



# 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, APRIL 19, 2010  
at 4:00 p.m.

## A G E N D A

Page

### CALL TO ORDER

#### 1. AGENDA APPROVAL

#### 2. 2010 Financial Plan - 4:00 p.m. to 5:30 p.m.

2.1. R. Malli, City Manager

#### 3. EXECUTIVE SESSION

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

- the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose

#### 4. RISE AND REPORT

**Recess for Government Services Committee Meeting**

#### 5. PUBLIC HEARINGS

- 5.1. Official Community Plan Amendment and Rezoning Proposal 3360-10-01 **1-6**  
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

#### 6. BYLAWS (OCP / ZONING)

- 6.1. Official Community Plan Amendment and Rezoning Proposal 3360-10-01 **7-17**  
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

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	<b>Page</b>
Bylaw 1710 may be read a third time and may be adopted Bylaw 1711 may be read a third time and may be adopted Bylaw 1714 may be read a third time	
6.2. <u>Phase One 'Green Policy' Official Community Plan Amendment: Bill 27 – Greenhouse Gas Emission Reduction Targets, Actions and Strategies</u> Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No.32), 2010, No. 1724 Bylaw 1724 may be read a first and second time	<b>18-29</b>
<b>7. MINUTES</b>	
Adoption of following minutes:	
• April 6, 2010	<b>30-36</b>
• April 12, 2010	<b>37-39</b>
<b>8. DELEGATION</b>	
None	
<b>9. PROCLAMATIONS</b>	
None	
<b>10. DEVELOPMENT PERMITS / DEVELOPMENT VARIANCE PERMITS</b>	
None	
<b>11. STAFF / ADVISORY COMMITTEE REPORTS</b>	
11.1. <u>Zoning Bylaw – Accessory Building Regulations</u>	<b>40-51</b>
Please note that correspondence regarding the accessory structure at 410 Third Avenue from the following individuals is attached: Catherine Gilroy Pam Fraser Aaron Lafontaine	
11.2. <u>Lot 108 Design and Consulting Work</u>	<b>52-53</b>
11.3. <u>Fire Chief's Report – March, 2010</u>	<b>54</b>
11.4. <u>Building Inspector's Report – March, 2010</u>	<b>55</b>
11.5. <u>Trolley Report – March, 2010</u>	<b>56</b>
11.6. <u>Machine Shop Leases</u>	<b>57-59</b>

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<b>12. CORRESPONDENCE</b>	
12.1. <u>Coastal Animal Control Services of BC Ltd.</u> March 2010, Pound Report	<b>60-61</b>
<u>Staff Recommendation:</u> That the March 2010 Pound Report from Coastal Animal Control Services of BC Ltd. Be received.	
<b>13. BYLAWS</b>	
13.1. <u>Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw, No. 1712</u> May be adopted	<b>62-64</b>
13.2. <u>Town of Ladysmith Subdivision Control Bylaw 1994, No. 1115, Amendment Bylaw 2010, No. 1713</u> May be adopted	<b>65-71</b>
13.3. <u>Town of Ladysmith DCC Parks Appropriation Bylaw 2010, No. 1719</u> May be adopted	<b>72</b>
13.4. <u>Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2010, No. 1720</u> May be adopted	<b>73</b>
13.5. <u>Town of Ladysmith DCC Water Appropriation Bylaw 2010, No. 1721</u> May be adopted	<b>74</b>
13.6. <u>Town of Ladysmith DCC Sewer Appropriation Bylaw 2010, No. 1722</u> May be adopted	<b>75</b>
13.7. <u>Town of Ladysmith DCC Roads Appropriation Bylaw 2010, No. 1723</u> May be adopted	<b>76</b>
13.8. <u>Town of Ladysmith Waterworks Regulation Bylaw 1999, No. 1298, Amendment Bylaw 2010, No.1726</u> May be read a first second and third time	<b>77-78</b>

**14. NEW BUSINESS**

None.

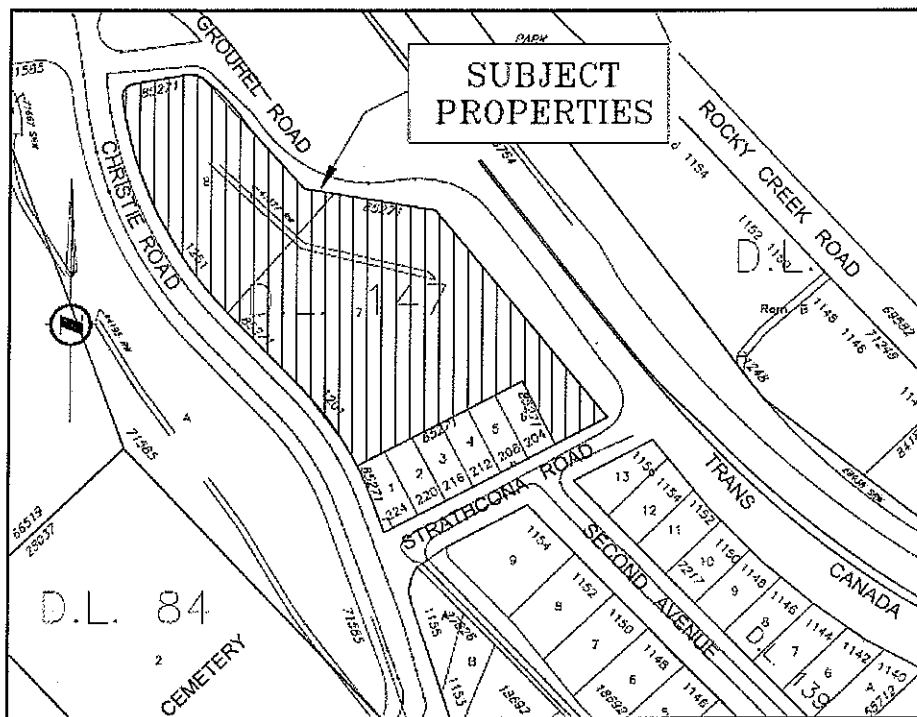
**15. UNFINISHED BUSINESS**

None.

**16. QUESTION PERIOD**

**ADJOURNMENT**





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        15<sup>th</sup>            day of March, 2010

READ A SECOND TIME        on the        15<sup>th</sup>            day of March, 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

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

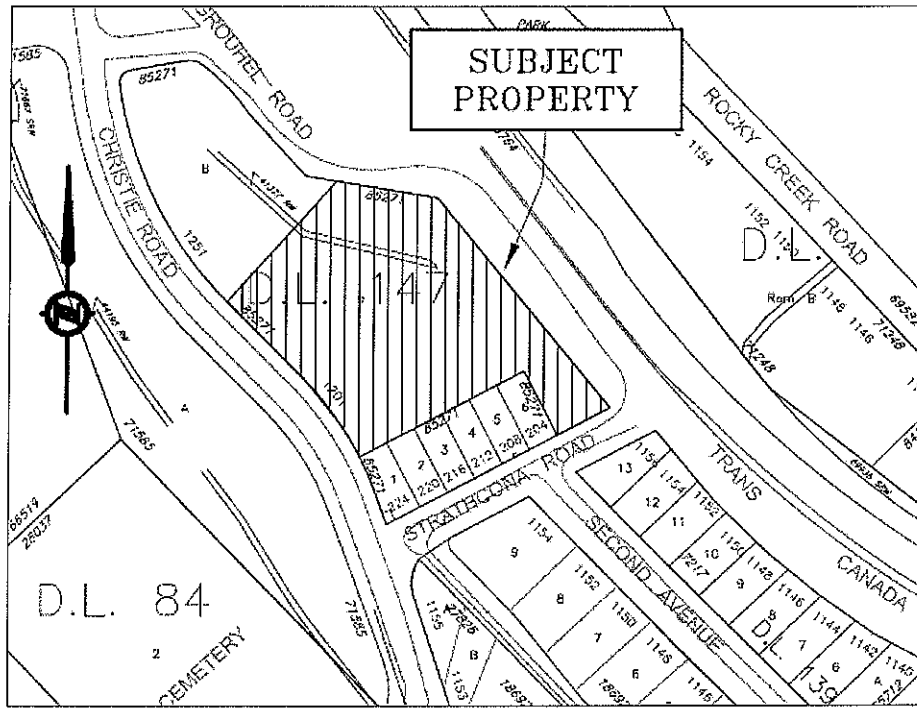
   on the    day of

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"

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**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 15<sup>th</sup> day of March, 2010

**READ A SECOND TIME** on the 15<sup>th</sup> day of March, 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

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

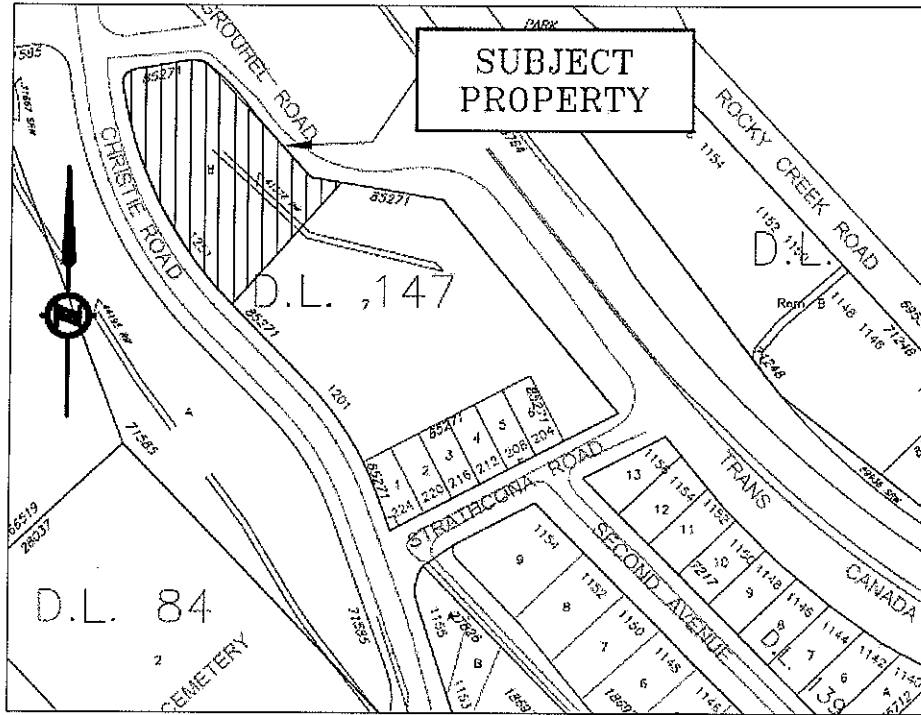
on the day of

**ADOPTED** on the day of

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

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

Bylaw 1714 - Schedule 1





Town of Ladysmith  
**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.

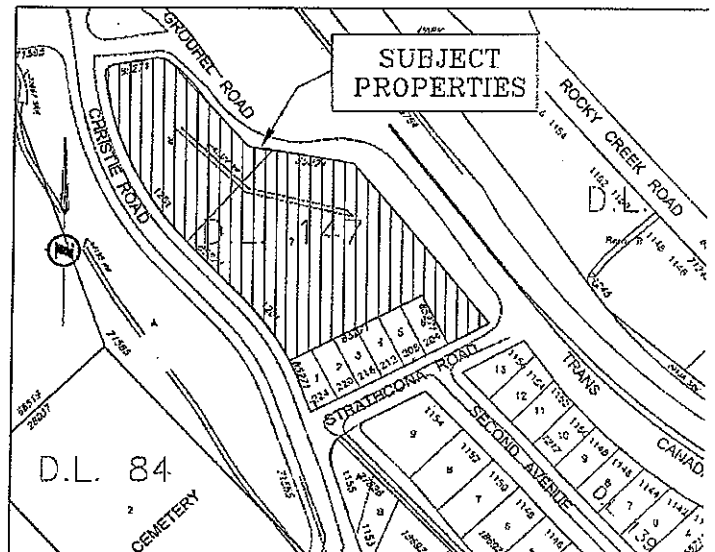
And authorize the Mayor and corporate officer to execute the covenant.

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 <sup>2</sup>	892m <sup>2</sup>
<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.

*R. Malli*

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.

Report reviewed at previous meeting.

- 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. 1), 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

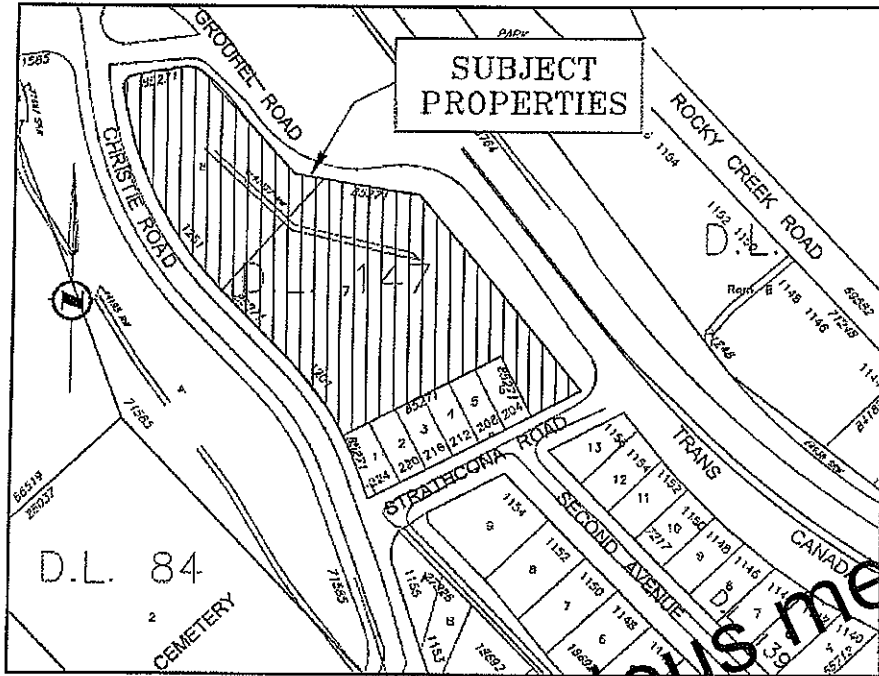
ADOPTED on the day of

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

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

Report reviewed at previous meeting.





Report reviewed at previous meeting.

TOWN OF LADYSMITH

BYLAW NO. 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*

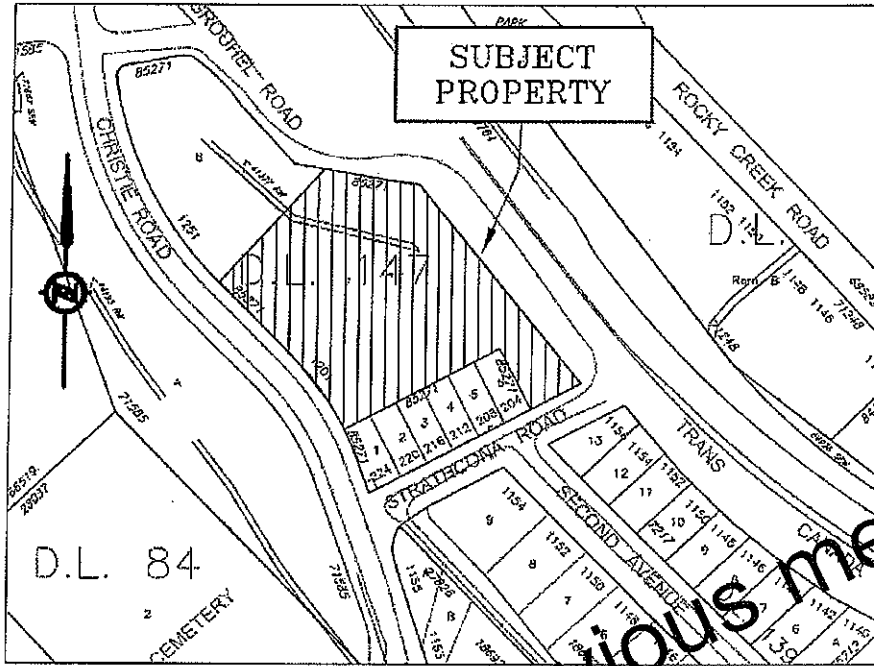
on the \_\_\_\_\_ day of \_\_\_\_\_

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

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

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

Report reviewed at previous meeting.



Report reviewed at previous meeting.

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*

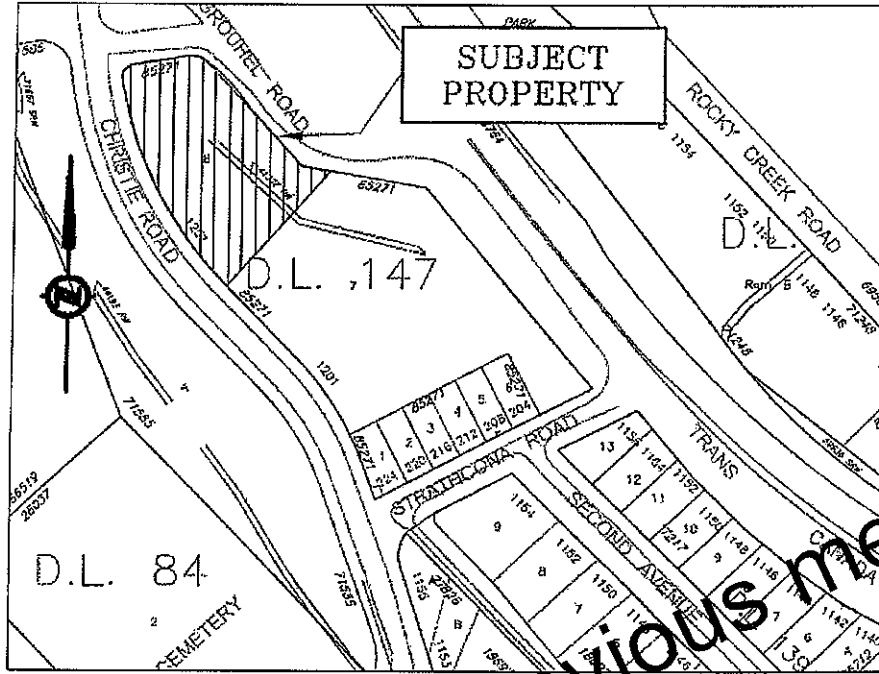
on the \_\_\_\_\_ day of \_\_\_\_\_

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

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

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

Report reviewed at previous meeting.



Report reviewed at previous meeting.



## Town of Ladysmith

### STAFF REPORT

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: April 14, 2010  
File No: 6480-30

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Re: Phase One 'Green Policy' Official Community Plan (OCP) Amendment:  
Bill 27 - Greenhouse Gas Emission Reduction Targets, Actions & Strategies

#### RECOMMENDATIONS:

1. That Council give first and second reading to Bylaw 1724 cited as "Official Community Plan Bylaw, 2003, No.1488, Amendment Bylaw (No.32), 2010, No.1724" and that a public hearing be scheduled for Bylaw 1724.
2. That Council direct staff to refer Official Community Plan Bylaw, 2003, No.1488, Amendment Bylaw (No.32), 2010, No.1724 to the Agriculture Land Commission.

#### PURPOSE:

To introduce Bylaw 1724 which is phase one of the 'Green Policy' Official Community Plan amendments. Bylaw 1724 is proposed to meet the requirements of *Bill 27-Local Government Green Communities Statutes Amendment Act 2008*.

#### INTRODUCTION/BACKGROUND:

The Province requires that the municipality establish Official Community Plan community targets, actions and strategies to reduce greenhouse gas emissions by May 31, 2010. At its April 6, 2010, meeting Council passed a motion directing staff to proceed with the Official Community Plan 'green policy' amendments.

#### SCOPE OF WORK:

While the current Town of Ladysmith Official Community Plan (OCP) already has a significant set of policies that direct the community toward greenhouse gas reduction, the objective of proposed Bylaw 1724 is to provide a clear statement that the Town of Ladysmith is committed to reducing greenhouse gas emissions. The proposed bylaw draws from the recent initiatives of both the *Town of Ladysmith Community Energy Plan* (Energy Plan) and the *Ladysmith Community Vision for a Sustainable West Coast Town* (Visioning Report) for greenhouse gas reduction targets, policies, and actions. The attached schedules A, B and C provide a summary of the key greenhouse gas reducing actions and strategies that exist in the OCP, Energy Plan, and Visioning Report.

#### **Summary of Bylaw 1724**

Bylaw 1724 proposes amendments to two sections of the OCP (1) Key Guiding Principles, and (2) Implementation Tools.

## Key Guiding Principles

Adding to the 'Key Guiding Principles' section of the OCP, Bylaw 1724 utilizes the energy vision for Ladysmith stated in the Energy Plan which is as follows:

Ladysmith is one of Canada's greenest communities. We are recognised as a leader in conservation and sustainable energy. We are committed to making the community a better place to live in a future with limited fossil fuels - a future powered by renewable energy. Our community supports the person and the pedestrian first and foremost.

Bylaw 1724 also utilizes the Energy Plan community reduction targets; which are as follows:

- a) 5% reduction in total community greenhouse gas emissions by 2012 from 2007 levels.
- b) 15% reduction in total community greenhouse gas emissions by 2016 from 2007 levels.
- c) 33% reduction in total community greenhouse gas emissions by 2020 from 2007 levels (proposed target to match the Provincial reduction target).

### Measuring Greenhouse Gas Emissions

The Community Energy and Greenhouse Gas Emissions Inventory: 2007 (CEEI) is a provincially sponsored reporting system that estimates the energy use and greenhouse gas emissions within a community over one year (See Schedule D 'CEEI'). The Town of Ladysmith 2007 CEEI indicates that:

- on road transportation is the source of 81.4% (30,953 tonnes) of greenhouse gas emissions;
- buildings cause 14.8% (5,616 tonnes) of greenhouse gas emissions; and
- solid waste causes 4% (1,468 tonnes) of greenhouse gas emissions.

Table 1 shows the greenhouse gas reduction targets with a per capita measure. For example, to reduce emissions by 33% each resident of Ladysmith will need to reduce their emissions from 4.8 tonnes per year to 2.5 tonnes per year in 2020.

**Table 1: Greenhouse Gas Emission Table**

	GHG Emission Reduction Target	Total Carbon Emission (tonnes)	Town of Ladysmith Population Estimates	Per Capita GHG Emissions/Year (tonnes)
2007		38,036 <sup>1</sup>	7,899 <sup>2</sup>	4.8
2012	5%	36,134	8,615	4.2
2016	15%	32,330	9,325	3.5
2020	33%	25,484	10,094	2.5

<sup>1</sup>2007CEEI Report

<sup>2</sup>Statistics Canada

### Implementation Tools

While it is revealing to show the per capita reductions that are necessary, in fact meeting the target of a 33% greenhouse gas reduction by 2020 will best be met by implementing the actions of the Energy Plan and strategies of the Visioning Report as a community. Bylaw 1724 proposes to amend Section 4.4 of the OCP

"Implementation Tools" by referring to the Energy Plan and Visioning Report to ensure that the actions and strategies identified in these documents are implemented.

ALTERNATIVES:

To amend proposed Bylaw 1724 for reasons provided by Council.

FINANCIAL IMPLICATIONS:

Implementation of the Energy Plan and Visioning Report is to be considered in the Financial Plan and in yearly budget preparations.

LEGAL IMPLICATIONS:

Proposed Bylaw 1724 will be referred to the Agricultural Land Commission for review as required by legislation.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

At its meeting April 13, 2010 the Advisory Planning Commission passed the following motion:

Council is on track with regards to proposed Bylaw 1724 and greenhouse gas reduction initiatives, the Advisory Planning Commission will do what it can to assist the Town in molding a community that is a pleasure to live in and a role model for the rest of the Island.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Proposed Bylaw 1724 has been referred to the Director of Public Works, the Building Inspector, and the Director of Parks, Recreation, and Culture for review.

RESOURCE IMPLICATIONS:

Community planning is an area of responsibility of the Development Services Department.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The 2010 strategic directions include incorporating green targets into the OCP.

SUMMARY:

The Town of Ladysmith is committed to greenhouse gas reduction as demonstrated by the targets, actions, and strategies in the OCP, Energy Plan, and Visioning Report. Bylaw 1724 proposes to meet the requirements of Bill 27 by drawing from previous Town of Ladysmith initiatives.

I concur with the recommendation.

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

ATTACHMENTS:

Bylaw 1724

Schedule A: Greenhouse Gas Reducing Policies in the OCP

Schedule B: Community Energy Plan Actions

Schedule C: Sustainability Strategies - Community Vision for a Sustainable West Coast Town

Schedule D: Ladysmith CEEI Report: 2007





## Schedule A: Greenhouse Gas Reducing Policies in the Official Community Plan

### **Growth Management:**

- ✓ Direct residential growth to within the Urban Containment Boundary.
- ✓ Encourage residential infill where vacant lots exist.
- ✓ Reduce land consumption by increasing residential densities in appropriate locations.
- ✓ Minimize commuting and associated infrastructure costs, by directing future employment to the waterfront and the south industrial lands and to home based businesses.

### **Land Use Planning and Community Design:**

- ✓ Encourage mixed-use commercial and residential uses in and around the downtown area.
- ✓ Use ecological features (steep slopes, riparian areas, and environmentally sensitive areas) to help determine suitable development areas.
- ✓ Encourage integrated neighbourhoods that incorporate a variety of housing types and densities as well as local service commercial.
- ✓ Create pedestrian-scale neighbourhoods, particularly in the downtown area.
- ✓ Permit secondary suites under specific conditions and requirements.

### **Environment:**

- ✓ Encourage greenway development and where possible create greenways for cycling and walking.
- ✓ Enhance the urban environment through tree planting and the “green streets” program.
- ✓ Protect riparian areas from unnecessary intrusion.
- ✓ Require hillside development to be designed to fit into the landscape and natural features, with review by a geotechnical engineer and registered professional biologist.
- ✓ Apply alternative development standards to promote surface runoff infiltration and to reduce surface runoff.
- ✓ Encourage protection of environmental heritage such as recovery and restoration (daylighting) of streams.

### **Transportation:**

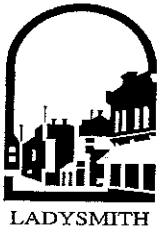
- ✓ Encourage pedestrian friendly streets and transit friendly land use patterns.
- ✓ Encourage human scale development that encourages walking.
- ✓ Promote multi-modal forms of transportation as well as integrated transportation and land-use planning.

### **Community Facilities and Services:**

- ✓ Continue to develop a comprehensive community wide trail system for pedestrians and cyclists – to include a continuous waterfront walkway.
- ✓ Every household should be within 0.5 km of any park, within 1-2 km of a community park, and within 1 km of a neighbourhood park.

### **Infrastructure:**

- ✓ Utilize water metering as a water conservation measure.
- ✓ Examine the potential for alternative wastewater treatment systems.



## Schedule B: Community Energy Plan Actions

- ✓ Promote energy efficiency incentive programs.
- ✓ Provide assistance for energy audits and retrofits to residents.
- ✓ Provide energy retrofit kits to homeowners.
- ✓ Encourage energy efficient development in rezoning applications.
- ✓ Provide incentives to builders for energy efficient design.
- ✓ Encourage energy efficient infill development in the Downtown core and surrounding area.
- ✓ Enhance car free mobility opportunities.
- ✓ Explore and preserve opportunities for future use of E&N railway.
- ✓ Preserve local commercial and industrial lands to enhance local employment.
- ✓ Encourage efficient and renewable energy technologies.
- ✓ Encourage new developments to evaluate alternative energy sources or district heating systems.
- ✓ Encourage all new buildings to be carbon neutral.

**Carbon neutral buildings may include the following features:**

Water Efficiency:	Energy Efficiency:	Carefully Selected Materials:
<ul style="list-style-type: none"> <li>✓ On-demand hot water heater</li> <li>✓ Solar water heater</li> <li>✓ Water meters</li> <li>✓ Re-use water onsite</li> <li>✓ Onsite stormwater management</li> <li>✓ Green roofs</li> <li>✓ Drought tolerant landscaping (and use of native species)</li> <li>✓ Innovative waste water technology</li> </ul>	<ul style="list-style-type: none"> <li>✓ Heat recovery units;</li> <li>✓ Maximize passive solar heating opportunities</li> <li>✓ Optimize opportunities for natural daylight</li> <li>✓ Natural ventilation</li> <li>✓ High efficiency windows</li> <li>✓ High insulation standards</li> <li>✓ Low energy appliances and lighting</li> <li>✓ Alternative sources of green power</li> </ul>	<ul style="list-style-type: none"> <li>✓ Recycled materials</li> <li>✓ Local/regional materials</li> <li>✓ Renewable materials</li> <li>✓ Certified wood</li> <li>✓ Low emitting materials</li> </ul>



## Schedule C: Sustainability Strategies

### 'Community Vision for a Sustainable West Coast Town'

#### Strategy #1: Complete Community Land Use:

- ✓ Promote a diversity of land uses to enhance self-reliance in the community.
- ✓ Increase density in the Town's neighbourhoods to support transit and local businesses.
- ✓ Support mixed-use development of many types and sizes, including live-work projects.
- ✓ Enhance the pedestrian orientation of the town.
- ✓ Increase the diversity of housing including affordable housing and secondary suites.
- ✓ Maintain a strong local industrial and commercial land base.
- ✓ Promote appropriate development in waterfront areas and along transportation lines.

#### Strategy #2: Transportation:

- ✓ Encourage developers to support sustainable transportation directions.
- ✓ Continue to enhance the greenways network to connect all areas of the community; including bike lanes, sidewalks, pedestrian paths and others.
- ✓ Reduce negative impacts of parking and pursue innovative parking design strategies.
- ✓ Make streets more environmentally and socially friendly.
- ✓ Promote initiatives that reduce the need for personal vehicle use.

#### Strategy #3: Green Buildings:

- ✓ Encourage the retrofit of existing buildings to reduce environmental impacts.
- ✓ Expand the metering program to reduce demand for water and energy.
- ✓ Supply information and resources to residents regarding retrofitting of their homes.

#### Strategy #4: Multi-Use Open Space:

- ✓ Map the natural eco-systems and work to protect those areas deemed to be sensitive including watershed and riparian areas.
- ✓ Promote songbird habitat and reduce invasive species.
- ✓ Develop a network of greenways to clean runoff, provide habitat, provide pathways and recreation and enhance residents health.
- ✓ Protect and enhance the Holland Creek Trail system and better connect it to other greenways in the community.
- ✓ Increase the amount of publicly owned parkland and maximize the value of recreational facilities and opportunities in each neighbourhood.

#### Strategy #5: Innovative Infrastructure:

- ✓ Promote energy audits and retrofits of homes and businesses.
- ✓ Promote the development of clean and renewable energy sources and systems.
- ✓ Promote efficient and ecologically friendly management of water.

#### Strategy #6: Local Food Systems:

- ✓ Support the connection of local restaurants to local food producers.
- ✓ Promote the development of community gardens existing areas and in new developments, especially multi-family areas.

#### Strategy #7: A Healthy Community:

- ✓ Continue to enhance the quality of the public realm.
- ✓ Increase community facilities including health and medical facilities.
- ✓ Continue to involve the Stz'uminus First Nation and youth in the Town and planning.

#### Strategy #8: A Diverse Economy:

- ✓ Promote sustainable tourism practices such as eco-tourism.
- ✓ Work to grow 'green companies' and innovative industries.
- ✓ Explore opportunities for an eco-industrial park.
- ✓ Promote work/live opportunities and home based businesses.
- ✓ Maintain a strong local industrial and commercial land base.

# Ladysmith

## Community Energy & Greenhouse Gas Emissions Inventory: 2007

This is your local government's draft 2007 Community Energy and Greenhouse Gas Emissions Inventory (CEEI). From March 10th to April 15th 2009, the Province and partners are asking for your review and feedback - <http://www.toolkit.bc.ca/ceei> - on the content, clarity and usefulness of your community's draft 2007 CEEI Report.

### What is a CEEI Report?

CEEI Reports are a result of a multi-agency effort to provide a province-wide solution to assist local governments in BC to track and report annual community-wide energy consumption and greenhouse gas (GHG) emissions. For 2007, the CEEI Reports provide high-level energy and GHG emission estimates in three primary sectors – on-road transportation, buildings and solid waste. As additional information, estimates on land-use change emissions from deforestation are provided at the regional district level. CEEI Reports are one of the many resources available through the Climate Action Toolkit (<http://www.toolkit.bc.ca>), a web-based service provided through the ongoing collaboration between UBCM and the Province.

### Why does my local government need a CEEI Report?

An energy and GHG emissions inventory can be a valuable tool that helps local governments plan and implement GHG and energy management strategies, while at the same time strengthening broader sustainability planning at the local level. CEEI reports have two primary purposes – to fulfill local governments' Climate Action Charter commitment to measure and report their community's GHG emissions profile, and to establish a base year inventory for local governments to consider as they develop targets, policies, and actions related to the Province's new Green Communities Legislation (Bill 27). As an additional benefit, CEEI Reports support BC local government members of the Federation of Canadian Municipalities' Partners for Climate Protection program to achieve Milestone One of the community stream – a community GHG emissions inventory.

### A first in North America!

CEEI is a first in North America, and a first step for BC communities. The 2007 CEEI Reports are based on best available province-wide data. The accuracy and detail of CEEI reports will continue to improve to meet increasing local and provincial government information needs. For example, the CEEI working group is presently pursuing ways to refine community boundary accuracy for a number of BC's smaller communities. Also, local governments may wish to provide additional information to the CEEI and/or enhance their CEEI report (in sectors and/or detail) where interest, capacity and local information sources permit (e.g., provide the CEEI with accurate community-specific solid waste data). For future reports, the CEEI working group will be considering the inclusion of additional components to GHG inventories as advised by emerging international protocols, the information needs of local governments, and the Province's forthcoming Green Communities Incentive Program.

Hyla Environmental Services Ltd. (HES) is providing 2007 CEEI Reports using its Energy and Emissions Monitoring and Reporting System™. HES is also developing a 2007 CEEI Technical Methods and Guidance document, presently scheduled to be available in late March 2009.



Draft Report Produced on 3/11/2009

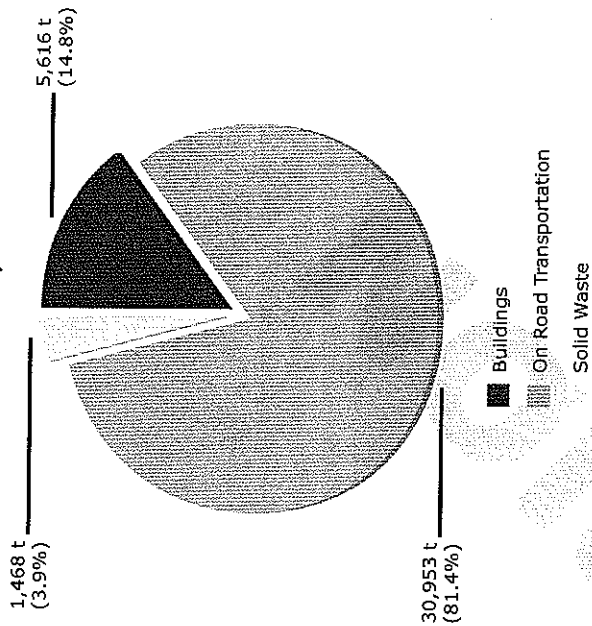
For more information, please contact the Ministry of Environment at [CEERPT@gov.bc.ca](mailto:CEERPT@gov.bc.ca)

Page 1



Energy & Emissions Monitoring and Reporting System™ v3.01

CO<sub>2</sub>e (tonnes) by Sector \*



\* In some CEEI Reports, inaccuracy in solid waste data and/or where electricity and natural gas consumption data for buildings has been withheld for confidentiality purposes, the relative percentages of GHGs in each sector as illustrated above may appear disproportionate. For this reason, care should be taken in interpreting these reports, particularly where comparisons with other local government may be of interest.

Please refer to the CEEI User Guide for overviews of each sector (<http://www.env.gov.bc.ca/epd/climate/ceei/pdf/ceei-user-guide.pdf>). For answers to Frequently Asked Questions go to <http://www.env.gov.bc.ca/epd/climate/ceei/pdf/ceei-faq.pdf>. To explore 'taking action community wide', go to <http://www.toolkit.bc.ca/taking-action/community-wide>. For more information, please contact the Ministry of Environment at [CEERPT@gov.bc.ca](mailto:CEERPT@gov.bc.ca).

**Notice to the Reader:** This CEEI Report uses information from a variety of sources to estimate GHG emissions. While the methodologies, assumptions and data used are intended to provide reasonable estimates of greenhouse gas emissions, the information presented in this report may not be appropriate for all purposes. The Province of BC, data providers and HES Ltd. do not provide any warranty to the user or guarantee the accuracy or reliability of the data contained in this report. The user accepts responsibility for the ultimate use of such data.

# Ladysmith Community Energy & Greenhouse Gas Emissions Inventory: 2007

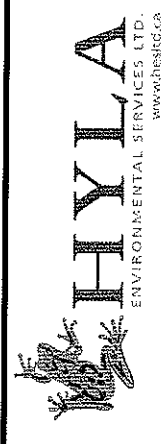
BUILDINGS	Type	Consumption By Type		Energy & Emissions Total	
		Connections	Consumption	Energy (GJ)	CO <sub>2</sub> e (t)
RESIDENTIAL BUILDINGS	Electricity	3,476	43,370,821 KWh	156,135	954
	Natural Gas	1,452	83,456 GJ	83,456	4,269
COMMERCIAL BUILDINGS	Electricity	367	17,859,226 KWh	64,293	393
INDUSTRIAL BUILDINGS	Electricity	40	—	—	—
<b>SUBTOTAL</b>	Electricity	3,883	61,230,047 KWh	220,428	1,347
	Natural Gas	1,452	83,456 GJ	83,456	4,269

ON ROAD TRANSPORTATION	Type	Consumption By Type		Energy & Emissions Total	
		Units	Consumption	Energy (GJ)	CO <sub>2</sub> e (t)
SMALL PASSENGER CARS	Gasoline	2,565	2,336,847 litres	80,995	5,836
	Diesel Fuel	57	38,341 litres	1,483	107
LARGE PASSENGER CARS	Gasoline	1,039	1,159,061 litres	40,173	2,895
	Diesel Fuel	16	12,392 litres	479	34
LIGHT TRUCKS, VANS, AND SUVs	Gasoline	3,100	6,143,748 litres	212,942	15,343
	Diesel Fuel	42	73,941 litres	2,860	206
COMMERCIAL VEHICLES	Mobile Propane	20	42,613 litres	1,079	65
	Gasoline	442	853,383 litres	29,578	2,131
TRACTOR TRAILER TRUCKS	Diesel Fuel	300	1,016,376 litres	39,313	2,825
	Mobile Propane	14	24,297 litres	615	37
	Diesel Fuel	16	217,601 litres	8,417	605
<b>SUBTOTAL</b>				<b>40,652</b>	<b>2,929</b>
				<b>82,478</b>	<b>5,943</b>

ON ROAD TRANSPORTATION	Type	Consumption By Type		Energy & Emissions Total	
		Units	Consumption	Energy (GJ)	CO <sub>2</sub> e (t)
SMALL PASSENGER CARS	Gasoline	2,565	2,336,847 litres	80,995	5,836
	Diesel Fuel	57	38,341 litres	1,483	107
LARGE PASSENGER CARS	Gasoline	1,039	1,159,061 litres	40,173	2,895
	Diesel Fuel	16	12,392 litres	479	34
LIGHT TRUCKS, VANS, AND SUVs	Gasoline	3,100	6,143,748 litres	212,942	15,343
	Diesel Fuel	42	73,941 litres	2,860	206
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	Gasoline	442	853,383 litres	29,578	2,131
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				<b>82,478</b>	<b>5,943</b>



Draft Report Produced on 3/11/2009  
For more information, please contact the Ministry of Environment at [CEIRPT@gov.bc.ca](mailto:CEIRPT@gov.bc.ca)



# Ladysmith

## Community Energy & Greenhouse Gas Emissions Inventory: 2007

### ON ROAD TRANSPORTATION CONTINUED

Category	Motorhomes	Gasoline	137	252,863 litres	1,846 LU	8,764	631	9,564	689
	Diesel Fuel	12	20,665 litres	1,722 LU	799	57			
<b>MOTORCYCLES AND MOPEDS</b>	Gasoline	195	72,540 litres	372 LU	2,514	181			
<b>SUBTOTAL</b>	Gasoline	7,478	10,818,442 litres		374,987	27,018		<b>430,013</b>	<b>30,953</b>
	Diesel Fuel	443	1,379,316 litres		53,352	3,834			
	Mbl Propane	34	66,910 litres		1,693	102		<b>2,514</b>	<b>181</b>

### SOLID WASTE

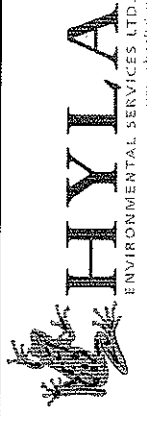
Type	Direct Emissions			Emissions Total		
	Estimation Method	Mass (t)	CO <sub>2</sub> e (t)	CO <sub>2</sub> e (t)	CO <sub>2</sub> e (t)	CO <sub>2</sub> e (t)
Solid Waste	Waste Commitment	2,769	1,468			<b>1,468</b>
<b>SUBTOTAL</b>		<b>2,769</b>	<b>1,468</b>			<b>1,468</b>

### Grand Total

Activity	Consumption	Energy	CO <sub>2</sub> e	Energy & Emissions Total
Electricity	61,230,047 kWh	220,428 GJ	1,347 t	Energy (GJ)
Natural Gas	83,456 GJ	83,456 GJ	4,269 t	CO <sub>2</sub> e (t)
Gasoline	10,818,442 litres	374,987 GJ	27,018 t	<b>733,897</b>
Diesel Fuel	1,379,316 litres	53,352 GJ	3,834 t	<b>38,036</b>
Mbl Propane	66,910 litres	1,693 GJ	102 t	
Solid Waste			1,468 t	



Draft Report Produced on 3/11/2009  
 For more information, please contact the Ministry of Environment at [CEERPT@gov.bc.ca](mailto:CEERPT@gov.bc.ca)



**TOWN OF LADYSMITH**

**BYLAW NO. 1724**

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

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**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) The "Official Community Plan Bylaw, 2003, No. 1488" is hereby amended as set out in Schedule A to this Bylaw.

**CITATION**

- (2) This bylaw may be cited for all purposes as "Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 32), 2010, No. 1724".

**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)

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Corporate Officer (S. Bowden)

## Schedule A

- (1) Schedule "A" - "Town of Ladysmith Community Plan" Section 2 "Key Guiding Principles" is amended by adding:

(a) Section 2.1(9) "An Energy Vision for Ladysmith: Ladysmith is one of Canada's greenest communities. We are recognised as a leader in conservation and sustainable energy. We are committed to making the community a better place to live in a future with limited fossil fuels - a future powered by renewable energy. Our community supports the person and the pedestrian first and foremost (Community Energy Plan, 2008)."

- (b) Section 2.2 "Greenhouse Gas Reduction Targets:

"Climate change is a global issue, caused by the daily activities of billions of humans - primarily through the consumption of fossil fuel energy. A solution to the issue will require the activities of billions of humans to conserve energy and reduce greenhouse gas emissions. All persons and entities - including local governments - have a role to play in finding these solutions (Community Energy Plan, 2008).

The Town of Ladysmith is committed to being part of the solution to prevent climate change and to reducing greenhouse gas emissions. The Town's greenhouse gas reduction targets are:

- 1) 5% reduction in total community greenhouse gas emissions by 2012 from 2007 levels.
- 2) 15% reduction in total community greenhouse gas emissions by 2016 from 2007 levels.
- 3) 33% reduction in total community greenhouse gas emissions by 2020 from 2007 levels.

The Town of Ladysmith will achieve these targets through the actions identified in the *Town of Ladysmith Community Energy Plan (2008)* and by following the sustainable development objectives in the *Ladysmith Community Vision for a Sustainable West Coast Town (2008)*.

The *Community Energy and Greenhouse Gas Emissions Inventory 2007 (CEEI)* for Ladysmith indicates that in 2007:

- (i) on road transportation was the source of 81.4% (30,953 tonnes) of greenhouse gas emissions;
- (ii) buildings was the source of 14.8% (5,616 tonnes) of greenhouse gas emissions; and
- (iii) solid waste was the cause of 4% (1,468 tonnes) of greenhouse gas emissions. "

- (2) Schedule "A" - "Town of Ladysmith Community Plan" Section 4.4 "Implementation Tools" is amended by adding the following to the end of the section:



- (a) "Town of Ladysmith Community Energy Plan (2008): The Town of Ladysmith Community Energy Plan identifies seven initiative areas and 31 actions that the community can undertake to achieve the greenhouse gas reduction targets.
- (b) Ladysmith Community Vision for a Sustainable West Coast Town (2008): The Ladysmith Vision initiative identified a sustainability strategy which outlines the fundamental sustainable development goals for Ladysmith that the community strongly supported."



**TOWN OF LADYSMITH**  
**MINUTES OF A REGULAR SESSION OF COUNCIL**  
TUESDAY, APRIL 6, 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

Sandy Bowden

Rebecca Kalina

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**CALL TO ORDER**

Mayor Hutchins called the meeting to order 6:05 p.m.

**EXECUTIVE SESSION**

**2010-131**

It was moved, seconded and carried that this meeting retire into Executive Session at 6:05 p.m., pursuant to Section 90(1) of the Community Charter 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;
- law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- the 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;

**RISE AND REPORT**

The Executive Session of Council rose without report.

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

**AGENDA APPROVAL**

2010-132

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

**MINUTES**

2010-133

It was moved, seconded and carried that the Council minutes of March 15 and 29, 2010 be adopted as circulated.

**PROCLAMATIONS**

Mayor Hutchins proclaimed May 2 - 8, 2010 as North American Occupational Safety and Health (NAOSH) Week in the Town of Ladysmith.

**DEVELOPMENT/  
DEVELOPMENT VARIANCE  
PERMITS**

Councillor S. Arnett vacated Council Chambers at 7:02 p.m. due to a potential conflict of interest with the following agenda item.

DEVELOPMENT PERMIT APPLICATION 3060-09-10

Doug Bell, President, of the Ladysmith Maritime Society and Peter DeHoog, Architect, for the Ladysmith Maritime Society Visitor Centre were in attendance to present the design of the Visitor Centre and answer questions.

2010-134

It was moved, seconded and carried that a development permit be issued for the Ladysmith Maritime Society Visitor Centre (Block C, District Lot 2016, Cowichan District, Lease # 1407751) DP Application 3060-09-10;

And that the Mayor and Corporate Officer be authorized to sign the Development Permit.

Councillor Arnett returned to Council Chambers at 7:22 p.m.

**COUNCIL COMMITTEE  
REPORTS**

Councillor S. Bastian reported that the Stz'uminus First Nation (SFN) is initiating negotiations with the Cowichan Valley Regional District (CVRD) to provide emergency services and integrate SFN's emergency planning into that of the CVRD.

Councillor J. Dashwood reported that a member of the Chamber of Commerce is interested in serving on the Economic Development Commission. She further noted that the Chamber is sponsoring a bursary award for a business or trades student and the Visitor Information Centre's number of

visitations has increased therefore they are eligible for additional funding from the Province to assist with operating costs. She also commented that the Fire Department assessment is progressing.

Councillor S. Arnett advised that at the recent Chamber of Commerce meeting Sgt. R. Plamondon, RCMP, was in attendance to discuss recent break and enter issues. He noted that the Economic Development Commission met on March 23, 2010 and reviewed a Cowichan Valley Regional District tourism report. He further commented that he attended the second Island Corridor workshop.

Councillor D. Paterson reported that the next Parks, Recreation and Culture Commission meeting is tentatively scheduled for April 21, 2010; the Commission will be inviting the Spirit of BC and Torch Relay Committees to the meeting to thank them for all their work. He informed Council that the Celebrations Committee has a new Executive and will once again be holding the "Ladysmith Has Balls" fundraising event on June 19, 2010. He further stated that Festival of Lights Committee will ensure that the red and white lights in the downtown area remain.

#### GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS

2010-135

It was moved, seconded and carried that staff be directed to proceed with Official Community Plan 'green policy' amendments, as a strategic priority, in three phases:

- (i) Phase 1: Bill 27 - Greenhouse gas emission reduction targets, actions, and strategies;
- (ii) Phase 2: Riparian Areas Regulation and Council environmental policy directions; and
- (iii) Phase 3: Bicycle Plan.

2010-136

It was moved, seconded and carried that the following Official Community Plan consultation pursuant to S.879 of the Local Government Act be supported for the 'green policy' OCP review (6480-30/40/50):

- (i) Refer each phase to the Advisory Planning Commission (APC) for review and comment.

2010-137

It was moved, seconded and carried that the toilet rebate program be extended until December 31, 2010 and that staff be directed to include \$20,000 in the 2010 water utility operating budget.

2010-138

It was moved, seconded and carried that the expenditure of \$12,000 be authorized for the replacement of the watermain

across Dogwood Drive by the North end of Arbutus Crescent, with the funds to come from the Water Utility Reserve Fund.

2010-139 It was moved, seconded and carried that the tendering policy be waived and the Town enter into a purchase agreement with Vimar Equipment for a 2004 Elgin Crosswind J sweeper at a net cost of \$85,000 (taxes extra) with the funds to come from the Equipment Replacement Reserve.

2010-140 It was moved, seconded and carried that Staff be directed to issue a limited distribution Expression of Interest directed to local (Ladysmith) non-profit community organizations for the management of a Trolley Advertising Program.

2010-141 It was moved, seconded and carried that the correspondence dated January 13, 2010 from Janice McDougall be received and referred to staff to assess the accessibility of the First Avenue bus stop and to provide recommendations at a future Government Services Committee meeting.

2010-142 It was moved, seconded and carried that a letter of support be provided to the Cowichan Energy Alternatives Society regarding their Vancouver Island Bio-Fuel Network (VIBN) Project.

2010-143 It was moved, seconded and carried that the letter from Team Tomorrow (Leadership BC) regarding an invitation to the "Total Physical Response - Hul'qumi'num for Beginners" workshop being held on Monday, May 17, 2010 be received.

Councillor L. Evans noted that the Heritage Revitalization Advisory Commission is seeking Council's comments on heritage tourism marketing, branding and economic development. She advised that she received a press release regarding the Lodge on 4<sup>th</sup> dated April 1, 2010 which stated health care workers received lay off notices and that they may be rehired on a contract basis. She further commented that she attended the Community Gardens meeting on March 31<sup>st</sup> and they confirmed that work on the garden site is progressing with 24 plots constructed.

Councillor B. Whittington advised that he attended the March meeting of the Social Planning Cowichan - Affordable Housing Directorate at which a document regarding affordable housing in the Cowichan Valley Regional District was reviewed. He reported that the Advisory Design Panel reviewed the Development Permit Application for the Ladysmith Maritime Society Visitor Centre and were impressed with it. He further noted that a representative from

TimberWest was in attendance at the March Environment Commission meeting to discuss the management of their lands which border Ladysmith.

## STAFF REPORTS

### CENTRALIZED WATER TREATMENT

2010-144

It was moved, seconded and carried that staff be requested to proceed with the detailed design of Phase I of the centralized treatment facility, the dual pipeline from the South end Chlorinator to the Arbutus Reservoir, and the new power supply for up to \$235,000 with the funds to come from the Water Utility Reserve Fund.

### TROLLEY OPERATORS

2010-145

It was moved, seconded and carried that staff be directed to post two permanent 33 hours per week trolley operator positions.

### TWIN CITY REQUEST - LADYSMITH SOUTH AFRICA

2010-146

It was moved, seconded and carried that staff be requested to pursue the establishment of a "twin city" relationship with Ladysmith, South Africa and report back to Council in this regard.

### FINANCIAL PLAN MEETING SCHEDULE

2010-147

It was moved, seconded and carried that the following schedule of meetings be approved to review the Financial Plan and relevant bylaws and that all meetings commence at 4:30 p.m.: April 12, April 26, May 10, and May 13, 2010.

### SNOW ANGELS / GOOD NEIGHBOURS AWARD

2010-148

It was moved, seconded and carried that staff be requested to change the scope of the Snow Angels Program to the Good Neighbours Program, in order to encourage nominations for an individual who goes out of his or her way at any time of year to help a neighbour.

## CORRESPONDENCE

### COALITION FOR ACTION ON ALCOHOL REFORM

2010-149

It was moved, seconded and carried that staff be requested to obtain information on the BC Coalition for Action on Alcohol Reform and report back to Council on May 3, 2010.

Councillor D. Paterson vacated Council Chambers at 7:44 p.m. due to a potential conflict of interest regarding the following agenda item.

KINSMEN PARK PLAYGROUND – BROWN DRIVE PARK

2010-150

It was moved, seconded and carried that the letter dated March 29, 2010 from the Ladysmith Kinsmen Club requesting support for a new playground at Brown Drive Park be received and referred to the 2010 Budget process.

Councillor D. Paterson returned to Council Chambers at 7:45 p.m.

INVITATION TO 5<sup>TH</sup> ANNUAL CHAMPION OF CHILDREN BREAKFAST

2010-151

It was moved, seconded and carried that the letter from Success by 6, School District 68 and Greater Nanaimo and Ladysmith Early Years Partnership regarding the 5<sup>th</sup> Annual Champion of Children Breakfast be received and that Mayor Hutchins be appointed as the representative to accept the Champion of Children Award for the Town of Ladysmith.

**BYLAWS**

2010-152

It was moved, seconded and carried that the third reading of Town of Ladysmith Community Centre and Facilities Fees and Charges Bylaw 2010, No. 1712 be rescinded and amended to include "And Applicable Tax" on Schedules A and B and that Bylaw 1712 be read a second and third time as amended.

2010-153

It was moved, seconded and carried that Town of Ladysmith Subdivision Control Bylaw 1994, No. 1115, Amendment Bylaw 2010, No. 1713 be read a first, second and third time.

2010-154

It was moved, seconded and carried that Town of Ladysmith DCC Parks Appropriation Bylaw 2010, NO. 1719 be read a first, second and third time.

2010-155

It was moved, seconded and carried that Town of Ladysmith Sale of Real Property Reserve Fund Appropriation Bylaw 2010, No. 1720 be read a first, second and third time.

2010-156

It was moved, seconded and carried that Town of Ladysmith DCC Water Appropriation Bylaw 2010, No. 1721 be read a first, second and third time.

2010-157

It was moved, seconded and carried that Town of Ladysmith DCC Sewer Appropriation Bylaw 2010, No. 1722 be read a first, second and third time.

2010-158

It was moved, seconded and carried that Town of Ladysmith DCC Roads Appropriation Bylaw 2010, No. 1723 be read a first, second and third time.

#### QUESTIONS

Several members of the audience expressed concern about secondary suites. A discussion ensued regarding Town bylaws, secondary suites, carriage houses and boulevards.

#### ADJOURNMENT

2010-159

It was moved, seconded and carried that the meeting be adjourned at 8:25 p.m.

CERTIFIED CORRECT

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Mayor (R. Hutchins)

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Corporate Officer (S. Bowden)





**TOWN OF LADYSMITH**  
**MINUTES OF A SPECIAL MEETING OF COUNCIL**  
**MONDAY, APRIL 12, 2010 - 4:30 P.M.**

**LADYSMITH**

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**PRESENT:**

Mayor Rob Hutchins  
Councillor Jillian Dashwood  
(entered at 4:45 p.m.)

Councillor Steve Arnett  
Councillor Lori Evans

Councillor Scott Bastian  
Councillor Duck Paterson

**ABSENT:**

Councillor Bruce Whittington

**STAFF PRESENT:**

Ruth Malli  
Patrick Durban

Sandy Bowden  
Joe Friesenhan

Felicity Adams  
Joanna Winter

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**CALL TO ORDER**

Mayor Hutchins called the meeting to order at 4:37 p.m.

**AGENDA APPROVAL**

**2010-160**

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

**STAFF REPORT**

**2010 – 2014 Financial Plan**

The City Manager outlined the objectives of this second of five meetings to review the Town of Ladysmith Financial Plan for 2010 to 2014:

- To review any proposed changes in service levels
- To provide an overview of the proposed Financial Plan
- To review the policies governing the preparation and approval of the Financial Plan
- To introduce proposed capital projects and to receive general direction on capital priorities from Council.

The City Manager reviewed the Financial Plan process with Council. In accordance with legislation, the Financial Plan must be approved before May 15 each year.

Councillor Dashwood entered the meeting.

Council reviewed the main revenue and expenditure categories in the proposed operating budget for 2010. Non property tax revenues are projected to be lower than in 2009 due mainly to a reduced level of development activity and lower interest revenues from investments.

Staff are currently conducting a complete benefit review which will be presented to Council at the next Financial Plan meeting. Staff will investigate the level of subsidy (if any) for the Fitness Studio at the Frank Jameson Community Centre and provide Council with additional information.

The City Manager reviewed proposed capital projects, which reflect direction previously set by Council.

Council agreed to write to the Cowichan Valley Regional District requesting financial assistance with the costs of providing emergency power to the official Emergency Reception Centre at the Frank Jameson Community Centre.

Mayor Hutchins requested that staff add an investigation and recommendations regarding zoning for secondary suites to the list of proposed capital projects for 2010.

Staff will report back to Council on the amount of square footage that would be made available for programming at the Frank Jameson Community Centre with the proposed installation of a stairway from the lobby to currently inaccessible area in the lower level.

It was agreed that staff would provide Council with information on capital projects from the perspective of safety and security; regulatory compliance; benefit to the taxpayer; and the risk associated with not proceeding.

Staff will provide information for Council on whether gas tax funds can be used to convert public buildings to non fossil-fuel heating, as well as on other potential initiatives the Town can undertake to reduce its carbon footprint in accordance with the goals established in the Community Energy Plan.

Staff will advise Council when Grants-in-Aid will be brought forward for review.

**QUESTIONS**

R. Johnson enquired and received responses about the following:

- Funding in 2010 for the operation of the Ladysmith Archives
- Allocation of contributions for the Ladysmith Trolley
- Spirit Square funding
- Terms of sale of District Lot 108
- The possibility of working with Terasen Gas to install a geothermal heating system in one or more public buildings

**ADJOURNMENT**

**2010-161**

It was moved, seconded and carried that the meeting be adjourned at 6:25 p.m.

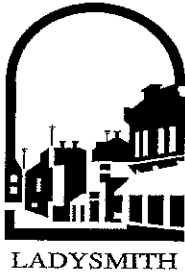
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Mayor (R. Hutchins)

**CERTIFIED CORRECT**

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Corporate Officer (S. Bowden)



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Felicity Adams, Director of Development Services  
Date: April 8, 2010  
File No:

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Re: **ZONING BYLAW –ACCESSORY BUILDING REGULATIONS**

**RECOMMENDATION(S):**

1. That Council direct staff to prepare a bylaw to amend the Zoning Bylaw to:

*Option 1: No change in maximum height – maximum floor area*

- (1) clarify setback regulations for accessory buildings in residential zones as outlined in section 5.5,
- (2) introduce new regulations for rear yard and exterior side yard setback requirements for accessory buildings in residential zones that are greater than one storey (5.0m) in height and located on a corner lot,
- (3) limit exceptions for setback or yard projections for the second storey of an accessory building in residential zones, and
- (4) limit the maximum combined gross floor area of an accessory building in residential zones to 90m<sup>2</sup>.

*Option 2: Reduce maximum height – maximum floor area*

- (1) clarify setback regulations for accessory buildings in residential zones as outlined in section 5.5,
- (2) limit the height of an accessory building in residential zones to one storey (5.0m), and
- (3) limit the maximum combined gross floor area of an accessory building in residential zones to 45m<sup>2</sup>.

2. That Council refer its direction to staff to amend the Zoning Bylaw regarding the regulation of accessory buildings to the Advisory Planning Commission for input concurrent with Bylaw preparation by staff.

**PURPOSE:**

The purpose of this report is to provide Council with information regarding amending the Zoning Bylaw to limit the floor area and height of an accessory building in a residential zone.

**INTRODUCTION/BACKGROUND:**

At its meeting held March 15, 2010 Council directed that staff prepare a report regarding amending the Zoning Bylaw to limit the floor area and height of an accessory building in residential zones.

*Ladysmith Definition:*

*Accessory building means a building or structure on a parcel, the use or intended use of which is ancillary to that of the principal building on the same parcel, or which is ancillary to the principal use of the parcel.*

*Ladysmith Regulations:*

Council passed a specific bylaw for the siting of accessory buildings in 1996. That bylaw was incorporated into the current Zoning Bylaw, and has formed the basis of the Town's interpretation of the rules for the siting of accessory buildings since that time.

The General Regulations in the Zoning Bylaw includes setback and height regulations for accessory buildings. Other regulations, such as lot coverage, are contained within the specific Zone regulations. There are two sets of setback regulations – one for accessory buildings less than 10m<sup>2</sup> and one for accessory buildings greater than 10m<sup>2</sup>. The maximum height of an accessory building in all zones is 7.5 metres. Parcel coverage permitted in residential zones is typically 33% (maximum parcel coverage is 38% in a MP-1 or MHP-1 zone). The General Regulations also require that the exterior of accessory buildings in residential zones must complement that of the principal building.

*Policy Directions:*

While there are no specific Official Community Plan policies providing direction on accessory buildings, the "Visioning" document does encourage a form of development where new residential development visibly respects and fits with the existing heritage rhythm, massing and forms, as well small compact housing without garages or limited side garage (i.e. detached garage) is also encouraged.

**SCOPE OF WORK:**

As part of this review, a sampling of existing accessory buildings in residential zones within Ladysmith, and zoning regulations in neighbouring municipalities were reviewed.

A site visit to review existing accessory buildings (nine one-storey and 11 two-storey) located within residential zones provided the following information. Typical one-storey accessory buildings provide for a one or two car garage. Two storey accessory buildings typically provide parking at ground level and the second storey space is used for a variety of purposes such as office, studio, or daycare. Access to the second storey may be via an outside staircase with a landing and exterior door or an interior staircase.

Most single family residences with an attached garage do not have any significant accessory buildings, although there are some exceptions.

<b>Ladysmith Survey - Existing Development</b>				
	Typical Height 1 storey	Typical Gross Floor Area <sup>(A)</sup> 1 storey	Typical Height 2 storey	Typical Gross Floor Area <sup>(B)</sup> 2 storey
MP-1 Zone	2.7m to 3.3m	14m <sup>2</sup> to 20m <sup>2</sup>	None surveyed	None surveyed
R-1 / R-2 Zones	2.7m to 4.0m	10m <sup>2</sup> to 20m <sup>2</sup>	4.8m to 7.5m	30m <sup>2</sup> to 120m <sup>2</sup>

<sup>(A)</sup> While typical GFA has been provided, there are existing one storey accessory buildings up to 50m<sup>2</sup> GFA.

<sup>(B)</sup> While typical GFA has been provide, there are existing two storey accessory buildings up to 167m<sup>2</sup> GFA. In the Ladysmith Zoning Bylaw, GFA does not include a storey having a ceiling height less than 7'-6" above the floor. These estimates are based on the assumption that the second storey exceeds 7'-6".

From the survey of neighbouring local governments (see appendix at the end of this report), typical regulations for residential accessory buildings are:

<b>Local Government Survey - Access Building Regulations</b>			
	Maximum Height	Maximum gross floor area	Maximum lot coverage
Ladysmith	7.5m	n/a	33% to 38%
Summary of Neighbouring Municipalities	4.0m to 5.0m  7.5 m where secondary suites permitted on the second storey of an accessory building.	37m <sup>2</sup> to 90m <sup>2</sup> <sup>(C)</sup>	33% to 40%

<sup>(C)</sup> Includes floor area of secondary suites where permitted in accessory buildings. Gross floor area includes all accessory buildings including those containing a suite.

Based on these findings and direction from Council, two options are presented to Council.

- Option1: The focus of option 1 is to continue to permit new accessory buildings with a maximum height of 7.5m and to clarify siting regulations and setback exceptions (for stairs, dormers, decks, etc.). Specific setback regulations could be considered for corner lots where a rear yard of one property is the neighbouring property's side yard. In this circumstance, privacy and streetscape may be issues. In addition, this option would limit the

maximum gross floor area of accessory buildings. Maximum lot coverage would not change.

- Option 2: The focus of option 2 is to limit the height and gross floor area of new accessory buildings. Maximum lot coverage would not change.

ALTERNATIVES:

That Council not change current zoning regulations or provide additional direction to staff.

FINANCIAL IMPLICATIONS: N/A

LEGAL IMPLICATIONS:

If Council changes current zoning regulations with the effect of reducing current regulations, any legally constructed accessory building would be considered "lawful non-conforming".

Any proposed change to the Zoning Bylaw requires preparation of an amending bylaw and a public hearing.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Accessory building regulations affect residential properties. Council may wish to hold a public information meeting in advance of the public hearing to present the proposed regulation and to seek input from residents.

Referral of Council's direction to the Advisory Planning Commission (APC) to obtain community input is recommended concurrent with the preparation of an amending bylaw by staff. The input from the APC could be considered at the time Council gives consideration to the bylaw.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Building Inspector has provided information regarding existing accessory buildings located within the Town. The Building Inspector refers to Zoning Bylaw regulations as part of the plan check process.

RESOURCE IMPLICATIONS:

Preparing the amending bylaw is within the resources of the Development Services Department. Significant staff time and legal counsel will be required to review the form of any bylaw amendment given the inter-relatedness and complexity of zoning regulations and bylaw drafting.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Effective land use planning is a Council strategic priority.

SUMMARY:

Council has requested that staff prepare a report regarding amending the Zoning Bylaw to limit the floor area and height of an accessory building in residential zones. Existing development has been reviewed and neighbouring jurisdictions surveyed. Two options are presented for Council's consideration.

I concur with the recommendation.



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Ruth Malli, City Manager

ATTACHMENTS:

General Regulations – Accessory Buildings.  
Survey results



## General Regulations – Accessory Buildings

### 5.5 Accessory Buildings or Uses

- (1) No accessory building or structure shall be erected on any lot unless the principal building to which the accessory building or structure is an accessory use has been erected or will be erected simultaneously with the said accessory building.
- (2) Where the accessory building or structure is or has been attached to the principal building, it shall be considered a part of the principal building and shall comply in all respects with the regulations of the Bylaw applicable to the principal building.
- (3) An accessory building or structure shall not be used as a dwelling, except as otherwise provided for in this Bylaw.
- (4) An accessory building shall comply with the setback requirements for the principal building on the same lot unless otherwise provided for in this Bylaw.
  - a) Accessory Buildings with a floor area of 10.0 square metres or less shall be no closer than:
    - (i) 6.0 metres to the front lot line
    - (ii) 1.0 metres to either side lot line
    - (iii) 1.0 metres to the rear lot line
  - b) Accessory Buildings with a floor area greater than 10.0 square meters shall be no closer than:
    - (i) 6.0 metres to the front lot line
    - (ii) 1.5 metres to either side lot line
    - (iii) 1.5 metres to the rear lot line
- (5) The exterior of accessory buildings in residential zones must complement that of the principal building.

### 5.6 Height

Except as otherwise provided in this Bylaw:

- (1) No building or structure shall exceed a height of 12.0 metres or three storeys, whichever shall be less, when measured vertically from the natural grade.
- (2) No accessory building or structure shall exceed 7.5 metres in height.

**SURVEY OF ZONING BYLAW REGULATIONS FOR ACCESSORY BUILDINGS IN SINGLE FAMILY RESIDENTIAL ZONES**

	Ladysmith	Nanaimo	Duncan	North Cowichan	Qualicum Beach	Parksville
Combined gross floor area	n/a	70m <sup>2</sup>	n/a	85m <sup>2</sup>	75m <sup>2</sup>	90m <sup>2</sup>
Lot coverage	33%	35% - 40%	35%	40%	35%	33%
Maximum height	7.5m	4.5m - 5.5 m depending on roof pitch	4m	5m	4.5m	5m
Setback						
-Front	6.0m	6.0m	17.5m	6.0m	8.0m	7.5m
-Rear	1.5m	1.5m	0.5m	1.5m	1.5m-2.5m	1.2m
-Exterior Side	1.5m	4.0m	4.5m	1.0m	4.5m	7.5m
-Interior Side	1.5m	1.5m	0.5m	1.0m	1.5m	0.6m

**Notes:**

Where secondary suites are permitted in accessory buildings, gross floor area includes all accessory buildings located on the parcel including those containing a suite. Gross floor area includes all floors in a building. Where "carriage/coach house" (suite above a garage with an internal stair) are permitted the maximum height of the accessory building is 7.5m. A "garden suite" is limited to 5.0 metres in height. The District of North Cowichan also limits an accessory dwelling to 40% of the size of the principal dwelling on the lot.

April 12<sup>th</sup> 2010

Town of Ladysmith  
Mayor and Council  
410 Esplanade P.O. Box 220  
Ladysmith B.C.  
V9G 1A2

Re: Bylaw Services Complaint Form regarding Accessory structure 410 3<sup>rd</sup> Avenue

Dear Mayor Hutchins and Members of Town Council,

I respectfully write to draw your attention to the structure located at 410 3<sup>rd</sup> Avenue and ask that you consider the litany of bylaw infractions which I list on my Bylaw Services Complaint Form. I am aware that a Press Statement has been issued regarding this structure (wrong address on the statement, by the way), but I ask that you reconsider the matter. I sincerely hope that the statement issued does not interfere with a review of my Bylaw Services Complaint Form. The form will be submitted to Sandy Bowden on Monday April 12<sup>th</sup>.

The structure is not in compliance with Bylaw 1160 under sections 5 and 10. The key issue lies in the wording of the Bylaw, but the list also articulates other areas in which the structure violates the Bylaw.

Under the General Application 5.1: "The General Regulations set out in this section shall apply to all lands, buildings, or structures and the use or the intended use of the same to which this Bylaw shall be applicable **unless otherwise provided for in this Bylaw**". In fact, under Section 10.1 the bylaw **is otherwise provided for** - "The following uses and **no other** uses are permitted in this Zone". The proviso "is otherwise provide for" is not contained in Section 10 of the bylaw, therefore 10.1, 10.2 super cedes 5.1, 5.5. And please note under Standards 5.14 "Every use of land and every building or structure permitted within each zone shall conform in **all respects with all of the regulations** of the zone and all other relevant regulations of this Bylaw."

I also respectfully request that the Mayor and Council consider a motion to immediately place a moratorium on the issuing of building permits for Accessory Buildings over one storey, and that this moratorium continue until the Bylaw is appropriately amended through, and with, open public process.

I look forward to attending the next meeting of Council (April 19) and assume this issue will be on the **Public** Agenda. Please understand that it is not my intent to assign blame, or to waste anyone's time. I have made an effort to do this work because as a 20 year resident of "Old Town" I am passionate about my neighbourhood, I am deeply concerned about the erosion of the character, and the future, of this unique and wonderful heritage community. To allow the property owner to continue uncontested and without consequences is simply wrong.

Sincerely,  
Catherine Gilroy  
220 3<sup>rd</sup> Avenue P.O. Box 245  
Ladysmith, B.C. V9G 1A2  
[thegilroys@shaw.ca](mailto:thegilroys@shaw.ca)  
250-245-8119

Cc: a hard copy will be included with my Bylaw Services Complaint Form

**Sandy Bowden**

**From:** Pam Fraser [pfraserpg@shaw.ca]  
**Sent:** April 13, 2010 2:19 PM  
**To:** Rob Hutchins; Steve Arnett; Scott Bastian; Jillian Dashwood; Lori Evans; Duck Paterson; Bruce Whittington  
**Cc:** rmali@ladysmith.ca; Felicity Adams; evelyn.kaatz@bcassessment.ca; A. Marsh Stevens; rcbeau@shaw.ca; visitwithkatherineturner@yahoo.com; Pam Fraser; Lbrindkam@ladysmith.ca  
**Attachments:** 20100409 release re GARAGE AT 41 ROBERTS ST.pdf; ATT05742.htm

Dear Mayor and Council,

I have recently read a press release from the town of Ladysmith. I have added it to the end of this e-mail for those who may not have seen it. The press release states that all the bylaws for building set-backs were followed for the combined garage and suite in the rear yard 410 3<sup>rd</sup> Ave. I urge council to reconsider its position on this matter.

The press release states there are both general and zone specific bylaws. It states that the General Regulations, Section 5 of the Zoning Bylaw, are to be followed for accessory buildings such as the garage and suite, hereafter referred to as the garage/suite. General Regulations Section 5 states that the rear yard set back for accessory buildings is 1.5 metres (5.5 (4) b, p. 12).

City manager Ruth Malli says in the press release, "That bylaw was incorporated into the current Zoning Bylaw, and has formed the basis of the Town's interpretation of the rules for accessory building ever since."

However as bylaw enforcement is often complaint driven, it may be that this practice has arisen only because a complaint has not yet been lodged under another bylaw that over-rides the General Regulations. This is the case for the garage/suite facing Roberts St.

The first point in the General Regulations (5.1 p. 11) states, " The General Regulations set out in this section shall apply to all lands, buildings, or structures and the use or the intended use of the same to which the Bylaw shall be applicable **unless otherwise provided for in this Bylaw.**"

In the bylaws for zone R-2, the zone of the property in question, there is a section which "otherwise provides for" the rear yard set-back of an accessory building. It is on page 29 in section 10 and titled "Conditions of Use".

"10.2 Conditions of Use

- (1) the maximum parcel coverage shall not exceed 33.00 percent

(2) the height of the principal building shall not exceed 9 metres; except where a principal building roof pitch is less than 4:12, then the maximum height shall be 7.5 metres.

(3) **No building or structures located on a parcel within this Zone shall be closer than:**

- a) 6.0 metres to the front lot line
- b) 3.0 metres to one side of the lot line and a minimum of 1.5 metres to the other side lot line
- c) **7.5 (24.6ft.) metres to the rear parcel line where the parcel slopes up to the rear parcel line; or 1.5 metres to the rear parcel line, where the parcel slopes down to the rear."**

The press release maintains that the accessory buildings are covered in section 5 and that section 10 does not apply to accessory building such as garages.

However when bylaw 10.2 examined it is clear that it applies to both accessory and principal buildings. The reasons are as follows:

1) Both principal and accessory buildings were used in applying 10.2 (1), the provision for 33% coverage of the parcel. The building inspector used measurements from both the principal and the accessory buildings to determine that their combined coverage was 27% of the lot. If both accessory and principal buildings are used in 10.2 (1), they must also be used in 10.2 (3) as they are both sub-sections of the same bylaw, unless specifically stated otherwise.

2) In 10.2 (3) b) the height limitation is specifically mentioned for the principal building. If the rear set-back provision in c) was to apply only to the principal building the words "principal building" would also be in sub-section c).

3) In 10.2 (3) the opening statement is **"No buildings or structures located on a parcel within this Zone shall be closer than:"** Under the zoning bylaws there are only two types of buildings in urban residential zones in Ladysmith, the principal building, of which there is one per lot, and accessory buildings. As council says accessory buildings are not covered by this section, the words no buildings or structures, in councils view, can only mean no principal building. This is not a credible interpretation of the words no buildings or structures. Furthermore even the rules of grammar undermine councils position. The words no buildings or structures are plural, implying more than one building per lot. If it the bylaw was intended to apply to the principal building only, it would have read, No building, the singular useage.

4) As there can be no doubt that:

- a) the garage/suite is a building
  - b) the garage/suite is built on the rear yard of the lot, and
  - c) the property slopes up the rear property line

Bylaw 10.2 (3) c) must apply to the garage/suite on Roberts Street. The garage/suite is sited illegally on the lot. By law, the garage/suite must be at least 7.5 metres (24.6 ft.) from the rear parcel line.

I trust council will fulfill its obligation to enforce this bylaw.

Sincerely, Pam Fraser, member of the Ladysmith Advisory Planning Commission

April 08/10

Town of Ladysmith,

RECEIVED

APR 08 2010

I would like a height survey done on the garage at 410 3rd Ave. as I believe it is over height.

Also I would like clarification on what makes a garage "lived in".

I would like this to be addressed at the next council meeting.

Thank you

AARON LAFONTAINE  
250 739 4827  
312 Roberts St.



Town of Ladysmith

**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Patrick Durban, Director of Parks, Recreation & Culture  
Date: April 15, 2010  
File No:

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Re: **DL108 PLAYFIELD PROJECT**

**RECOMMENDATION(S):**

That Council waive the tendering policy and authorize staff to accept the Request for Proposal (RFP) from E. Lees and Associates for the provision of consulting services for the DL108 Playfield design and Request For Proposal/Tendering process.

**PURPOSE:**

To provide consulting services for the DL108 Playfield Project on a fast track basis due to the restricted timelines.

**INTRODUCTION/BACKGROUND:**

The Recreation Infrastructure Canada (RInC) Grant was confirmed on January 15, 2010 with a completion date for March 31, 2011. In order to meet timelines, two experienced consulting firms specializing in artificial turf projects were requested to submit proposals. E. Lees & Associates have done extensive work for the Town on Playfield studies and are very familiar with the site and different layout concepts.

**SCOPE OF WORK:**

To provide consulting services both for the Playfield design and RFP / Tendering process.

**ALTERNATIVES:**

N/A

**FINANCIAL IMPLICATIONS:**

The budget is covered under the RInC grant.

**LEGAL IMPLICATIONS:**

None

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

None

**INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:**

The Consultant will be working with all departments on this project.

.../2



RESOURCE IMPLICATIONS:

Consultants will assist staff with process and procedures.

ALIGNMENT WITH STRATEGIC PRIORITIES:

DL108 Playfield Project is a strategic priority.

SUMMARY:

It is recommended to retain the services of E. Lees and Associates to carry out this service.

I concur with the recommendation.

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

ATTACHMENTS:

None



# 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: **March**, 2010

TYPE OF CALL OUT	J	F	M	A	M	J	J	A	S	O	N	D	YEAR'S TOTALS
Alarms Activated: Pulled Station			1										1
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			1										1
Medical Aid			4										4
Mutual Aid	2	1											3
MVI		5	5										10
Rescue													
<b>MONTH TOTALS (not incl. Practises)</b>	<b>5</b>	<b>12</b>	<b>11</b>										<b>28</b>
Practises (Totals for each Month)	4	4	5										13

**ALARMS ACTIVATED (location/owner):**

1. Pull Station pulled : Lodge on Fourth

**COMPARISONS:**

Year to Date / 10 28 (excl. practises)  
 Year to Date / 09 40 (excl. practises)  
 Year to Date / 08 44 (excl. practises)

**APPROVED:**

*Ray Stewart*  
 Fire Chief

TOWN OF LADYSMITH  
 BUILDING PERMIT  
 SUMMARY REPORT  
 MONTH: MARCH 2010

Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Adds / Renos / Demos	Permits This Month	Permits For Year To Date	Bldg & Pibg Permit Fees This Month	Permit Values This Month	Permit Values This Year
\$ 125,000	2	\$ -	0	13	\$ 45,000	2	40	\$ 19,111	\$ 2,729,484	\$ 5,047,402

SUMMARY - YEAR TO DATE

	Commercial	Industrial	Institutional	(New) Residential	# Dwelling Units	Residential Adds / Renos / Demos	Permits This Month	Permits For Year To Date	Bldg & Pibg Permit Fees This Month	Permit Values This Month	Permit Values This Year
JAN	\$ -	0	\$ -	0	5	\$ 13,450	15	15	\$ 6,425	\$ 766,498	\$ 766,498
FEB	\$ 15,000	3	\$ -	1	4	\$ 9,000	11	26	\$ 10,011	\$ 1,551,420	\$ 2,317,918
MAR	\$ 125,000	2	\$ -	0	13	\$ 45,000	14	40	\$ 19,111	\$ 2,729,484	\$ 5,047,402
APR	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
MAY	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
JUN	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
JUL	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
AUG	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
SEP	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
OCT	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
NOV	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
DEC	\$ -	0	\$ -	0	0	\$ -	0	0	\$ -	\$ -	\$ -
TOTAL	\$ 140,000	5	\$ -	1	22	\$ 67,450	40	40	\$ 35,547	\$ 5,047,402	\$ -

# of Demolitions for month = 0 . for YTD = 6

# DWELLING UNITS / VALUE	YEAR TO DATE / 10	YEAR TO DATE / 09	YEAR TO DATE / 08
22	\$ 3,868,402	7	\$ 799,000
4	\$ 1,678,000	19	\$ 1,342,000
		40	\$ 5,047,402

COMPARISONS

PERMITS ISSUED / VALUE	YEAR TO DATE / 10	YEAR TO DATE / 09	YEAR TO DATE / 08
	40	19	19
	\$ 5,047,402	\$ 1,342,000	\$ 2,567,300

BUILDING INSPECTOR

**TOWN OF LADYSMITH  
LADYSMITH TROLLEY BUS ACTIVITY REPORT  
MONTH OF March 2010**

	DATE	PASSENGER COUNT	FUEL LITRES	KM START	KM FINISH	WEATHER	WHEEL CHAIRS	SERVICE DOG	BIKES
Mon	1	86	65	31974	32186	Cloudy	0	0	2
Tues	2	101	98	32186	32399	Rain w/clear	0	1	3
Wed	3	104	66	32399	32611	Sun	0	1	2
Thurs	4	95	66	32611	32824	Clear w/overcast	0	1	2
Fri	5	103	64	32824	33038	Sun/Cloud	1	1	2
Sat	6	87	64	33038	33251	Sunny	0	0	2
	7								
Mon	8	91	74	33251	33465	Hail/Rain	0	0	2
Tues	9	93	95	33465	33678	Overcast/lt rain	0	1	2
Wed	10	97	65	33678	33890	Clear/lt rain	1	1	4
Thurs/105	11	115	95	72061	72262	Clear/lt rain	0	1	0
Fri	12	84	90	33890	34103	Mixed rn/snow	0	0	0
Sat	13	81	65	34103	34318	Clear	0	0	0
	14								
Mon	15	111	64	34318	34531	Rain	0	1	1
Tues	16	80	65	34531	34744	Clear/Rain/Wind	1	0	0
Wed	17	94	65	34744	34956	Sunny/Overcast	0	0	1
Thurs	18	128	64	34956	35169	Sunny	1	1	3
Fri	19	130	85	35169	35382	Sunshine	0	1	2
Sat	20	47	63	35382	35598	Sun/Cloud	0	1	0
	21								
Mon	22	93	51	35598	35735	Sunny	0	1	0
Tues	23	81	71	35735	35946	Sunny	0	1	0
Wed	24	98	69	35946	36158	Sunny	1	0	1
Thurs	25	88	75	36158	36369	Raining	0	0	0
Fri	26	125	67	36369	36583	Sunshine	0	0	0
Sat	27	66	65	36583	36795	Overcast	0	0	0
Mon	29	79	64	36795	37019	Rain	0	0	1
Tue	30	103	83	37019	37229	Sunny	2	0	0
Wed	31	114	71	37229	37442	Sunny / Cold	0	0	1
<b>TOTAL</b>		<b>2574</b>	<b>1929</b>				<b>7</b>	<b>13</b>	<b>31</b>

**DONATIONS FOR MARCH 2010 = \$550.01**

**DONATIONS YEAR-TO-DATE = \$2,065.92**

**AVERAGE DAILY RIDER COUNT FOR MARCH/10 = 95**



Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager I  
From: Sandy Bowden, Director of Corporate Services  
Date: April 13, 2010  
File No: 2380-20

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Re: **MACHINE SHOP LEASES**

**RECOMMENDATION:**

THAT Council authorize the Mayor and Corporate Officer to renew leases for Dennis Brown, Janice Richard, Southwood Products and Atlantis Kayaks for their respective units at the Machine Shop on Oyster Bay Drive, for a period of one year, commencing in 2010, at the rate of \$5.00 per square foot, with an option to renew for two additional years at a rate of \$5.50 per square foot in the first renewal year, and \$5.75 per square foot in the second renewal year.

And

That Council authorize the Mayor and Corporate Officer to renew leases for the Ladysmith Maritime Society and the Ladysmith and District Arts Council, in the units they currently occupy at the Machine Shop on Oyster Bay Drive, for one year, commencing in 2010, with an option to renew for an additional two years, at the rate of \$1.00 per year in each year.

**PURPOSE:**

To renew leases of tenants at the Machine Shop that are expiring in 2010, and to ensure that all tenants are on a similar schedule for lease renewals if desired.

**INTRODUCTION/BACKGROUND:**

Leases to current tenants do not contain provisions for renewal beyond 2010. Council had previously determined not to enter into leases beyond this year, pending completion of the Visioning Process and a decision by Council on future direction for development of the waterfront and use of the Machine Shop. Given that the Machine Shop is currently fully occupied and Council is not yet in a position to make final decisions about the waterfront, it is proposed to maintain current tenancies. The allowance for renewal for up to two years will provide some stability to the current tenants.

Unit	Tenant	Area	Est. Revenue in 2010/2011 (not including taxes)	
A/E	Southwood Products	4484 sq. ft. / 461 sq. ft.	\$24,725	\$27,197
B	Atlantis Kayak	3819 sq. ft.	\$19,095	\$21,004
C	LMS	448 sq.ft	\$1.00	1.00
D	Dennis Brown, Painter	718 sq. ft.	\$3,590	\$3,949
F	Janice Richards, Painter	712 sq. ft.	\$3,560	\$3,916
G		430 sq. ft.	\$2,150	\$2,365
H	Ladysmith Maritime Society (so that Town can store Seniors' Society goods in Unit M)	370 sq. ft.	\$1.00	\$1.00
I	Ladysmith Maritime Society, Administration	933 sq. ft.	\$1.00	\$1.00
J/K	Ladysmith Arts Council, Art Gallery		\$1.00	\$1.00
L	Ladysmith Arts Council, Workshop and studio spaces		\$1.00	\$1.00
M	Ladysmith Maritime Society, Administration	970 sq. ft.	\$1.00	\$1.00

**SCOPE OF WORK:**

Lease renewal documents will be prepared and administered by staff.

**ALTERNATIVES:**

Council could choose not to renew the leases of some or all tenants.

**FINANCIAL IMPLICATIONS:**

Revenues generated by the private sector tenants would total \$53,120 for the 2010/2011 term

**LEGAL IMPLICATIONS:**

None.

**CITIZEN/PUBLIC RELATIONS IMPLICATIONS:**

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

There is some incompatibility between the different users of the building, which range from manufacturing to artisan to administrative. Some tenants have expressed concerns about the differing uses of the building to staff and to Council members. This is an issue that will be addressed when Council determines future direction for the waterfront.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Leases are managed by Corporate Services staff; building maintenance is the responsibility of Parks, Recreation and Culture.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The Machine Shop is a key component of the Town's waterfront and will figure prominently in future development plans. By extending leases for up to two years, Council will have time to consider waterfront development in light of the Visioning Report, and in addition, to explore other options for locating manufacturing businesses should they determine that the Machine Shop is best suited for tourism/retail/artisan use.

SUMMARY:

It is recommended that leases of all current tenants at the Machine Shop on Oyster Bay Drive be renewed for a further year, with an option to renew for up to two additional years.

I concur with the recommendation.

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

ATTACHMENTS:

None

**COASTAL ANIMAL CONTROL SERVICES OF BC LTD**

2202 Herd Rd. Duncan, BC. V9L 6A6

(250) 748-3395

**TOWN OF LADYSMITH POUND REPORT**

March 2010

**RECEIVED**

APR 06 2010

<b>Disposition of Impounded Dogs</b>	<b>Current Month</b>	<b>2010 Totals</b>	
Stray dogs impounded	<b>1</b>	<b>4</b>	
Stray dogs claimed	1	4	
Stray dogs put up for adoption	0	0	
Stray dogs euthanized	0	0	
Stray livestock / cats	0	0	
<b>Calls Received and Investigated</b>	<b>6</b>	<b>17</b>	
Aggressive dogs	0	1	
Dogs at large	2	7	
Noise (barking) complaints	4	7	
Other non specific dog related calls	0	2	
Wildlife / livestock / cats	0	0	
<b>After hour call outs</b>	<b>1</b>	<b>2</b>	
<b>Monthly Pound and Board Fees Collected</b>	<b>\$165.00</b>	<b>\$570.00</b>	
Impound fees	\$100.00	\$400.00	
Daily board fees	\$65.00	\$170.00	
<b>Tickets issued</b>	<b>0</b>	<b>0</b>	
Unlicenced dog	\$0	\$0	
Dog at large	\$0	\$0	
Dangerous dog at large	\$0	\$0	
Habitually noisy	\$0	\$0	
<b>Licencing Statistics</b>	Tags	0	7
	Revenue	\$00.00	\$160.00

Judi Burnett



# CAS Summary of Service Calls, Ladysmith

6 calls in total

01-Mar-10 to 31-Mar-10

Issue	Call #	Received	Type	Completed
<b>At large</b>		<b>1</b>		
	751	04-Mar-10	Dog	05-Mar-10
<b>Confined</b>		<b>1</b>		
	754	19-Mar-10	Dog	20-Mar-10
<b>Noisy</b>		<b>4</b>		
	755	22-Mar-10	Dog	24-Mar-10
	753	17-Mar-10	Dog	
	752	12-Mar-10	Dog	18-Mar-10
	750	02-Mar-10	Dog	03-Mar-10

**TOWN OF LADYSMITH**

**BYLAW NO. 1712**

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

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**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 effective January 1, 2010.

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".

<b>READ A FIRST TIME</b> on the	15 <sup>th</sup>	day of March, 2010
<b>READ A SECOND TIME</b> on the	15 <sup>th</sup>	day of March, 2010
<b>READ A THIRD TIME</b> on the	15 <sup>th</sup>	day of March, 2010
<b>THIRD READING RESCINDED</b> on the	6 <sup>th</sup>	day of April, 2010
<b>AMENDED AT SECOND READING</b> on the	6 <sup>th</sup>	day of April, 2010
<b>READ A THIRD TIME</b> on the	6 <sup>th</sup>	day of April, 2010
<b>ADOPTED</b> on the		day of , 2010

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Mayor  
(R. Hutchins)

---

Corporate Officer  
(S. Bowden)

Appendix A  
Plus applicable tax

**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  
Plus applicable tax

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

<b>Pool Rentals</b>		<b>FJCC Upper Hall</b>	
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	<b>Meeting Room</b>	
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	<b>FJCC Gymnasium</b>	
<b>Aggie Hall</b>		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	<b>FJCC Lower Program Space</b>	
Reception / Dance / Party	319.35	Hourly Rate	34.70
<b>Misc. Rentals</b>		Hourly Rate with Pool	18.05
Table / Day	5.72	Daily Rate	119.07
Chair / Day	0.72	<b>Transfer Beach</b>	
<b>Ball Fields</b>		Shelter - Resident / Day	43.70
Fees for Tournaments Only	114.44	Amphitheater - Day Event	310.14
		Amphitheater / Hour	23.83

**TOWN OF LADYSMITH**

**BYLAW NO. 1713**

**WHEREAS** pursuant to the *Local Government Act*, the Municipal Council may by bylaw regulate the subdivision of land and require the provision of works and services as a condition of the approval of a subdivision;

**AND WHEREAS** it is required from time to time to revise the specifications of the Town of Ladysmith Subdivision Control Bylaw 1994, No. 1115;

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

- (1) Town of Ladysmith Subdivision Control Bylaw 1994, No. 1115, be amended as follows:
  - (a) replace Drawing No. R-2 (20.0 m ROW Urban Collector) in Section 7A – Streets Design of Schedule “E” with attached Drawing No. R-2;
  - (b) add Drawing No. R-2A (17.5 m ROW Urban Collector) to Section 7A – Streets Design of Schedule “E” as attached;
  - (c) add Drawing No. R-2B (20.0 m ROW Urban Collector) to Section 7A – Streets Design of Schedule “E” as attached;
  - (d) add the following text to page 7A-2 – STANDARD DRAWINGS to Section 7A – Streets Design of Schedule “E”:
    - R2 Urban Collector (20.0m ROW – Parking on Both Sides)
    - R2A Urban Collector (17.5m ROW)
    - R2B Urban Collector (20.0m ROW – Parking on One Side)
- (2) This bylaw may be cited for all purposes as "Subdivision Control Bylaw 1994, No. 1115, Amendment Bylaw 2010, No. 1713".

**READ A FIRST TIME** on the 6<sup>th</sup> day of April , 2010

**READ A SECOND TIME** on the 6<sup>th</sup> day of April , 2010

**READ A THIRD TIME** on the 6<sup>th</sup> day of April , 2010

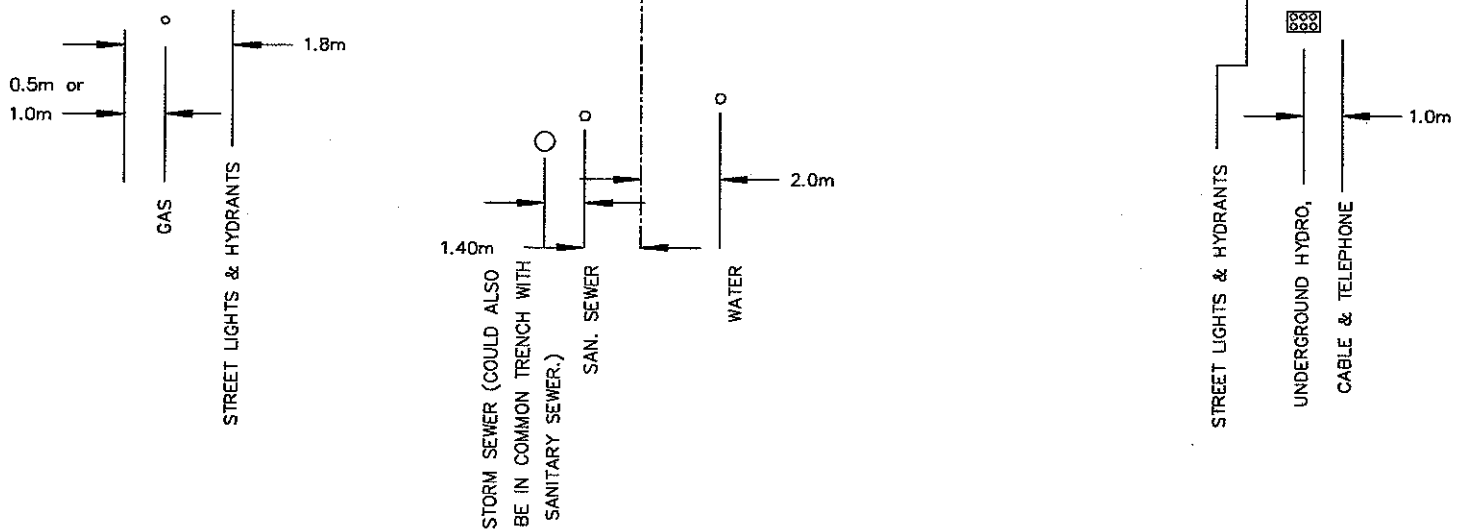
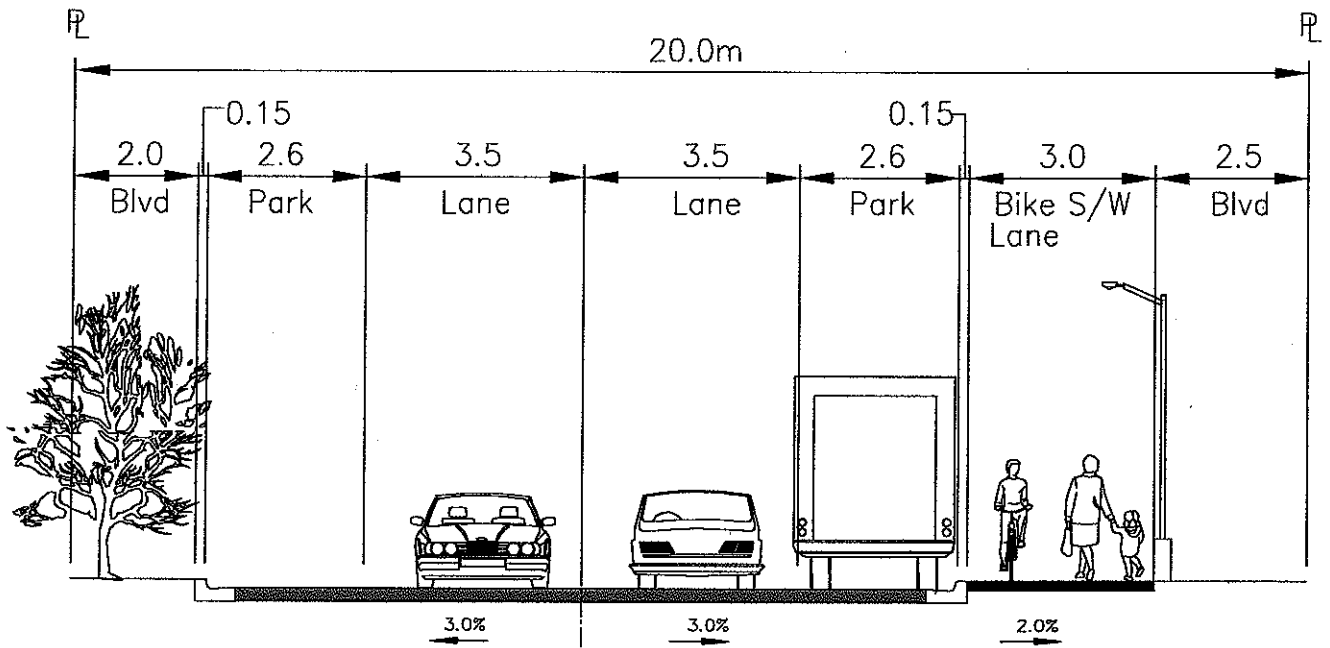
**ADOPTED** on the day of , 2010

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Mayor (R. Hutchins)

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Director of Corporate Services (S. Bowden)



**NOTES:**

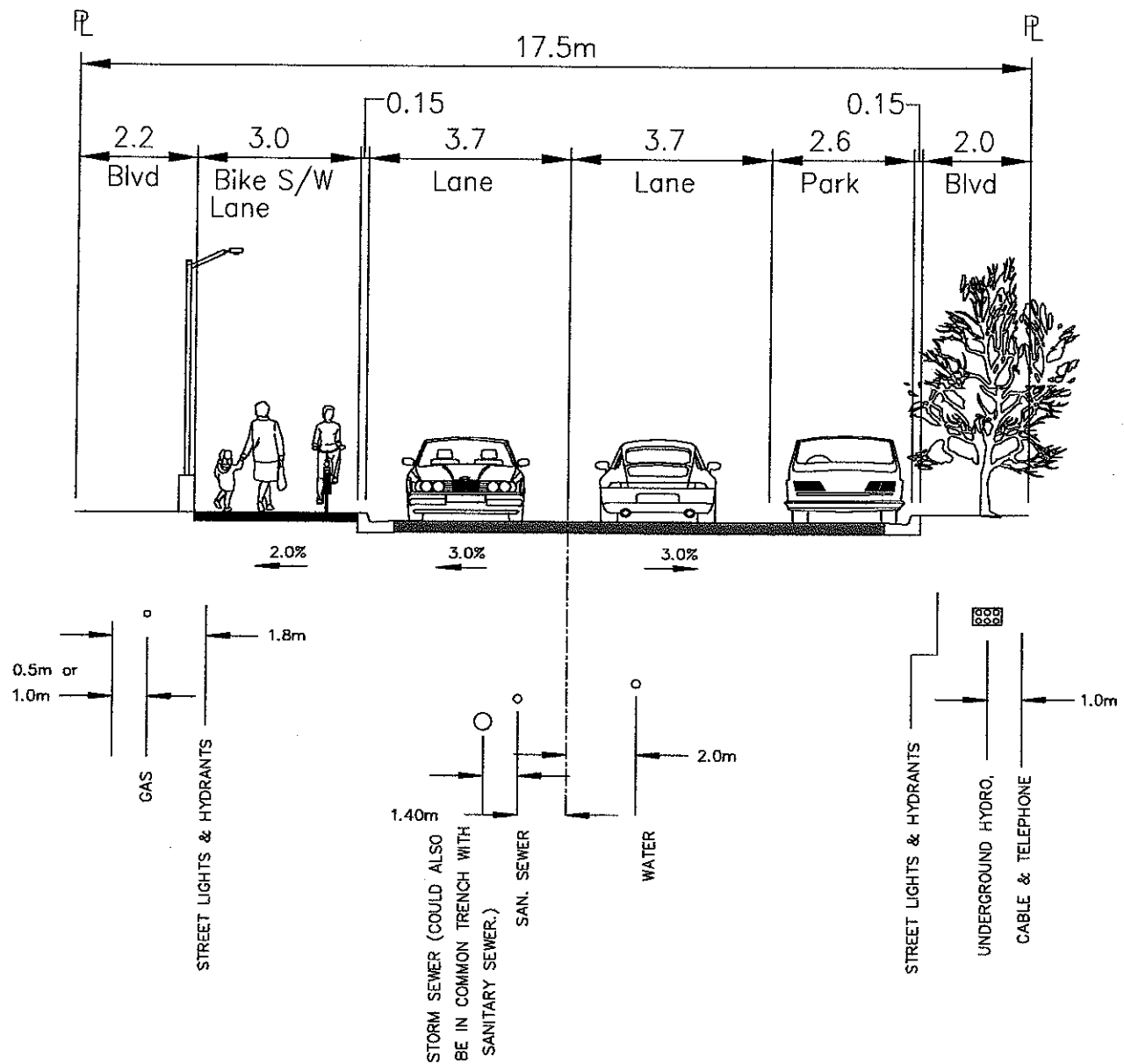
1. PAVED SURFACE - 50mm ASPHALT (COMPACTED THICKNESS)
2. BASE - 100mm CRUSHED GRAVEL (20mm MINUS)
3. SUB-BASE - 250mm PIT RUN GRAVEL (75mm MINUS)
4. MOUNTABLE OR NON MOUNTABLE CURB AND GUTTER IN ACCORDANCE WITH STANDARD DRAWING C1 AND C2
5. EXTEND COMPACTED BASE MATERIAL 0.6m BEHIND AND TO THE TOP OF CURB WHERE NO SIDEWALK IS INSTALLED
6. DEPTHS OF SURFACING AND BASE GRAVELS ARE MINIMUM AND IN SOME CASES WILL HAVE TO BE INCREASED TO MEET MAXIMUM ALLOWABLE BENKELMAN BEAM DEFLECTION.
7. INSTALL CURB DRAIN ON HIGH SIDE OF ROAD WHERE REQUIRED BY THE ENGINEER
8. SUBJECT TO ENGINEERS APPROVAL SIDEWALK, STREETLIGHT AND HYDRANT OFFSETS MAY VARY.



**TOWN OF LADYSMITH  
ENGINEERING STANDARD**

20.0 m  
URBAN COLLECTOR  
Parking on both sides  
66

DATE: Mar 2010	
APP. BY:	
DRAWING No. R-2	REV. 00



**NOTES:**

1. PAVED SURFACE – 50mm ASPHALT (COMPACTED THICKNESS)
2. BASE – 100mm CRUSHED GRAVEL (20mm MINUS)
3. SUB-BASE – 250mm PIT RUN GRAVEL (75mm MINUS)
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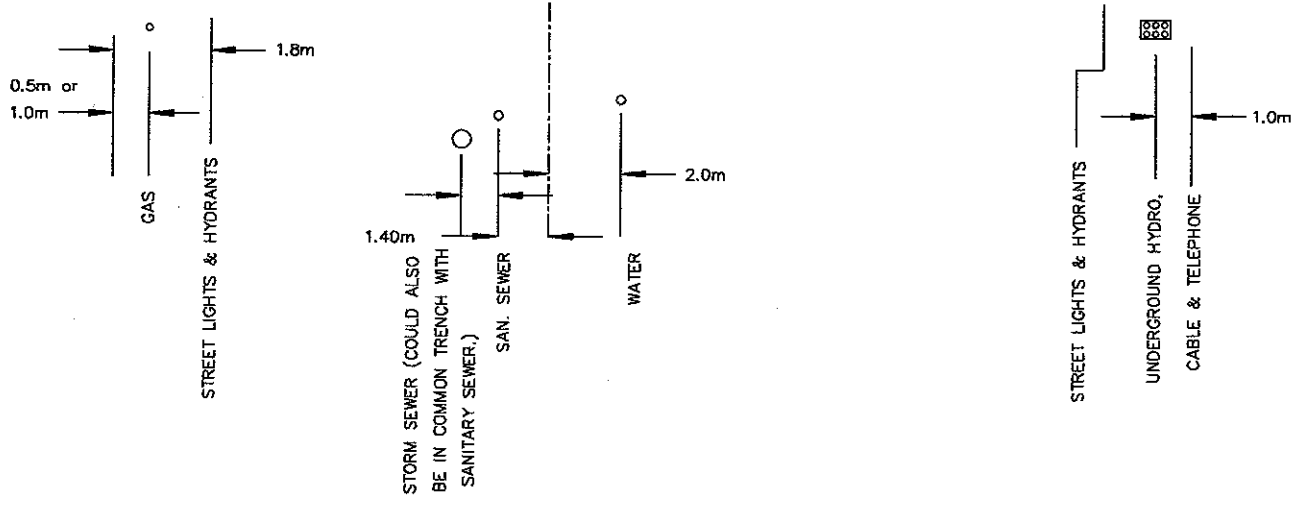
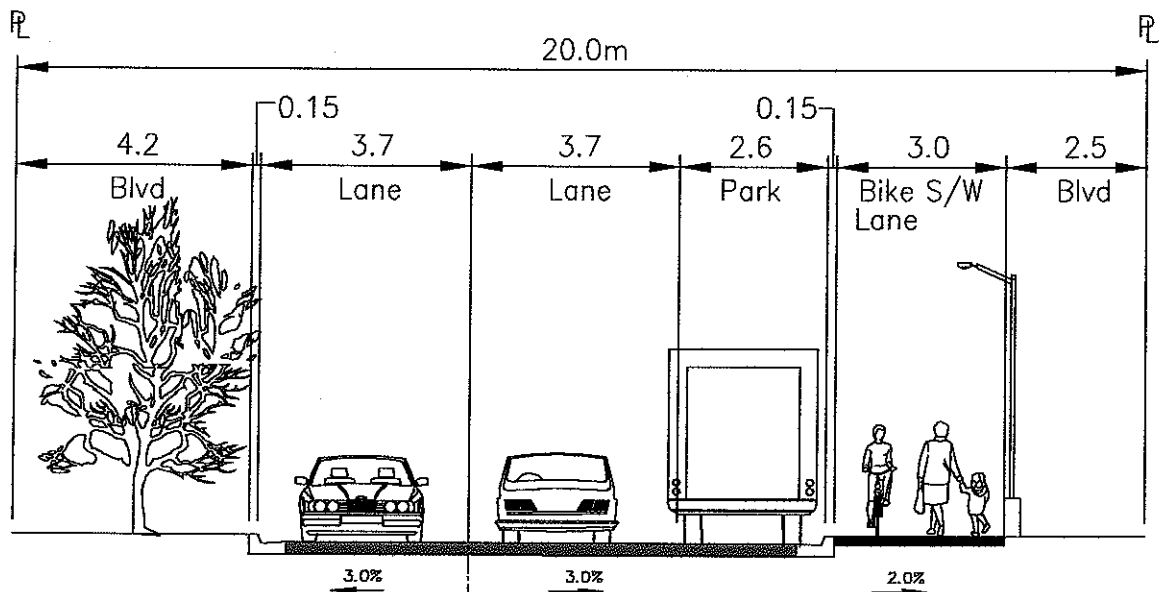
**TOWN OF LADYSMITH**  
ENGINEERING STANDARD

17.5m ROW  
URBAN COLLECTOR

DATE: Mar 2010

APP. BY:

DRAWING No. R-2A	REV. 00
---------------------	------------



- NOTES:**
1. PAVED SURFACE – 50mm ASPHALT (COMPACTED THICKNESS)
  2. BASE – 100mm CRUSHED GRAVEL (20mm MINUS)
  3. SUB-BASE – 250mm PIT RUN GRAVEL (75mm MINUS)
  4. MOUNTABLE OR NON MOUNTABLE CURB AND GUTTER IN ACCORDANCE WITH STANDARD DRAWING C1 AND C2
  5. EXTEND COMPACTED BASE MATERIAL 0.6m BEHIND AND TO THE TOP OF CURB WHERE NO SIDEWALK IS INSTALLED
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  7. INSTALL CURB DRAIN ON HIGH SIDE OF ROAD WHERE REQUIRED BY THE ENGINEER
  8. SUBJECT TO ENGINEERS APPROVAL SIDEWALK, STREETLIGHT AND HYDRANT OFFSETS MAY VARY.



**TOWN OF LADYSMITH**  
ENGINEERING STANDARD

20.0m  
URBAN COLLECTOR  
Parking on one side

DATE: Mar 2010	
APP. BY:	
DRAWING No. R-2B	REV. 00





Town of Ladysmith  
**STAFF REPORT**

To: Ruth Malli, City Manager  
From: Joe Friesenhan, Director of Public Works  
Date: October 23, 2009  
File No:

---

Re: SUBDIVISION CONTROL BYLAW

RECOMMENDATION(S):

That the Committee recommend that Council amend Subdivision Control Bylaw No. 1115 to allow for a 17.5 metre "Right of Way" standard for Urban Collector Roads.

PURPOSE:

To introduce an additional road standard to the Subdivision Control Bylaw.

INTRODUCTION/BACKGROUND:

During the Ladysmith Community Sustainability Visioning Process, participants recommended that the Town consider allowing narrower roads in appropriate locations. With the proposed development of District Lot 108, the Town has an opportunity to work towards the visioning goals by adding a new, narrower road standard to the Engineering Standards and Specifications which forms Schedule E of Town of Ladysmith Subdivision Control Bylaw No. 1115.

The road in question is a collector road and the present right of way requirement for a collector road is 20 metres.

SCOPE OF WORK:

The proposed new standard of a 17.5 metre right of way for Urban Collector Roads would be implemented for new subdivision developments in the Town of Ladysmith.

ALTERNATIVES:

The Committee could choose to maintain the existing 20 metre right of way standard.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

None.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

This change should be well received. It aligns with the recommendations from the Community Sustainability Visioning Process, and will reduce road construction costs for developers.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services will assist in the development of the bylaw amendments.

RESOURCE IMPLICATIONS:

None


ALIGNMENT WITH STRATEGIC PRIORITIES:

This proposed amendment aligns with the Town's 2009 Top Five Strategic Priorities (Implementation of Vision Document)

SUMMARY:

An opportunity to work towards the goal of providing narrower roads, which was identified as part of the visioning process undertaken by the Town, is available with the development of District Lot 108. The proposal to establish a new 17.5 metre Urban collector Roads Right of Way Standard will require an amendment to Subdivision Control Bylaw No. 1115 by adding a new drawing, R2A, to Section 7A of Schedule E, Engineering Design Standard and Specifications.

I concur with the recommendation.

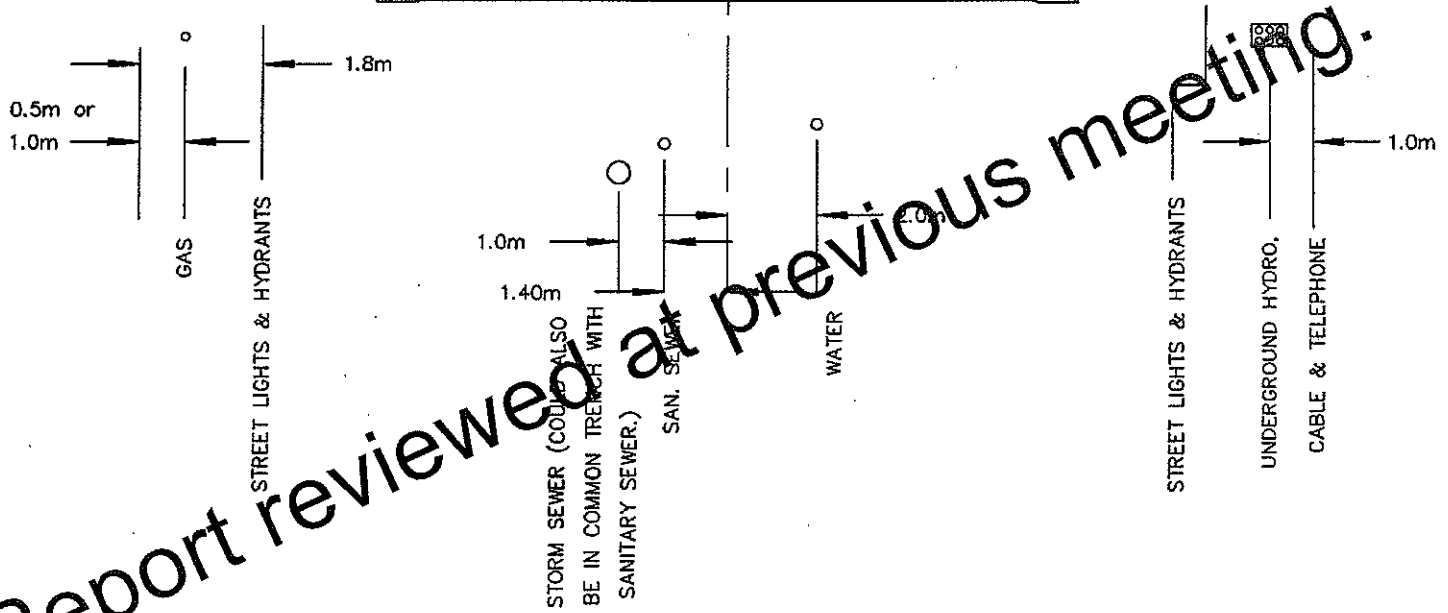
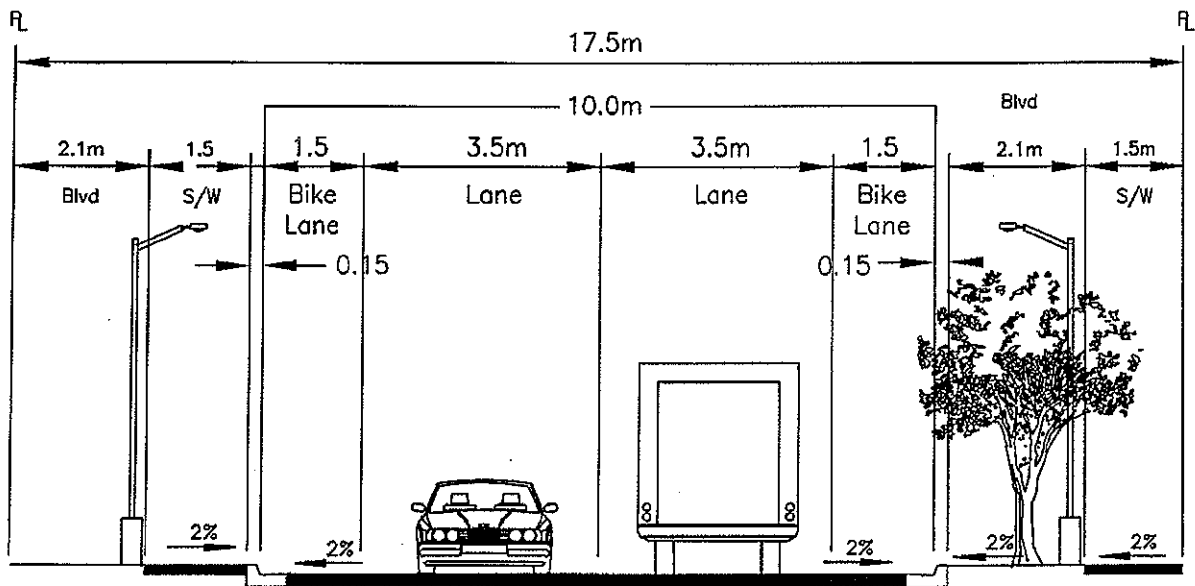


Ruth Malli, City Manager

ATTACHMENTS:

Drawing R-2A,

Report reviewed at previous meeting.




Report reviewed at previous meeting.

**COLLECTOR ROAD**

- sidewalk both sides
- no parking
- boulevard can be adjacent to curb or property line

**NOTES:**

1. PAVED SURFACE - 50mm ASPHALT (COMPACTED THICKNESS)
2. BASE - 100mm CRUSHED GRAVEL (20mm MINUS)
3. SUB-BASE - 250mm PIT RUN GRAVEL (75mm MINUS)
4. MOUNTABLE MONOLITHIC CURB AND GUTTER IN ACCORDANCE WITH STANDARD DRAWING C1
5. EXTEND COMPACTED BASE MATERIAL 0.6m BEHIND AND TO THE TOP OF CURB WHERE NO SIDEWALK IS INSTALLED
6. DEPTHS OF SURFACING AND BASE GRAVELS ARE MINIMUM AND IN SOME CASES WILL HAVE TO BE INCREASED TO MEET MAXIMUM ALLOWABLE BENKELMAN BEAM DEFLECTION.
7. INSTALL CURB DRAIN ON HIGH SIDE OF ROAD WHERE REQUIRED BY THE ENGINEER
8. SUBJECT TO ENGINEERS APPROVAL SIDEWALK, STREETLIGHT AND HYDRANT OFFSETS MAY VARY.



**TOWN OF LADYSMITH**  
ENGINEERING STANDARD

17.5m ROW  
URBAN COLLECTOR

DATE: Oct 2009	
APP. BY:	
DRAWING No. R-2A	REV. 00

TOWN OF LADYSMITH

**BYLAW NO. 1719**

A bylaw to appropriate monies from the Development Cost Charges (Open Space & Parkland) restricted Reserve.

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**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Restricted Reserve; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Open Space & Parklands) Restricted Reserve of \$1,123,903; and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of development of Parkland and Open Space;

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

1. The sum of twenty five thousand, nine hundred dollars (\$25,900) is hereby appropriated from the Development Cost Charges (Open Space & Parklands) Restricted Reserve, to be expended for the purpose of development of Open Space and Parkland.
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Restricted Reserve.
3. This bylaw may be cited as the "DCC Parks Appropriation Bylaw 2010, No. 1719".

**READ A FIRST TIME** on the 6<sup>th</sup> day of April, 2010

**READ A SECOND TIME** on the 6<sup>th</sup> day of April, 2010

**READ A THIRD TIME** on the 6<sup>th</sup> day of April, 2010

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

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

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

TOWN of LADYSMITH

**BYLAW NO. 1720**

A bylaw to appropriate monies from the Sale of Real Property Reserve Fund.

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**WHEREAS** the sum of \$314,647.38 is on deposit in the Sale of Real Property Reserve Fund;

**AND WHEREAS** it is deemed necessary to appropriate the sum of \$3,176.90. from the Sale of Real Property Reserve Fund for the purpose of expenditures with respect to the capital projects and the machinery or equipment necessary for them and extension or renewal of existing capital works;

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

1. The sum of \$3,176.90 (three thousand, one hundred seventy six dollars and ninety cents) is hereby appropriated from the Sale of Real Property Reserve Fund and transferred to the General Revenue.

**CITATION**

2. This bylaw may be cited for all purposes as "Sale of Real Property Reserve Fund Appropriation Bylaw 2010, No. 1720".

**READ A FIRST TIME** on the 6<sup>th</sup> day of April , 2010

**READ A SECOND TIME** on the 6<sup>th</sup> day of April , 2010

**READ A THIRD TIME** on the 6<sup>th</sup> day of April , 2010

**ADOPTED** on the day of , 2010

---

Mayor (R. Hutchins)

---

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH

**BYLAW NO. 1721**

A bylaw to appropriate monies in the Development Cost Charges (Water) Restricted Reserve.

**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Restricted Reserve; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Water) Restricted Reserve of \$448,517.80; and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of capital water project expenditures;

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

1. The sum of one hundred seventy thousand, one hundred seventy one dollars and forty three cents (\$170,171.43) is hereby appropriated from the Development Cost Charges Restricted Reserve (Water), to be expended for the purpose of the water projects.
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Reserve Fund.
3. This bylaw may be cited as the "DCC Water Appropriation Bylaw 2010, No. 1721".

**READ A FIRST TIME** on the 6<sup>th</sup> day of April, 2010

**READ A SECOND TIME** on the 6<sup>th</sup> day of April, 2010

**READ A THIRD TIME** on the 6<sup>th</sup> day of April, 2010

**ADOPTED** on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

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

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

TOWN OF LADYSMITH

**BYLAW NO. 1722**

A bylaw to appropriate monies from the Development Cost Charges (Sewer) Restricted Reserve.

**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Restricted Reserve; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Sewer) Restricted Reserve of \$784,419.50; and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of capital sewer expenditures;

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

1. The sum of seven hundred eighty thousand dollars (\$780,000.) is hereby appropriated from the Development Cost Charges Restricted Reserve (Sewer).
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Reserve Fund.
3. This bylaw may be cited as the "DCC Sewer Appropriation Bylaw 2010, No.1722".

**READ A FIRST TIME** on the 6<sup>th</sup> day of April , 2010

**READ A SECOND TIME** on the 6<sup>th</sup> day of April , 2010

**READ A THIRD TIME** on the 6<sup>th</sup> day of April , 2010

**ADOPTED** on the day of , 2010

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

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

TOWN OF LADYSMITH

**BYLAW NO. 1723**

A bylaw to appropriate monies from the Development Cost Charges (Roads) Restricted Reserve.

**WHEREAS** the Town of Ladysmith has collected monies under the authority of the provisions of the Development Cost Charges Bylaw, 2000, No. 1374, of the Town of Ladysmith, which monies have been deposited in the Development Cost Charges Reserve Fund; and

**WHEREAS** there is an unappropriated balance in the Development Cost Charges (Roads) Restricted Reserve of \$426,378.03, and

**WHEREAS** it is deemed appropriate to use a portion of the monies set aside under said Bylaw No. 1374 for the purpose of debt repayment for and construction of road projects;

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

1. The sum of seventy one thousand, nine hundred fifty three dollars and forty cents (\$71,953.40) is hereby appropriated from the Development Cost Charges Restricted Reserve (Roads), to be expended for the purpose of debt repayment for and construction of road projects.
2. Should any of the above amount remain unexpended after the expenditures hereby authorized have been made, any unexpended balance shall be returned to the credit of the said Reserve Fund.
3. This bylaw may be cited as the "DCC Roads Appropriation Bylaw 2010, No. 1723".

**READ A FIRST TIME** on the 6<sup>th</sup> day of April , 2010

**READ A SECOND TIME** on the 6<sup>th</sup> day of April , 2010

**READ A THIRD TIME** on the 6<sup>th</sup> day of April , 2010

**ADOPTED** on the day of , 2010

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

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



**TOWN OF LADYSMITH**

**BYLAW NO. 1726**

A bylaw to amend the water service rates imposed on owners of land in the Town of Ladysmith

WHEREAS pursuant to the *Community Charter*, the Municipal Council may, by bylaw, regulate, prohibit and impose requirements in relation to municipal services;

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

- (1) Schedule "A" of "Waterworks Regulations Bylaw 1999, No. 1298" is hereby replaced with the attached Schedule "A".
- (2) The provisions of this bylaw shall become effective and in force as of the 1st day of January, 2010.
- (3) This bylaw may be cited for all purposes as "Waterworks Regulation Bylaw 1999, No.1298, Amendment Bylaw 2010, No. 1726".

**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)

\_\_\_\_\_  
Director of Corporate Services (S. Bowden)

TOWN OF LADYSMITH

"Waterworks Regulations Bylaw 1999, No. 1298, Amendment Bylaw 2010, No. 1726"

**SCHEDULE OF RATES**

<p>1. <b><u>Metered Service (Quarterly) for Each Single Metered Dwelling Unit Containing Four Units or Less</u></b></p>	<p>\$21.00 base rate per quarter                  \$0.50/m<sup>3</sup> for next 26 m<sup>3</sup> to 50 m<sup>3</sup>                  \$0.60/m<sup>3</sup> for next 51 m<sup>3</sup> to 75 m<sup>3</sup>                  \$0.75/m<sup>3</sup> for next 76 m<sup>3</sup> to 100 m<sup>3</sup>                  \$1.00/m<sup>3</sup> for next 101 m<sup>3</sup> to 125 m<sup>3</sup>                  \$1.35/m<sup>3</sup> for &gt;126 m<sup>3</sup></p>
<p>2. <b><u>Metered Service (Quarterly) for All Other Users</u></b></p>	<p>\$20.00 base rate per quarter (includes up to 25 cubic meters) and \$0.45/cu.m. for any use over 25 cubic meters</p>
<p>3. <b><u>Non-Metered Service (Quarterly)</u></b></p>	<p>\$39.00 flat rate, per unit, per quarter</p>
<p>4. <b><u>Service Connection Rates</u></b></p> <p>.1 Where a service connection has not been previously provided to a parcel but where the Public Waterworks System fronts or abuts the parcel:</p> <p>(a) 19 mm (3/4") service connection including meter, meter box, meter setter, check valves, shut-off valves and any other related appurtenances ....</p> <p>(b) larger than 19 mm (3/4") shall be at cost but not less than ..</p> <p>.2 Where a service connection has been previously provided to a parcel:</p> <p>(a) and that service connection includes a meter, meter box, meter setter, check valves, shut-off valves and any other related appurtenances and is the requested size ....</p> <p>(b) any upgrading of that service in size including installation of a water meter, meter box, meter setter, check valves, shut-off valves and any other related appurtenances shall be at cost, but not less than ....</p>	<p>\$2,400.00</p> <p>\$2,400.00</p> <p>\$ 100.00</p> <p>\$2,400.00</p>