



TOWN OF LADYSMITH

A Regular Meeting of the
Council of the Town of Ladysmith
will be held in Council Chambers at City Hall on

MONDAY, MARCH 15, 2010
at 4:00 p.m.

AGENDA

	<u>Page</u>
CALL TO ORDER	
1. AGENDA APPROVAL	
2. <u>2010 Financial Plan - 4:00 p.m. to 6:00 p.m.</u> R. Malli, City Manager	
Recess for Government Services Committee Meeting 6:00 p.m. to 7:00 p.m.	
3. PUBLIC HEARINGS	
3.1 <u>Official Community Plan Amendment and Rezoning Application – 3360-09-08</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 29), 2010, No. 1705 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 78), 2010, No. 1706 1237 4 th Avenue – Lot 1, District Lot 97, Oyster District, VIP84065	1 - 15
3.2 <u>Official Community Plan Amendment and Rezoning Application – 3360-09-07</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 30), 2010, No. 1708 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 79), 2010, No. 1709 Proposed Lot 6 of Lot 1, DL 108, Oyster District, Plan 47290	16 - 23
4. BYLAWS (OCP / ZONING)	
4.1 <u>Official Community Plan Amendment and Rezoning Application – 3360-09-08</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 29), 2010, No. 1705 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 78), 2010, No. 1706 1237 4 th Avenue – Lot 1, District Lot 97, Oyster District, VIP84065 Re: Bylaw 1705 may be read a third time. Bylaw 1706 may be read a third time.	24 - 26 27 - 29
4.2 <u>Official Community Plan Amendment and Rezoning Application – 3360-09-07</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 30), 2010, No. 1708 Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 79), 2010, No. 1709 Proposed Lot 6 of Lot 1, DL 108, Oyster District, Plan 47290 Re: Bylaw 1708 may be read a third time. Bylaw 1709 may be read a third time.	30 - 31 32 - 33
4.3 <u>Official Community Plan Amendment and Rezoning Proposal 3360-10-01</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 31), 2010 No. 1710 Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 80), 2010, No. 1711 Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 81), 2010, No. 1714 Grouhel/Christie Road - Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 Re: Bylaw 1710 may be read a first and second time. Bylaw 1711 may be read a first and second time. Bylaw 1714 may be read a first and second time. May support a covenant being registered on certificate of title.	34 - 44

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5. MINUTES	
Adoption of following minutes:	
• March 1, 2010	45 – 51
6. DELEGATION	
None	
7. PROCLAMATIONS	
7.1 Mayor Hutchins has proclaimed:	
• April 2010 as Canadian Cancer Society’s Daffodil Month and April 9, 2010 as Daffodil Day.	
in the Town of Ladysmith.	
8. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS	
None	
9. STAFF / ADVISORY COMMITTEE REPORTS	
9.1 <u>Septic Services Annual Tender 2010</u>	52 – 53
9.2 <u>Municipal Insurance Association of B.C. Risk Management Grant Application – Walkway at North End of City Hall</u>	54 – 56
9.3 <u>Contract Award for Roofing and Sheet Metal – Ladysmith Community Services Centre and Boys and Girls Club Facilities</u>	57 – 58
9.4 <u>Solar Communities Grant Application</u>	59 – 60
9.5 <u>Grant Application to UBCM Seniors’ Housing and Support Initiative For Ladysmith Seniors’ Wellness Park</u>	61 – 62
9.6 <u>Contract Award – Architect - Community Social Services Centre</u> (Report to be distributed at meeting.)	
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9.10 <u>Coastal Animal Control Services of BC Ltd.</u> February 2010, Pound Report	66
10. CORRESPONDENCE	
10.1 <u>S/Sgt R. Plamondon, RCMP</u> Re: Traffic Complaint – Davis Road (School Zone)	67 – 68
<u>Staff Recommendation</u> That the correspondence be received.	
11. BYLAWS	
11.1 Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2010, No. 1712 Re: May be read a first, second and third time.	69 – 71
12. NEW BUSINESS	
None.	

13. UNFINISHED BUSINESS

None.

14. QUESTION PERIOD

1.5. EXECUTIVE SESSION

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

- 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;
- labour relations or other employee relations;
- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

16. RISE AND REPORT

ADJOURNMENT



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: February 10, 2010
File No: 3360-09-08

Re: OFFICIAL COMMUNITY PLAN (OCP) AMENDMENT & REZONING APPLICATION
1237 4th Avenue- Lot 1, District Lot 97, Oyster District, VIP84065

RECOMMENDATION(S):

1. That Council give first and second reading to Bylaw 1705 cited as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.29), 2010 No. 1705" and Bylaw 1706 cited as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.78), 2010, No. 1706" and that a public hearing be scheduled for Bylaw 1705 and Bylaw 1706.
2. That Council accepts the donation of land legally described as Lot 2, District Lot 97, Oyster District, Plan VIP84065 to the Town of Ladysmith AND that Council accepts the following land use agreement (covenant) for rezoning application 3360-09-08:
 - a) A maximum of 48 residential units on the subject property;
 - b) A commitment to the site plan developed by Delinea Design Consultants Ltd. and to the green building strategies indicated on the plans;
 - c) At the development permit stage: (i) a tree protection management plan; a landscape plan that pays special attention to utilizing native species, protection of the riparian area, and to stormwater management; (ii) a commitment to the recommendations of the Riparian Area Regulation report completed by Toth and Associates; and (ii) a public pedestrian right-of-way to Crown owned Lot A, VIP66519;and authorizes the Mayor and Corporate Officer to execute the necessary documents to secure these commitments.

PURPOSE:

The purpose of this report is to present Bylaw 1705 and 1706 for consideration of first and second reading and to present the amenity contribution land use agreement for a proposed 48 residential units at 1237 Fourth Avenue.

INTRODUCTION/BACKGROUND:

On January 18, 2010 Council directed staff to prepare bylaws for the proposed OCP amendment and rezoning of 1237 Fourth Avenue. The project is described in Schedules A to E attached to this report.

SCOPE OF WORK:

Bylaw 1705 proposes to amend the OCP by designating the subject property as 'Multi-Family Residential' and places the property in Development Permit Area 4 -

Multi-Family Residential (DPA4). Also, Bylaw 1705 proposes to designate the adjacent riparian area (Lot 2, VIP84065) as 'Park and Open Spaces'.

Bylaw 1706 proposes to amend the Zoning Bylaw by rezoning the subject property as Medium Density Residential (R-3-A) with a site specific amendment stating that a maximum of 48 units is permitted on the site, being a maximum of 25 units per hectare. Also, Bylaw 1706 proposes to zone the adjacent riparian area (Lot 2, VIP84065) as 'Park (P-2)'. The proposed height of the condominium building exceeds the permitted height in the R-3-A Zone thus the applicant will need to apply for a height variance at the development permit stage.

The applicant is offering to the Town the adjacent property, Lot 2, VIP84065, to ensure the protection of this section of the Rocky Creek riparian area. In 2009, the BC Assessment Authority assessed value of Lot 2, VIP84065 was \$75,400. The applicant has expressed a wish to place a conservation covenant on Lot 2, VIP84065 prior to donating the land to the Town to ensure that the riparian area is left in its natural state, with the exception of a possible public trail to be constructed in the future.

In addition, the applicant has agreed that a land use agreement (covenant) registered on the title of the subject property (Lot 1, VIP84065) will include:

- a) A statement that there will be a maximum of 48 residential units on the subject property;
- b) A commitment to the site plan developed by Delinea Design Consultants Ltd. and to the green building strategies indicated on the plans;
- c) At the development permit stage: (i) a tree protection management plan; a landscape plan that pays special attention to utilizing native species, protection of the riparian area, and to stormwater management; (ii) a commitment to the recommendations of the Riparian Area Regulation report completed by Toth and Associates; and (ii) a public pedestrian right-of-way to Crown owned Lot A, VIP66519;

ALTERNATIVES:

That Council proceed no further with OCP and Zoning Bylaw Amendment application 3360-09-08 (1237 Fourth Avenue).

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

If the application proceeds a public hearing will be required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

In addition to the OCP consultation already held, a neighbourhood information meeting would be required if the application proceeds.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Director of Public Works and Director of Parks, Recreation, and Culture and their comments have been considered.

RESOURCE IMPLICATIONS:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

It is recommended to give first and second reading to Bylaw 1705 and Bylaw 1706, to support the land use agreement and to forward the application to public hearing.

I concur with the recommendation.


Ruth Malli, City Manager

ATTACHMENTS:

Schedule A: Subject Property Map

Schedule B: Design Rationale – delineation (Sept. 21, 2009)

Schedule C: Site Plan - delineation

Schedule D: Exterior Elevation – Townhomes – delineation

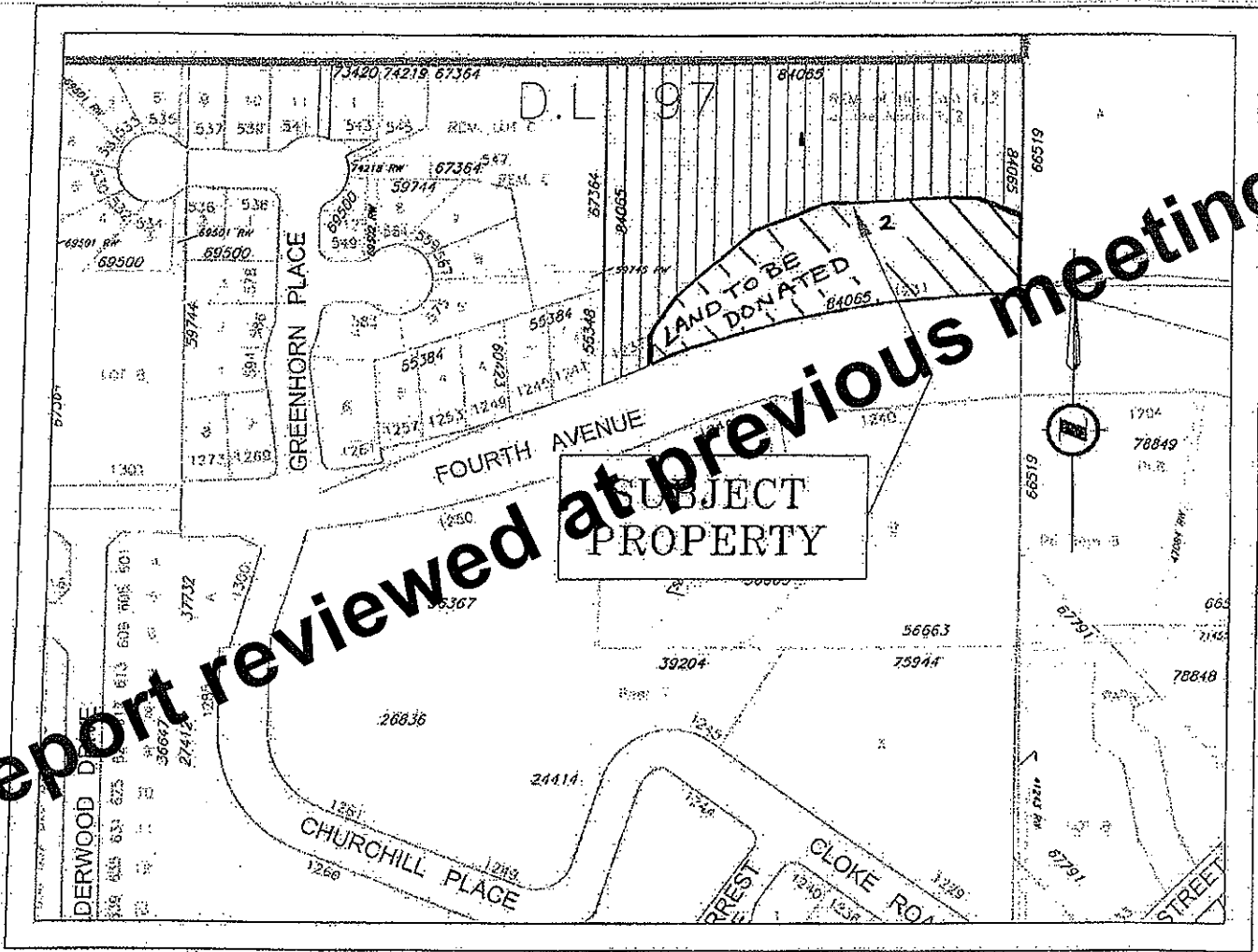
Schedule E: Exterior Elevation – Condominiums – delineation

Bylaw 1705

Bylaw 1706

Report reviewed at previous meeting

Report reviewed at previous meeting



Schedule A. - Subject Property Map

21 September 2009

MULTI FAMILY DEVELOPMENT
1237 FOURTH AVENUE
LADYSMITH B.C.

DESIGN RATIONALE

The subject property on 4th Avenue is a 1.95 ha. site with hilly terrain bound by Rocky Creek, crown land, park and a residential zoned undeveloped parcel.

This development proposal provides housing options in a naturally wooded site. Preservation and protection of the setting are key aspects of the design and recognized as the primary amenity and the projects greatest asset.

Design principles adopted to achieve this include:

- Protection of Rocky Creek by previous subdivision and separation from building sites.
- Minimize site disturbance with
 - reduced building footprints / lot coverage
 - reduced width private road network
 - complete of underground and/or covered parking
- Significant buffering of adjacent properties; The Rocky Creek parcel itself is a significant separation of 4th Avenue and the building sites. Vegetation on the creek banks will provide a complete visual screen. Additionally, setbacks from the property boundaries to building sites are generous to create usable outdoor spaces, ensure privacy and develop or protect landscape features.

There are two distinct housing forms; condominiums units and clustered town homes. The design concepts for each are:

Condominiums:

- Based on the principal that equal densities can be achieved by building upward rather than outward with less site impact, these buildings are 4 storeys each with just 4 units per floor.
- Parking is located beneath the structure with a small node of surface visitor parking, common to both buildings
- Although not large, the height and scale of the building is further diminished by the backdrop of mature trees and relief from public streets. These are comparable in height to generic apartment blocks without the mass due to the reduced building area and limited number of units. Building elements will range in height from 10m (roof decks) to 12m (elevator shafts / clerestory glazed components) to 14m (peak of sloped roofs).

4378 O'Brian Road
Ladysmith, BC
Canada V9G 1G2

P/F 250.245.3894

Schedule B – Design Rationale (Sept. 21, 2009 – delinea design consultants Ltd.)

Cluster Housing:

- Units are typically 1 to 1 1/2 storeys in height.
- Again, the small floor plates and organizational relationships allow for offsetting of heights to relate to natural topography.
- Use of natural finish materials lends itself well to the environment and provides durability. Stone, concrete, timber, wood and composite cladding are materials of choice. Vinyl siding is not a consideration.

Green building strategies are also design considerations and are itemized on drawing PR2.



Report reviewed at previous meeting

4378 O'Brian Road
Ladysmith, BC
Canada V9G 1G2

P/F 250.245.3894

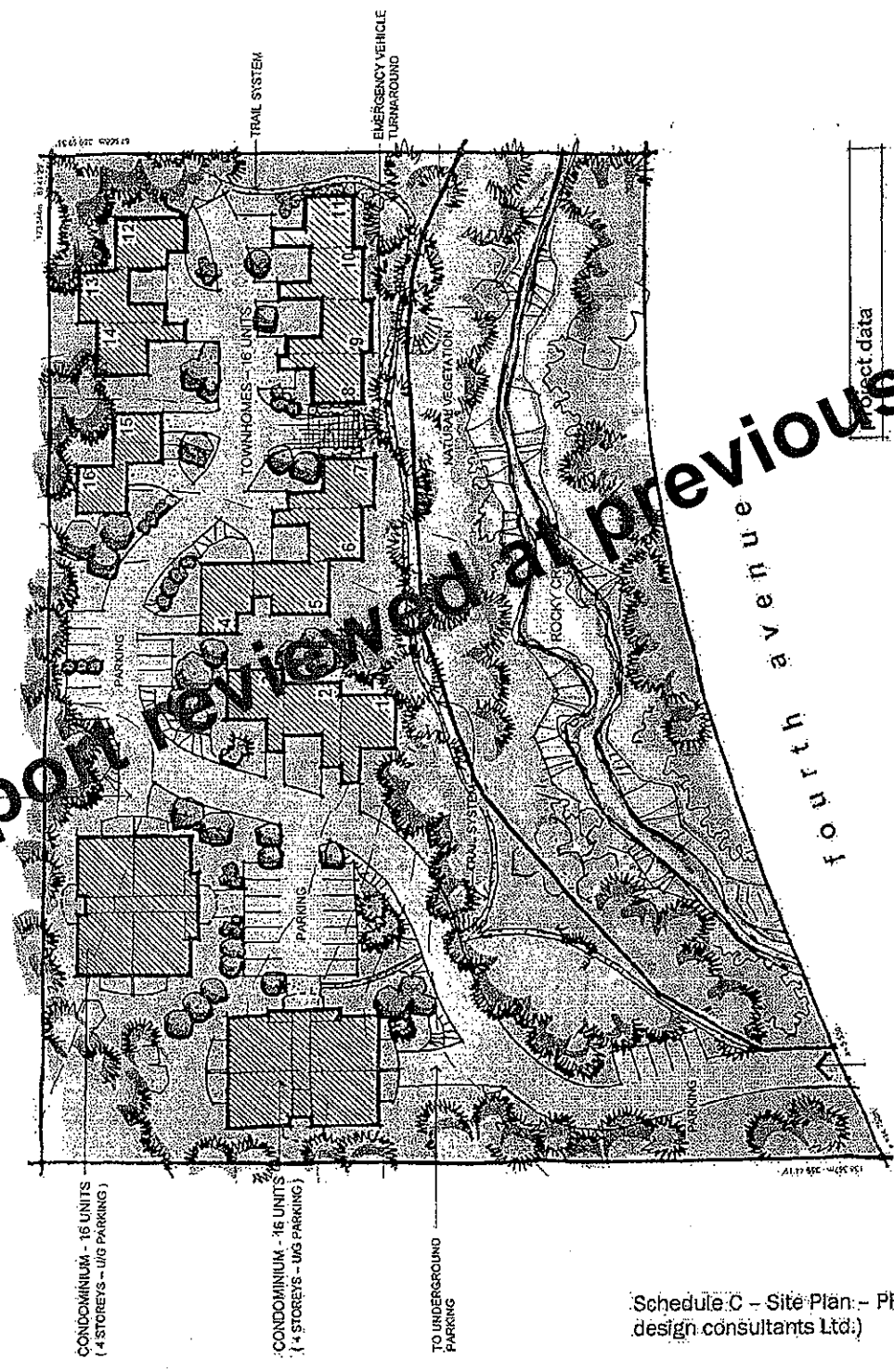
CONTRACTOR TO VERIFY ALL UNITS, LEVELS, DIMENSIONS, AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE LOCAL BUILDING BY-LAW AND ALL LOCAL BUILDING BY-LAW REQUIREMENTS. THESE PLANS ARE THE PROPERTY OF DELINEA DESIGN CONSULTANTS LTD. NO PARTS TO BE USED EXCEPT AS SHOWN UNAUTHORIZED REPRODUCTION IS PROHIBITED. © 2009 DELINEA DESIGN CONSULTANTS LTD. 10/10/09



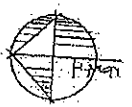
2150 HANCOCK ROAD - GASTROUSVILLE BC V2M 1L2
 will metville
 250.245.3884

REVISED: 07/27/09
 ISSUED FOR REVIEW: 10/10/09

PROJECT: Multi-Family Residential Development.
 1237 Fourth Ave. Ladysmith, BC
 XOS NUMBER: 4324, 31, 92
 SCALE: as noted
 DRAWN BY: C.M.
 DRAWING TITLE: site plan
 PAGE: PR1



Project data
 legal description: the east 1/2 of the north 1/2 of section 27, electoral district, except that part in plan 36367
 site address: 1237 Fourth Avenue, Ladysmith, B.C.
 zoning: existing suburban residential, proposed medium density residential
 lot area: 1.05 ha.
 land uses:
 16 units
 4 stores, condominium
 32 units
 48 units
 total



site plan
 SCALE: 1:100

CONTRACTOR IS USER: ALL LINE LEVELS SURVEYED - DIMENSIONS LOCATED, ALL DIMENSIONS ON SITE AND LOCATION OF ALL WORK TO BE DONE IN ACCORDANCE WITH ALL LOCAL BUILDING BYLAWS AND ALL LOCAL BUILDING BYLAWS

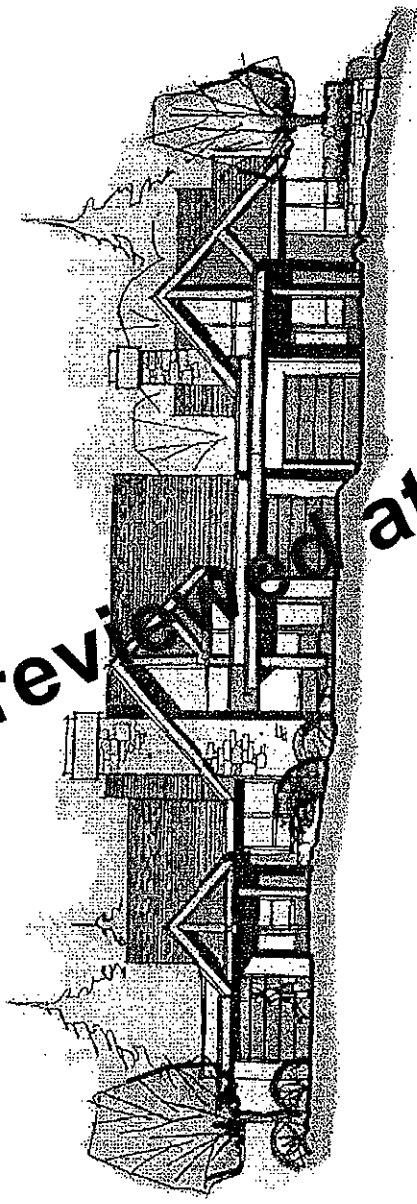
CONTRACTOR IS USER: THESE PLANS CONTAIN INFORMATION TO BE USED ONLY FOR THE PROJECT AND NOT BE REPRODUCED OR COPIED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF DELINEA DESIGN CONSULTANTS LTD.



222 GERRARD ST. EAST, SUITE 102
 TORONTO, ONTARIO M5E 1B3
 TEL: 416-463-8888
 FAX: 416-463-8889

REVISIONS
 ISSUED FOR REVIEW: 24 June 09
 ISSUED FOR REZONING: 10 Sept 09

PROJECT: Multi-Family Residential Development
 1237 Fourth Ave. Ladysmith, BC
 JOB NUMBER: 0324-31-92
 SCALE: as noted
 DRAWN BY: C.M.
 DRAWING TITLE: conceptual townhome exterior elevation
 PAGE: PR2



Report reviewed at previous meeting

exterior elevation - townhomes

GREEN BUILDING STRATEGIES:

- SUSTAINABLE SITE:
 - erosion and sediment control plan
 - protection of natural vegetation
 - minimize light trespass
 - storm water management
 - permeable surfaces for roads, parking areas, pathways etc.
- COURSE OF CONSTRUCTION PRACTICES:
 - use of regional materials
 - divert construction waste from landfill
 - waste management
 - material reuse
 - energy efficient windows
 - high insulation standards
 - energy efficient appliances (heat pumps, high efficiency furnaces, energy star, on demand hot water, etc.)
- ENERGY:
 - low VOC paints, sealants, adhesives etc.

WATER:

- low flow fixtures
- drought tolerant / native plant materials
- grey water, supplemented or eliminated with rain water collection system

MATERIALS:

- high ash content concrete
- renewable resources (cork, bamboo, wheat core etc.)
- use materials with a recycle content

Consent to issue: All site, survey, drawings, measurements, location of building on site and location of all work to be done in accordance with this report, including, printing, copyright, reserves, fees, plans, drawings, etc. TO BE USED ONLY FOR THE PROJECT BROWN, UNMODIFIED AND NOT REPRODUCIBLE IN ANY MANNER IS NOT PERMITTED.

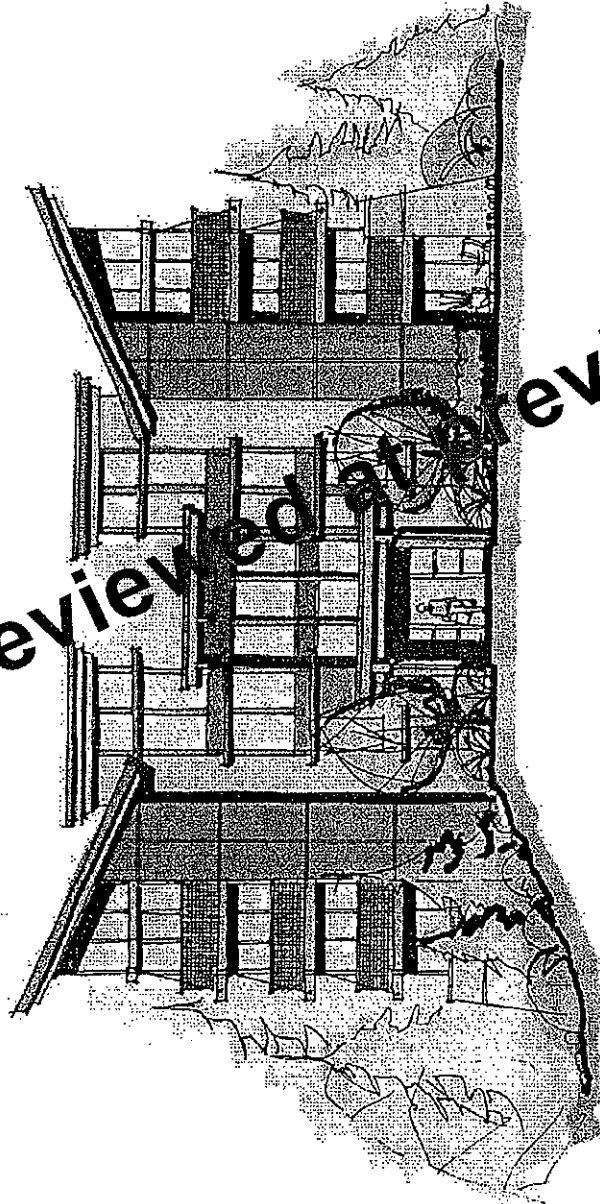


entrepreneurial management van der
will merville
design
282-263-8387

Revisions:
Issued for review 24 June 09
Issued for rezoning 10 Sept 09

PROJECT:	Multi-Family Residential Development
	1237 Fourth Ave. Lallysmith, BC
JOB NUMBER:	d324,3192
SCALE:	as noted
DRAWN BY:	C.M.
DRAWING TITLE:	conceptual condominiums exterior elevation
PAGE:	PR3

Report reviewed at previous meeting



exterior elevation - condominiums

TOWN OF LADYSMITH

BYLAW NO. 1705

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

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 "Official Community Plan Bylaw, 2003, No. 1488".

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

- (1) Schedule "A" - "Town of Ladysmith Community Plan" is amended by:
- (a) Placing on Map 1 "Land Use" the designation "Multi-Family Residential" on Lot 1, District Lot 97, Oyster District, VIP84065 as shown on Schedule 1 attached to this Bylaw.
 - (b) Placing on Map 1 "Land Use" the designation "Parks and Open Spaces" on Lot 2, District Lot 97, Oyster District, VIP84065 as shown on Schedule 1 attached to this Bylaw.
 - (c) Placing on Map 2 "Development Permit Areas" "Development Permit Area 4 - Multi-Family Residential" on Lot 1, District Lot 97, Oyster District, VIP84065 as shown on Schedule 2 attached to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.29), 2010, No. 1705".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

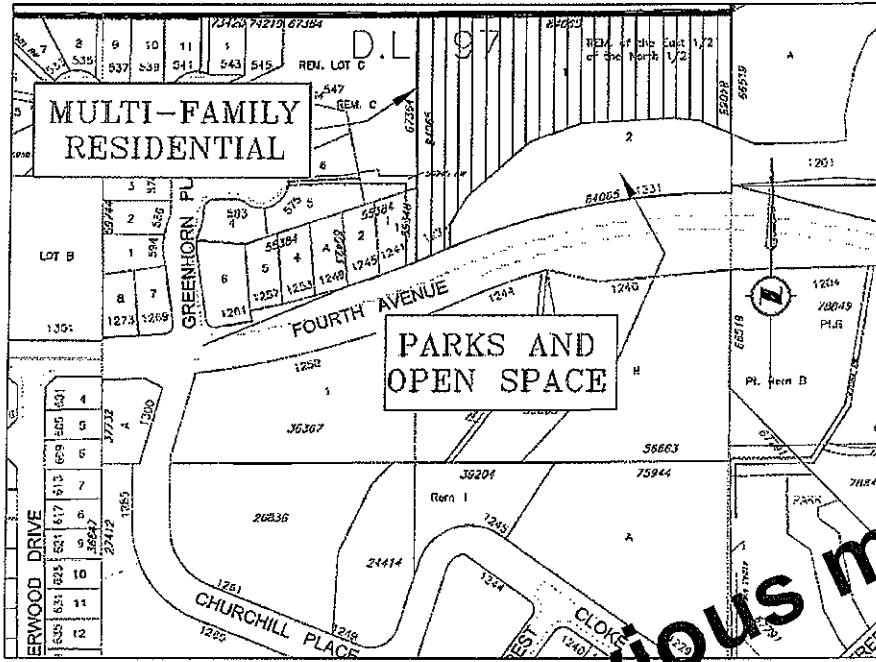
PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

READ A THIRD TIME on the day of

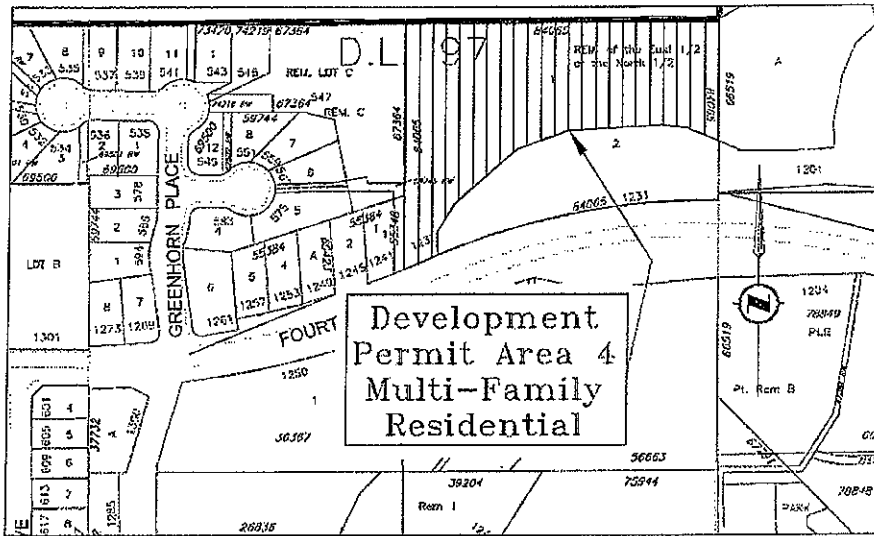
ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Report reviewed at previous meeting



Report reviewed at previous meeting

TOWN OF LADYSMITH

BYLAW NO. 1706

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:

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended by adding the following site specific regulations to Section 13.0 Medium Density Residential Zone:
 - (a) "13.2 (4)(b) Despite 13.2(4) the number of residential units located on Lot 1, District Lot 97, Oyster District, Plan VIP84065 shall not exceed 48 units (25 residential units per hectare)."
- (2) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Medium Density Residential (M-2) Zone" on Lot 1, District Lot 97, Oyster District, Plan VIP84065 as shown on Schedule 1 attached to this Bylaw.
- (3) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Parks (P-2)" on Lot 2, District Lot 97, Oyster District, Plan VIP84065 as shown on Schedule 2 attached to this Bylaw.

CITATION

- (4) This bylaw shall be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.78), 2010, No. 1706".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

on the day of

READ A THIRD TIME on the day of

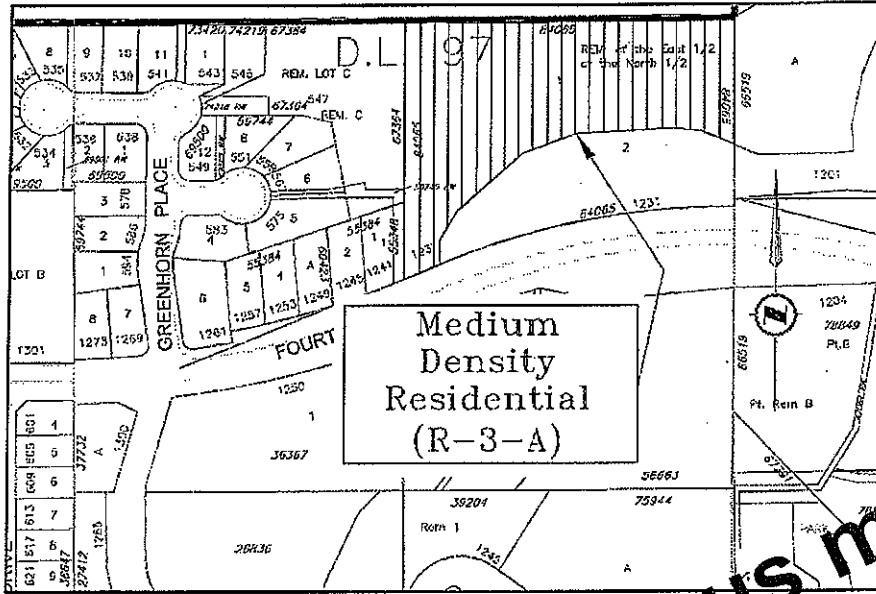
ADOPTED on the day of

Mayor (R. Hutchins)

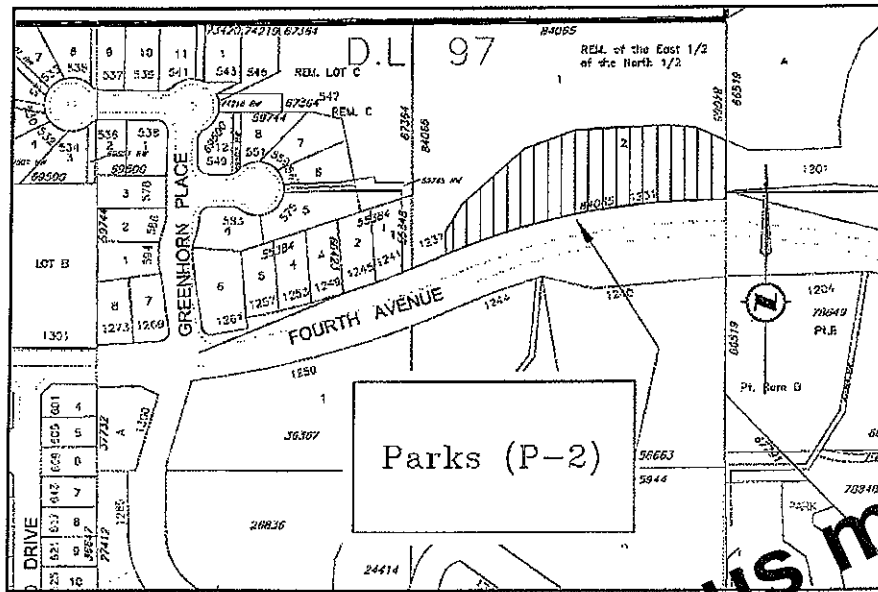
Corporate Officer (S. Bowden)

Report reviewed at previous meeting

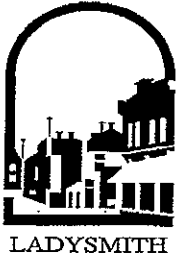
Bylaw 1706 - Schedule 1



Report reviewed at previous meeting



Report reviewed at previous meeting



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Manager of Development Services
Date: February 8, 2010
File No: 3360-09-07

Re: Official Community Plan Amendment & Rezoning Application - Fourth Avenue Seven Links Marketing and Development Ltd. (Proposed lot 6 of Lot 1, D.L. 108, Oyster District, Plan 47290)

RECOMMENDATION(S):

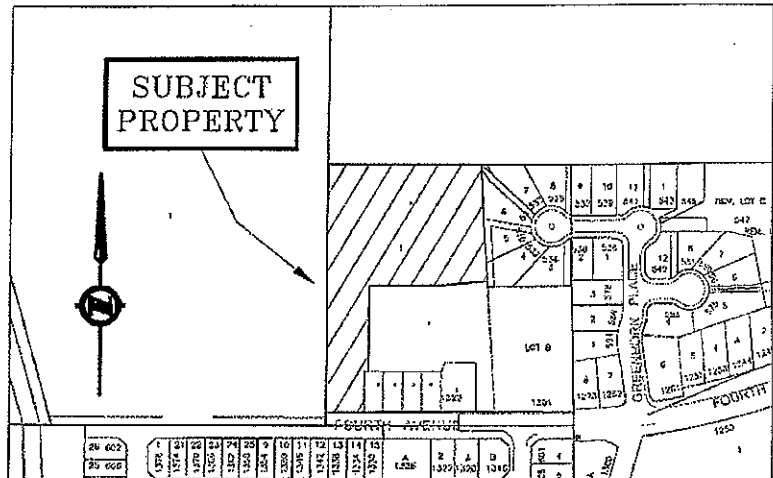
1. That Council give first and second reading to Bylaw 1708 cited as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 2009-09-10 No. 1708" and Bylaw 1709 cited as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.79), 2010, No.1709" and that a public hearing be scheduled for Bylaw 1708 and Bylaw 1709.
2. That Council accepts the single family design guidelines to be prepared as a covenant for rezoning application 3360-09-07 and authorizes the Mayor and Corporate Officer to execute the documents.

PURPOSE:

The purpose of this report is to present a bylaw to amend the Official Community Plan (OCP) and a bylaw to amend the Zoning Bylaw to permit 24 single family lots on proposed lot 6 of Lot 1, D.L. 108, Oyster District, Plan 47290.

INTRODUCTION/BACKGROUND:

Currently the subject area is designated 'Urban Reserve' and zoned 'Agriculture Zone'. The applicant is proposing to designate the subject area as 'Single Family Residential' and rezone the area to 'Mobile Home Park Zone (MP-1)' to permit 24 single family lots.



On November 16, 2009 Council passed a motion directing staff to refer the application to the Advisory Planning Committee, to prepare bylaws to amend the OCP and Zoning Bylaw, and to work with the developer towards a land-use agreement.

SCOPE OF WORK:

The total area of proposed lot 6 is 12,418m². The subject site is relatively level and would be accessed from a new dedicated road. Land to the north is in the Cowichan Valley Regional District and is Crown owned land designated as park. To the south and east is single family development and to the west is the proposed sports fields of D.L. 108. In September 2009, the northern portion of D.L.108 was zoned to permit mobile homes and medium density residential units. Thus, a new neighbourhood with sports fields is evolving at the end of Fourth Ave.. If the subject rezoning proceeds it would add 24 single family lots to the neighbourhood.

The amendment to the OCP, Bylaw 1708 designates the subject area as 'Single Family Residential'. The amendment to the Zoning Bylaw, Bylaw 1709, changes the zoning of the subject area from 'Agriculture Zone (A-2)' to 'Mobile Home Park Zone (MP-1)'. For the subject area only Bylaw 1709 does not permit mobile homes and the density is amended to permit 19.4 single family units per hectare. The minimum lot size in the MP-1 zone is 372 square metres (4004 square feet).

Table 1: Summary of OCP Amendment and Rezoning – 3360-09-07

	<i>Current</i>	<i>Proposed</i>
<i>OCP</i>	Urban Reserve	Single Family Residential
<i>Zoning</i>	Agriculture Zone (A-2)	Mobile Home Park Zone (MP-1)
<i>Minimum lot size:</i>	0.4 hectares	372 m ²
<i>Permitted uses:</i>	one family residential unit and agriculture	24 single family lots

The proposed density of 19.4 units per hectare is considered 'intensive residential development'. The OCP defines 'intensive residential development' to include all forms of residential development that consists of densities that average 17.3 units per hectare (7 units per acre) or greater. The OCP requires that design guidelines be completed to guide the form and character of intensive residential development. The applicant has agreed to register a covenant on title which outlines design guidelines for the site as shown in *Schedule A: Small Lot Residential Development Design Guidelines*.

ALTERNATIVES:

That Council proceed no further with OCP and Zoning Bylaw Amendment application 3360-09-07 (Seven Links Marketing and Development Ltd).

FINANCIAL IMPLICATIONS:

n/a

LEGAL IMPLICATIONS:

It is recommended to hold a Public Hearing.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

If the application proceeds the applicant will be required to hold a neighbourhood information meeting.

Report reviewed at previous meeting

It is recommended to refer the application to the Advisory Planning Commission prior to the Public Hearing.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The application has been referred to the Director of Public Works for review. The proposed lot is the subject of a subdivision application.

RESOURCE IMPLICATIONS:

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

ALIGNMENT WITH STRATEGIC PRIORITIES:


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

SUMMARY:

An OCP amendment and rezoning is proposed to permit 24 single family lots at the end of Fourth Avenue. It is recommended to support the rezoning and hold a public hearing regarding proposed bylaws 1708 and 1709.

Concur with the recommendation.



 Ruth Malli, City Manager

ATTACHMENTS:

Schedule A: Small Lot Residential Development Design Guidelines

Bylaw 1708

Bylaw 1709

Report reviewed at previous meeting

3360-09-07 Schedule A:

Small Lot Residential Development Design Guidelines

In 2008 the Town of Ladysmith completed an 'experienced-driven' community planning "Visioning" process which identified a sustainability strategy for the Town and identified a preferred character for the community (Ladysmith: A Community Vision for a Sustainable West Coast Town).

The design guidelines listed below are consistent with the Official Community Plan (Bylaw 1488) and are intended to guide the form of small lot residential development towards the Ladysmith vision.

The objectives of the 'Small Lot Residential Development Design Guidelines' are to ensure that:

- (a) Site planning and building architectural elements are of a human scale, incorporate sustainable development practices and create a sense of neighbourhood identity through a coherent architectural language with regard to form, site orientation, landscaping, and streetscape elements; and
- (b) Building and site design strives to reduce energy consumption, water and material use, and impact on natural ecosystems.

The following guidelines apply to this development.

- The scale, bulk, mass, character shape and form of new development must relate positively to traditional architectural elements that draw from 'Colonial', 'Prairie Farmhouse', 'Pacific North West' or 'Craftsman' styles which are expressed through the following features:
 - The exterior design of individual residential units and clusters of residential units are to include façade modulation, attractive window patterns, roof line changes, alternating dormers, gables, stepped roofs, building material changes, and variations in colour.
 - Street front porches and patios are to be included as architectural features and useable private outdoor space.
 - The front building elevation should not be dominated by the garage.
 - Exterior building design elements, details, and materials shall create a well-proportioned and unified building form.
 - The exterior façade of the front elevations must be hardiplank or cedar siding. Stucco may only be used for minor accents.
 - All street elements shall have a form of stone or masonry detailing.
- Site planning will create a human scale, sustainable development with its own sense of neighbourhood identity by including consideration of:
 - Homeowner privacy, avoiding the casting of shadows on private outdoor space, and allowing for an engaging street presence.
 - Avoid side by side placement of identically designed homes.
 - Buildings oriented towards a public road.
 - Landscape design that includes the use of native, drought tolerant plants; on-site stormwater management, use of permeable driveways and walkways, where possible, to reduce surface run-off and to enhance landscaped areas.
 - Planting a minimum of two new trees on each single family lot.
 - Installing low flow plumbing fixtures and using energy efficient windows and appliances.

TOWN OF LADYSMITH

BYLAW NO. 1708

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

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 "Official Community Plan Bylaw, 2003, No. 1488".

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

(1) Schedule "A" - "Town of Ladysmith Community Plan" is amended by:

- (a) Placing on Map 1 "Land Use" the designation "Single Family Residential" on the 'subject property' being proposed Lot 6, of Lot 1, District Lot 108, Oyster District, Plan47290 as shown on Schedule 1 attached to this Bylaw.

CITATION

(2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.30), 2010, No. 1708".

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

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

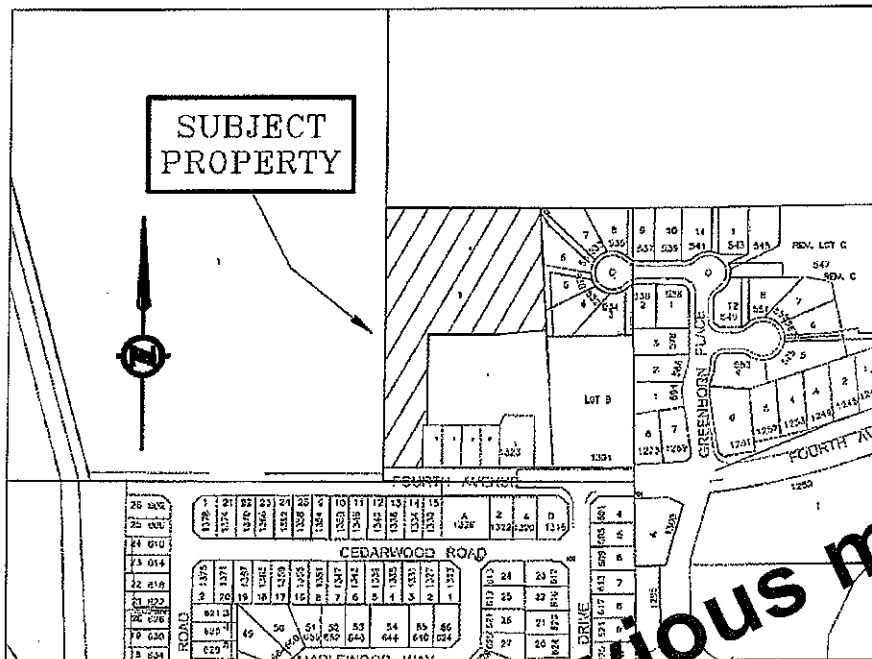
READ A THIRD TIME on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Report reviewed at previous meeting



Report reviewed at previous meeting

TOWN OF LADYSMITH

BYLAW NO. 1709

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:

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended by adding the following site specific regulations to Section 15.0 Mobile Home Park Zone:
 - (a) "15.1 (d) Despite 15.1 (a) a mobile home park is not a permitted use on proposed lot 6 of Lot 1, District Lot 108, Oyster District, Plan 47290.
 - (b) "15.2 (1)(a) Despite 15.2(1) the maximum number of dwelling units permitted on proposed lot 6 of Lot 1, District Lot 108, Oyster District, Plan 47290 is 19.4 single family residential dwelling units per hectare of land."
- (2) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Mobile Home Park (MP-1)" on the 'subject property' being proposed lot 6 of Lot 1, District Lot 108, Oyster District, Plan 47290 as shown on Schedule A attached to this Bylaw.

CITATION

- (3) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.79), 2010, No. 1709".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

on the day of

READ A THIRD TIME on the day of

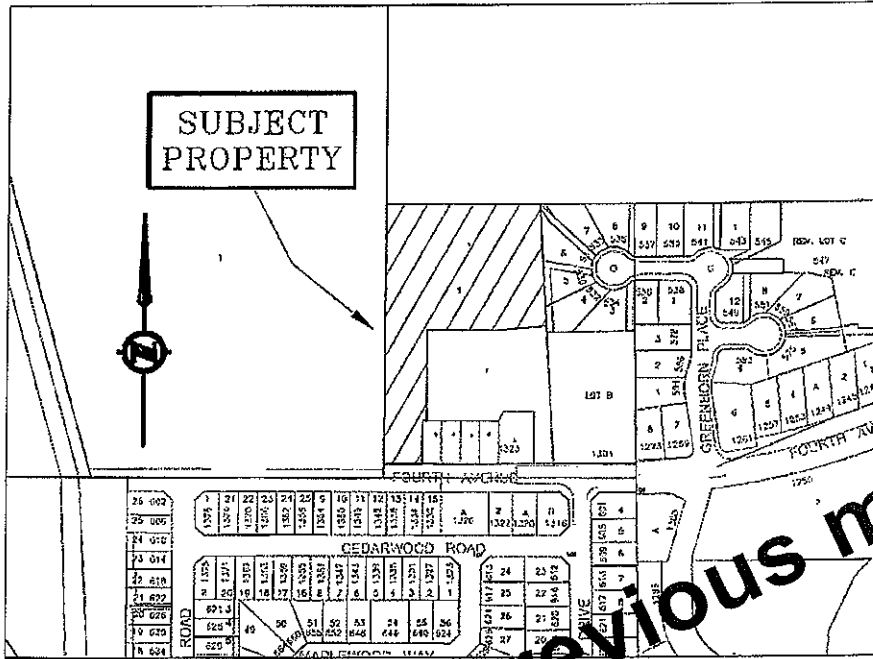
ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Report reviewed at previous meeting

Bylaw 1709 - Schedule 1



Report reviewed at previous meeting

TOWN OF LADYSMITH

BYLAW NO. 1705

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

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 "Official Community Plan Bylaw, 2003, No. 1488".

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

- (1) Schedule "A" - "Town of Ladysmith Community Plan" is amended by:
 - (a) Placing on Map 1 "Land Use" the designation "Multi-Family Residential" on Lot 1, District Lot 97, Oyster District, VIP84065 as shown on Schedule 1 attached to this Bylaw.
 - (b) Placing on Map 1 "Land Use" the designation "Parks and Open Spaces" on Lot 2, District Lot 97, Oyster District, VIP84065 as shown on Schedule 1 attached to this Bylaw.
 - (c) Placing on Map 2 "Development Permit Areas" "Development Permit Area 4 - Multi-Family Residential" on Lot 1, District Lot 97, Oyster District, VIP84065 as shown on Schedule 2 attached to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.29), 2010, No. 1705".

READ A FIRST TIME on the 15th day of February, 2010

READ A SECOND TIME on the 15th day of February, 2010

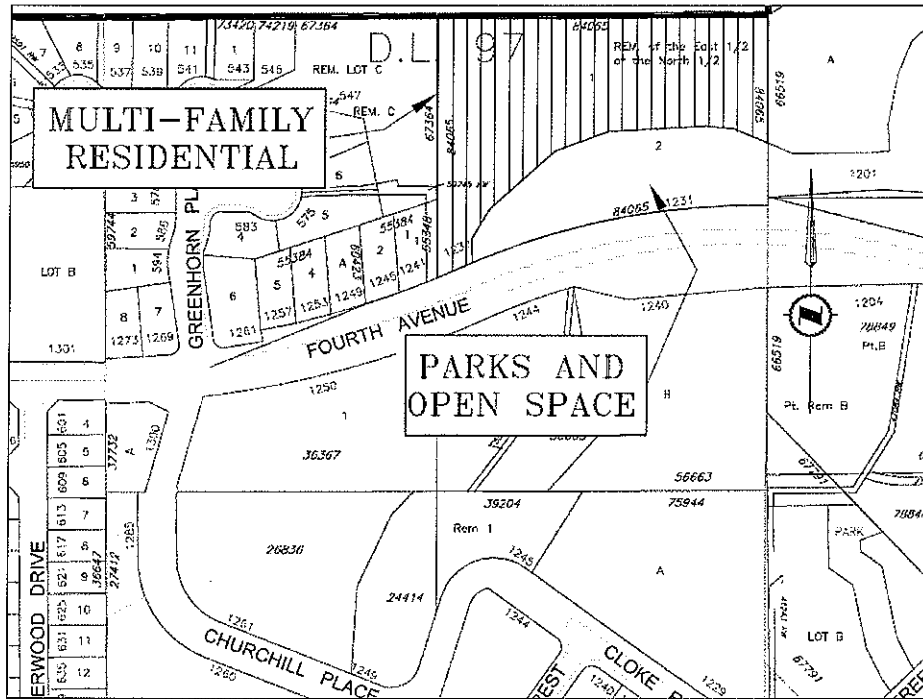
PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

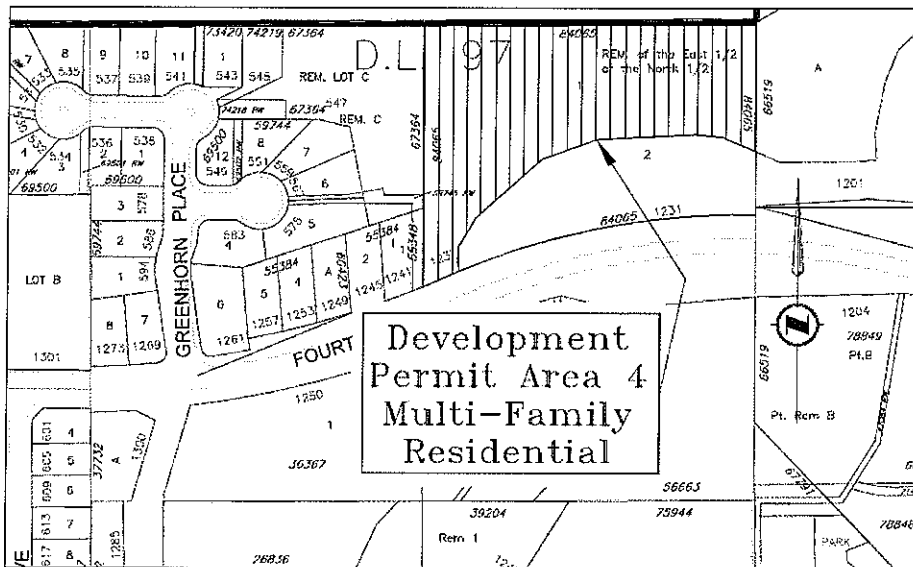
READ A THIRD TIME on the day of
on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)





TOWN OF LADYSMITH

BYLAW NO. 1706

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:

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended by adding the following site specific regulations to Section 13.0 Medium Density Residential Zone:
 - (a) "13.2 (4)(b) Despite 13.2(4) the number of residential units located on Lot 1, District Lot 97, Oyster District, Plan VIP84065 shall not exceed 48 units (25 residential units per hectare)."
- (2) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Medium Density Residential (R-3-A) Zone" on Lot 1, District Lot 97, Oyster District, Plan VIP84065 as shown on Schedule 1 attached to this Bylaw.
- (3) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Parks (P-2)" on Lot 2, District Lot 97, Oyster District, Plan VIP84065 as shown on Schedule 2 attached to this Bylaw.

CITATION

- (4) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.78), 2010, No. 1706".

READ A FIRST TIME on the 15th day of February, 2010

READ A SECOND TIME on the 15th day of February, 2010

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

on the day of

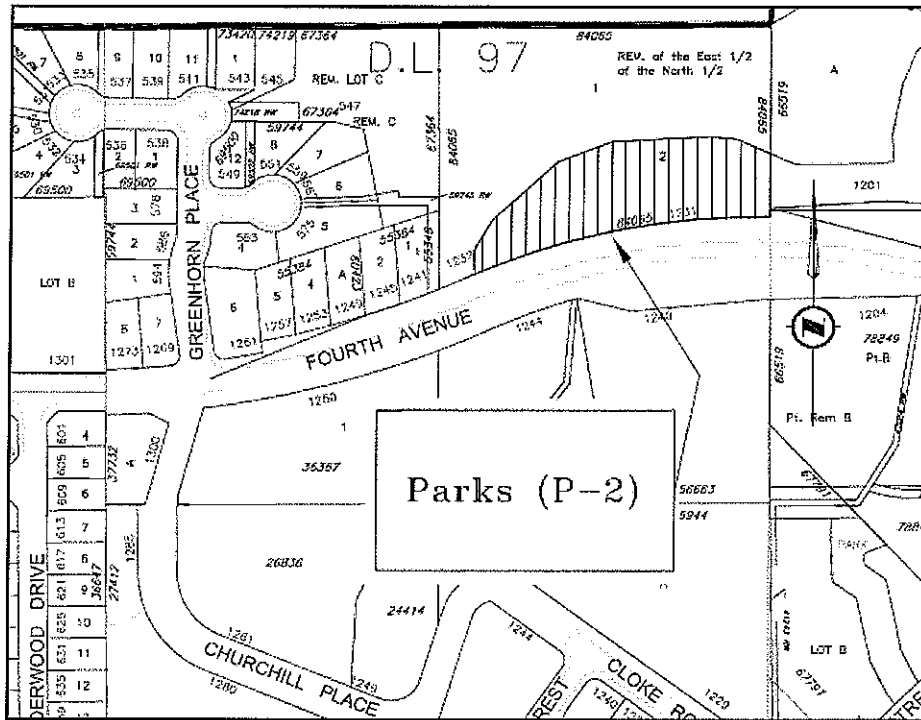
READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1706 - Schedule 2



TOWN OF LADYSMITH

BYLAW NO. 1708

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

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 "Official Community Plan Bylaw, 2003, No. 1488".

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

- (1) Schedule "A" - "Town of Ladysmith Community Plan" is amended by:
 - (a) Placing on Map 1 "Land Use" the designation "Single Family Residential" on the 'subject property' being proposed Lot 6, of Lot 1, District Lot 108, Oyster District, Plan47290 as shown on Schedule 1 attached to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.30), 2010, No. 1708".

READ A FIRST TIME on the 15th day of February, 2010

READ A SECOND TIME on the 15th day of February, 2010

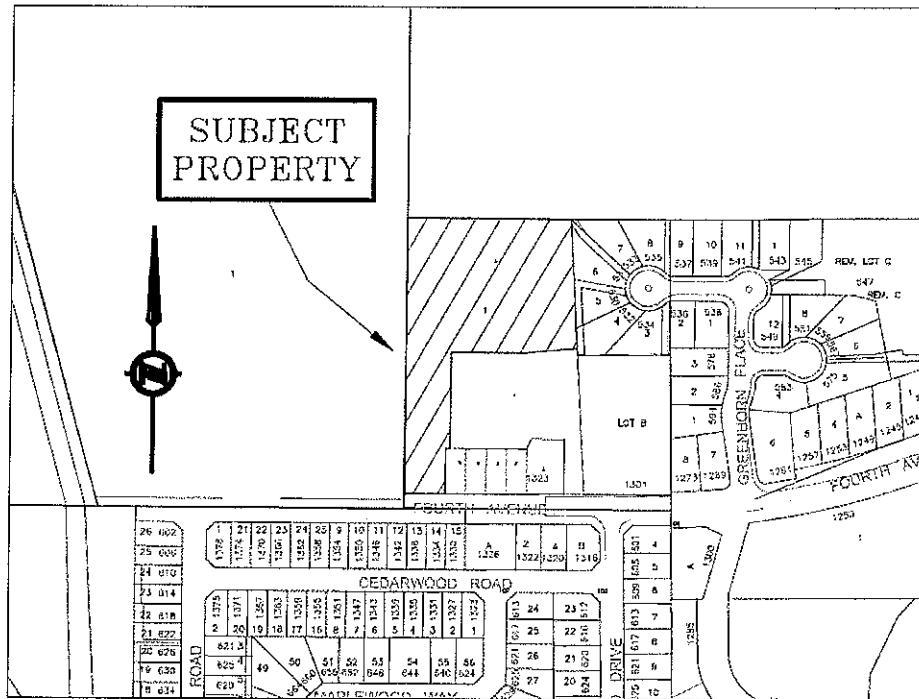
PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



TOWN OF LADYSMITH

BYLAW NO. 1709

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:

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended by adding the following site specific regulations to Section 15.0 Mobile Home Park Zone:
 - (a) "15.1 (d) Despite 15.1 (a) a mobile home park is not a permitted use on proposed lot 6 of Lot 1, District Lot 108, Oyster District, Plan 47290.
 - (b) "15.2 (1)(a) Despite 15.2(1) the maximum number of dwelling units permitted on proposed lot 6 of Lot 1, District Lot 108, Oyster District, Plan 47290 is 19.4 single family residential dwelling units per hectare of land."
- (2) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Mobile Home Park (MP-1)" on the 'subject property' being proposed lot 6 of Lot 1, District Lot 108, Oyster District, Plan 47290 as shown on Schedule 1 attached to this Bylaw.

CITATION

- (3) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.79), 2010, No. 1709".

READ A FIRST TIME on the 15th day of February, 2010

READ A SECOND TIME on the 15th day of February, 2010

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

on the day of

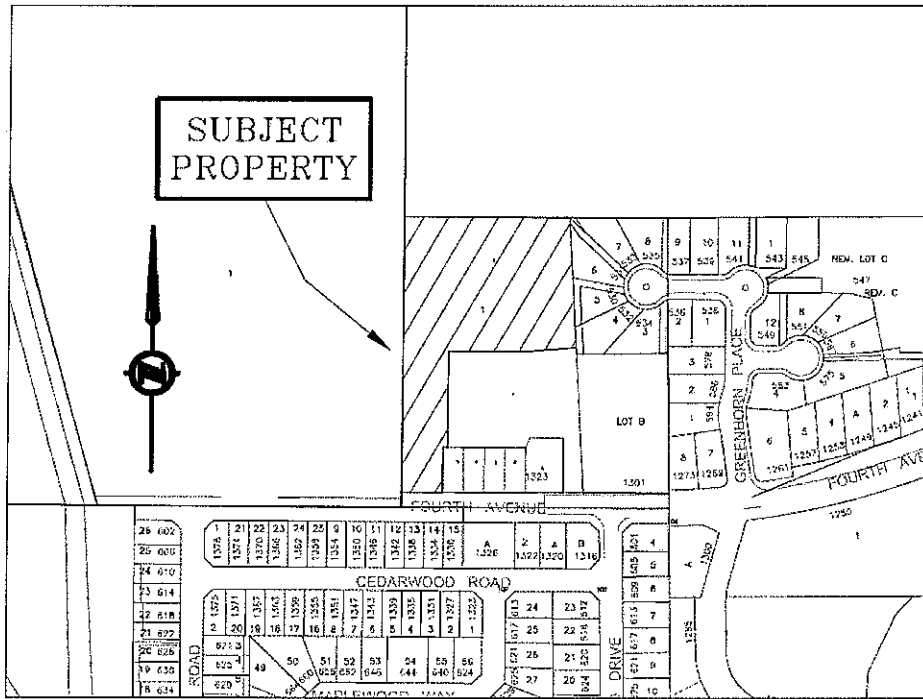
READ A THIRD TIME on the day of

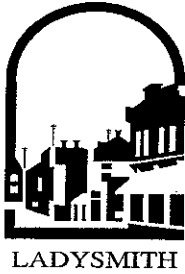
ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1709 - Schedule 1





Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: March 10, 2010
File No: 3360-10-01 (Grouhel/Christie)

Re: **OFFICIAL COMMUNITY PLAN AMENDMENT (OCP) & REZONING PROPOSAL
Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271**

RECOMMENDATION(S):

1. That Council give first and second reading to Bylaw 1710 cited as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.31), 2010 No. 1710"; Bylaw 1711 cited as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.80), 2010, No. 1711"; and Bylaw 1714 cited as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.81), 2010, No. 1714 and that a public hearing be scheduled for Bylaw 1710, Bylaw 1711, and Bylaw 1714.
2. That Council supports a covenant being registered on the certificate of title for Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 to secure the following:
 - (a) Multifamily development design guidelines;
 - (b) Useable outdoor greenspace for residents;
 - (c) A landscaped buffer between the single family development and proposed multifamily development;
 - (d) A landscaped buffer between the multi-family development and the highway;
 - (e) Shared road access from Christie Road; and
 - (f) An area to accommodate the 'Welcome to Ladysmith' sign with landscaping.

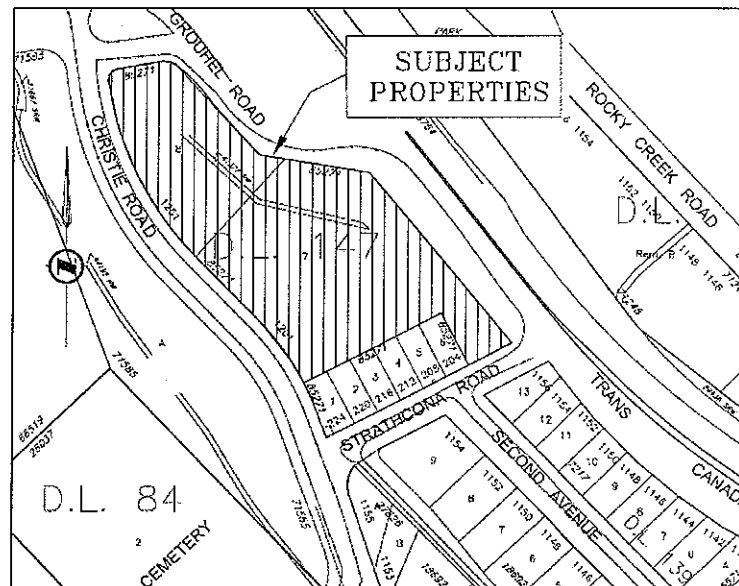
And authorize the Mayor and corporate officer to execute the covenant.

PURPOSE:

The purpose of this report is to present Bylaw 1710 amending the Official Community Plan (OCP); and Bylaws 1711 and 1714 amending the Zoning Bylaw to permit multi-family development on two town-owned properties at the corner of Grouhel and Christie Road.

INTRODUCTION/BACKGROUND:

The proposal is to amend the Official Community Plan and rezone the two subject



properties to permit multi-family residential units.

Table 1: Summary of OCP Amendment and Rezoning

	<i>Current</i>	<i>Proposed</i>
<i>OCP</i>	Single Family Residential	Multi-Family Residential and DPA 4
<i>Zoning</i>	Suburban Residential (R-1)	Medium Density Residential (R-3-A)
<i>Minimum lot size:</i>	668 m ²	892m ²
<i>Permitted uses:</i>	Single Family Residential	Multi-family residential dwelling units (37 units/ha).

SCOPE OF WORK:

Bylaw 1710 proposes to designate the two subject properties as 'Multi-Family Residential' and places the properties in Development Permit Area 4 – Multi-Family Residential (DPA 4).

Bylaw 1711 and 1714 propose to zone the two subject properties as Medium Density Residential (R-3-A). The R-3-A zone permits a density of 37 units per hectare of land:

- Lot 7 is 1.29 hectares in size which would permit a maximum of 47 residential units (Bylaw 1711); and
- Lot 8 is 0.63 hectares in size which would permit a maximum of 23 residential units (Bylaw 1714).

The R-3-A zone permits a maximum parcel coverage of 33% and a floor space ratio (FSR) of 0.66 (FSR is the ratio of the gross floor area to the area of the parcel).

In addition to the development permit area guidelines, a covenant would be registered on the title of the land to secure additional design guidelines as shown in Schedule A. The covenant would also secure the following:

- Useable outdoor greenspace for residents;
- A landscaped buffer between the single family development on Strathcona Road and proposed multifamily development;
- A landscaped buffer between the multi-family development and the highway;
- Shared road access from Christie Road; and
- An area to accommodate the 'Welcome to Ladysmith' sign with landscaping.

ALTERNATIVES:

That Council provide additional direction regarding the proposed bylaws.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

In addition to holding a public hearing on the proposed bylaws, Council must:

1. Consider whether consultation on the OCP amendment should be early and on-going, and
2. Specifically consider whether consultation is required with:
 - (i) the boards of the CVRD and the RDN
 - (ii) the council of a municipality adjacent to Ladysmith

- (iii) First Nations
- (iv) the school district, great boards or improvement district boards, and
- (v) the provincial or federal government and their agencies.

The Provincial archaeological database does not indicate any artefacts at this location. There are no watercourses on the subject property. Bylaw 1711 and 1714 requires approval by the Minister of Transportation and Infrastructure, as the properties are within 800 metres of a controlled access highway. The 'Land Remediation Section' of the 'Ministry of Environment' may have an interest due to asphalt fill located on Lot 8. The proposal does not appear to impact other agencies' interests. Council has previously referred the application to the APC.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The proposal was referred to Advisory Planning Commission (APC) on March 9, 2010 and they passed a motion stating that they are reluctant to recommend support for the proposal to rezone Lot 7 and 8, Plan VIP85271 for multi-family use without seeing the form and character of a particular project. The APC questions whether or not multi-family use is the best use for the subject properties.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

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

RESOURCE IMPLICATIONS:

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

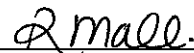
ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

An OCP amendment and rezoning is proposed to permit multi-family residential units on two town owned properties at the corner of Grouhel and Christie Road.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Schedule A: Design Guidelines for Multi-Family Developments

Bylaw 1710

Bylaw 1711

Bylaw 1714

Schedule "A" Design Guidelines

Design Guidelines for Multi-family Developments

In 2008 the Town of Ladysmith completed an 'experienced-driven' community planning "Visioning" process which identified a sustainability strategy for the Town and identified a preferred character for the community. The "Design Guidelines" and "Green Building Guidelines" listed below are consistent with the Official Community Plan (Bylaw 1488) and are intended to guide the form of multi-family development towards the Ladysmith vision.

Multi-Family Development Design Guidelines

The objectives of the 'Multi-family Development Design Guidelines' are to ensure that site planning and architectural elements are of a human scale and create a sense of neighbourhood identity through a coherent architectural language with regard to form, site orientation, landscaping, and streetscape elements (Ladysmith: A Community Vision for a Sustainable West Coast Town – Appendix 1: Public Preference Handbook). The following guidelines apply to multi-family development.

- The scale, bulk, mass, character shape and form of new development must relate positively to neo-heritage, eco-responsive, and Pacific North West architectural character, which is expressed through the following features.
- The exterior design of individual residential units and clusters of residential units are to include façade modulation, attractive window patterns, roof line changes, alternating dormers, gables, stepped roofs, building plane material changes, and variations in colour.
- Street front porches and patios are to be included as architectural features and useable private outdoor space.
- The front building elevation should not be dominated by the garage.
- Windows, decks and balconies and landscape design are to respect privacy, sunlight exposure and views/privacy of neighbouring properties.
- Exterior building design elements, details, and materials will create a well-proportioned and unified building form.
- Site planning is to demonstrate urban site design elements, including:
 - Homeowner privacy, avoiding the casting of shadows on private outdoor space, and allowing for an engaging street presence.
 - Usable, attractive and well integrated public space networks.

- Parking areas of smaller groupings of clustered parking, and landscape design including automobile to pedestrian pathways and alternative storm water management.
- Buildings oriented towards a public road.
- Avoiding side by side placement of identically designed homes.

Multi-Family Development Green Building Guidelines

The objectives of the 'Green Building Guidelines' are to promote sustainable development which strives to reduce energy consumption, water and material use, and reduces impacts to the sites and ecosystems in which they are located (Ladysmith: A Community Vision for a Sustainable West Coast Town – Strategy #3).

Multi-family developments will include a combination of the following green features:

- For water conservation: installing individual unit water meters and low flow plumbing fixtures; supplementing irrigation systems with rain water collection systems.
- Landscape design that includes the use of native, drought tolerant plants; on-site stormwater management, opportunity for a community garden; pedestrian trail linkage opportunities to adjacent park and recreation spaces; use of permeable driveways and walkways where possible to reduce surface run-off and to enhance landscaped areas; use of rainwater collection.
- Providing locations for bicycle storage.
- Using energy efficient windows and appliances.

END OF DOCUMENT

TOWN OF LADYSMITH

BYLAW NO. 1710

A bylaw to amend "Official Community Plan Bylaw, 2003, No. 1488"

WHEREAS pursuant to the *Local Government Act*, the Municipal Council is empowered to amend the Official Community Plan;

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 "Official Community Plan Bylaw, 2003, No. 1488".

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

- (1) Schedule "A" - "Town of Ladysmith Community Plan" is amended by:
 - (a) Placing on Map 1 "Land Use" the designation "Multi-Family Residential" on the subject properties Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 as shown on Schedule 1 attached to this Bylaw.
 - (b) Placing on Map 2 "Development Permit Areas" "Development Permit Area 4 - Multi-Family Residential" on the subject properties Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 as shown on Schedule 1 attached to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.31), 2010, No. 1710".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

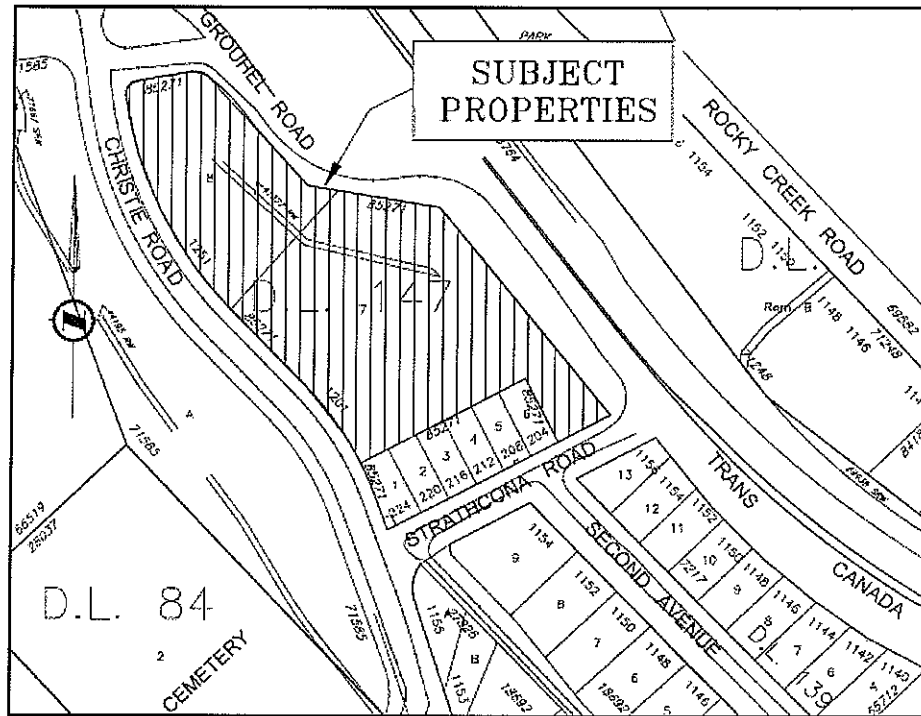
PUBLIC HEARING held pursuant to the provisions of the *Local Government Act*

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

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



TOWN OF LADYSMITH

BYLAW NO. 1711

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:

- (1) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Medium Density Residential (R-3-A) Zone" on the subject property Lot 7, District Lot 147, Oyster District, Plan VIP85271 as shown on Schedule 1 attached to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.80), 2010, No. 1711".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

 on the day of

READ A THIRD TIME on the day of

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

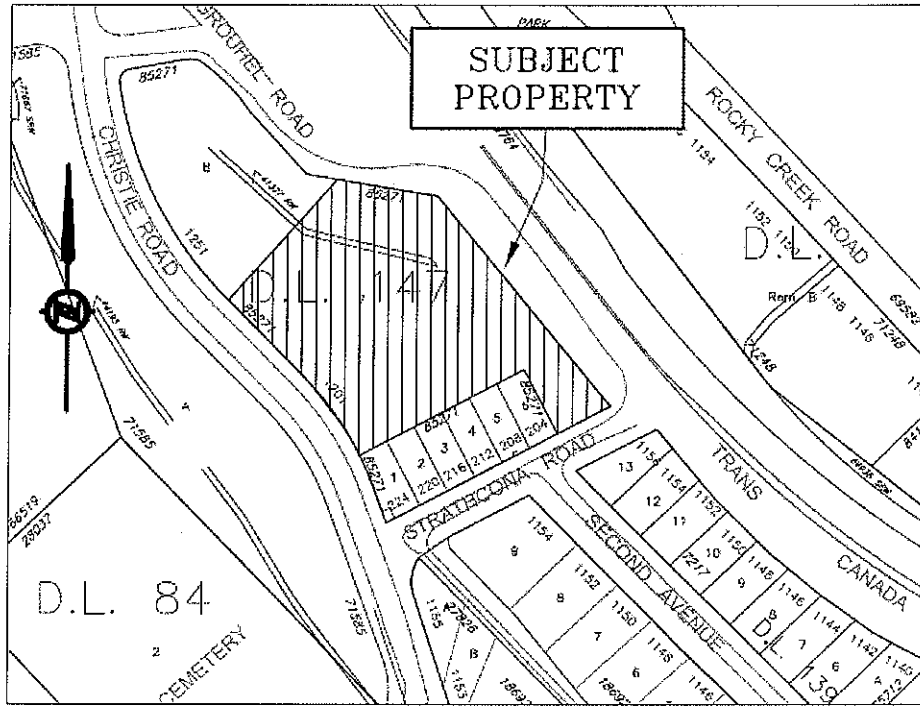
 on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1711 - Schedule 1



TOWN OF LADYSMITH

BYLAW NO. 1714

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:

- (1) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Medium Density Residential (R-3-A) Zone" on the subject property Lot 8, District Lot 147, Oyster District, Plan VIP85271 as shown on Schedule 1 attached to this Bylaw.

CITATION

- (2) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.81), 2010, No. 1714".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

on the day of

READ A THIRD TIME on the day of

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

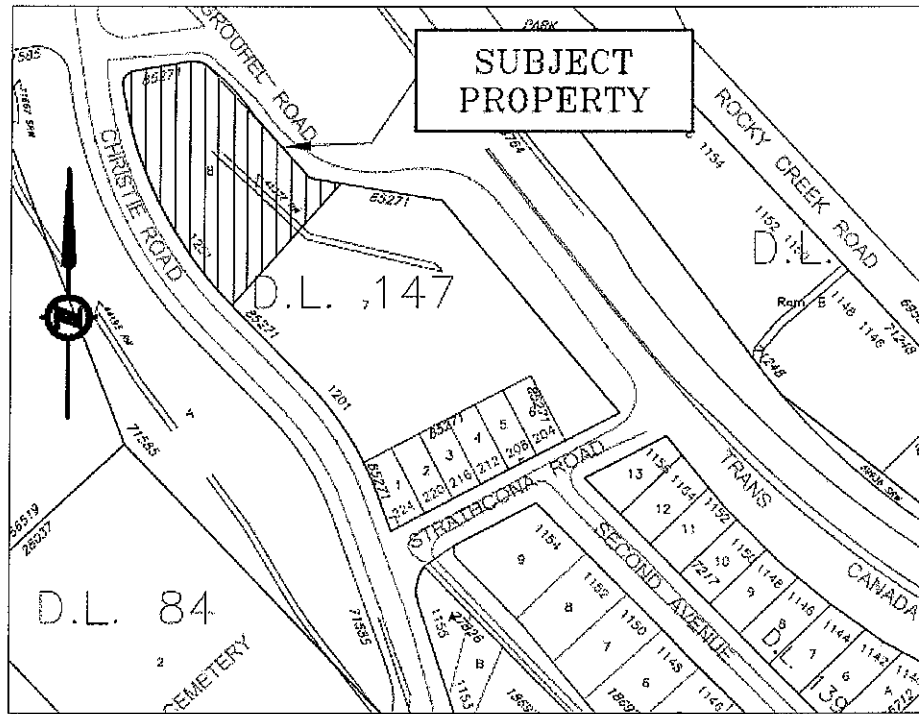
on the day of

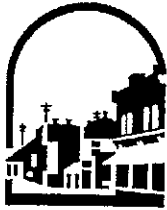
ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1714 - Schedule 1





TOWN OF LADYSMITH
MINUTES OF A REGULAR SESSION OF COUNCIL

MONDAY, MARCH 1, 2010 - 7:00 P.M.

LADYSMITH

PRESENT:

Mayor Rob Hutchins
Councillor Jillian Dashwood
Councillor Scott Bastian

Councillor Steve Arnett
Councillor Lori Evans

Councillor Bruce Whittington
Councillor Duck Paterson

STAFF PRESENT:

Ruth Malli
Felicity Adams

Sandy Bowden
Joe Friesenhan

Rebecca Kalina

CALL TO ORDER

Mayor Hutchins called the meeting to order 6:06 p.m.

EXECUTIVE SESSION

2010-080

It was moved, seconded and carried that this meeting retire into Executive Session at 6:06 p.m., pursuant to Section 90(1) of the Community Charter to consider the following items:

- 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;
- labour relations or other employee relations;
- 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;
- 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;
- (Late Item) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

The Regular Session of Council began at 7:00 p.m.

AGENDA APPROVAL

The Mayor asked for Council's consideration of the following additions/deletions to the agenda:

- 15.2 - Herold Engineering - Civil Engineering Services
- 15.3 - Rezoning of Town-Owned Lands
- Delete Item 12.4

2010-081

It was moved, seconded and carried that the agenda be adopted as amended.

MINUTES

2010-082

It was moved, seconded and carried that the Council minutes of February 15 and 18, 2010 be adopted as circulated.

DEVELOPMENT/ DEVELOPMENT VARIANCE PERMITS

2010-083

It was moved, seconded and carried that Development Variance Permit 3090-10-01 for Lot 9, Block 47, DL 56, Oyster District, Plan 703A except parcel A (DD1766N) (311 Third Ave.) be approved to vary the permitted height of a dwelling from 9 metres to 9.24 metres; and that the Mayor and Corporate Officer be authorized to sign DVP 3090-10-01.

COUNCIL COMMITTEE REPORTS

Mayor Hutchins informed Council that the Cowichan Valley Regional District (CVRD) Board is in the process of their 2010 budget review. He noted there is interest in increasing the Parkland Acquisition Levy to \$750,000. The Board is suggesting an increase to the budget of \$500,000 for parkland. The other item that will be addressed in the CVRD 2010 Budget is the Cowichan Valley Regional Hospital upgrade/new building fund.

Councillor S. Bastian reported that the Protective Services Committee will meet on Wednesday, March 3, 2010 at the RCMP station.

Councillor J. Dashwood advised that the Liquid Waste Management Plan is moving forward; a draft of the document is being reviewed and will be forwarded to Council in the near future. Councillor Dashwood reported that the Downtown Business Association has requested that a member of Council attend their meetings; Councillor Dashwood volunteered to be the representative from Council.

Councillor S. Arnett stated that the Economic Development

Commission continues to build their relationship with the Stz'uminus First Nation around Economic Development. He reported that the major topic of discussion at the recent Chamber of Commerce meeting was washroom facilities in the downtown core. He informed Council that the Parks, Recreation and Culture Commission meeting had presentations from Sheryll Bell of SeaLegs Kayaks, and representatives of HB Lanarc regarding Spirit Square. Also discussed by the Commission were the plans for the new playground at Brown Drive Park being built by the Kinsmen Club.

Councillor D. Paterson informed Council that the Parks, Recreation and Culture Commission will be forwarding a Plan from the Kinsmen Club for the Brown Drive Park Playground in the near future. The Celebrations Committee will be holding a meeting on Thursday, March 4, 2010 at 7 p.m. in Council Chambers. Council Paterson advised that the Festival of Lights AGM will take place on March 18, 2010. He reported that that Spirit of BC Committee was happy with the turn out and events held at Aggie Hall during the Olympic Games. They will host events for the opening and closing ceremonies for the Paralympic Games.

GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

- 2010-084 It was moved, seconded and carried that the Town of Ladysmith sign on to the Cowichan Food Charter.
- 2010-085 It was moved, seconded and carried that the Chamber of Commerce be requested to provide an evaluation of Visitor Information Centre washroom use and provide Council with a recommendation.
- 2010-086 It was moved, seconded and carried that the lighting assessment report dated January 29, 2010 provided by Phillips and Wesco be received.
- 2010-087 It was moved, seconded and carried that:
- a) the correspondence dated January 29, 2010 from B. Bennett, Minister of Community and Rural Development, regarding Local Government Elections Task Force be received;
 - b) Staff be directed to coordinate a response from the Town to the Local Government Elections Task Force regarding the topics outlined in the correspondence;
 - c) members of Council send their comments to the Corporate Officer for inclusion in the response by April 14, 2010;
 - d) a draft of the response be presented to the April 19, 2010

Government Services Committee meeting;

e) Staff send the Task Force's request for written comments to the Ladysmith Chamber of Commerce, the Downtown Business Association, advisory commissions/ committees, and any other organization deemed appropriate and request that they send their comments directly to the Task Force and copy the Town; and,

f) Staff be directed to post a link on the Town's website to information on the Task Force's activities and encourage other interested parties to provide comments directly to the Task Force.

2010-088

It was moved, seconded and carried that the letter dated February 8, 2010 from the Ladysmith Community Gardens Society requesting an interim community gardens budget of \$8,010 be referred to staff for review and report to the March 15, 2010 Government Services Committee meeting.

Councillor L. Evans noted that the representatives of the Social Planning Cowichan - Affordable Housing Directorate will be attending a future Council meeting. She reported that the Heritage Revitalization Advisory Commission is working on a heritage brochure and extended an invitation to the Mayor to attend their meeting on Thursday, March 11, 2010 to discuss the Travellers Hotel.

Councillor B. Whittington reminded Council that the Vancouver Island Regional Library Board is conducting a facility review and is requesting feedback. He reported that the Environment Commission continues to work on communicating ways for residents to be more energy efficient.

STAFF REPORTS

COMMUNITY HERITAGE REGISTER UPDATE PROJECT

2010-089

It was moved, seconded and carried that the context statement be approved for the west side of First Avenue and the Statements of Significance for the following five buildings:

- Trading Company (410 First Ave)
- Nicholson Building (436 First Ave)
- Island Hotel (440 First Ave)
- Main Street Building (512 First Ave)
- Small Shop (530 First Ave);

and that these buildings be added to Ladysmith's Community Heritage Register.

CONTRACT AWARD FOR LADYSMITH FIRE HALL NEEDS ASSESSMENT, SPACE PROGRAM AND SCHEMATIC DESIGN

2010-090

It was moved, seconded and carried that the contract for the Ladysmith Fire Hall Needs Assessment, Space Program and Schematic Design project be awarded to Johnston Davidson Architecture + Planning Inc. in the amount of \$17,500 plus disbursements.

CONTRACT AWARD FOR FLOORING AND EXTERIOR GLASS AND ALUMINUM DOORS - LADYSMITH COMMUNITY SERVICES CENTRE AND BOYS AND GIRLS CLUB

2010-091

It was moved, seconded and carried that the contracts for the provision of flooring and exterior glass and aluminum doors for the Ladysmith Community Services Centre and Boys and Girls Club facilities be awarded as follows:

Flooring - Graphic Office in the amount of \$97,229

Exterior Glass and Aluminum Doors - Rutland Glass in the amount of \$265,200

GARBAGE COLLECTION CONTRACT

2010-092

It was moved, seconded and carried that the contract for garbage, recycling and organics collection be awarded to Waste Services Inc. for an additional one year term at the new rates of \$10.95 per month per household for the garbage and recycling; and \$0.95 per month per household for the organics collection.

PROPOSED COMMUNITY GARDEN

2010-093

It was moved, seconded and carried that up to \$5,000 be allocated for the purpose of establishing a Community Garden on a portion of the Town's High Street property between First and Second Avenue and that the Ladysmith Community Gardens Society be authorized to work with the Town of Ladysmith on establishing a Community Garden in this location.

APPLICATION FOR CANADA SUMMER EMPLOYMENT GRANT

2010-094

It was moved, seconded and carried that staff be authorized to make application for a 2010 Canada Summer Jobs grant in the amount of up to \$13,150 and a Celebrate Canada grant application in the amount of up to \$5,050.

ROAD DESIGN STANDARDS

2010-095

It was moved, seconded and carried that the Engineering Design Standards Bylaw be amended to include new road design standards incorporating multi-use pathways.

2010-096

POUND REPORT

It was moved, seconded and carried that the January, 2010 Pound Report from Coastal Animal Control Services of BC Ltd. be received.

CORRESPONDENCE

GARDEN SUITES AND CARRIAGE HOUSES

2010-097

It was moved, seconded and carried that the letter regarding garden suites and carriage houses for rent in Ladysmith be referred to staff for review and recommendation.

LADYSMITH SPORTSMEN'S CLUB - SALMON ENHANCEMENT PROJECT

2010-098

It was moved, seconded and carried that a letter of support be issued to the Ladysmith Sportsmen's Club and further that a donation of the use of Town machinery, an operator and gravel for the Club's Salmon Enhancement Project be authorized.

STRATEGIC BUDGET SESSION

R. Malli, City Manager, reported that a strategic budget session meeting will take place on Monday, March 15, 2010 at 4:00 p.m. in Council Chambers. Future dates for budget meetings will be announced at the March 15th meeting.

NEW BUSINESS

2010-099

It was moved, seconded and carried that as per the Council resolution of December 15, 2003 Herold Engineering Ltd. be retained as the Town's Engineer of record for Civil Engineering services until further notice.

2010-100

It was moved, seconded and carried that staff be requested to bring forward a new zoning scheme and Official Community Plan amendment for Lot 108.

2010-101

It was moved, seconded and carried that staff be directed to undertake the following for Lot 7 and Lot 8, Plan VIP85271 (located at Grouhel and Christie Roads) and that the zoning amendment be referred to the Advisory Planning Commission for review and recommendation:

- a) Prepare bylaws to rezone the lots as 'R-3-A Zone';
- b) Register multi-family design, green space and access guidelines on the land title;
- c) Undertake an appraisal;
- d) Prepare a request for proposals for its marketing; and
- e) Establish a budget of \$40,000 for expenses associated with the land disposition, fund the expenses from the real property Reserve, and direct that the Financial Plan be amended accordingly

UNFINISHED BUSINESS

APPOINTMENT OF A COUNCIL MEMBER TO THE CVRD COMMUNITY SAFETY ADVISORY COMMITTEE (CSAC)

2010-102

It was moved, seconded and carried that Councillor J. Dashwood be appointed as the Council Representative to the CVRD Community Safety Advisory Committee (CSAC); and that Councillor B. Whittington be appointed as the alternate representative on the CSAC for the Town of Ladysmith.

The Regular session of Council recessed for the Executive Session of Council at 7:35 p.m.

RISE AND REPORT

The Executive Session of Council rose without report (9:35 p.m.) on the following matters:

ADJOURNMENT

2010-103

It was moved, seconded and carried that the meeting be adjourned at 9:35 p.m.

Mayor (R. Hutchins)

CERTIFIED CORRECT

Corporate Officer (S. Bowden)



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Joe Friesenhan, Director of Public Works
Date: March 3, 2010
File No:

Re: SEPTIC SERVICES ANNUAL TENDER

RECOMMENDATION(S):

That Council rescind the motion to award the contract for the septic services to Save On Septic Services Inc.

That Council award the annual tender for the septic services to Coast Environmental Ltd. for the unit rates quoted being low tender.

PURPOSE:

To rescind the earlier motion to award the contract for the annual septic services to Save On Septic Services Inc and to award the annual contract for septic services to Coast Environmental Ltd.

INTRODUCTION/BACKGROUND:

At the regular Council meeting on February 15, Council awarded the annual tenders for the various services required throughout the year. It was brought to our attention that the award for the Septic Services was awarded to a proponent with an incomplete tender. Because our tender package did not include an option for splitting tenders, we are required to reject any tender that is incomplete.

The tender for the septic services was reissued and we received the following tenders for the service:

Coast Environmental Ltd.	\$85 per hour plus disposal fees
Save On Septic Services Inc.	\$90 per hour plus disposal fees

SCOPE OF WORK:

ALTERNATIVES:

FINANCIAL IMPLICATIONS:

LEGAL IMPLICATIONS:

The original tender was incomplete. As there was no mention of splitting the contract in the tender package, the incomplete tender should have been rejected.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

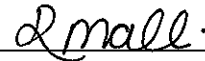
RESOURCE IMPLICATIONS:

ALIGNMENT WITH STRATEGIC PRIORITIES:

SUMMARY:

On February 15th the tender for the septic services was awarded to Save On Septic Services who had submitted an incomplete tender by not tendering all items on the tender form. As there was no mention of splitting the tender in the tender form, the tender from Save On Septic should have been rejected. New tenders have been requested.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

"None".



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Sandy Bowden, Director of Corporate Services
Date: March 8, 2010
File No:

Re: MUNICIPAL INSURANCE ASSOCIATION OF B.C. RISK MANAGEMENT GRANT APPLICATION – WALKWAY AT NORTH END OF CITY HALL

RECOMMENDATION:

That Council authorize Staff to submit a Risk Management Grant application through the Municipal Insurance Association (MIA) in the amount of \$2,000 to construct a 40' by 4' cement walkway with approximately four stairs treads along the exterior walkway to the adjoining sidewalk on the north side of City Hall.

PURPOSE:

The purpose of this Staff report is to seek Council's authorization to submit a grant application in the amount of \$2,000 to the MIA through the Risk Management Grant program to construct a proper walkway along the north side of City Hall adjoining to the sidewalk on Esplanade.

INTRODUCTION/BACKGROUND:

A Risk Control Survey was completed at City Hall in 2009. The survey contains only one recommendation to reduce risk: completion of the above-noted walkway.

SCOPE OF WORK:

If the grant application is successful, all works will be completed by Town staff.

ALTERNATIVES:

Council could direct staff to block off the access preventing all pedestrian traffic.

FINANCIAL IMPLICATIONS:

All works associated with this project are covered by the grant.

LEGAL IMPLICATIONS:

Given that the risk area has been identified, if an individual is injured while using the walkway and the Town does not address the risk area, the Town could be held liable for the injury.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The walkway on the north side of the City Hall building is frequently utilized by patrons of the "Transfer Beach Grill". Staff has consulted with the owner of the property who supports the installation of a proper walkway.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

All works will be completed by Public Works staff.

RESOURCE IMPLICATIONS:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

This initiative aligns with Strategic Direction F – A Safe and Healthy Community.

SUMMARY:

A recently completed Risk Control Survey of City Hall recommends that a proper walkway be installed on the north side of the City Hall building. The Municipal Insurance Association of BC provides grants to local governments to mitigate such risks. Staff requests Council's authorization to submit a grant through the MIA program to fund the walkway construction.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

MIA Risk Management Grant Application



MUNICIPAL INSURANCE ASSOCIATION

of British Columbia

Risk Management Grant Application

Member: Town of Ladysmith

Requested by: Sandy Bowden, Director of Corporate Services

Phone #: 250-245-6404

E-Mail: sbowden@ladysmith.ca

Date: February 16, 2010

Amount Requested: \$ 2,000

Payable To: Local Government
 Other: _____

Goods or services
being purchased:

Installation of a 40' by 4' cement walkway with approximately four cement stairs and possibly a metal handrail down an exterior walkway to the adjoining sidewalk on the north side of the City Hall building located at 410 Esplanade.

How will this
initiative help
reduce liability
claims?

Current condition of walkway is hazardous (risk of slip and fall). Area was identified in 2009 risk control survey. Installation of stairs and handrail will reduce the risk of a slip and fall incident.

Submit form to:
Municipal Insurance Association
390 - 1050 Homer Street
Vancouver, BC V6B 2W9
Fax: (604) 683-6244 or e-mail: info@miabc.org



Town of Ladysmith
STAFF REPORT

To: Council
From: Ruth Malli, City Manager
Date: March 11, 2010
File No:

Re: CONTRACT AWARD FOR ROOFING AND SHEET METAL - LADYSMITH
COMMUNITY SERVICES CENTRE AND BOYS AND GIRLS CLUB FACILITIES

RECOMMENDATION(S):

That Council award the contract for the provision of roofing and sheet metal for the Ladysmith Community Services Centre and Boys and Girls Club facilities to G & G Roofing in the amount of \$136,020.

PURPOSE:

The purpose of this report is to present the results of the Requests for Proposals for roofing and sheet metal for the Community Services Centre and the Boys and Girls Club facilities and seek Council's authorization to award the contract.

INTRODUCTION/BACKGROUND:

Council directed staff to pursue the Community Services Centre and Spirit Square project. The Town received a Spirit Square grant and a Community Adjustment Fund (CAF) grant in the amount of \$2.7 million for the project. The RFP for roofing and sheet metal was issued by the Project Manager (Windley Contracting). The Project Manager reviewed all submissions and recommends the contract be awarded to G & G Roofing.

SCOPE OF WORK:

Once the contract is awarded Staff and the Project Manager will confer with the successful bidder regarding the project.

ALTERNATIVES:

Council could award the contract to another bidder.

FINANCIAL IMPLICATIONS:

As noted, the Town received a grant in the amount of \$2.7 million through the CAF as part of Canada's Economic Action Plan. Costs associated with this contract will be funded through the grant and are as follows:

Boys and Girls Club	\$32,890
LRCA/Seniors Centre	\$103,130
Total	\$136,020

LEGAL IMPLICATIONS:

None.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The community is excited to become involved in the process. The grants have tight timelines for completion. The awarding of the contract for roofing and sheet metal for the project is required at this point in order to meet deadlines.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

n/a

ALIGNMENT WITH STRATEGIC PRIORITIES:

This project is one of the City Manager's top 5 strategic priorities.



Town of Ladysmith

STAFF REPORT

To: Council
From: Ruth Malli, City Manager
Date: March 10, 2010
File No: 1855-20

Re: **SOLAR COMMUNITIES GRANT APPLICATION**

RECOMMENDATION(S):

That Council authorize staff to submit an application to Solar BC to become a Solar Community and to receive a \$5,000 grant.

PURPOSE:

The purpose of this staff report is to seek Council's authorization to apply to become a designated 'Solar Community' through Solar BC. If the Town is selected, we will receive a \$5,000 contribution towards activities undertaken to promote and increase the use of solar energy in Ladysmith.

INTRODUCTION/BACKGROUND:

The Ladysmith Community Energy Plan, adopted by Council in November 2008, calls for a 20 per cent reduction in greenhouse gas emissions from municipal operations by 2016, and a 15 per cent reduction in community-created greenhouse gas emissions by 2016. One way to achieve those targets is to encourage the use of clean, renewable, alternate energy sources such as solar energy.

Sustainability is a key strategic direction for Council and the Town, and the Town is becoming recognized as a leader among local governments for its sustainability practices. The Town is already participating in a pilot solar project with the Rotary Club of Ladysmith: the installation of the solar-powered hot water heater at City Hall.

SCOPE OF WORK:

The commitment to becoming a Solar Community involves activities designed to promote the use of solar energy in municipal operations and throughout the community, by residents and businesses. Such activities can include:

- Setting solar roofs targets for the community
- Increasing awareness of and participation in the Solar BC residential project
- Encouraging the installation of solar hot water systems on commercial and institutional buildings and schools
- Developing policy, planning, bylaws and other tools to encourage installation of solar hot water systems
- Participating in a solar hot water pilot initiative (already in place)
- Working with other communities and organizations on related initiatives and promotions

A number of these are underway as departments and the Environment Commission move to implement the Sustainability Vision and the Community Energy Plan. Sustainability initiatives such as this one will be a focus of the work assigned to the Local Government Management Intern.

ALTERNATIVES:

Council can choose not to authorize staff to submit the application.

FINANCIAL IMPLICATIONS:

The Town will receive \$5,000 if it is accepted as a Solar Community. These funds will support the implementation of solar energy strategies in the community.

LEGAL IMPLICATIONS:

None

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Community members have expressed their commitment to sustainability through the Sustainability Vision. Becoming a Solar Community will demonstrate Council's commitment to implementing the Vision and the recommendations in the Community Energy Plan.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

This initiative applies to all departments.

RESOURCE IMPLICATIONS:

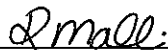
The grant will cover direct costs associated with the initiative.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Direction B (Effective Land Use Planning and Community Design); Strategic Direction D (Enhanced Standard of Infrastructure), Strategic Direction E (Responsible Stewardship of the Environment) and Strategic Direction F (Safe and Healthy Community.)

SUMMARY:

Council and the Town of Ladysmith are committed to sustainability. The Community Energy Plan, adopted by Council in November 2008, recommends the use of alternate energy sources as a strategy for reducing greenhouse gas emissions. Applying to become a Solar Community through this program supports the implementation of that recommendation.



Ruth Malli, City Manager



Town of Ladysmith
STAFF REPORT

To: Council
From: Ruth Malli, City Manager
Date: March 10, 2010
File No: 1855-20

Re: **GRANT APPLICATION TO UBCM SENIORS' HOUSING AND SUPPORT INITIATIVE FOR LADYSMITH SENIORS' WELLNESS PARK**

RECOMMENDATION:

That Council authorize staff to submit an application to the UBCM Seniors' Housing and Support Initiative for a grant of up to \$20,000 to cover the installation of a senior-specific wellness park at the new Ladysmith Community Services Centre.

PURPOSE:

The purpose of this staff report is to seek Council's authorization to apply for funds through a UBCM program designed to assist local governments to create services/infrastructure for seniors. The funds will pay for the installation of equipment for a seniors' wellness park adjacent to the new Ladysmith Seniors' Centre. The park will encourage fitness and recreation through flexibility, strength training, and opportunities for interaction with people of all ages.

INTRODUCTION/BACKGROUND:

The Town of Ladysmith is committed to being an age-friendly community that supports and enables residents of all ages and abilities to participate fully in society.

The proposed senior-specific wellness park will be a pleasant, clean, secure and physically accessible place that will encourage general fitness and recreation through flexibility, strength training, and falls prevention together with opportunities for social interaction with peers, young people, and families. To complement the experience further, the bordering Spirit Square will allow for opportunities in leisure, cultural, and spiritual events and activities.

SCOPE OF WORK:

The Town's Department of Parks, Recreations and Culture will work in partnership with the Ladysmith Seniors' Centre Society and the Ladysmith Resources Centre Association to oversee the design of the facility. This will ensure that the facility addresses seniors' needs now and for the future. The installation work will be contracted to an outside firm. The ongoing maintenance of the facility will be the responsibility of the Ladysmith Parks, Recreation and Culture department.

ALTERNATIVES:

Council can choose not to authorize staff to apply for the grant.

FINANCIAL IMPLICATIONS:

The grant funds will cover the costs of the park, up to \$20,000. The Town is not required to make any matching contribution in order to be eligible for the grant.

LEGAL IMPLICATIONS:

None

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Seniors' Wellness Park will complement the outdoor spaces surrounding the Community Services Center, in particular the Spirit Square.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

None

RESOURCE IMPLICATIONS:

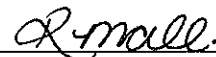
The grant will cover direct costs associated with the initiative.

ALIGNMENT WITH STRATEGIC PRIORITIES:

This aligns with Strategic Direction F (Safe and Healthy Community.)

SUMMARY:

The Seniors' Wellness Park will complement the Spirit Square, the Community Services Centre and the new, expanded facilities of the Ladysmith Seniors' Centre. The facility will contribute to the well-being of the community's aging population. The facility meets the objectives and priorities of the UBCM's Seniors' Housing and Support Initiative.



Ruth Malli, City Manager



Ladysmith Fire / Rescue

P.O. Box 760 Ladysmith, B.C. V9G 1A5
Phone: 250-245-6436 • Fax: 250-245-0917



FIRE CHIEF'S REPORT

MONTH: **February**, 2010

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YEAR'S TOTALS
Alarms Activated: Pulled Station													
By mistake	1	1											2
Electrical problem													
Due to cooking		2											2
Assistance													
Burning Complaint		1											1
Fire: Structure	1												1
Chimney													
Interface / Bush													
Vehicle		1											1
Other	1												1
Hazardous Materials		1											1
Hydro Lines: Down / Fire													
Medical Aid													
Mutual Aid	2	1											3
MVI		5											5
Rescue													
MONTH TOTALS (not incl. Practises)	5	12											17
Practises (Totals for each Month)	4	4											8

ALARMS ACTIVATED (location/owner):

1. 439 Unit A, Walker Avenue- due to cooking
2. 840 Esplanade -- due to cooking
3. 440-4th Avenue -- owner testing out smoke alarms

COMPARISONS:

Year to Date / 10 17 (excl. practises)
Year to Date / 09 26 (excl. practises)
Year to Date / 08 35 (excl. practises)

APPROVED:

Ray Dilcourt
Fire Chief

TOWN OF LADYSMITH
 BUILDING PERMIT
 SUMMARY REPORT
 MONTH: FEBRUARY 2010

Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Addrs / Renos / Demos	Permits This Month	Permits For Year To Date	Bldg & Pldg Permit Fees This Month	Permit Values This Month	Permit Values This Year					
\$ 15,000	3	\$ -	0	\$ 985,000	1	\$ 542,420	3	4	\$ 9,000	4	11	26	\$ 10,011	\$ 1,551,420	\$ 2,317,918

SUMMARY - YEAR TO DATE

JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
\$ -	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,000
0	3	0	0	0	0	0	0	0	0	0	0	3
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
0	0	0	0	0	0	0	0	0	0	0	0	0
\$ -	\$ 985,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 985,000
0	1	0	0	0	0	0	0	0	0	0	0	1
\$ -	\$ 542,420	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 542,420
5	3	0	0	0	0	0	0	0	0	0	0	8
5	4	0	0	0	0	0	0	0	0	0	0	9
\$ 13,450	\$ 9,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 22,450
10	4	0	0	0	0	0	0	0	0	0	0	14
15	11	0	0	0	0	0	0	0	0	0	0	26
15	26	0	0	0	0	0	0	0	0	0	0	26
\$ 6,425	\$ 10,011	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 16,436
\$ 766,498	\$ 1,551,420	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,317,918
\$ 766,498	\$ 2,317,918	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,317,918

64

of Demolitions for month = 0, for YTD = 6

COMPARISONS

# DWELLING UNITS / VALUE		PERMITS ISSUED / VALUE	
YEAR TO DATE / 10	8	\$ 1,308,918	26
YEAR TO DATE / 09	7	\$ 799,000	12
YEAR TO DATE / 08	4	\$ 1,678,000	19
			\$ 2,317,918
			\$ 968,000
			\$ 2,567,300

[Signature]
 BUILDING INSPECTOR

TOWN OF LADYSMITH
LADYSMITH TROLLEY BUS ACTIVITY REPORT
MONTH OF February 2010

	DATE	PASSENGER COUNT	FUEL LITRES	KILOMETRES START	KILOMETRES FINISH	WEATHER	WHEEL CHAIRS	BIKES
Mon	1	107	63	27236	27446	rain	0	1
Tues	2	98	83	27446	27659	gray	0	0
Wed	3	101	70	27659	27870	rain	0	1
Thurs	4	85	69	27870	28081	nice day	0	2
Fri	5	128	63	28081	28295	overcast	0	0
Sat	6	90	63	28295	28506	clear w/cloud	0	1
	7							
Mon	8	102	63	28506	28719	clear	0	0
Tues	9	112	89	28719	28929	clear	0	3
Wed	10	101	65	28929	29141	rainy	0	1
Thurs	11	90	70	29141	29352	rain all day	0	2
Fri	12	116	63	29352	29566	cloudy/rain	0	1
Sat	13	52	64	29566	29780	cloudy/rain	0	0
	14							
Mon (103)	15	84	68	29780	29998	cloudy/rain	0	0
Tues(103)	16	89	85	29998	30211		0	0
Wed (105)	17	100	92	71692	71893	sunny	0	0
Thurs(105)	18	122	76	71893	72061	sunny	0	0
Fri (103)	19	149	102	30268	30481	sunny	0	0
Sat	20	95	63	30481	30694	sunny	0	0
	21							
Mon	22	103	63	30695	30907	sunshine	working dog	1
Tues	23	90	68	30908	31119	wet	1	1
Wed	24	88	72	31119	31335	rain w/sunny patches	0	0
Thurs	25	102	75	31335	31547	rain w/sunny patches	0	1
Fri	26	102	64	31547	31759	rain	0	0
Sat	27	49	64	31760	31973	rain	0	3
TOTAL		2355	1717					

DONATIONS FOR FEB/10 = \$678.91

DONATIONS YEAR-TO-DATE = \$1,515.91

AVERAGE DAILY RIDER COUNT FOR FEB/10 = 98

COASTAL ANIMAL CONTROL SERVICES OF BC LTD

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

RECEIVED

TOWN OF LADYSMITH POUND REPORT

MAR 05 2010

February 2010

Disposition of Impounded Dogs	Current Month	2010 Totals	
Stray dogs impounded	1	3	
Stray dogs claimed	1	3	
Stray dogs put up for adoption	0	0	
Stray dogs euthanized	0	0	
Stray livestock / cats	0	0	
Calls Received and Investigated	5	11	
Aggressive dogs	0	1	
Dogs at large	3	5	
Noise (barking) complaints	2	3	
Other non specific dog related calls	0	2	
Wildlife / livestock / cats	0	0	
Monthly Pound and Board Fees Collected	\$165.00	\$405.00	
Impound fees	\$135.00	\$335.00	
Daily board fees	\$30.00	\$70.00	
Tickets issued	0	0	
Unlicenced dog	\$0	\$0	
Dog at large	\$0	\$0	
Dangerous dog at large	\$0	\$0	
Habitually noisy	\$0	\$0	
Licencing Statistics	Tags	3	7
	Revenue	\$80.00	\$160.00

Judi Burnett



Royal Canadian
Mounted Police

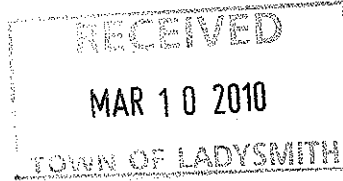
Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Ladysmith Detachment
320 6th Ave, P.O. Box 280
Ladysmith, B.C.
V9G 1A2

Your File - Votre référence

Mayor Rob Hutchins
Town of Ladysmith
410 Esplanade
Ladysmith, B.C.
V9G 1A2



Our File - Notre référence

Date

March 8, 2010

Traffic Complaint - Davis Road (School Zone)

On March 3, 2010, the Protective Services committee met and discussed the issue of a complaint(s) with regards to speeding vehicles on Davis Road. This issue was specifically around the school zone and apparent excessive speeds.

On the 3rd and 4th of March, a covert speed watch was conducted in the school zone from 13:45 to 14:45 hours. The results obtained are as follows:

March 4, 2010

Under 30 KM per hour: 111
31 to 40 KM per hour : 45
41 to 50 KM per hour : 22
51 KM and greater : 10

Total number of vehicle checked: 188
Highest speed recorded: 59 KM per hour
Number of children observed: 52

March 5, 2010

Under 30 KM per hour: 118
31 to 40 KM per hour : 60
41 to 50 KM per hour : 11
51 KM and greater : 4

Total number of vehicle checked: 193
Highest speed recorded: 58 KM per hour
Number of children observed: 64

The volunteers from Speed Watch noted that both days when the vehicles were parked waiting for children, the vehicle congestion resulted in a reduction in speeders. As soon as the vehicles vacated the area, the number of speeders increased significantly.

Canada

In view of the noted data, the detachment will implement the following in the coming days:

- Educational campaign - it is assumed that a significant amount of this traffic is local. Often it is the same users that need a reminder of the school zone in effect and the potential consequences of the Motor Vehicle Act. Members of the Ladysmith Detachment will be tasked on several days to run the radar in this area.
- If this is not effective, traffic enforcement will be conducted in the area.

Should you require any additional information or clarification, please contact our office at your convenience.

Sincerely,



S/Sgt R. PLAMONDON
Non Commissioned Officer in Charge
Ladysmith Detachment

TOWN OF LADYSMITH

BYLAW NO. 1712

A bylaw to repeal the Frank Jameson Community Centre and other recreation facilities fee schedules.

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 Appendices "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.

2. **Repeal**

"Community Centre and Facilities Fees and Charges Bylaw 2009, No. 1682" is hereby repealed.

3. **Citation**

This bylaw may be cited for all purposes as "Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2010, No. 1712".

READ A FIRST TIME on the _____ day of _____, 2010

READ A SECOND TIME on the _____ day of _____, 2010

READ A THIRD TIME on the _____ day of _____, 2010

ADOPTED on the _____ day of _____, 2010

Mayor (R. Hutchins)

Appendix A
 Prices include GST

Single Admissions

Child	2.60
Youth	3.50
Adult	4.90
Senior	3.50
Family	8.60

10 X Punch Card

Child	21.85
Youth	29.30
Adult	41.40
Senior	29.30
Family	72.40

30 X Punch Cards

Child	N/A
Youth	77.60
Adult	109.15
Senior	77.60
Family	N/A

One-Month Pass

Child	N/A
Youth	34.70
Adult	43.30
Senior	34.70
Family	N/A

Three-Month Pass

Child	N/A
Youth	93.50
Adult	116.90
Senior	93.50
Family	N/A

Six-Month Pass

Child	N/A
Youth	176.60
Adult	220.85
Senior	176.60
Family	N/A

Appendix B

Facility Rentals (plus GST) - Commercial Bookings are plus 20% and
Not for Profit are less 50%

Pool Rentals		FJCC Upper Hall	
1 Pool	64.45	Hourly Rate	24.30
2 Pool	96.50	Kitchen Hourly Rate	32.25
Extra Guard	35.22	Day Rate	170.05
Prime Time Rate - Club	60.29	Meeting Room	
Non-Prime Time Rate - Club	41.98	Hourly Rate	19.51
School District 68	38.65	Hourly Rate with Pool	18.05
School District - Other	43.13	Day Rate	136.39
Special Needs	40.21	FJCC Gymnasium	
Aggie Hall		Fair - Day 1	304.37
Hourly Rate	35.22	Fair - Day 2	214.01
Hourly Rate for Kitchen	30.32	Fair - Day 3	218.28
Daily Rate inc. Kitchen	162.40	Extra Maintenance	34.49
Fair - Day 1 inc. Kitchen	241.22	FJCC Kitchen/hr	35.22
Fair - Day 2 inc. Kitchen	172.29	Gym / Hour	35.22
Fair - Day 3 inc. Kitchen	126.41	FJCC Lower Program Space	
Reception / Dance / Party	319.35	Hourly Rate	34.70
Misc. Rentals		Hourly Rate with Pool	18.05
Table / Day	5.72	Daily Rate	119.07
Chair / Day	0.72	Transfer Beach	
Ball Fields		Shelter - Resident / Day	43.70
Fees for Tournaments Only	114.44	Amphitheater - Day Event	310.14
		Amphitheater / Hour	23.83