



# TOWN OF LADYSMITH

A REGULAR MEETING OF THE  
COUNCIL OF THE TOWN OF LADYSMITH  
WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON  
TUESDAY, AUGUST 6, 2013  
7:00 p.m.

## A G E N D A

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CALL TO ORDER 6:00 P.M. in order to retire immediately into Closed Session	
<b>1. AGENDA APPROVAL</b>	
<b>2. CLOSED MEETING</b> 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: <ul style="list-style-type: none"><li>• 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</li><li>• labour relations or other employee relations</li><li>• litigation or potential litigation affecting the municipality</li><li>• the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose</li></ul>	
<b>3. ARISE AND REPORT</b>	
<b>4. PUBLIC HEARING</b>	
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9.3. Councillor J. Dashwood Trolley Committee; Ladysmith Early Years Partnership; Cowichan Valley Regional District Community Safety Advisory Commission; Social Planning Cowichan Affordable Housing Directorate	
9.4. Councillor G. Horth Government Services Committee; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association	
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9.6. Councillor G. Patterson Community Health Advisory Committee; Youth Advisory Committee; Liquid Waste Management Committee	
9.7. Councillor S. Arnett Advisory Design Panel; Parks, Recreation and Culture Commission; Vancouver Island Regional Library Board; Celebrations Committee	
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<b>10.7. Select Tender for Equipment for Sewage Treatment Plan Upgrade Stage III</b>	<b>73 - 76</b>
<b>11. BYLAWS</b>	
<p><b>11.1. Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (no. 93) 2013, No. 1830</b>            May be read a third time and adopted            Bylaw 1830 is the subject of the Public Hearing earlier on the agenda (Agenda Item 2.1)</p>	<b>77</b>
<p><b>11.2. Town of Ladysmith Zoning Bylaw 1996, No. 1160, Amendment Bylaw (No. 94) 2013, No. 1831</b>            May be read a first and second time and the Public Hearing may be waived in accordance with s. 890(4)(b) of the Local Government Act.</p>	<b>78</b>
<p><b>11.3. Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw 2013, No. 95, 2013, No. 1832</b>            May be read a first and second time and the Public Hearing may be waived in accordance with s. 890(4)(b) of the Local Government Act.</p>	<b>79 - 80</b>
<p><b>11.4. Area G Zoning Bylaw 1180, 1988, Amendment Bylaw (no.2) 2013, No. 1833</b>            May be read a first and second time and the Public Hearing may be waived in accordance with s. 890(4)(b) of the Local Government Act.</p> <p>Bylaws 1831, 1832 and 1833 are the subject of a staff report under agenda item 6.1. The purpose of Bylaws 1831, 1832 and 1833 is to implement Zoning Bylaw amendments concerning medical marihuana.</p>	<b>81</b>
<b>12. CORRESPONDENCE</b>	
<p><b>12.1. Lt. Doug Judson, Ladysmith Fire/Rescue Grant-in-Aid Reallocation</b></p> <p><u>Staff Recommendation</u>            Council is considering a Government Services Committee recommendation that Council adopt amendments to the approved a Grant-in-Aid Policy (Agenda Item 9.4.1) as a result of its review of the proposed policy amendments at the July 15, 2013 Government Services Committee meeting. The amended Policy states:</p> <p><i>The primary purpose of a grant in aid is to provide financial assistance to an organization for a specific project or event that benefits the residents of the Town of Ladysmith. Funds must be used for the purpose for which they were requested. In the event that the project is not completed, the Town of Ladysmith reserves the right to request the return of the grant.</i></p>	<b>82</b>

It is therefore recommended that Council request the return of the unused grant, as donations to other parties are not an intended alternative use for Grant-in-Aid funding.

**12.2. Julian Payne, Assistant Deputy Minister, Local Government Division  
Gary MacIsaac, Union of B.C. Municipalities  
Achievement of Carbon Neutrality**

**83 - 85**

Staff Recommendation

That the correspondence received July 15, 2013 from the Green Communities Committee regarding the Town's achievement of carbon neutral status be received, and that staff be directed to add the 'carbon neutral' logo to Town letterhead, the website and other appropriate communications media and materials.

**13. NEW BUSINESS**

**13.1. September 16, 2013 Council Meeting**

The Union of B.C. Municipalities 2013 Convention is scheduled for Monday, September 16 to Friday, September 20. Mayor Hutchins and Councillors Dashwood, Horth and Arnett will be attending all or part of the convention. It is recommended that Council consider whether enough Council members will be in attendance in order to achieve quorum for the Monday, September 16 meeting of Council.

**14. UNFINISHED BUSINESS**

**15. 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.

**16. ADJOURNMENT**

**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 amended 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 2nd day of July, 2013

**READ A SECOND TIME** on the 2nd day of July, 2013

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

on the day of

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

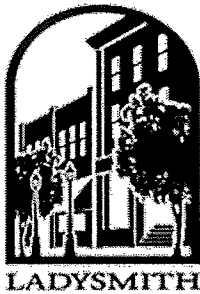
**APPROVED UNDER THE TRANSPORTATION ACT**

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: 3360-13-03

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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.

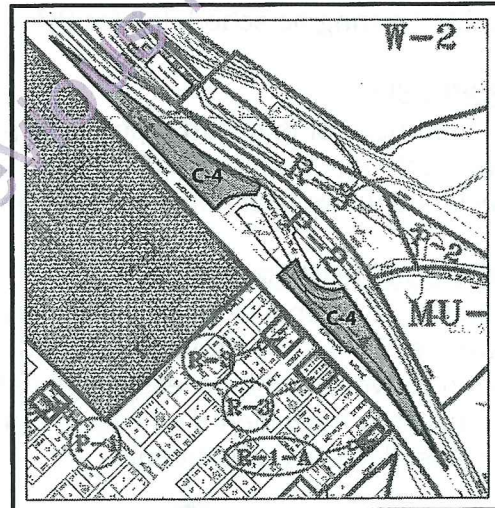
**Official Community Plan**

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.

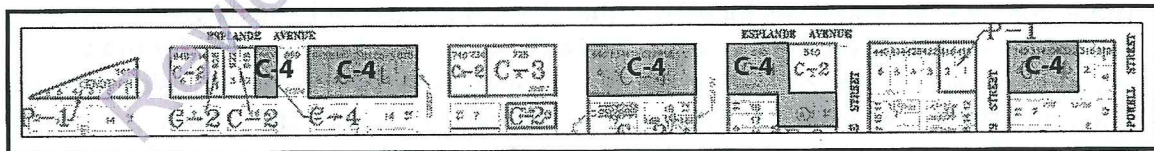
**SCOPE OF WORK:**

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.

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

ATTACHMENTS:

C-4 Zone  
Bylaw 1830





**TOWN OF LADYSMITH  
MINUTES OF A MEETING OF COUNCIL  
MONDAY, JULY 15, 2013  
COUNCIL CHAMBERS, CITY HALL  
7:00 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 Glenda Patterson

**COUNCIL MEMBERS ABSENT:**

Councillor Duck Paterson

**STAFF PRESENT:**

Ruth Malli	Erin Anderson	John Manson
Clayton Postings	Joanna Winter	

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**CALL TO ORDER**

Mayor Hutchins called the Regular Meeting Council to order at 6:25 p.m. in order to retire immediately into Executive Session.

**EXECUTIVE (CLOSED)  
SESSION**

CS 2013-247

It was moved, seconded and carried at 6:25 p.m. that Council retire into Executive (Closed) Session in order to consider the following matters:

- 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
- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment
- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

**REGULAR MEETING**

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

**AGENDA APPROVAL**

CS 2013-248

It was moved, seconded and carried that the agenda for the Council Meeting of July 15, 2013 be approved as amended with the following additions:

- 10.3 Boating Survey
  - 10.4 Homelessness Initiative
-

## MINUTES

**CS 2013-249** It was moved, seconded and carried that the minutes of the Regular Meeting of Council held July 2, 2013 be approved.

## DELEGATIONS

**Ken Bosma, Joe Friesenhan  
Rotary Club of Ladysmith**

K. Bosma and J. Friesenhan requested support in principle from Council for a proposed Rotary Club of Ladysmith project to build a retaining wall at the high water mark and bring in sand to improve the public beach at Transfer Beach Park. It was proposed that the Rotary Club carry out construction under the direction of Town staff, and that the Town agree to maintain the structure.

**CS 2013-250** It was moved, seconded and carried that support in principle be given to the proposal from the Rotary Club of Ladysmith to construct a retaining wall and bring in sand at Transfer Beach, subject to confirmation of availability of staff resources and approval of the Parks, Recreation and Culture Commission.

## REPORTS

**Leases in Town-owned Buildings on Oyster Bay Drive (Machine Shop and Outbuildings)**

**CS 2013-251**

It was moved, seconded and carried that

1. The current lease rate of \$5 per square foot be maintained for existing commercial/industrial leases in the Machine Shop, Splicing Shed, First Aid Shed and Round House on Oyster Bay Drive;
2. Unit H of the Machine Shop be leased to the Ladysmith and District Arts Council, at a rate to be negotiated;
3. The lease with the Ladysmith Maritime Society for the Car Shop and for Units C, I and M of the Machine Shop be renewed for a two year period at the rate of \$1.00 per unit per year;
4. Staff be directed to issue a call for proposals for tenants for Unit B of the Machine Shop; and
5. A rate be negotiated with all users of the common bathroom in reimbursement for cleaning and supplies.

**CS 2013-252**

**Tender Award – Water Supply System Chlorination Upgrade**

It was moved, seconded and carried that the Arbutus Water Treatment Plant, Phase I – Chlorination tender be awarded to Knappet Industries (2006) Ltd., in the amount of \$1,317,700.00 plus applicable taxes.

## CORRESPONDENCE

**John Elzinga, Cowichan Valley Regional District**

**Request to meet with Parks, Recreation and Culture Commission**

**CS 2013-253**

It was moved, seconded and carried that the Parks, Recreation and Culture Commission be requested to meet with representatives of

the Cowichan Valley Regional District regarding the development of a strategy for Sports Tourism in the Cowichan Region.

**Donna Reimer, School District 68**

**Appointment of Facilitator for Extended Consultation Process**

**CS 2013-254**

It was moved, seconded and carried that the Town offer to facilitate the establishment of a Task Force to provide input to the School District 68 Extended Consultation Process on the Proposed Enhanced Facilities Plan, and that members of the Task Force include Mayor Hutchins, Councillor Drysdale, Electoral Area Representatives for Cowichan Valley Regional District Areas G and H, and Parents' Advisory Councils for North Oyster School, Ladysmith Secondary School, Ladysmith Intermediate School, Ladysmith Primary School, Ecole Davis Road, and Stz'uminus First Nation representatives.

**NEW BUSINESS**

**Town of Ladysmith Annual Report for the Year Ended December 31, 2012**

Council responded to questions from members of the public concerning the 2012 Town of Ladysmith Annual Report.

**CS 2013-255**

It was moved, seconded and carried that the Annual Report for the Town of Ladysmith for the year ended December 31, 2012 be approved as amended.

**Determination of Town of Ladysmith Delegates to Union of British Columbia Municipalities 2013 convention**

**CS 2013-256**

It was moved, seconded and carried that Mayor Hutchins and Councillors Arnett, Horth and Dashwood represent the Town of Ladysmith as delegates at the 2013 Union of British Columbia Municipalities annual convention.

**NEW BUSINESS**

**Boating Survey**

**CS 2013-257**

It was moved, seconded and carried that the Ladysmith Chamber of Commerce be requested to work with the Ladysmith Maritime Society and Ladysmith Downtown Business Association to undertake an economic impact survey of visiting boaters at the Ladysmith Maritime Society Community Marina.

Councillor Arnett volunteered to assist in this initiative.

**Homelessness Initiative**

Councillor Dashwood advised Council that there will be a public event in support of homelessness initiative in Ladysmith, to take place in August, with details to follow.

## EXECUTIVE SESSION

CS 2013-258

### ARISE AND REPORT

It was moved, seconded and carried at 7:55 p.m. that the Executive (Closed) Session of Council resume after a two minute recess.

Council arose from Executive (Closed) Session at 8:11 p.m. with report on the following items:

- That the following individuals be reappointed to Town Advisory Commissions:
  - Ron Kinney, Kaien Shimizu (Advisory Design Panel)
  - Pamela Fraser (Advisory Planning commission)
  - Jennifer Robinson, Gerry Beltgens (Heritage Revitalization Advisory Commission)
  - Chantal Blumel, William Vandergrift, John Perry (Parks, Recreation and Culture Commission)
- That staff be directed to advertise Commission vacancies to the general public
- That the Cowichan Valley Regional District Directors for Areas G and H be requested to nominate candidates to represent their electoral areas on the Parks, Recreation and Culture Commission

## ADJOURNMENT

CS 2013-259

It was moved, seconded and carried that this Meeting of Council be adjourned at 8:11 p.m.

CERTIFIED CORRECT:

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: July 24, 2013  
File No: 3360-13-04

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

**RECOMMENDATION(S):**

1. That Council give first reading and second reading to the following bylaws:
  - a) “Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 94), 2013, No. 1831”
  - b) “Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 95), 2013, No. 1832”
  - c) “Area “G” Zoning Bylaw 1180, 1988, Amendment Bylaw (No. 2), 2013, No. 1833”;

and further, that Council waive the Public Hearing for Bylaws 1831, 1832 and 1833 in accordance with Section 890(4)(b) of the Local Government Act as these Bylaws are consistent with the Official Community Plan.

2. That Council direct staff to refer Bylaws 1832 and 1833 to the Stz’uminus First Nation at the next meeting of the Naut ‘sa mawt Steering Committee.
3. That Council Resolution No. 2013-237 directing staff to proceed with the preparation of 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 be rescinded.

**PURPOSE:**

The purpose of this staff report is to present three zoning bylaw amendment bylaws for consideration by Council.

**INTRODUCTION/BACKGROUND:**

At its meeting held July 2, 2013, Council provided the following direction to staff.

*It was moved seconded and carried that staff be directed 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. (Resolution CS 2013-236)*

*It was moved seconded and carried that staff be directed 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. (Resolution CS 2013-237)*

Staff are bringing the above resolution CS 2013-237 back to Council as, upon detailed researched, it was determined that none of the parcels within the affected area meet the minimum 8.0ha parcel size.

*It was moved seconded and carried that staff be directed 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. (Resolution CS 2013-238)*

**SCOPE OF WORK:**

The stage of this proposal is to present three bylaws for consideration by Council.

**Bylaw 1831**

Bylaw 1831 proposes to amend Town of Ladysmith Zoning Bylaw 1160 by amending the Urban Rural Residential Zone (UR-1) to remove “agriculture, horticulture, silviculture and greenhousing” as a permitted use and associated regulations.

**Bylaw 1832**

Bylaw 1832 proposes to amend Town of Ladysmith Zoning Bylaw 1160 by adding a definition for “medical marihuana growing and production” and adding this use to the Heavy Industrial Zone (I-2) in the South Ladysmith Industrial Park.

**Bylaw 1833**

Bylaw 1833 proposes to amend Zoning Bylaw 1180 by adding a definition for “medical marihuana growing and production” and adding this use to the A-1 Zone – Primary Agriculture. These properties are mostly located within the Agriculture Land

Reserve where medical marihuana growing and production would be a type of farming that is permitted in the ALR.

Note: Uses permitted in the A-1 Zone are also permitted in the A-4 zone so it was not necessary to add the A-4 zone to amending Bylaw 1833.

ALTERNATIVES:

That Council identify other locations where agriculture, horticulture, silviculture, greenhousing 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 is the Town's cost.

LEGAL IMPLICATIONS:

As the proposed bylaws are consistent with the OCP, Council may waive the holding of the public hearing. Statutory notice is required prior to third reading of the bylaw.

Bylaws 1832 and 1833 will require approval by the Minister of Transportation and Infrastructure as some of the affected properties are located within 800 metres of a controlled access highway (Peerless Road). Statutory notice is required to be delivered to property owners for these two bylaws.

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 has been referred to other Town Departments for input.

RESOURCE IMPLICATIONS:

Processing zoning bylaw amendments is a core function of the Development Services Department.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

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:**

Three bylaws are presented for Council's consideration and the waiving of the public hearing requirement as the bylaws are consistent with the Official Community Plan. These bylaws have the effect of implementing the Official Community Plan and identifying 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 Malli, City Manager

**ATTACHMENTS:**

Bylaws 1831, 1832, 1833



**TOWN OF LADYSMITH**

**BYLAW NO. 1831**

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

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

**AND WHEREAS** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

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

1. The "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended as follows:

(1) Section 7.0 "Urban Rural Residential Zone (UR-1)" is amended by:

(a) Deleting Section 7.1 'Permitted Uses' in its entirety and replacing it with the following:

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

- (a) single family residential dwelling;
- (b) home occupation;
- (c) bed and breakfast."

(b) Amending Section 7.2 'Conditions of Use' as follows:

(i) Deleting subsection (1) in its entirety and replacing it with the following: "(1) The maximum parcel coverage shall not exceed 33.0 percent.";

(ii) Deleting subsection (4) in its entirety;

(iii) Deleting subsection (5) in its entirety;

and renumber accordingly.

**CITATION**

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.94), 2013, No. 1831".

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

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

**PUBLIC HEARING** waived pursuant to s. 890(4)(b) of the *Local Government Act*

on the day of

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

**ADOPTED** on the day of

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

**TOWN OF LADYSMITH**

**BYLAW NO. 1832**

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** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

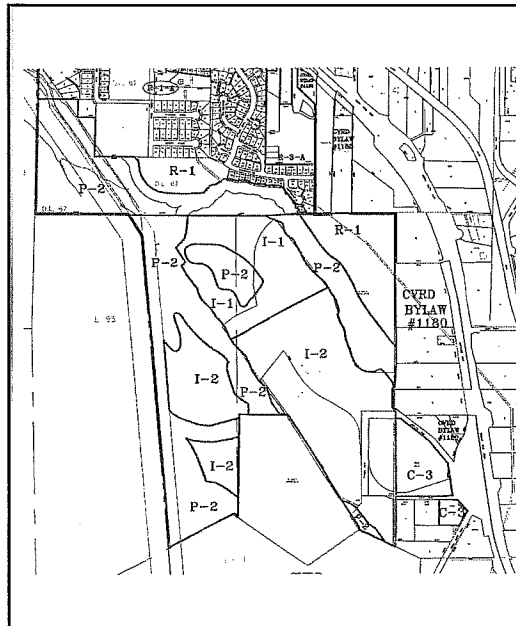
**NOW THEREFORE** the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. The "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended as follows:
  - (1) Section 4.0 "Definitions" is amended by adding a new definition immediately following the definition of 'marshalling yard':

"medical marihuana growing and production: means the growing and production of marihuana for medical purposes, as permitted under the Marihuana for Medical Purposes Regulation (MMPR), and any subsequent regulations or acts which may be enacted in substitution therefor."
  - (2) Section 27.0 "Heavy Industrial Zone (I-2)" is amended by:
    - (a) Adding the following to Section 27.1 'Permitted Uses':

"(k) subject to section 27.2(4), medical marihuana growing and production."
    - (b) Adding the following to Section 27.2 'Conditions of Use':

"(4) Despite section 27.1(k), the locations where medical marihuana growing and production use is permitted are restricted to land shown zoned I-2 within the area included on the map below."



“

**CITATION**

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.95), 2013, No. 1832".

**TOWN OF LADYSMITH**

**BYLAW NO. 1833**

A bylaw to amend "Area "G" Zoning Bylaw 1180, 1988"

**WHEREAS** by supplementary letters patent issued June 21, 2002 (the "Supplementary Letters Patent"), the boundaries of the Town of Ladysmith were extended to include certain areas formerly within Electoral Area "G" of the Cowichan Valley Regional District (the "Regional District");

**AND WHEREAS** pursuant to the Supplementary Letters Patent and the provisions of the *Local Government Act* the Regional District's Electoral Area "G" Zoning Bylaw 1180, 1988 continues to apply to those areas, and may be amended with respect to those areas, as if it had been enacted by the Municipal Council;

**AND WHEREAS** the Municipal Council considers it advisable to amend "Area "G" Zoning Bylaw 1180, 1988";

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

1. The "Area G Zoning Bylaw 1180, 1988" as amended is hereby further amended as follows:
  - (a) Section 3.1 of Part Three 'Definitions' is amended by adding a new definition immediately following the definition of 'lane':
 

“medical marihuana growing and production” means the growing and production of marihuana for medical purposes, as permitted under the Marihuana for Medical Purposes Regulation (MMPR), and any subsequent regulations or acts which may be enacted in substitution therefor.”
  - (b) Section 7.1 'A-1 Zone - Primary Agriculture' of Part Seven 'Agriculture and Forestry Zones' is amended by:
    - (i) Adding the following to Section 7.1(a) 'Permitted Uses':
 

“(11) medical marihuana growing and production”

**CITATION**

2. This bylaw may be cited for all purposes as "Area "G" Zoning Bylaw 1180, 1988", Amendment Bylaw (No. 2), 2013, No. 1833".

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

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

**PUBLIC HEARING** waived pursuant to s.890(4)(b) of the *Local Government Act*

on the \_\_\_\_\_ day of \_\_\_\_\_

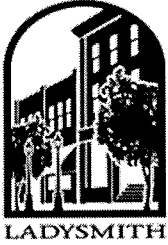
**READ A THIRD TIME** on the \_\_\_\_\_ day of \_\_\_\_\_

**APPROVED** by the Minister pursuant to the provisions of the *Transportation Act*

on the \_\_\_\_\_ day of \_\_\_\_\_

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_

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



## Town of Ladysmith

### **COMMITTEE REPORT**

To: Mayor and Council  
From: Government Services Committee  
Date: July 17, 2013  
File No:

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Re: **GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS – July 15, 2013**

At its July 15, 2013 meeting, the Government Services Committee recommended to Council the following:

1. That Council confirm its sponsorship in the amount of \$1,500 for the proposed documentary about the Vancouver Island Miners' Strike, to be produced by Razmataz Productions, on receipt of written confirmation of script approval from the Ladysmith and District Historical Society.

**For Council's Information:**

Written confirmation of scrip approval has been received from the Ladysmith and District Historical Society

2. That Council approve the proposed Grant-in-Aid policy as presented.

**For Council's Information:**

The Committee considered proposed amendments to the Parks, Recreation and Culture Fees and Charges as outlined below. In addition, the Committee recommended that the proposed amendments be referred to the Parks, Recreation and Culture Commission for review. The Commission has reviewed and approved the following recommendations. The Commission's recommendations to Council are included for Council's consideration as Agenda Item 9.4.1

- a. That Council approve the following additions to the Parks, Recreation and Culture Fees and Charges Policy No. 05-1810-E:
- b. At the end of the second paragraph under the heading "Fees and Charges Policy" (page 1), add "Fees and charges will be reviewed annually and any pricing adjustments will be effective September 1<sup>st</sup>;
- c. Under the "General Admissions Programs" heading (page 3), update user classifications to read:
  - Adult – 19 years of age and older
  - Senior – 60 years of age and older

- Youth 13 years of age to 18 years
  - Child – 3 years of age to 12 years
  - Tot – 0 to 36 months of age
- d. That Council consider the following changes to Parks, Recreation and Culture Fees and charges Bylaw 1809 relating to user fees for Frank Jameson Community Centre and other Parks and Recreation facilities:
- Increase admissions and passes by three percent effective September 1, 2013, relating to Youth, Adult and Senior (Child rate – no change)
  - Increase Family Admissions to equal two Adult Admissions
  - Increase Facility Rental rates by three percent
  - Provide free General Admission access to any member of the community who is 80 years or older
  - Move parks-related fees (memorial bench, tree and picnic tables) from Bylaw 1752 to Bylaw 1809
- e. That Council permit one percent of all annual admissions and pass revenue associated with the fitness centre to be directed into an equipment reserve fund effective January 1, 2014.
- f. That Council request staff to report back with recommendations for a plan to make Town of Ladysmith fees and charges consistent with neighbouring communities over the coming two to three years.
- g. That Council request staff to report back with proposals for a family rate structure for monthly or quarterly passes.
- h. That Council refer the recommended proposed to the Parks, Recreation and Culture fees and charges to the Parks, Recreation and Culture Commission for review and comment.



Town of Ladysmith  
**STAFF REPORT**

To: Council  
From: Parks, Recreation & Culture Commission  
Date: July 29, 2013  
File No: 8160-01

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**RE: PARKS, RECREATION AND CULTURE FEES AND CHARGES**

**RECOMMENDATION:**

THAT Council consider the following recommendations from the Parks, Recreation & Culture Commission:

1. Additions to the Parks, Recreation and Culture Fees and Charges Policy No. 05-1810-E:
  - At the end of the second paragraph under the heading “Fees and Charges Policy” (page 1) add “Fees and charges will be reviewed annually and any pricing adjustments will be effective September 1<sup>st</sup>.”
  - Under the “General Admissions Programs” heading (page 3) update user classifications to read:
    - Adult - 19 years of age and older
    - Senior - 60 years of age and older
    - Youth - 13 years of age to 18 years
    - Child - 3 years to 12 years
    - Tot - 0 to 36 months of age; and that
2. Council consider the following changes to Bylaw 1809 relating to user fees for Frank Jameson Community Centre and other Parks & Recreation facilities:
  - Increase admissions and passes by 3 percent effective September 1, 2013, relating to Youth, Adult and Senior (Child rate: no change)
  - Increase Family admissions to equal 2 adult admissions
  - Create a Family Pass which would include a 1 month pass option which would equal 2 adult passes for the same period
  - Provide free general admission access to any member of the community who is 80 years of age or older
  - Move parks-related fees (memorial bench, tree and picnic tables) from Bylaw 1752 to Bylaw 1809; and that
3. Council consider the following changes to the Parks, Recreation & Culture Budget:
  - Permit 1 percent of all annual admission and pass revenues associated with the fitness centre to be directed into an equipment reserve fund, effective January 1<sup>st</sup>, 2014

INTRODUCTION/BACKGROUND:

At the Government Services Committee meeting dated July 15, 2013, a staff report was considered in relation to proposed changes to the Parks, Recreation & Culture Fees & Charges bylaw and policy. The Committee referred the report to the Parks, Recreation & Culture Commission for comment.

On July 24, 2013 the Parks, Recreation & Culture Commission met and discussed the proposed changes. The Commission supported the recommendations as presented.

It was also requested by Council on July 15, 2013 that Staff provide information to Council regarding the Leisure Access Card Program. This information is attached.

ALTERNATIVES:

1. Make all changes outlined in recommendations except for fee increases, a multi-phase plan for 2014 commencing in January, with the objective to move the final phase of approved fees and charges to September 1, 2014, would be developed and brought back to council for review.
2. Prepare a multi-phase plan for 2014 commencing in January, with the objective to move the final phase of approved fees and charges to September 1, 2014.
3. Maintain the current process.

FINANCIAL IMPLICATIONS:

A 3-percent increase effect September 1, 2013 to December 31, 2013 will assist in supporting the 2013 budget projections with anticipated additional revenues of \$3000.00

LEGAL IMPLICATIONS:

There is no legal implication identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Currently Ladysmith has the lowest fees for recreational opportunities in the region; even with the recommended changes affordable access to services will be maintained. In addition, patrons who reside within the Town boundaries and have a limited income may apply for a Leisure Access pass, which provides a 50-percent discount on admissions.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services would be required in changing existing Fees & Charges Bylaw.

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:

A 3-percent increase will better allow the department to support budget expectations. Fees & Charges will continue to be regularly evaluated as per the Fees & Charges policy, ensuring rates are affordable, while also being competitive and allowing defined service levels to be maintained.

I concur with the recommendations.

*Ruth Malli*

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Ruth Malli, City Manager

ATTACHMENTS:

Appendix A – Proposed 2013 Admission & Rental Rates

Appendix B – Current Admission Comparison

Appendix C - Parks, Recreation and Culture Fees and Charges Policy No. 05-1810-E

Appendix D – Bylaw 1809 Fees & Charges

Appendix E – Leisure Access Information



**Appendix A – Proposed Admission Rates (rates do not include GST)**

<b>Single Admissions</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	2.60	No Change
Youth (13-18) / Student (with valid Student Card)	3.46	3.55
Adult (19-59)	4.96	5.10
Senior (60-79)	3.46	3.55
Family (up to 2 adults and immediate children)	8.65	10.20
Over 80	Free	
<b>10-Visit Pass</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	22.04	No Change
Youth (13-18) / Student (with valid Student Card)	29.51	30.40
Adult (19-59)	41.80	43.05
Senior (59-79)	29.51	30.40
Family (up to 2 adults and immediate children)	73.08	87.80
Over 80	Free	
<b>30-Visit Pass</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	-	-
Youth (13-18) / Student (with valid Student Card)	78.32	80.65
Adult (19-59)	110.29	113.60
Senior (59-79)	78.32	80.65
Family (up to 2 adults and immediate children)	-	-
Over 80	Free	
<b>1-Month Pass</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	-	-
Youth (13-18) / Student (with valid Student Card)	34.97	36.00
Adult (19-59)	43.76	45.05
Senior (59-79)	34.97	36.00
Family (up to 2 adults and immediate children)	-	-
Over 80	Free	
<b>3-Month Pass</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	-	-
Youth (13-18) / Student (with valid Student Card)	94.53	97.35
Adult (19-59)	118.17	121.70
Senior (59-79)	94.53	97.35
Family (up to 2 adults and immediate children)	-	-
Over 80	Free	

<b>6-Month Pass</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	-	-
Youth (13-18) / Student (with valid Student Card)	178.50	183.85
Adult (19-59)	223.17	229.85
Senior (59-79)	178.50	183.85
Family (up to 2 adults and immediate children)	-	-
Over 80	Free	

<b>12-Month Pass</b>	<b>Current</b>	<b>Proposed</b>
Tot (0-36 mos.)	Free	
Child (3-12)	-	-
Youth (13-18) / Student (with valid Student Card)	338.60	348.75
Adult (19-59)	424.53	437.25
Senior (59-79)	338.60	348.75
Family (up to 2 adults and immediate children)	-	-
Over 80	Free	

**SURVEY OF FEES AND CHARGES - 2013  
GENERAL ADMISSION**

COMMUNITY	RATES EFFECTIVE (MM/DD/YR)	CHILD	YOUTH / STUDENT	SENIOR	ADULT	FAMILY	INFORMATION
Ladysmith	01/01/2013	\$ 2.75	\$ 3.65	\$ 3.65	\$ 5.20	\$ 9.10	Current rates with GST
Cowichan Aquatic Centre	09/01/2012	\$ 2.75	\$ 4.25	\$ 4.25	\$ 5.75	\$ 12.00	Approved 6% increase in 2013, following HST removal
Nanaimo	09/01/2012	\$ 3.50	\$ 5.00	\$ 5.00	\$ 6.50	\$ 13.00	Approved 2-3% increase each year for 2013 to 2016
Parksville/Qualicum (Ravensong Aquatic Centre)	09/01/2012	\$ 2.87	\$ 3.82	\$ 4.27	\$ 5.46	\$ 11.04	Approved 4-5% increase for September 2013
Campbell River	09/01/2012	\$ 2.75	\$ 3.75	\$ 4.00	\$ 5.50	\$ 11.00	
Comox Valley Sports Centre		\$ 2.80	\$ 3.35	\$ 4.35	\$ 5.30	\$ 11.05	
Comox Valley Aquatic Centre		\$ 2.95	\$ 3.50	\$ 4.60	\$ 5.50	\$ 11.70	
Cowichan Arena	09/01/2012	\$ 3.00	\$ 3.75	\$ 4.00	\$ 5.75	\$ 12.00	
Esquimalt		\$ 2.75	\$ 3.00	\$ 4.25	\$ 5.75	\$ 11.50	
Fuller Lake		\$ 2.75	\$ 3.50	\$ 3.75	\$ 5.00	\$ 10.00	
Gold River	09/01/2012	\$ 3.25	\$ 3.50	\$ 3.50	\$ 4.50	\$ 10.00	
Juan de Fuca	04/01/13	\$ 3.10	\$ 4.40	\$ 4.40	\$ 6.00	\$ 12.00	
Lake Cowichan		\$ 2.25	\$ 3.00	\$ 3.00	\$ 3.75	\$ 9.00	
Oak Bay	04/01/2013	\$ 3.40	\$ 5.25	\$ 5.25	\$ 6.75	\$ 13.50	
Parksville (Oceanside Place)	09/01/2012	\$ 2.87	\$ 3.82	\$ 4.27	\$ 5.46	\$ 11.04	
Port Alberni	07/01/12	\$ -	\$ 3.00	\$ 3.00	\$ 5.00	\$ 12.00	
		\$ -	\$ 4.75	\$ 4.75	\$ 8.25	\$ 18.00	
Port Hardy	Till July 31/13	\$ 2.95	\$ 3.50	\$ 2.95	\$ 4.60	\$ 10.00	
Port McNeill		\$ 2.50	\$ 3.00	\$ 3.00	\$ 4.00	\$ 9.00	
Powell River	04/01/13	\$ 3.10	\$ 4.20	\$ 4.70	\$ 5.55	\$ 11.10	
Panorama Recreation		\$ 3.50	\$ 5.00	\$ 5.50	\$ 6.75	\$ 13.50	
Sooke	09/01/2012	\$ 2.90	\$ 3.45	\$ 4.35	\$ 5.75	\$ 11.50	
Saanich/Commonwealth Place	04/01/13	\$ 3.25	\$ 5.25	\$ 5.25	\$ 6.25	\$ 12.50	
City of Victoria		\$ 2.80	\$ 3.75	\$ 4.20	\$ 5.40	\$ 10.80	
<b>AVERAGE VANCOUVER ISLAND</b>		\$ 2.94	\$ 3.89	\$ 4.18	\$ 5.57	\$ 11.51	
<b>AVERAGE REGION</b>		\$ 2.97	\$ 4.18	\$ 4.29	\$ 5.73	\$ 11.29	CVRD, North Cowichan, Nanaimo, RDN
<b>VARIANCE:</b>		\$ 0.22	\$ 0.53	\$ 0.64	\$ 0.53	\$ 2.19	Difference between Ladysmith and region

**NOTE: ALL CURRENT RATES WITH GST INCLUDED**

**TOWN OF LADYSMITH**  
**POLICIES AND PROCEDURE MANUAL**

<b>TOPIC:</b>	<b>FEES &amp; CHARGES – Dept. Parks Recreation &amp; Culture</b>		
<b>APPROVED BY:</b>	Council	<b>DATE:</b>	Oct. 07, 2002
<b>RESOLUTION #:</b>	02-344		

*(Amended from)*

**Criteria to Use When Considering Grant Requests**

**1 (low) through 5 (high)**

- Indirect benefit to residents of the community.  
i.e. Youth Event. Proactive approach to policing / social services  
Event designed to encourage positive behaviour amongst youth.
- Socially worthwhile  
i.e. Contributes to sense of community
- Immediate Economic impact within the community
- Long term economic impact / exposure to the community
- Contributes to the quality of life experience for all residents

\* Minimum score of 15 to be advanced for resolution.

**FEES AND CHARGES POLICY**

The following policy pertains to the Department’s three major service areas of pre-registered programs, general admissions and facility rentals. This policy is consistent with, and derived from, the preceding Fees and Charges principles and Leisure Services justification. It will provide the guidelines for the development of the additional policy, which may be necessary to address specific and at times, changing community needs. e.g. employee wellness, economically disadvantaged, etc.

Fees and charges policy development, implementation and evaluation is a dynamic process. Regular policy review and adjustment will occur to ensure that the policy addresses current community needs.

**A. PRE-REGISTERED PROGRAMS**

*Principles:*

Fees for programs sponsored directly by the Department will be based on the following principles:

- The fees will be partially based on recovery of direct cost.
- The fees will encourage maximum public participation and at the same time, minimize, within reason, the tax subsidy.
- Users will be responsible for financially contributing to their recreation activity.

*Direct Cost Recovery:*

Registered programs are to recover the direct costs of the program. Direct program costs include:

- **Materials:** Includes all items necessary to ensure the program meets recognized standards. This includes items such as arts and crafts supplies, balls and nets, camping equipment, vehicle and equipment rental, tools and parts, stationary and printing, program cards and badges, candidate fees, etc.
- **Leadership:** Includes all persons directly involved in the teaching, coaching and immediate supervision of a program or activity. This category refers to all leaders, instructors and activity supervisors, whether paid by wage, honorarium (and/or contract).
- **Transportation:** Includes vehicle lease, rentals, tolls, fuel and labour costs.
- **Facilities:** Includes admission rates or rentals of non-district recreation facilities.
- **Administrative Surcharge:** A 10% surcharge, (15% for aquatic programs) based on the total amount of all other direct program costs, will be included as part of the Direct Program Cost. The surcharge is to compensate for other indirect costs associated with the program production, e.g. administration / supervision, facility fixed charges, advertising, etc.

Pricing for programs will reflect fees based on staff and material costs and contribute a portion to administrative services.

*Target margin:*

<u>Dryland Programs</u>	<u>Aquatic Programs</u>
Preschool programs – 5%	Beginners – 15%
Youth programs – 10%	Advanced – 25%
Adult programs – 20%	

Fees will be determined through a program cost analysis to be reviewed annually.

*Factors for Consideration:*

Other factors which may be taken into account when establishing program fees are:

- Program fees charged by other agencies and municipalities for similar services.
- **Grants:** If the Department is successful in obtaining provincial or federal grant funding or funding from corporate sponsors, the standard program fees may be decreased in order to encourage greater participation, e.g. summer playgrounds, community special events, special interest programs, etc.
- **Developmental Programs:** May not initially recover costs but are continued at a loss in order to encourage and promote interest. It is expected however, that over a period of time, these programs will break even.
- “Loss Leader” or “Service” programs are programs which provide service to

patrons of other functions within the operation. These "Loss Leaders" are considered necessary for the success of other "profitable" operations within the facility, e.g. child minding, free introductory sessions, etc.

**B. GENERAL ADMISSION PROGRAMS**

The Town of Ladysmith is one of several leisure delivery agencies operating within the geographic region of the CVRD. If one organization is not price consistent with other agencies providing comparable service, the demand for their service will vary accordingly.

Consistent with the principle outlined in this policy, general admission fees should not be so high as to prohibit the participation of the majority of the public, but not so low as to ignore the obligation of the user to pay for service and minimize the cost to the taxpayer.

In consideration of the above, and within the principles and rational of the Fees and Charges policy, the following General Admission pricing policy will apply.

*User Classifications:*

Adult	-	People 19 years of age or older
Senior Citizens	-	People 60 years of age or older
Children	-	Boy and Girls 5 to 12 years of age
Students	-	Youth between 13 and 18 years of age
Pre-school	-	Less than 5 years of age

Family – Parent(s) or guardian(s) with dependent children aged 18 or under.  
 \*Family rate pays for one or both parents/guardians plus up to four (4) children, whether related or not, or all the children in the same family even if there are more than four.

General Admission Programs will include but not necessarily be limited to: swimming, aerobics and recreational sports. A base rate for all General Admission Programs which will be equal to the adult admission rate and will be determined by:

- a) a market analysis of comparable services in the CVRD and
- b) consideration of inflationary costs providing the service.

*Degree of Subsidy:*

The fee structure as a percentage of the base rate for the respective user classification will be as follows:

0% Adult

25%	Seniors	→
50%	Children	
25%	Students	
100%	Pre-school Families	The rate equal to 2 adults

Strip or multiple admission tickets may be available for up to 20% off applicable single rates for multiple admissions.

Other passes may be developed where appropriate to facilitate long term use. e.g. three to twelve month passes may be available at 24 and 75 times their respective single admission rates.

The Director of Parks, Recreation and Culture will have the authority to waive or reduce set fees for programs and services not identified in the Fees and Charges scheduled to provide for unusual, promotional and /or experimental purposes.

### C. FACILITY RENTALS

#### *Principles:*

Fees for facilities run by the Department will be consistent with the rational and principles described in this policy and with specific consideration given to:

- CVRD market rate for facility services of same or similar nature.
- Users contribution to the voluntary provision of recreation opportunities for the Ladysmith community.
- Users ability to pay
- The encouragement of responsible and efficient use of facilities.
- Maximize revenue potential to recover maintenance, capital and labour costs and minimize financial burden to the taxpayer.
- Ensure fee equity to facilities of same or similar size and quality.

The base rate for all facility rentals will be established and be consistent with the rate of same or comparable facilities in the CVRD market. Variations of the base rate in consideration of the aforementioned principles will be designated to various categories of use. The categories are as follows:

#### *User Categories:*

- 1.) Official Town functions and special status groups/events sanctioned by the Town of Ladysmith.
- 2.) Registered non-profit volunteer groups that use facilities for the provision of leisure oriented activities that are open to all citizens or the neighbourhood and/or community.
- 3.) Private, educational, religious, labour, government, political and social service agencies, social/sports clubs, groups, and/or individuals.
- 4.) Commercial / Business

*Degree of Subsidy:*

Facility subsidy will increase with the degree to which the user group generally supports and/or contributes to the Municipality's mandate of providing public leisure services and are as follows (figures shown reflect percentage subsidy of regular rate):

Users		Percentage of Subsidy
1	Town	100
2	Registered non-profit volunteer community leisure groups/service clubs	50
3	Private, Religious, Political, Government	0
4	Commercial/Business	(20)

The above subsidies apply to the rental fees only of general purpose program spaces within the Department's Community Recreation Facilities. Additional direct costs such as materials, custodial services, etc., will be born 100% by the renter. The subsidies do not apply to major specialized facilities such as the pools. Subsidies for those facilities may be considered on an individual basis and in the context of the CVRD market and the principles provided in this policy. Reductions in fees may be made for groups and low priority times to facilitate maximum use of facilities in conjunction with other section managers.

*Requests for Waiving of Fees:*

The Department cannot waive fees but it can work cooperatively with organizations on joint programs where there is clear proof of benefit. All requests for joint initiatives will be addressed to the Director of Parks, Recreation & Culture and forwarded to the Parks and Recreation Commission for their consideration.

Council will not waive the fee but will provide a grant to the group to cover all, or a portion of the fee.



The following items should be considered in recommending whether Council provides a grant:

- a) Parks, Recreation & Culture Dept. recommendation
- b) grants will be limited to fund raising events
- c) grants will only be considered for Ladysmith based non-profit organizations.
- d) only one grant per organization will be considered in one calendar year and
- e) rating form.

NOTE\* Volunteer non-profit groups will be provided space at no charge for public service functions such as registrations, equipment swaps, etc. Each group would be limited to three per year and provided only on availability of the facility.

# 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".

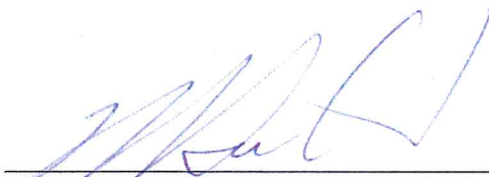
**READ A FIRST TIME** on the 19<sup>th</sup> day of November, 2012


**READ A SECOND TIME** on the 19<sup>th</sup> day of November, 2012

**READ A THIRD TIME** on the 19<sup>th</sup> day of November, 2012

**ADOPTED** on the 3<sup>rd</sup> day of December, 2012



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

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

**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

(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 E

### Leisure Access Program

The Town of Ladysmith recognizes that participation in recreation leisure activities is important for achieving a healthy lifestyle. The Leisure Access Program provides a greater opportunity for all citizens of Ladysmith to use municipal recreation services. The Leisure Access Program ensures that residents of Ladysmith with a limited income have access to programs and facility passes in a way that does not incur any additional direct operational or program expenses to the Town of Ladysmith.

Eligible participants will receive a 50-percent subsidy on admissions and a 50% subsidy on one registered program opportunity per season (4 program seasons per year). This excludes co-sponsored programs unless the cosponsor agrees to contribute to the subsidy.

This program is advertised in our Active Living Guide, on the Town webpage, and at Frank Jameson Community Centre, Aggie Hall, and Ladysmith Resource Centre. Staff also work with the Ministry of Children and Families to ensure Ladysmith clients have access to this program.

There are approximately 250 clients enrolled in our program with clients applying annually.

	2010	2011	2012
Total Single Admissions	1,440.08	1,784.83	2,140.98
Total Passes	2,687.55	2,731.52	3,089.71
Total Programs	1,735.61	2,120.31	1,708.48
	5,863.24	6,636.66	6,939.17

As of June 30, 2013, there has been 43 passes, 554 single admissions, and 19 programs subsidized by this program, which equates to just 2.8-percent of overall transactions.

The amount of subsidies per year represents a very small percentage of overall revenues and is not seen as a liability.



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: July 22, 2013  
File No: 0510-20 (Rogers)

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Re: **ROGERS PROPOSAL – 4300 THICKE ROAD, LADYSMITH  
REQUEST FOR COUNCIL CONCURRENCE**

#### **RECOMMENDATION(S):**

That Council direct staff to advise ROGERS COMMUNICATIONS INC. that:

- a) ROGERS COMMUNICATIONS INC. has met the Industry Canada and additional consultation requirements as directed by Council on May 6, 2013;
- b) The Town of Ladysmith is satisfied with ROGERS COMMUNICATIONS INC.'s public consultation process and does not require any further consultation with the public; and
- c) The Town of Ladysmith concurs with ROGERS COMMUNICATIONS INC. proposal to construct a wireless telecommunications facility at 4300 Thicke Road, Ladysmith, BC provided it is constructed substantially in accordance with the plans dated May 31, 2013.

#### **PURPOSE:**

The purpose of this staff report is to update Council on (1) the consultation undertaken by Rogers for the proposed tower, (2) changes to the tower siting and design, and (3) the request from Rogers for a motion of concurrence.

#### **INTRODUCTION/BACKGROUND:**

At its meeting held May 6, 2013, Council provided the following direction.

*It was moved, seconded and carried that in addition to the Industry Canada required consultation, Council request Rogers to:*

- *conduct a public information meeting about the proposed 50 metre tower to be located at 4300 Thicke Road in the South Ladysmith Industrial Park,*
- *advertise the meeting in two issues of the local newspaper,*
- *collaborate with staff on the direct mail notification area so that Town residents living in this area are included, and*
- *report back to Council.*

*It was moved, seconded and carried that Rogers Communications Inc. be requested to investigate aesthetically pleasing 50 metre telecommunications tower designs*

*suitable for the gateway to the South Ladysmith Industrial Park, including a “mono-pine” structure.*

**SCOPE OF WORK:**

The stage of this proposal is to present a summary of the information provided by Rogers as a result of Council’s earlier direction.

*Consultation*

As requested by Council, Rogers provided an information package to area property owners/residents. The Open House was advertised in two issues of the Ladysmith Chronicle. The Open House was held on June 13, 2013 and attended by four individuals (including three members of Council). At the end of the 30-day consultation period, four written submissions were received by Rogers. The majority of submissions were supportive of the proposal. One individual was not supportive of any proposal in this area.

*Tower Siting and Design*

The siting of the proposed tower was modified to the southwest portion of the lot, as requested by the property owner of 4300 Thicke Road for business operation reasons. As a result of proximity to mature trees on the property and the neighbouring property, the height of the tower was increased from 50 metres to 60 metres to ensure both Rogers and TELUS antennae clear the top of nearby trees that are up to 45 metres in height. This new siting and height was included in the notification package. As a result of the increase in height, a different tower design is not feasible. Mono-pine structures are typically less than 40 metres in height. Lighting may be required by Transport Canada.

*Request for Motion of Concurrence*

Rogers has requested that if Council concurs with the proposed tower project, that it proceed with consideration of a motion of concurrence. The recommended motion is based on a sample motion provided by Rogers.

**ALTERNATIVES:**

That Council identify if there is any further input or conditions to be provided to Rogers or Industry Canada.

**FINANCIAL IMPLICATIONS:** None.

**LEGAL IMPLICATIONS:** None.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

As requested by Council the information package was sent to residents in the area and an open house was held. The result of the public consultation is reported above.

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:** None.

RESOURCE IMPLICATIONS: None.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

A “local diverse economy” is strategy 5 of the Sustainability Strategy. The proposed tower is located within the South Ladysmith Industrial Park.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Town’s Guidelines support the strategic direction of *Effective Land Use Planning & Community Design* and the addition of new telecommunications facilities supports the strategic direction of *Dynamic Economic Development*.

SUMMARY:

Rogers is proposing a 60 metre lattice self-support tower at 4300 Thicke Road in the South Ladysmith Industrial Park. Although Industry Canada has exclusive jurisdiction in the licensing of telecommunications sites, such as the proposed tower, Industry Canada requires all proponents to consult with the local land use authority and the public. Rogers is seeking Council’s concurrence with the proposal.

I concur with the recommendation.

*R. Malli*

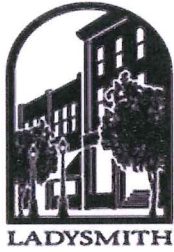
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Ruth Malli, City Manager

ATTACHMENTS:

“None”.





## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Clayton Postings, Director of Parks, Recreation & Culture  
Date: July 29, 2013  
File No:

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Re: Special Occasion Licence Request

RECOMMENDATION(S):

The Parks, Recreation & Culture Commission recommend that Council consider approving the Special Occasion Licence request.

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 and supported with approval from the RCMP:

- Lealand / Bates Wedding and Reception – to be held at Transfer Beach Amphitheater on Saturday, September 7, 2013 from 12pm to 10pm.

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. Organizers worked with the RCMP to ensure all security measures will be in place prior to this event. Sergeant Tim DeSaulniers of the RCMP supports this 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 recommend that Council consider approving the requests for Special Occasion Licences.

I concur with the recommendation.

*R. Malli*

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Ruth Malli, City Manager

ATTACHMENTS

Report & map provided to the RCMP from organizer.



Attention Cpl. Tim Desaulniers

... as per our discussion with you on Monday, July 22 .... we are submitting this "plan" for approval for the Private Special Occasion Licence for the Lealand/Bates wedding on Saturday, Sept. 7th at the Transfer Beach Amphitheater in Ladysmith.

1/ The area, from the entrance to the parking lot all the way down to the "rock wall" at the south side of the Amphitheater will be barricaded off ... this will start at noon until 11pm. We have indicated the area on the map attached, which we had also shown you on July 22.

2/ The liquor will be served, by the Ladysmith Kinsmen, from 4pm until 10 pm. Last call for the bar will be 9pm and the bar will be shut down at 10pm sharp. It is the intention that the area will be packed up and everything gone by 11pm.

3/ All drinks will be served in plastic cups... there will be no glass containers at all.

4/ All guests will be given wrist bands for identification and only those wearing those will be admitted.

5/ There will be signs posted on the barricades reading "Private Event - No Public Access".

6/ The guests will be told that NO DRINKS can be taken past the second to top row of benches in the Amphitheater.

7/ The bar is to be set up at the very back (right corner) of the Amphitheater as much "out of sight" as possible.

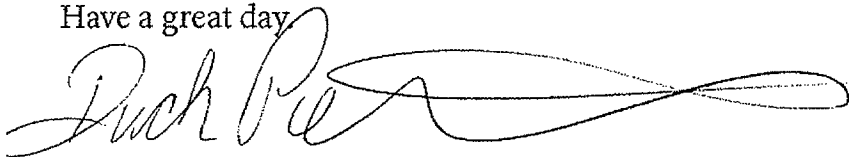
8/ The Kinsmen will supply at members to "patrol" the barricade area as well as parking lot entrance to assist the guests and public. As well some guests will also be assisting in supervising.

.... as per our meeting ... hopefully these guides will keep the wedding uneventful (except for the bride & groom) and meet with the approval of the RCMP and the Town of Ladysmith.

If you require any more information please feel free to contact Duck Paterson - cell 250-246-0637 or Jerry Lealand - cell 250-246-6780.

We want to thank you for your time and assistance.


Have a great day



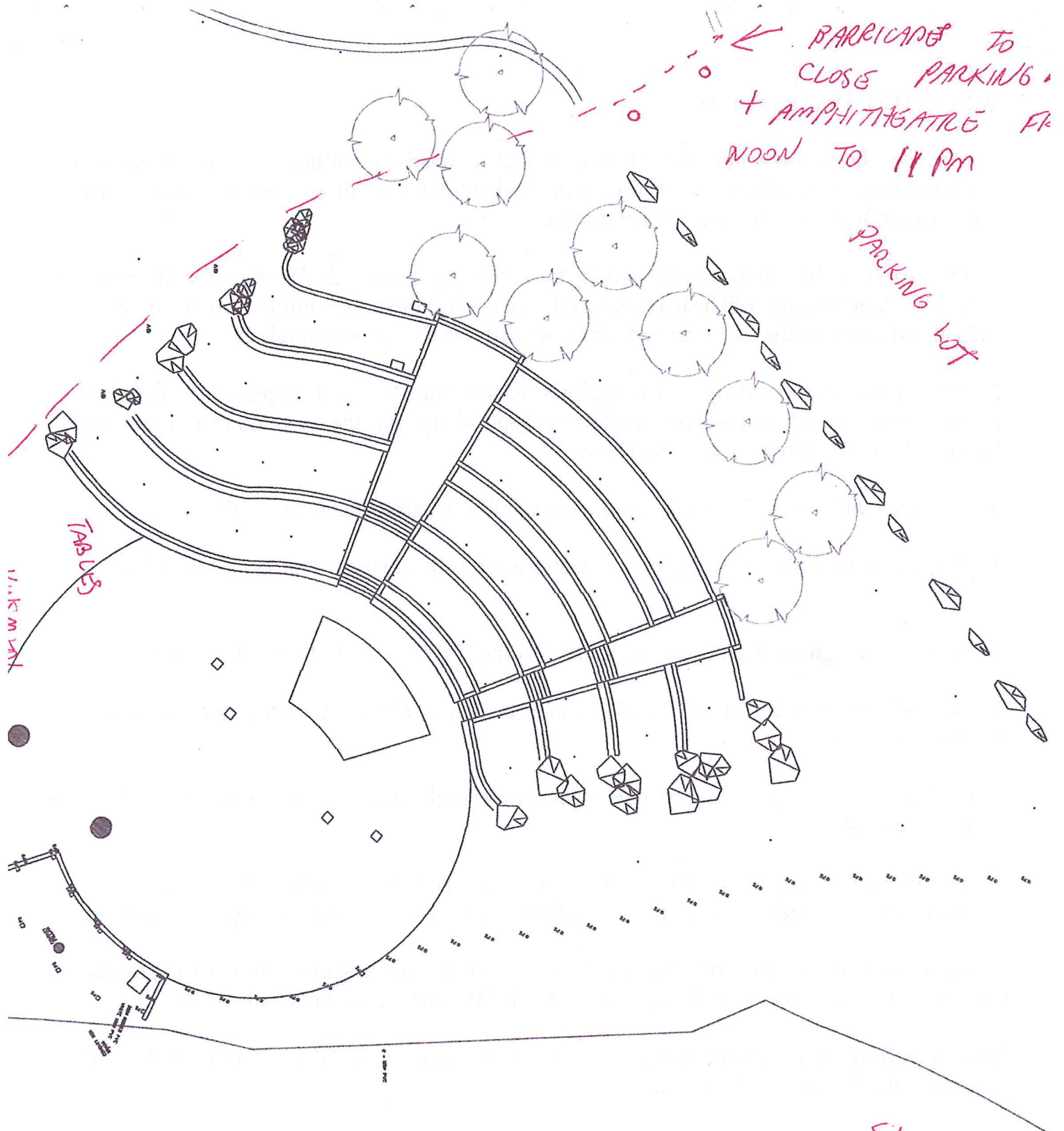
Duck Paterson  
"helper"  
Master of Ceremonies

39

Approved.  
Cpl. T.C. Desaulniers  
#45991



JUL 23 2013



BARRICADE TO  
CLOSE PARKING  
+ AMPHITHEATRE FR  
NOON TO 11 PM

PARKING LOT

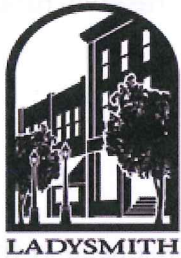
TABS VES

17.1 KM WHT

9 pm LAST CALL  
10 pm BAR SHUT DOWN  
11 pm ALL CLEANED UP.

SIGNS  
PRIVATE EVEN  
NO PUBLIC ACC

NO GLASS  
ALL PUBLIC CUPS



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: Clayton Postings, Director of Parks, Recreation & Culture  
Date: July 29, 2013  
File No:

---

**RE: FORREST FIELD OVERFLOW PARKING & SIGNAGE**

**RECOMMENDATION:**

That Council approve the construction of overflow parking at Forrest Field along with the addition of directional signage at Forrest Field and on nearby roadways leading to facility.

AND THAT the Financial Plan be amended accordingly.

**INTRODUCTION/BACKGROUND:**

As a result of comments received from both Forrest Field neighbouring residents as well as facility users groups the belief is that the current parking capacity has not been able to meet the growing usage of the facility. During many peak usage periods, on-street vehicular parking increases reducing access to residential homes in the area.

Currently there are approximately 40 parking stalls in the main Forrest Field parking area, with 17 more on street parking spaces and an additional 20 at the end of 4<sup>th</sup> Avenue. Estimates for parking requirements for games and tournaments indicate that during any period of time 80 vehicle parking spaces could be required; and often tournaments and games do require more the 100 spaces for vehicles. One of the factors in calculating current parking is that neither gravel area has defined parking stalls due to the gravel base, with the result that on most occasions the parking areas not being used to capacity.

The proposed overflow parking area has been selected due to its close proximity to existing parking and the low cost to develop this relatively flat area. Engineering Services has developed the attached overflow parking plan ensuring low impact to surrounding area and optimum use of space. In future phases, this is the proposed ball diamond. Any future phases would require a suitable permanent parking area to be constructed to accommodate the expected traffic to the site.

During this review, it was also determined that directional signage indicating parking areas would assist in controlling parking in the area, assisting visitors to be aware of where designated parking is located. All signs installed will be in accordance with existing Bylaws.

**ALTERNATIVES:**

Council may choose to maintain existing practice or Council may direct other action, including directing staff to provide additional options.

**FINANCIAL IMPLICATIONS:**

The proposed budget for this project including labour, materials, and signage is \$14,000.00 (\$11,000.00 for overflow parking and \$3,000.00 for signage). There is currently

\$14,000.00 in capital reserves identified for Ball Fields Upgrades, these reserve funds would support these identified improvements.

LEGAL IMPLICATIONS:

There is no legal implication identified.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

User groups and neighbouring residents are seeking a solution to parking challenges in the area.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Public Works will be consulted and if applicable, develop the area. Financial Services will be required to amend the Financial Plan. Development Services will be consulted to ensure accordance with Sign and Canopy Bylaw 1176.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

This aligns with the following Strategies:

- Strategy 2 – Low Impact Transportation System: Reducing negative impacts of parking including reviewing parking requirements and pursuing innovative parking design strategies; exploring new street standards to make streets more environmentally and socially friendly
- Strategy 7 – A Healthy Community: Continuing to enhance the quality of the public realm; Increasing community facilities including health and medical facilities; and continuing to work to get youth involved in the Town and planning through facilities, a youth council and others.
- Strategy 8 – Local, Diverse Economy: Promoting tourism and sustainable tourism practices such as eco-tourism

ALIGNMENT WITH STRATEGIC PRIORITIES:

- Priority B - Effective Land Use Planning and Community Design
- Priority E - Responsible Stewardship of the Environment
- Priority F - Safe and Healthy Community

SUMMARY:

Following a review of parking and signage issues at Forrest Field, staff recommend that Council approve this project to increase parking at Forrest field, from 40 stalls to 100 to reduce congestion on street and existing parking, and that directional and informational signage be constructed on-site and on neighbour routes.

I concur with the recommendation.

*R. Malli*

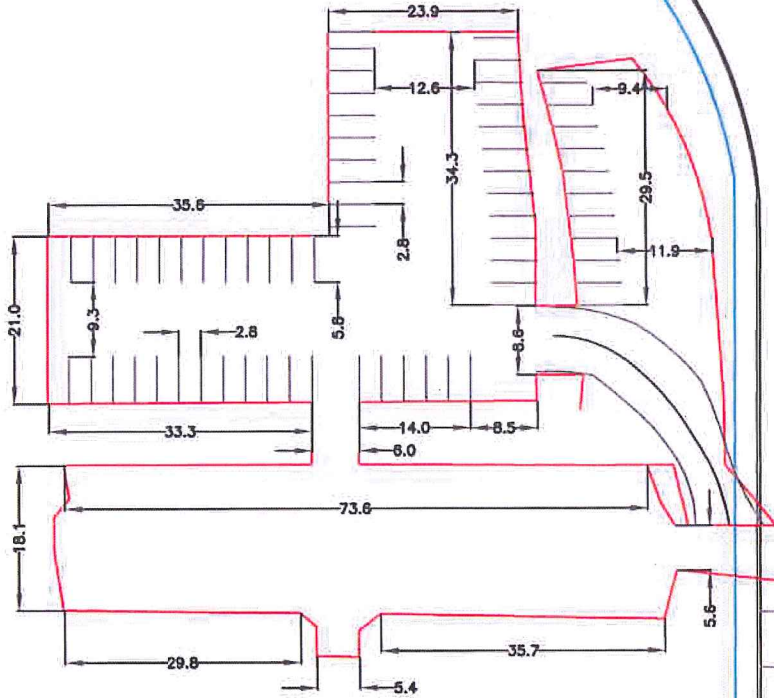
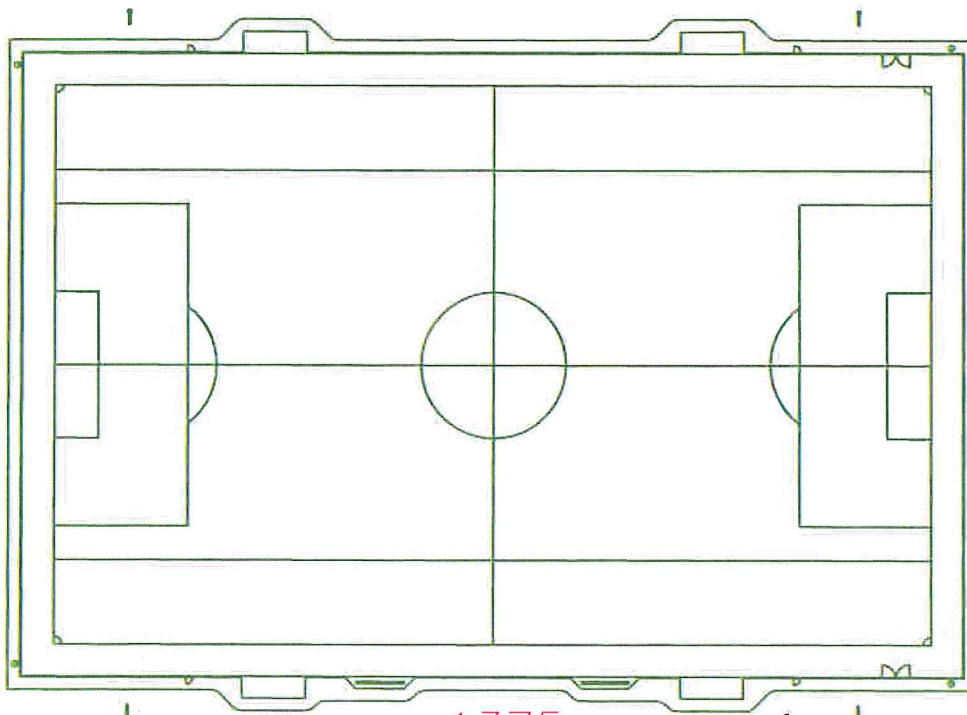
\_\_\_\_\_  
Ruth Malli, City Manager

ATTACHMENTS:

Design Map

# OF NEW PARKING SPOTS  
 NEW OVERFLOW AREA = 60  
 JIM CRAM DRIVE = 17  
 GRAVEL LANE = 24

1



JIM CRAM DRIVE

570

1375

110.8

9.5

3.4

5.8

15

729

56

56

569

570

570

581

585

589

1337 2

FOURTH



TOWN OF LADYSMITH

TITLE: FOREST FIELD PARKING CHALLENGE

SHEET No: 1  
 SCALE: N.T.S.  
 FILE: Z:\ACAD FILES\43\ADSMITH  
 DRAWN BY: C.J.P.  
 DATE: JUNE 11, 2013



INFORMATION SHOWN ON THESE DRAWINGS IS COMPILED FROM NUMEROUS SOURCES AND MAY NOT BE COMPLETE OR ACCURATE. THE TOWN OF LADYSMITH IS NOT RESPONSIBLE FOR ANY ERRORS, OMISSIONS OR DEFICIENCIES IN THESE DRAWINGS.

CONFIRM UNDERGROUND LOCATION OF UTILITIES WITH UTILITY COMPANIES.



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Erin Anderson, Director of Financial Services  
Date: July 31, 2013  
File No:

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Re: Inter-Community Business Licence

RECOMMENDATION(S):

It is recommended that Council:

1. Approval in principle for Ladysmith to join the Inter-Community Business Licence program.
2. Upon similar approval by, at a minimum, the City of Nanaimo, Town of Qualicum Beach, City of Port Alberni, City of Courtenay and Town of Comox, staff be directed to commence the statutory notification process for changes to business regulations and to prepare the appropriate Inter-Community Business Licence Program Bylaw for Council's consideration.

PURPOSE:

To obtain Council's endorsement to become a member of the Inter-Community Business Licence program and direct staff to prepare a bylaw.

INTRODUCTION/BACKGROUND:

*History:*

The Parksville and District Chamber of Commerce has asked the City of Parksville to consider promoting and implementing an inter-community business licence program. The program would include all of the central Vancouver Island communities. Ladysmith was asked to become a member of this program.

This program is intended to aid mobile businesses. Businesses with an actual store front or businesses that work solely within the Cowichan Valley Regional District will see little change to the existing business licence program.

*Mobile Business*

A mobile business is defined as a business that performs a service in more than one community by moving from client to client rather than having a client come to a fixed place of business. Such a business may or may not have a storefront or physical location in a community. This includes but is not limited to trades, plumbers, electricians, cleaning services, pest control or other similar businesses. A mobile business does not include businesses selling goods or services from fixed or semi fixed locations where customers come to them. Examples of excluded businesses include fruit stands,



roadside vehicle vendors, mobile stores, flea markets, concession stands and trade shows.

*Benefit:*

The inter-community business licence program is a program that has been created to facilitate obtaining a business licence easier and more cost efficient for mobile businesses that work, conduct business or provide services in more than one community in the participating region. The expected benefits of the program to business include:

- Reduce the time and cost of buying multiple licences.
- Save the burden of remembering to renew multiple licences.
- Simpler process for the inter-community licence gives less room for errors and non-compliance.
- Provides access to larger market, across total of participating communities.
- Allows consumers greater choice of service providers.
- Allows greater opportunity for businesses to grow their client base regardless of the client location.

The benefit to the individual local governments includes goodwill from the business community and the expected overall general economic benefit to business.

All of these potential benefits are, however, contingent upon the number of participating communities with the actual benefit to each participating community increasing or decreasing depending upon proximity of participants.

*Ladysmith*

Ladysmith currently operates under the Cowichan Valley Inter-Municipal Business Licence program where a mobile business can obtain a business licence in Ladysmith which would be valid in Ladysmith, Lake Cowichan, North Cowichan and Duncan.

The business licence fee in Ladysmith (and throughout the Cowichan Valley) is \$100.00. In 2012, \$49,100 revenue was generated from the sale of business licences which is used to fund the Ladysmith Chamber of Commerce's rent \$8,400 plus \$35,000 towards the services the Chamber offers. Town staff currently do all administrative processes related to Business Licences.

*Inter-Community Program*

If adopted, an Inter-Community Business Licence program requires a mobile business to continue to purchase a business licence, as is the current practice, in their principal community (the community where they have a storefront or physical location) and at their option, also purchase an "Inter-Community Business Licence" from their principal community that would authorize them to operate in any of the participating communities in the Inter-Community Business Licence program. Businesses within the Cowichan Valley already experience the benefit of a regional licence as compared to a business in the Nanaimo region. Such a program would mean that a business located in the Nanaimo region that currently requires three licences (one for the City of Parksville, one for Town of Qualicum Beach, and one for the City of Nanaimo) would need only two (a normal business licence from their principal community and an inter-community business licence also purchased from their principal community that allows them to operate in the

other two communities as well as all other participating Central Vancouver Island Communities).

#### *Participating Communities*

For such a program to be of maximum benefit, all communities within the Central Vancouver Island area would need to be a participating community. The Central Vancouver Island communities considering participation include:

1. City of Campbell River
2. City of Courtenay
3. Town of Comox
4. Village of Cumberland
5. City of Port Alberni
6. Town of Qualicum Beach
7. City of Parksville
8. City of Nanaimo
9. Town of Ladysmith
10. District of North Cowichan
11. City of Duncan
12. Town of Lake Cowichan

Although the District of Lantzville does not currently require business licences, they have also been included in the proposed bylaw as a potential participant so that if at some time in the future they do implement business licencing, they will be able to participate without the need of a bylaw change by the other 12 communities.

Inter-Community Business Licence programs have been successfully established in one form or another in several areas of the province. Implementation experiences in both the Okanagan Valley and Capital Regional District resulted in little or no change to the collective or individual business licence revenue levels. More specifically, when the program was implemented in the Okanagan Valley in 2008, the participating communities anticipated the City of Kelowna, as the major hub of the region, would experience a revenue increase at the expense of the smaller neighboring communities. In consideration of this anticipated shift, the program included provisions for a revenue sharing formula. To date that formula has never been exercised as the anticipated drop in revenue did not occur.

The program not only reduces costs to some businesses operating legitimately with multiple licences, it also encouraged other businesses operating without business licences to legitimize their operations, such that the member communities experienced virtually no change in business licence revenues.

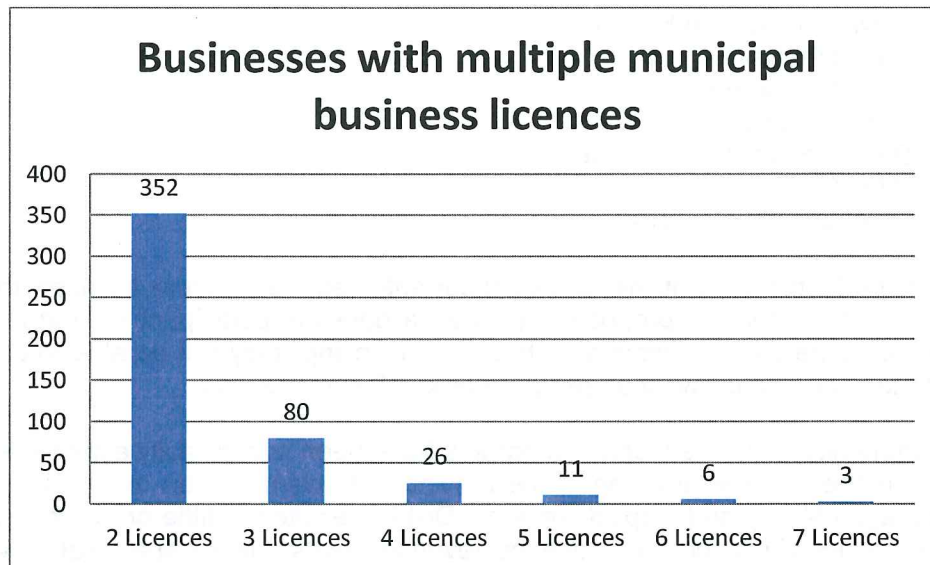
To implement this program, little or no changes will be needed to the existing business licence bylaws of the participating communities. Each of the participating communities would, however, be required to adopt an **identical**, separate Inter-Community Business Licence Bylaw that would operate in addition to their existing business licence bylaws.

#### *Analysis*

In partnership with the Ministry of Jobs, Tourism and Skills Training, Small Business Branch and within the limits inherent to available data, staff has analyzed the 2012 non-resident business licence revenues from each of the potentially participating communities with the intent of identifying any such revenue shifts and determining what the inter-community business licence fee should be to minimize the potential impact.

Through that analysis it has been determined that:

- For 2012 within the 12 communities 5,141 business were issued 5,823 non-resident business licences and of those 5,141 business, 478 had 2 or more as follows:



Business Licence revenue from those 478 businesses was distributed between the 12 communities and between resident and non-resident licences as follows:

Community	Total	Resident	Non-resident	Average Fee
Campbell River	\$28,350	\$4,050	\$24,300	\$150
Comox	4,350	1,350	3,000	150
Courtenay	26,700	9,400	17,300	129
Cumberland	4,180	1,980	2,200	110
Duncan	3,600	300	3,300	100
Ladysmith	2,200	1,500	700	100
Lake Cowichan	950	50	900	100
Nanaimo	42,010	18,645	23,365	165
North Cowichan	6,100	0	6,100	100
Parksville	23,250	6,150	17,100	150
Port Alberni	6,337	792	2,545	132

Qualicum Beach	13,751	3,850	9,901	100
Total/Average	\$161,728	\$48,017	\$113,711	\$125

Using this data as the baseline, revenue projections were then done to project the likely revenue returns if the inter-community business licence program been in effect for 2012.

The key goal for the revenue projections was to explore options for maintaining revenue neutrality. Due to this analysis, the fundamental principles of the inter-community business licence program were applied and several assumptions were made including:

- Principals
  - A business with multiple licences must purchase their inter-community licence from their principal community (the community in which they have a physical location either a home based office or a storefront). The principal community will gain the revenue from the sale of the inter-community licence. The other communities from which the business previously purchased non-resident licences will lose the non-resident licence revenue.
  - **In other words, the community that sells the licence keeps all the revenue.**
  
- Assumptions
  - A conservative estimate of 5% for compliance increase. Other communities have experienced as much as a 30% increase upon implementation of their inter-community business licence programs.
  - Non-resident businesses purchase their principal and inter-community licence from the community in closest proximity to their physical location with the lowest principal licence fee.
  - Out of region businesses purchase their principal and inter-community licence from the largest community with which they currently have a business licence.
  
- Findings
  - The analysis indicates relative revenue neutrality at around the \$150 to \$175 price range for the inter-community business licence with total revenues of \$168,021 and \$185,796 respectively, compared to the 2012 baseline revenue of \$161,728.
  - However, not all participating communities would see a corresponding increase to their respective baseline revenues as follows:

Community	Baseline Revenue	Revenue Change	
		\$150 ICL Fee	\$175 ICL Fee
Campbell River	\$28,350	-10,400	-8,500
Comox	4,350	3,500	4,350
Courtenay	26,700	650	3,750
Cumberland	4,180	-1,320	-1,045
Duncan	3,600	2,800	3,500
Ladysmith	2,200	3,800	4,450
Lake Cowichan	900	300	450
Nanaimo	42,010	8,015	13,190
North Cowichan	6,100	3,700	4,900
Parksville	23,250	-6,150	-4,625
Port Alberni	6,337	-2,731	-2,306
Qualicum Beach	13,751	4,129	5,954
<b>Total</b>	<b>\$161,728</b>	<b>\$6,293</b>	<b>\$24,068</b>

## ANALYSIS

The risk associated with implementation of an inter-community business licence program is the potential for a shift in business licence revenues away from those communities who receive a large portion of their current business licence revenue from non-resident businesses, to those communities where the non-resident businesses are actually located. Such a shift was anticipated in the Okanagan Valley with the anticipated beneficiary being the City of Kelowna, in actual fact no meaningful changes occurred resulting in the negotiated revenue sharing agreement never being used.

As outlined in the background information, staff, with significant assistance from the Small Business Branch of the Ministry of Jobs, Tourism and Skills Training (in other words the Small Business Branch did the work), has done revenue projections that indicate, at least on a region wide basis, relative revenue neutrality can be achieved with an inter-community business licence fee of \$150. At the \$150 level overall revenues are projected to increase marginally (\$6,293), however four of the 12 communities could potentially see minor revenue decreases with decreases of \$10,400 for Campbell River as the largest decrease, followed by a decrease of \$6,150 for Parksville. It should also be pointed out these projections are conservative and likely represent a worst case scenario. If compliance rates increase higher than the 5% used in the projections, (other regions where inter-community business licences have been introduced experienced compliance increases of up to 30%) these decreases may be eliminated.

A projection was also done using \$175 as the inter-community business licence fee. Staff is not recommending this rate as it is higher than the range of current non-resident business licence fees, and only results in a marginal change in the revenue decreases for the four affected communities.



Revenue sharing options for both of these scenarios were also run with all the decreases (with the exception of Cumberland at -\$563) being eliminated at the \$175 inter-community business licence fee level. However revenue sharing is not being recommended as the cost of administration would negate the benefit.

One final issue to be emphasized is that for this initiative to work, each participant must adopt exactly the same bylaw and exactly the same inter-community business licence fee.

#### SCOPE OF WORK:

If Council proceeds with the adoption of this program, advertisement, as well as promotion with the Chamber of Commerce would be necessary. Finance, Corporate Services and Development Services would all be involved in developing and monitoring this program.

Finance would be responsible for update a Provincially-run database that will maintain a listing of all the current inter-community business licences.

#### ALTERNATIVES:

Council may:

1. Direct staff to prepare the required Inter-Community Business Licence Bylaw for Council's consideration.
2. Maintain the status quo.
3. Refer the proposed bylaw back to staff with direction for further changes.

#### FINANCIAL IMPLICATIONS:

There will be some general budget implications.

Depending upon changes in business license compliance rates, total business licence revenues are projected to marginally increase by \$3,800.

There will also be some initial start-up costs for advertising the program, forms development, software set-up and application processing. On an ongoing basis there will be the annual costs of renewal notices and processing new licence applications.

It is expected that these expenses can be absorb in current budget levels.

#### LEGAL IMPLICATIONS:

There a no legal implications.

#### CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

If Council wishes to proceed, advertising would be necessary to promote the program.

#### INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Finance, Corporate Services and Development Services would all be involved in developing and monitoring this program.

RESOURCE IMPLICATIONS:

No additional staff are required to implement and/or run this program.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

A business licence program maintains the Strategy #9 – Local, Diverse Economy.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Direction C – Dynamic Economic Development.

SUMMARY:

On tonight's agenda is a request from the City of Parksville, together with their Chamber of Commerce, to obtain approval in principle to implement an Inter-Community Business Licence program. This program is aimed at mobile businesses and will work in conjunction with existing inter-municipal licence valid within the Cowichan Valley.

I concur with the recommendation.

*Rmall.*

---

Ruth Malli, City Manager

ATTACHMENTS:

Proposed bylaw - Town of Ladysmith - A Bylaw to Establish a Scheme for Inter-Community Licencing and Regulating of Trades, Occupations and Businesses.

## THE TOWN OF LADYSMITH

### BYLAW NO.

#### A BYLAW TO ESTABLISH A SCHEME FOR INTER-COMMUNITY LICENCING AND REGULATING OF TRADES, OCCUPATIONS AND BUSINESSES.

---

**WHEREAS** Council may, pursuant to Section 8(6) of the *Community Charter*, regulate in relation to business;

**AND WHEREAS** pursuant to Section 14 of the *Community Charter*, two or more municipalities may, by bylaw adopted by the Council of each participating municipality, establish an inter-community scheme in relation to one or more matters;

**AND WHEREAS** pursuant to Section 15(1) of the *Community Charter*, Council may provide terms and conditions that may be imposed for obtaining, continuing to hold or renewing a licence, permit or approval and specify the nature of the terms and conditions and who may impose them;

**AND WHEREAS** Council has given notice of its intention to adopt this bylaw by publishing such notice in two consecutive issues of a newspaper, the last publication appearing not less than three (3) and not more than ten (10) days before the hearing and has provided an opportunity for persons who consider they are affected by this bylaw to make representations to Council at a hearing pursuant to Section 59 of the *Community Charter*.

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

**1. CITATION**

This bylaw may be cited as Town of Ladysmith "Inter-Community Business Licence Bylaw No. XXXX".

**2. DEFINITIONS**

In this bylaw, unless the context otherwise requires,

**"Business"** has the meaning as defined by the *Community Charter Schedule – Definitions and Rules of Interpretation*.

**"Excluded Business"** means a Business excluded from application for an Inter-community Business Licence and includes those Businesses referred to in *Schedule A* attached hereto and forming part of this bylaw.



**“Inter-Community Business”** means a Business that performs a service or activity within more than one Participating Municipality by moving from client to client rather than having clients come to them. This includes but is not limited to trades, plumbers, electricians, cleaning services, pest control or other similar businesses. This does not include fruit stands, flea markets, trade shows or other similar businesses.

**“Inter-Community Business Licence”** means a business licence which authorizes Inter-community Business to be carried on within the boundaries of any or all of the Participating Municipalities in accordance with this Bylaw and will be in addition to a Municipal Business Licence.

**“Municipal Business Licence”** means a licence or permit, other than an Inter-community Business Licence, issued by a Participating Municipality that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Municipality.

**“Participating Municipality”** means the following local governments that have adopted the Inter-community Business Licence Bylaw:

City of Campbell River  
City of Courtenay  
City of Duncan  
City of Nanaimo  
City of Parksville  
City of Port Alberni  
District of North Cowichan  
District of Lantzville  
Town of Comox  
Town of Lake Cowichan  
Town of Ladysmith  
Town of Qualicum Beach  
Village of Cumberland

**“Person”** has the meaning ascribed to it by the Interpretation Act.

**“Premise”** means a fixed or permanent location where the applicant ordinarily carries on Business.

**“Principal Municipality”** means the Participating Municipality where a Business is physically located, or has a Premise, or, where the licensee does not maintain a Premise in any of the Participating Municipalities, the municipality that issues the Inter-community Business Licence.

### **3. REGULATIONS**

- (a) Subject to Section (c) and (e), a person who has obtained an Inter-community Business Licence may carry on business within a Participating Municipality for the term authorized by the Inter-community Business Licence without obtaining a Municipal Business Licence in the other Participating Municipalities.
- (b) A Participating Municipality may issue an Inter-community Business Licence to an applicant for an Inter-community Business Licence provided the business type is an Inter-community Business and is not an Excluded Business, the applicant has a valid Municipal Business Licence issued by that Participating Municipality, and the applicant meets the requirements of this Bylaw.
- (c) A person holding an Inter-community Business Licence must comply with all other regulations and bylaws of the Participating Municipality in which they are carrying on business.
- (d) A business that operates under an Inter-community Business Licence in more than one Participating Municipality shall only apply for an Inter-community Business Licence from the Participating Municipality in which they maintain a Premise.
- (e) Notwithstanding the issuance of an Inter-community Business Licence, every person who carries on, maintains, owns or operates, within a Participating Municipality, any profession, business, trade, occupation, calling, undertaking or thing in or from more than one branch, office, place, premise or store shall obtain a separate Municipal Business Licence for each branch, office, place, premise or store. And further notwithstanding Sections (b), (c), and (d), the Participating Municipalities agree that where an applicant for an Inter-community Business Licence:
  - i. Does not maintain Premises in any of the Participating Municipalities, then the applicant may apply at any one of them; or
  - ii. Maintains a Premise in more than one of the Participating Municipalities, the applicant must apply at one of the Participating Municipalities where they maintain a Premise.

#### **4. FEES**

- (a) The fee for an Inter-community Business licence is \$150 and shall be paid in full at the time of application and retained by the Participating Municipality that issues the licence.

- (b) The fee for an Inter-community Business licence is separate and additional to any Municipal Business Licence fee that may be required.

## **5. APPLICATION**

- (a) Every Inter-community Business Licence shall be issued on a standard form provided for that purpose, as agreed upon from time to time by the Participating Municipalities and including, as a minimum, the following information:
- Disclosing the nature and character of the profession, business, trade, occupation, calling, undertaking or thing to be carried on, maintained, owned or operated by the applicant;
  - Declaring the mailing address and contact information for such profession, business, trade, occupation, calling, undertaking or thing;
  - Declaring the number of persons engaged or occupied in such profession, business, trade, occupation, calling, undertaking or thing;
  - Disclosing the number of distinctive lines of goods sold or offered for sale;
  - Including any other information concerning the profession, business, trade, occupation, calling, undertaking or thing which the Participating Municipality may require.
- (b) Each Participating Municipality shall, upon request, provide the other Participating Municipalities with a list of Inter-community Business Licences that it has issued during the calendar year.

## **6. SUSPENSION OR CANCELLATION OF AN INTER-COMMUNITY BUSINESS LICENCE**

- (a) A Council or Designated Officer or Employee of a participating municipality may exercise the authority of the Principal Municipality in accordance with Sections 15 and 60 of the *Community Charter* to suspend or cancel an Inter-community Business Licence. The suspension or cancellation shall be in effect throughout all of the Participating Municipalities and it shall be unlawful for the holder to carry on the Business authorized by the Inter-community Business Licence in any Participating Municipalities for the period of the suspension or cancellation.

- (b) Before suspending or canceling an inter-community Business Licence under Section 6(a), the Participating Municipality must give the licence holder notice of the proposed action and must inform the licence holder of their right to be heard.
- i. If the licence holder wishes to exercise this right, the Participating Municipality shall communicate in writing to the licence holder and Principal Municipality that issued the Inter-community Business Licence, together with such documentary evidence of the reasons for suspension or cancellation as may be available and the request to be heard. Such Principal Municipality shall then as soon thereafter as reasonably possible provide the Licence Holder an opportunity to address their respective Council who will then consider whether to suspend or cancel the Inter-community Business Licence.
  - ii. If the licence holder does not exercise their right to be heard, the Participating Municipality may suspend or cancel the Inter-community Business Licence in accordance with Section 6(a).
- (c) Any conduct by a licence holder resulting in a hearing made under Section 6(b)(i) shall be considered by the Council of the Principal Municipality as though it happened within the jurisdiction of the Principal Municipality.
- (d) A decision by a Principal Municipality or Participating Municipality to cancel or suspend an Inter-community Business Licence under Section 6 (b) shall be honoured by all Participating Municipalities.
- (e) Nothing in this Bylaw impedes the authority of a Participating Municipality to suspend or cancel any business licence issued by that Municipality, or to enact regulations in respect of any class of Business Licence in accordance with Section 15 of the Community Charter and amendments thereto.

## **7. MISCELLANEOUS**

- (a) A Participating Municipality may, by notice in writing to each of the other Participating Municipalities, withdraw from the Inter-community Business Licence scheme established by this bylaw.

Notice Must:

- i. Set out the date on which the withdrawing Municipality will no longer recognize the validity within its boundaries of business

licences issued pursuant to this Bylaw, which date must be at least six months from the date of the notice; and

ii. Include a certified copy of the Bylaw authorizing the withdrawal.

(b) An Inter-community Business Licence issued prior to the effective date of the withdrawal shall, until it expires, remain valid within the boundaries of the withdrawing Municipality.

**8. SEVERABILITY**

(a) If any section, paragraph or phrase in this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, that portion shall be severed and the remainder of this bylaw shall continue in full force and effect.

**READ A FIRST TIME** on the

**READ A SECOND TIME** on the

**READ A THIRD TIME** on the

**ADOPTED** on the

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Mayor (R. Hutchins)

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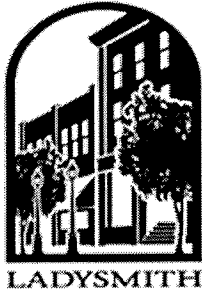
Corporate Officer (S. Bowden)

## Schedule A

The following Business types are Excluded Businesses for the purposes of application for an Inter-Community Business Licence under the Inter Community Business Licence Scheme set out in the bylaw:

- Social escort services
- Vehicles for hire (for example, taxis, limousines, or buses)
- Body-rub services (which includes the manipulating, touching or stimulating by any means, of a Person or part thereof, but does not include medical, therapeutic or cosmetic massage treatment given by a person duly licensed or registered under any statute of the Province of British Columbia governing such activities or a therapeutic touch technique)

DRAFT



## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: John Manson, PEng, Director of Infrastructure Services  
Date: July 23, 2013  
File No:

---

**Re: Unsightly Premises - 201 Dogwood Ave**

#### **RECOMMENDATION(S):**

That Council direct staff to clean up yard waste at 201 Dogwood Ave pursuant to Bylaw 1094, and invoice the owner the costs of cleanup in accordance with the Bylaw.

#### **PURPOSE:**

To clean up unsightly yard waste at 201 Dogwood Ave.

#### **INTRODUCTION/BACKGROUND:**

The Town has received numerous complaints about the untidy condition of the above noted property over the past 4 years. The latest complaint was initiated on April 15<sup>th</sup>, 2013. Pursuant to Bylaw 1094, staff sent a total of 3 registered letters to the owner, dated April 16<sup>th</sup>, 2013, May 2<sup>nd</sup>, 2013 and May 14<sup>th</sup>, 2013. Copies of the correspondence are attached.

The registered owner has been forwarded all copies of the three letters however there has been no response regarding the cleanup of the property.

Accordingly, it would be in order for the Town to proceed with the cleanup of the property, and charge the costs to the owner in accordance with Bylaw 1094.

#### **SCOPE OF WORK:**

Includes the cleanup of the above noted property.

#### **ALTERNATIVES:**

Council could decide not to pursue the cleanup of the above noted property at this time.

FINANCIAL IMPLICATIONS:

The Town will incur the initial cost of clean-up, and will subsequently invoice the property owner for the cost of cleanup. If the invoice is not paid by the property owner by the end of the calendar year, the outstanding charges will be added to the property taxes in arrears in accordance with the *Community Charter* section 258.

LEGAL IMPLICATIONS:

The Town has the authority under the Local Government Act, and the Community Charter to clean up untidy premises, and invoice the property owners in accordance with the legislation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The property owners have been notified of the Town's intent to undertake this work.

RESOURCE IMPLICATIONS:

The Town has the necessary resources to undertake this work.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Aligns with the Healthy Community Vision.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Aligns with a Safe and healthy Community.

SUMMARY:

Staff are recommending that Council authorize the clean up of the property located at 201 Dogwood Ave, and invoice the property owners for this work, pursuant to Bylaw 1094. Should the invoice remain unpaid at the end of the year, the costs of the work shall form part of the taxes due in the following year.

I concur with the recommendation.

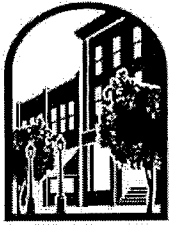


Ruth Malli, City Manager

ATTACHMENTS:

- Letter to property Owner, Dated April 16, 2013
- Letter to property Owner, Dated May 2, 2013
- Letter to property Owner, Dated May 14, 2013





LADYSMITH

# TOWN OF LADYSMITH

410 Esplanade, P.O. Box 220, Ladysmith, B.C. V9G 1A2  
Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

REGISTERED MAIL

April 16, 2013

Our File: 4020-20 Untidy

Mr. Gary Dalby  
PO Box 9  
Ladysmith, BC  
V9G 1A1

Dear Mr. Dalby

RE: **CONDITION OF PROPERTY AT 201 DOGWOOD, LADYSMITH, BC**  
**LEGAL LOT: 11; Plan Number VIP1684; District Lot 56; Land District 43**

A site inspection of the above referenced property notes an untidy premise. Numerous vehicles and boats leaking fluids, debris of assorted rusting motor parts strewn throughout the lot; used mattress in lot; grass and weeds on your lot and boulevard are overgrown and untidy; Tarpaulin attached to roof is shredded and unsightly; Numerous buckets and poles lying in lot and growing vegetation between concrete retaining wall.

The Town of Ladysmith Nuisance Regulation Bylaw 1993, No. 1094 states in part:

- Sec. 2(b) "No person shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass, or other rubbish in any open place; and
- Sec. 2(c) "No owners or occupiers of real property shall allow property to become or to remain untidy or unsightly, and the owners or occupiers of real property, or their agents, may be required by Council to remove from it any accumulation of filth, discarded materials or rubbish of any kind; and that in default of such removal, the town, by its employees and others, may enter and effect the removal at the expense of the person defaulting, and the charges for doing so, if unpaid on December 31 in any year shall be added to and form part of the taxes payable on that real property as taxes in arrear;"

You are hereby requested to take such steps as are necessary to affect compliance no later than **April 29<sup>th</sup>, 2013**. We thank you in advance for your cooperation in this matter.

Sincerely,

TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443





# TOWN OF LADYSMITH

410 Esplanade, P.O. Box 220, Ladysmith, B.C. V9G 1A2  
Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

REGISTERED MAIL

May 2, 2013

Our File: 4020-20 Untidy

Mr. Gary Dalby  
PO Box 9  
Ladysmith, BC  
V9G 1A1

Dear Mr. Dalby:

RE: **CONDITION OF PROPERTY AT 201 DOGWOOD, LADYSMITH, BC**  
**LEGAL LOT 11; Plan VIP1684; District Lot 56; Land District 43**

A second inspection of the above referenced property notes an untidy premise. Numerous vehicles and boats leaking fluids, debris of assorted rusting motor parts strewn throughout the lot; used mattress in lot; grass and weeds on your lot and boulevard are overgrown and untidy; Tarpaulin attached to roof is shredded and unsightly; Numerous buckets and poles lying in lot and growing vegetation between concrete retaining wall.

The Town of Ladysmith Nuisance Regulation Bylaw 1993, No. 1094 states in part:

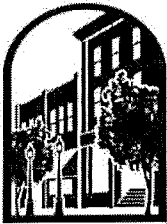
- Sec. 2(b) "No person shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass, or other rubbish in any open place; and
- Sec. 2(c) "No owners or occupiers of real property shall allow property to become or to remain untidy or unsightly, and the owners or occupiers of real property, or their agents, may be required by Council to remove from it any accumulation of filth, discarded materials or rubbish of any kind; and that in default of such removal, the town, by its employees and others, may enter and effect the removal at the expense of the person defaulting, and the charges for doing so, if unpaid on December 31 in any year shall be added to and form part of the taxes payable on that real property as taxes in arrear;"

You are hereby requested to take such steps as are necessary to affect compliance no later than **May 14<sup>th</sup>, 2013**. We thank you in advance for your cooperation in this matter.

Sincerely,

TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443



# TOWN OF LADYSMITH

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Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

LADYSMITH

REGISTERED MAIL

May 14, 2013

OUR FILE: 4020-20

Mr. Gary Dalby  
PO Box 9  
Ladysmith, BC  
V9G 1A1

Dear Mr. Dalby

RE: **CONDITION OF PROPERTY AT 201 DOGWOOD, LADYSMITH, BC**  
**LEGAL LOT: 11; Plan Number VIP1684; District Lot 56; Land District 43**

A Third inspection of the above referenced property notes an untidy premise. Numerous vehicles and boats leaking fluids, debris of assorted rusting motor parts strewn throughout the lot; used mattress in lot; grass and weeds on your lot and boulevard are overgrown and untidy; Tarpaulin attached to roof is shredded and unsightly; Numerous buckets and poles lying in lot and growing vegetation between concrete retaining wall.

The Town of Ladysmith Nuisance Regulation Bylaw 1993, No. 1094 states in part:

- Sec. 2(b) "No person shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass, or other rubbish in any open place; and
- Sec. 2(c) "No owners or occupiers of real property shall allow property to become or to remain untidy or unsightly, and the owners or occupiers of real property, or their agents, may be required by Council to remove from it any accumulation of filth, discarded materials or rubbish of any kind; and that in default of such removal, the town, by its employees and others, may enter and effect the removal at the expense of the person defaulting, and the charges for doing so, if unpaid on December 31 in any year shall be added to and form part of the taxes payable on that real property as taxes in arrear;"

You are hereby requested to take such steps as are necessary to affect compliance no later than **May 24th, 2013**. We thank you in advance for your cooperation in this matter.

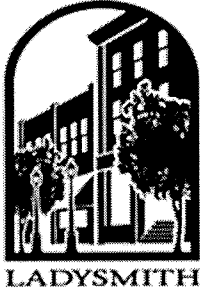
Sincerely,

TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cowichan





## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: John Manson, PEng, Director of Infrastructure Services  
Date: July 23, 2013  
File No:

---

Re: Unightly Premises – 336 Belaire St

#### RECOMMENDATION(S):

That Council direct staff to clean up yard waste at 336 Belaire Street pursuant to Bylaw 1094, and invoice the owner the costs of cleanup in accordance with the Bylaw.

#### PURPOSE:

To clean up unsightly yard waste at 336 Belaire Street.

#### INTRODUCTION/BACKGROUND:

The Town has received numerous complaints about the untidy condition of the above noted property in 2012 and 2013. The latest complaint was initiated on April 15<sup>th</sup>, 2013. Pursuant to Bylaw 1094, staff sent a total of 3 registered letters to the owners, dated April 16<sup>th</sup>, 2013, May 3<sup>rd</sup>, 2013 and May 14<sup>th</sup>, 2013. Copies are enclosed.

Both the registered owner and the financial institution have been forwarded all copies of the three letters however there has been no response from either party regarding the cleanup of the property.

Accordingly, it would be in order for the Town to proceed with the cleanup of the property, and charge the costs to the owner in accordance with Bylaw 1094.

#### SCOPE OF WORK:

Includes the cleanup of the above noted property.

ALTERNATIVES:

Council could decide not to pursue the cleanup of the above noted property at this time.

FINANCIAL IMPLICATIONS:

The Town will incur the initial cost of clean-up, and will subsequently invoice the property owner for the cost of cleanup. If the invoice is not paid by the property owner by the end of the calendar year, the outstanding charges will be added to the property taxes in arrears in accordance with the *Community Charter* section 258.

If this charge is left unpaid for an additional year, it could trigger a Tax Sale. It is estimate that the value of this clean-up work will not exceed the value of the property.

LEGAL IMPLICATIONS:

The Town has the authority under the Local Government Act, and the Community Charter to clean up untidy premises, and bill the property owners in accordance with the legislation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The property owners have been notified of the Town's intent to undertake this work.

RESOURCE IMPLICATIONS:

The Town has the necessary resources to undertake this work.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Aligns with the Healthy Community Vision.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Aligns with a Safe and healthy Community.

SUMMARY:

Staff is recommending that Council proceed to clean up the property located at 336 Belaire Street, and invoice the property owners for this work, pursuant to Bylaw 1094. Should the invoice remain unpaid at the end of the year, the costs of the work shall form part of the taxes due in the following year.

I concur with the recommendation.



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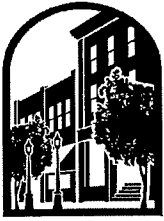
Ruth Malli, City Manager

ATTACHMENTS:

Letter to property Owner, Dated April 16, 2013

Letter to property Owner, Dated May 3, 2013

Letter to property Owner, Dated May 14, 2013



# TOWN OF LADYSMITH

410 Esplanade, P.O. Box 220, Ladysmith, B.C. V9G 1A2  
Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

LADYSMITH

VIA: REGISTERED MAIL

May 3, 2013

Our File: 4020-20 Untidy

Attention: Mr. Russell Jackson  
0838435 B.C. LTD.  
12270 Chandler Rd.  
Ladysmith, B.C.  
V9G 1J5

Dear Mr. Jackson:

RE: **CONDITION OF PROPERTY AT 336 BEL AIRE RD, LADYSMITH, BC**  
**LEGAL LOT: 1, PLAN NUMBER 27861, DISTRICT LOT 56, LAND DISTRICT 43**

A second inspection of the above referenced property notes an untidy premise. Construction debris stored/dumped in rear area of property; concrete retaining wall blocks stored on Town Property; overgrown grass and weeds on your lot and boulevard.

The Town of Ladysmith Nuisance Regulation Bylaw 1993, No. 1094 states in part:

- Sec. 2(b) "No person shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass, or other rubbish in any open place; and
- Sec. 2(c) "No owners or occupiers of real property shall allow property to become or to remain untidy or unsightly, and the owners or occupiers of real property, or their agents, may be required by Council to remove from it any accumulation of filth, discarded materials or rubbish of any kind; and that in default of such removal, the Town, by its employees and others, may enter and effect the removal at the expense of the person defaulting, and the charges for doing so, if unpaid on December 31<sup>st</sup> in any year shall be added to and form part of the taxes payable on that real property as taxes in arrear;"

You are hereby requested to take such steps as are necessary to effect compliance no later than **May 14, 2013**. We thank you, in advance, for your cooperation in this matter.

Sincerely,

TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cc All Island Equity Mortgage Investment Corp.

**cowichan**





# TOWN OF LADYSMITH

410 Esplanade, P.O. Box 220, Ladysmith, B.C. V9G 1A2  
Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

LADYSMITH

VIA: Registered Mail

May 3, 2013

Our File: 4020-20 Untidy

Attention: Bill Walker  
All Island Equity Mortgage Investment Corp.  
450 Wentworth Street  
Nanaimo, BC  
V9R 3E1

Dear Mr. Walker:

RE: **CONDITION OF PROPERTY AT 336 BEL AIRE RD, LADYSMITH, BC**  
**LEGAL LOT: 1, PLAN NUMBER 27861, DISTRICT LOT 56, LAND DISTRICT 43**

A second inspection of the above referenced property notes an untidy premise. Construction debris stored/dumped in rear area of property; concrete retaining wall blocks stored on Town Property; overgrown grass and weeds on lot and boulevard.

The Town of Ladysmith Nuisance Regulation Bylaw 1993, No. 1094 states in part:

- Sec. 2(b) "No person shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass, or other rubbish in any open place; and
- Sec. 2(c) "No owners or occupiers of real property shall allow property to become or to remain untidy or unsightly, and the owners or occupiers of real property, or their agents, may be required by Council to remove from it any accumulation of filth, discarded materials or rubbish of any kind; and that in default of such removal, the Town, by its employees and others, may enter and effect the removal at the expense of the person defaulting, and the charges for doing so, if unpaid on December 31<sup>st</sup> in any year shall be added to and form part of the taxes payable on that real property as taxes in arrear;"

You are hereby requested to take such steps as are necessary to effect compliance no later than **May 14<sup>th</sup>, 2013**. We thank you, in advance, for your cooperation in this matter.

Sincerely,

TOWN OF LADYSMITH

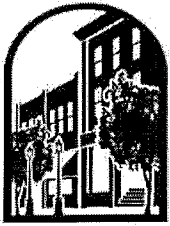
Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cc 0838435 BC Lt

**cowichan**







# TOWN OF LADYSMITH

410 Esplanade, P.O. Box 220, Ladysmith, B.C. V9G 1A2  
Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

LADYSMITH

REGISTERED MAIL

May 14, 2013

Our File: 4020-20 Untidy

Attention: Mr. Russell Jackson  
0838435 B.C. LTD.  
12270 Chandler Rd.  
Ladysmith, B.C.  
V9G 1J5

Dear Mr. Jackson:

RE: **CONDITION OF PROPERTY AT 336 BEL AIRE RD, LADYSMITH, BC**  
**LEGAL LOT: 1, PLAN NUMBER 27861, DISTRICT LOT 56, LAND DISTRICT 43**

A third inspection of the above referenced property notes an untidy premise. Construction debris stored/dumped in rear area of property; concrete retaining wall blocks stored on Town Property; overgrown grass and weeds on your lot and boulevard.

The Town of Ladysmith Nuisance Regulation Bylaw 1993, No. 1094 states in part:

Sec. 2(b) "No person shall cause or permit water, rubbish, or noxious, offensive or unwholesome matter to collect or accumulate around their premises, or from depositing or throwing bottles, broken glass, or other rubbish in any open place; and

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You are hereby requested to take such steps as are necessary to affect compliance no later than **May 24th, 2013**. We thank you, in advance, for your cooperation in this matter.

Sincerely,

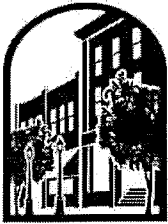
TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cc All Island Equity Mortgage Investment Corp.

**cowichan**





# TOWN OF LADYSMITH

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LADYSMITH

VIA: Registered Mail

May 14, 2013

Our File: 4020-20 Untidy

Attention: Bill Walker  
All Island Equity Mortgage Investment Corp.  
450 Wentworth Street  
Nanaimo, BC  
V9R 3E1

Dear Mr. Walker:

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**LEGAL LOT: 1, PLAN NUMBER 27861, DISTRICT LOT 56, LAND DISTRICT 43**

A Third inspection of the above referenced property notes an untidy premise. Construction debris stored/dumped in rear area of property; concrete retaining wall blocks stored on Town Property; overgrown grass and weeds on lot and boulevard.

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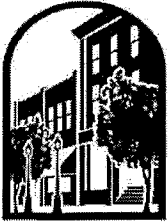
Sincerely,

TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cc 0838435 BC Ltd





LADYSMITH

# TOWN OF LADYSMITH

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Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

REGISTERED MAIL

April 16, 2013

Our File: 4020-20 Untidy

Attention: Mr. Russell Jackson  
0838435 B.C. LTD.  
12270 Chandler Rd.  
Ladysmith, B.C.  
V9G 1J5

Dear Mr. Jackson:

**RE:    CONDITION OF PROPERTY AT 336 BEL AIRE RD, LADYSMITH, BC**  
**LEGAL LOT: 1, PLAN NUMBER 27861, DISTRICT LOT 56, LAND DISTRICT 43**

A site inspection of the above referenced property notes an untidy premise. Construction debris stored/dumped in rear area of property; concrete retaining wall blocks stored on Town Property; overgrown grass and weeds on your lot and boulevard.

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- Sec. 2(c)    “No owners or occupiers of real property shall allow property to become or to remain untidy or unsightly, and the owners or occupiers of real property, or their agents, may be required by Council to remove from it any accumulation of filth, discarded materials or rubbish of any kind; and that in default of such removal, the Town, by its employees and others, may enter and effect the removal at the expense of the person defaulting, and the charges for doing so, if unpaid on December 31<sup>st</sup> in any year shall be added to and form part of the taxes payable on that real property as taxes in arrear;”

You are hereby requested to take such steps as are necessary to affect compliance **no later than April 29<sup>th</sup>, 2013**. We thank you, in advance, for your cooperation in this matter.

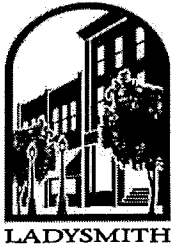
Sincerely,

TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cc       All Island Equity Mortgage Investment Corp.





# TOWN OF LADYSMITH

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Municipal Hall (250) 245-6400 • Fax (250) 245-6411 • info@ladysmith.ca • www.ladysmith.ca

REGISTERED MAIL

April 16, 2013

Our File: 4020-20 Untidy

Attention: Bill Walker  
All Island Equity Mortgage Investment Corp.  
450 Wentworth Street  
Nanaimo, BC  
V9R 3E1

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**LEGAL LOT: 1, PLAN NUMBER 27861, DISTRICT LOT 56, LAND DISTRICT 43**

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Sincerely,

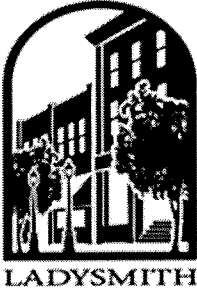
TOWN OF LADYSMITH

Ken Smith  
Bylaw Enforcement Officer  
Ph: 250-245-6443

cc 0838435 BC Ltd

cowichan





## Town of Ladysmith

### **STAFF REPORT**

To: Ruth Malli, City Manager  
From: John Manson, PEng  
Date: July 23, 2013  
File No:

---

#### **Re: Select tender for equipment for sewage treatment Plant Upgrade Stage III**

#### **RECOMMENDATION(S):**

That Council approve the procurement of the MBBR/DAF sewage treatment equipment by a select tender process.

#### **PURPOSE:**

To permit the acquisition of the above noted equipment through a select tender process.

#### **INTRODUCTION/BACKGROUND:**

As part of the Stage III Sewage Treatment Plant Upgrade, the Town will be acquiring a specialized piece of sewage treatment equipment, namely a "Moving Bed Bio-Reactor" (MBBR), as well as a "Dissolved Air Flotation" (DAF) system. These two systems will provide the necessary level of treatment to meet our Liquid Waste Management Plan objectives in the coming years. This specific type of equipment was pre-selected by our Consultants, Opus Dayton and Knight, primarily due to the more efficient site footprint, compared to alternative types of processing equipment.

In order to facilitate the timely completion of the main project design, and ensure that the facility is appropriately designed to accommodate to the specific equipment, it is necessary to pre-select the process equipment at this time. As this specific equipment is fairly new in the market place, and our consultants wish to ensure that only equipment that has a good proven track record is considered for the project, they have recommended that the Town consider a select tender type process, rather than an open tender for this equipment only. A copy of a letter from our Consultants recommending this approach is attached.

Accordingly, staff recommends the select tender process as recommend by our Consultants.

#### **SCOPE OF WORK:**

Supply only of the MBBR and DAF sewage treatment equipment for the Stage III Sewage Treatment Project, currently under design.

ALTERNATIVES:

Council could consider an open tender process for this equipment. We expect that this would require additional Consultant time to review additional submissions, and increases the risk of unproven, riskier installations being selected for the project.

FINANCIAL IMPLICATIONS:

Select bidding is permitted under the Purchasing Policy. In this case, the criteria of “select market conditions” exists which warrants select bidding.

In accordance with the Purchasing Policy, Council must approval all select bidding contracts over \$50,000. The contract for the equipment is over \$50,000.

This equipment was included in the Financial Plan under the Waste Water Treatment Plant Capital Upgrade. It is funded through reserves and borrowing.

LEGAL IMPLICATIONS:

The Town is following the Purchasing Policy in making this recommendation to Council to allow a select Tender in this particular case.

RESOURCE IMPLICATIONS:

A select Tender of qualified vendors will allow the consultants to focus the evaluation on a limited number of pre-qualified equipment suppliers.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Aligns with the Innovative Infrastructure Vision.

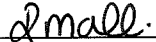
ALIGNMENT WITH STRATEGIC PRIORITIES:

Supports Strategic Direction A-wise financial management.

SUMMARY:

Staff are recommending that Council, pursuant to the purchasing policy, approve the use of pre-qualified select tending for the MBBR and DAF sewage treatment equipment for the Stage III Sewage treatment Plant Upgrade project.

I concur with the recommendation.

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

ATTACHMENTS:

Letter from Opus Dayton and Knight Dated July 30, 2013



Opus DaytonKnight  
Consultants Ltd  
North Vancouver Office  
210-889 Harbourside Drive  
North Vancouver BC V7P 3S1  
Canada

t: +1 604 990 4800  
f: +1 604 990 4805  
w: www.opusdaytonknight.com

VIA E-MAIL

July 30, 2013

Mr. John Manson, P.Eng., FEC  
Director of Public Works  
**Town of Ladysmith**  
Box 220 - 410 Esplanade  
Ladysmith, B.C. V9G 1A2

D-21808.01.00300

Dear Mr. Manson:

**Town of Ladysmith WWTP Upgrade Phase 3:  
Supply and Delivery of MBBR/DAF Equipment**

The detailed design for the Phase 3 upgrade to the Town's wastewater treatment plant (WWTP) is underway (Phase 3 is the upgrade to secondary treatment). A key part of the detailed design is the selection of the process equipment manufacturer/supplier for the main process equipment for the secondary upgrade.

The process selected for secondary treatment is the moving bed biofilm reactor followed by dissolved air flotation (MBBR/DAF) for clarification of the treated effluent. This process was originally developed by Kaldnes in Norway. As part of the earlier process selection, representatives from the Town, and myself, went to Norway to view treatment plants using these processes and confirm the operation and track record of this process combination. The trip confirmed that this process was operating successfully for many years, with many plants in operation in Norway.

Although the process has been well proven in Norway, and in Europe, it is still relatively new in North America. There are few manufacturers of the MBBR process worldwide, and even fewer with a track record of successful plant installations. The original company that developed and commercialized the process – Kaldnes – was taken over by Veolia some years ago.

Today, the main companies providing MBBR/DAF equipment worldwide are Veolia and Degremont. In North America, a new company – World Waterworks – also manufactures and supplies MBBR/DAF equipment. The main MBBR process engineer for World Waterworks was a former employee of Kaldnes in North America.

In order to protect the interests of the Town, Opus DaytonKnight recommended that the MBBR/DAF process equipment be:

- Sourced from a company with a track record of successful MBBR/DAF installations (preferably in North America or Europe)

- Sourced from a company with a strong North American presence who could provide the necessary support from a north American base
- Sourced from a single company so that process guarantees and equipment warranties could not be disputed between different companies with blurred responsibilities.

In the North America, there were only three companies that satisfied these criteria: Veolia, Degremont and World Waterworks. As a new company, World Waterworks has a limited, although growing, track record of installations. There are two small World Waterworks MBBR/DAF installations currently working in a municipal environment similar to Ladysmith, although much smaller.

As recommended by Opus DaytonKnight, the Request for Proposals (RFP) for the supply of the process equipment for the MBBR/DAF process for the Town of Ladysmith was issued to these three companies, and was not tendered publically.

All companies responded to the RFP. These responses are currently being evaluated by Opus DaytonKnight, and clarifications are being sought from all companies prior to issuing a recommendation to the Town to enter a contract with one of these companies.

Yours truly,

**Opus DaytonKnight Consultants Ltd.**

Seamus Frain, P.Eng.



**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 amended 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 2nd day of July, 2013

**READ A SECOND TIME** on the 2nd day of July, 2013

**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**

**BYLAW NO. 1831**

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** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

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

1. The "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended as follows:

(1) Section 7.0 "Urban Rural Residential Zone (UR-1)" is amended by:

(a) Deleting Section 7.1 'Permitted Uses' in its entirety and replacing it with the following:

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

- (a) single family residential dwelling;
- (b) home occupation;
- (c) bed and breakfast."

(b) Amending Section 7.2 'Conditions of Use' as follows:

(i) Deleting subsection (1) in its entirety and replacing it with the following: "(1) The maximum parcel coverage shall not exceed 33.0 percent.";

(ii) Deleting subsection (4) in its entirety;

(iii) Deleting subsection (5) in its entirety;

and renumber accordingly.

**CITATION**

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.94), 2013, No. 1831".

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

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

**PUBLIC HEARING** waived pursuant to s. 890(4)(b) of the *Local Government Act*

on the \_\_\_\_\_ day of \_\_\_\_\_

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

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_

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

**TOWN OF LADYSMITH**

**BYLAW NO. 1832**

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** the Municipal Council considers it advisable to amend "Town of Ladysmith Zoning Bylaw 1995, No. 1160";

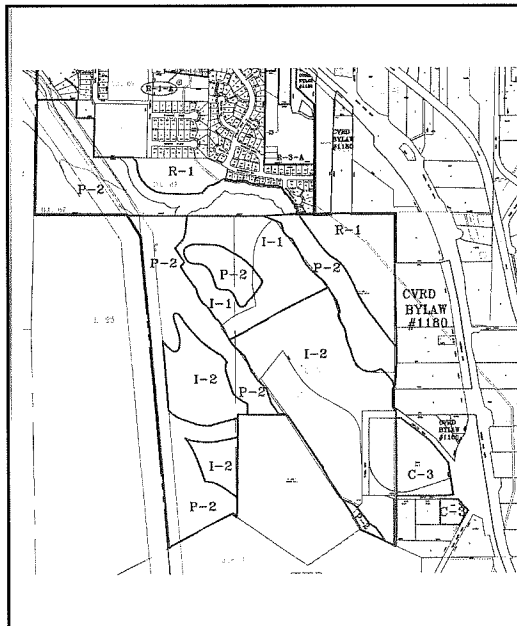
**NOW THEREFORE** the Council of the Town of Ladysmith in open meeting assembled enacts as follows:

1. The "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended as follows:
  - (1) Section 4.0 "Definitions" is amended by adding a new definition immediately following the definition of 'marshalling yard':

"medical marihuana growing and production: means the growing and production of marihuana for medical purposes, as permitted under the Marihuana for Medical Purposes Regulation (MMPR), and any subsequent regulations or acts which may be enacted in substitution therefor."
  - (2) Section 27.0 "Heavy Industrial Zone (I-2)" is amended by:
    - (a) Adding the following to Section 27.1 'Permitted Uses':

"(k) subject to section 27.2(4), medical marihuana growing and production."
    - (b) Adding the following to Section 27.2 'Conditions of Use':

"(4) Despite section 27.1(k), the locations where medical marihuana growing and production use is permitted are restricted to land shown zoned I-2 within the area included on the map below."



66

**CITATION**

2. This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No.95), 2013, No. 1832".

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

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

**PUBLIC HEARING** waived pursuant to s. 890(4)(b) of the *Local Government Act*

on the day of

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

**APPROVED** by the Minister pursuant to the provisions of the Transportation Act

on the day of

**ADOPTED** on the day of

---

Mayor (R. Hutchins)

---

Corporate Officer (S. Bowden)

**TOWN OF LADYSMITH**

**BYLAW NO. 1833**

A bylaw to amend "Area "G" Zoning Bylaw 1180, 1988"

---

**WHEREAS** by supplementary letters patent issued June 21, 2002 (the "Supplementary Letters Patent"), the boundaries of the Town of Ladysmith were extended to include certain areas formerly within Electoral Area "G" of the Cowichan Valley Regional District (the "Regional District");

**AND WHEREAS** pursuant to the Supplementary Letters Patent and the provisions of the *Local Government Act* the Regional District's Electoral Area "G" Zoning Bylaw 1180, 1988 continues to apply to those areas, and may be amended with respect to those areas, as if it had been enacted by the Municipal Council;

**AND WHEREAS** the Municipal Council considers it advisable to amend "Area "G" Zoning Bylaw 1180, 1988";

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

1. The "Area G Zoning Bylaw 1180, 1988" as amended is hereby further amended as follows:
  - (a) Section 3.1 of Part Three 'Definitions' is amended by adding a new definition immediately following the definition of 'lane':
 

"“medical marihuana growing and production” means the growing and production of marihuana for medical purposes, as permitted under the Marihuana for Medical Purposes Regulation (MMPR), and any subsequent regulations or acts which may be enacted in substitution therefor.”
  - (b) Section 7.1 'A-1 Zone - Primary Agriculture' of Part Seven 'Agriculture and Forestry Zones' is amended by:
    - (i) Adding the following to Section 7.1(a) 'Permitted Uses':
 

“(11) medical marihuana growing and production”

**CITATION**

2. This bylaw may be cited for all purposes as "Area "G" Zoning Bylaw 1180, 1988", Amendment Bylaw (No. 2), 2013, No. 1833".

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

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

**PUBLIC HEARING** waived pursuant to s.890(4)(b) of the *Local Government Act*

on the \_\_\_\_\_ day of \_\_\_\_\_

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

**APPROVED** by the Minister pursuant to the provisions of the *Transportation Act*

on the \_\_\_\_\_ day of \_\_\_\_\_

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_

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

E-Mail Received from Lt. Doug Judson, Ladysmith Fire/Rescue

**From:** Doug Judson  
**Sent:** July 11, 2013 9:57 AM  
**To:** Erin Anderson  
**Cc:** Rob Hutchins  
**Subject:** Grant in Aid cheque.

Erin and Rob

Recently the Ladysmith Fire Rescue applied for a grant in Aid for our *Auto Exvolution* event to be held at Transfer Beach and surrounding areas. The application was reviewed and subsequently a cheque for \$1500.00 was awarded towards this event. Thank you for this.

We had only two Fire Departments respond to this event and to host such a weekend we needed at least 6 to 8 departments. So we had to cancel the event. We now still have the cheque.

What we are requesting from the Town of Ladysmith, is, if we could put that money towards our "Donation account". We have a donation account set up, and receive money from service groups within the Town such as the Eagles, Ladysmith Hospital Auxillary, etc. That money goes toward purchasing things we may need for operations, etc. We have just recently bought an A.E.D kit with help from the Hospital auxillary. We also just added to our Rescue truck, a lifting tripod for confined space rescue use.

Anyways, if you could consider this towards our donation account, great!. If not let us know and I will make arrangements for the cheque to be returned.

Thanks for your consideration

Lt. Doug Judson, Ladysmith Fire Rescue



Ref: 153332

His Worship Mayor Robert Hutchins  
and Members of Council  
Town of Ladysmith  
PO Box 220  
Ladysmith, BC V9G 1A2



Dear Mayor Hutchins and Councillors:

On behalf of the joint Provincial-Union of BC Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our sincere congratulations for successfully achieving your goal of corporate carbon neutrality for the 2012 reporting year.

As a signatory to the Climate Action Charter (Charter), you have demonstrated your commitment to work with the Province and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

Climate change is a global challenge. The work that your local government has undertaken to reduce and offset its corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in your community. This leadership and commitment is essential to ensuring the achievement of our collective climate action goals.

As you are likely aware, the GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is attached to this letter for your reference.

As a Charter signatory who has met the goal of corporate carbon neutrality of the 2012 reporting year, you have been awarded Level 3 recognition – ‘Achievement of Carbon Neutrality.’

In recognition of your significant achievements, the GCC is very pleased to provide you with carbon neutral branding for use on websites and letter heads. An electronic file with this logo will be provided to your Chief Administrative Officer. Also included with this letter is a Green Communities Carbon Neutral window decal, for use on public buildings.

.../2

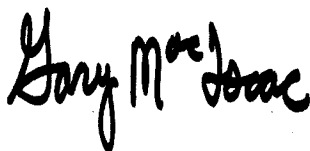
His Worship Mayor Robert Hutchins  
Page 2

Congratulations again on your achievement. We commend your leadership and wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality, and your efforts to reduce emissions in the broader community.

Sincerely,



Julian C. Paine  
Assistant Deputy Minister,  
Local Government Division



Gary MacIsaac  
Executive Director, Union of BC Municipalities

Enclosures





## GCC Communiqué on the Climate Action Recognition Program

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In acknowledgment of the ongoing efforts of local leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to announce the new **Climate Action Recognition Program** for BC local governments. This is a multi-level program that will provide the GCC with an opportunity to review and publicly recognize the progress and achievements of each *Charter* signatory.

Recognition will be provided on an annual basis to local governments who demonstrate progress on their *Charter* commitments, according to the following:

### *Level 1: Progress on Charter Commitments*

All local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments will receive a letter from the GCC acknowledging their accomplishments.

### *Level 2: Measurement*

Local governments who have completed a corporate carbon inventory for the reporting year and demonstrate that they are familiar with the Community Energy and Emissions Inventory (CEEI) will receive a 'Climate Action Community 2012' logo, for use on websites, letter head and similar.

### *Level 3: Achievement of Carbon Neutrality*

Local governments who achieve carbon neutrality in the reporting year will receive a 'Climate Action Community – Carbon Neutral 2012' logo, for use on websites, letter head and similar.

To be eligible for this program, local governments will need to complete a Climate Action Revenue Incentive Program (CARIP)/Carbon Neutral Progress Report and submit it to the Province in accordance with the program guidelines. Determination of the level of recognition that each community will receive will be based on the information included in each community's annual CARIP report. Additional information on CARIP reporting is available online at: [www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm](http://www.cscd.gov.bc.ca/lgd/greencommunities/carip.htm)