forwarded message:

**From:** Alisa Saunders <[a.saund87@gmail.com](mailto:a.saund87@gmail.com)>  
**Date:** 26 June, 2013 10:38:23 AM PDT  
**To:** <[rhutchins@ladysmith.ca](mailto:rhutchins@ladysmith.ca)>  
**Subject:** 2013 BC Ambassador Publication: Merritt Herald

Good Morning Mayor Hutchins,

Thank you for taking the time to respond regarding the upcoming BC Ambassador Keepsake Publication for 2013.

The program will be printed early August, and distributed during the BC Ambassador Provincial event in Merritt BC. The deadline for your admission into the program is July 26th. As this publication is a huge endeavour we are hoping to have all submissions drafted and approved by the 2nd week of July.

Attached to this email, for your overview, is a copy of your support message for Ms. Jayse Van Rooyen in 2012, and a copy of the informational card including rates. Please feel free to contact myself with the information below if you have any questions or concerns.

Make sure to vote for your candidate at [www.bcambassador.com](http://www.bcambassador.com)

Hope to hear from you soon,

Regards,

Alisa Saunders  
[A.Saund87@gmail.com](mailto:A.Saund87@gmail.com)  
780.934.7802

# Ladysmith, BC - Heritage by the Sea!



*Congratulations Jayse*

We are so proud of all you have accomplished!

We wish you great success  
in the BC Ambassador Program  
and the pursuit of your dreams.



LADYSMITH  
[www.ladysmith.ca](http://www.ladysmith.ca)

Your enthusiasm for life and your passion  
for making the world a better place are an  
inspiration to all, and most especially to  
the youth in our community.

~ Mayor, Council, and  
Citizens of Ladysmith

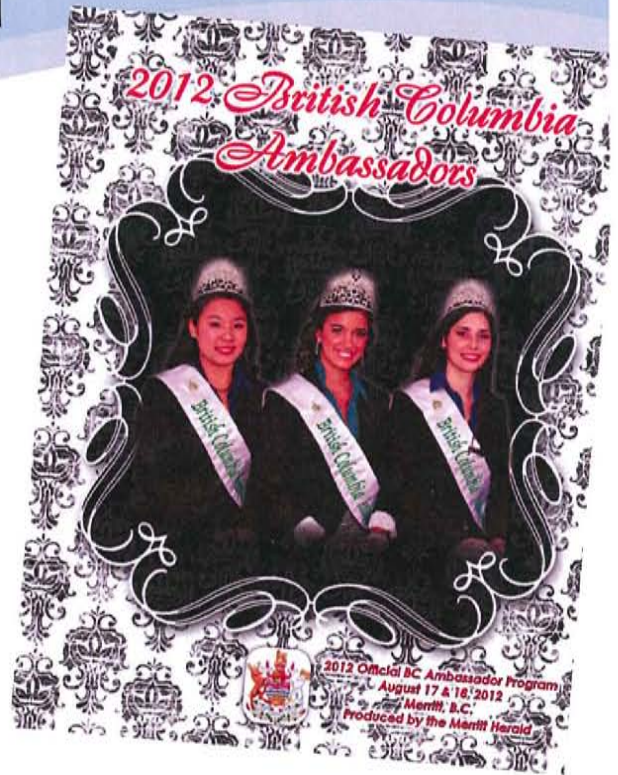
# BC Ambassador 2013

## PROGRAM

Information Sheet

The Merritt Herald is proud to be working in partnership with the BC Ambassador Program. This year's keepsake program will be available for all in attendance at the program in August.

Contestants, sponsors, businesses and organizations are welcome to participate in the 2013 edition.



### Sizes & Prices Available:

1/4 Page.....	\$77
1/2 Page.....	\$127
Full Page.....	\$222
Inside Cover (full colour).....	\$452
Inside Half Page (full colour).....	\$237
Back Cover (full colour).....	\$650

**Advertising & Editorial  
Deadline  
July 26, 2013**

Your Special Message: \_\_\_\_\_

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Candidates Name: \_\_\_\_\_

Sponsors Name: \_\_\_\_\_

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Stz'uminus First Nation 2nd annual water festival  
**Gordon's Peacock Society**

PO Box 1527  
Ladysmith, BC V9G 1B1  
**250-619-0659**



June 26, 2013

Sandy Bowden  
Town of Ladysmith  
PO Box 220  
Ladysmith, BC  
V9G 1A2

Dear Ms. Bowden

This is a not for profit incorporate event, Stz'uminus First Nation is holding the 2nd annual war canoe race, this year the event will be led by Gordon's Peacock Society.

Last year's race at Stz'uminus water front came to a grand total of \$9,600, which went towards rental of the portables \$1,200, emcee \$240, subsidized 11 man travel fees to those on mainland \$250 x2, payouts for all participants in the two day event 7u, 10u, 13u girls 13u boys, 17u women, and men singles \$30 1<sup>st</sup> \$15 2<sup>nd</sup> \$10 3<sup>rd</sup>, doubles \$60 1<sup>st</sup> \$40 2<sup>nd</sup> \$20 3<sup>rd</sup>, six man 6x \$30 1<sup>st</sup> \$15 2<sup>nd</sup> \$10 3<sup>rd</sup>, and eleven man 17u, 13u, women, and men canoes 11x \$30 1<sup>st</sup> \$15 2<sup>nd</sup> \$10 3<sup>rd</sup> which is given on first day of event and championship day Sunday is \$10-\$20 more for each race, and \$270 that was paid out to the society we went through last year; this was for the processing fees.

This year we are hoping to have a more successful year by adding more children and youth singles, doubles, six man and eleven man, as well 50 and over inactive single canoe, iron man singles for men and ladies to be added to the race schedule. Seeing that last year was a good start, we are expecting more to attend as we are doing more invites through communities, families, and friends to make this a more successful even, which is our goal for each year.

Given this point, ones again we are hoping that Inter Tribal Health Authority will contribute to this exciting cultural event that is fast approaching July 20-21. Please do not hesitate to call or email [abseymour@hotmail.com](mailto:abseymour@hotmail.com) for any questions.

With thanks,

Adam Seymour  
Gordon's Peacock Society

2013 Budgeted Canoe Race for

Total Prize monies for 2 day event	\$9,100
Pa Rental	\$220
Toilet Rentals	\$960
First Aid	\$300
travel subsidy for mainland canoes	\$1,200
Grand Total Event	\$11,780

\$ 3,640 First Day

Saturday Races 9 am start:

	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
Singles:			
7 under	20	10	5
9 under	20	10	5
11 under	20	10	5
14 under girls	20	10	5
14 under boys	20	10	5
16 under girls	20	10	5
16 under boys	20	10	5
18 under girls	20	10	5
18 under boys	20	10	5
Double:			
7 under double	40	20	10
9 under double	40	20	10
11 under double	40	20	10
14 under double	40	20	10
16 under double	40	20	10
Singles:			
Men	20	10	5
Women	20	10	5
Double:			
Men	40	20	10
Women	40	20	10
6man:			
14 under	120	60	30
16 under	120	60	30
Women (Long 6)	120	60	30
Men (Long 6)	120	60	30
11 man :			
14 under	220	110	55
16 under	220	110	55
Women	220	110	55
Men	220	110	55
Family	220	110	55

6 man 14 under and 16 under must have at least 3 girls, 11 man 14 under and 16 under must have at least 5 girls, family 11 man: 2 men, 2 women, and 4 girls and 3 boys

\$ 5,460 2<sup>nd</sup> Day

Sunday Races start at 10 am:

	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>
Singles:			
14 under single	30	20	10
16 under single	30	20	10
Women	30	20	10
Men	30	20	10
Double:			
14 under	60	40	20
16 under	60	40	20
Women	60	40	20
Men	60	40	20
6 Man:			
14 under	180	120	60
16 under	180	120	60
Women	180	120	60
Men	180	120	60
11 Man:			
14 under	330	220	110
16 under	330	220	110
Women	330	220	110
Men	330	220	110
Family	330	220	110

6 man 14 under and 16 under must have at least 3 girls, 11 man 14 under and 16 under must have at least 5 girls, family 11 man: 2 men, 2 women, and 4 girls and 3 boys.

\$ 9,100. TOTAL PRIZE MONEY