



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, MAY 6, 2013
7:00 p.m.

A G E N D A

Page

CALL TO ORDER In order to retire immediately into Executive (Closed) Session

1. EXECUTIVE (CLOSED) SESSION

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

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

2. AGENDA APPROVAL

3. MINUTES

3.1. Minutes of the Regular Meeting of Council held April 15, 2013

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4. DELEGATIONS

4.1. Joe Burnett, Mike Hooper, Nanaimo Airport Commission
Biannual Report to Council

4.2. Jenny Van Horne, Karen Fediuk, Ecole David Road Elementary Parents' Advisory
Council
School District 68 10-Year Restructuring Plan

4.3. Ladysmith Ambassadors – Kristy DeClark, Sydney Jordan, Kira Mauriks
Introduction of new Ambassadors

5. PROCLAMATIONS

5.1. Mayor Hutchins has proclaimed the month of May 2013 as “Child Find’s Green Ribbon of Hope Month”, and May 25, 2013 as National Missing Children’s Day in the Town of Ladysmith, to symbolize hope for the recovery of all missing children and to remind citizens to remain vigilant in a common desire to protect and nurture the youth of our province.

5.2. Mayor Hutchins has proclaimed June 1, 2013 as “Intergenerational Day” in the Town of Ladysmith, to remind people of the importance of simple and respectful connecting between generations, and to raise awareness of the benefits intergenerational awareness brings.

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6.1. Official Community Plan Amendment and Rezoning Application (Kolk) 340 2 nd Avenue (Lot B, District Lot 56, Oyster District, Plan VIP65504)	6 - 15
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7.3. Town of Ladysmith Official community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 41) 2013, No. 1818 May be read a first and second time, and a public hearing may be scheduled.	37 - 38
7.4. Town of Ladysmith Zoning Bylaw 1995, No. 1160, Amendment Bylaw (No. 92) 2013, No. 1819 May be read a first and second time, and a public hearing may be scheduled. Bylaws 1818 and 1819 are the subject of a staff report under agenda item 6.3	39 - 40
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8.2. Councillor B. Drysdale Heritage Revitalization Advisory Commission; Protective Services Committee; Trolley Committee	
8.3. Councillor J. Dashwood Trolley Committee; Ladysmith Early Years Partnership; Cowichan Valley Regional District Community Safety Advisory Commission; Social Planning Cowichan Affordable Housing Directorate	
8.4. Councillor G. Horth Government Services Committee; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association	

<p>8.4.1. Government Services Committee Recommendations, Meeting of April 15, 2013</p>	<p>41</p>
<p>8.5. Councillor D. Paterson Protective Services Committee; Parks, Recreation and Culture Commission; Festival of Lights</p>	
<p>8.6. Councillor G. Patterson Community Health Advisory Committee; Youth Advisory Committee; Liquid Waste Management Committee</p>	
<p>8.7. Councillor S. Arnett Advisory Design Panel; Parks, Recreation and Culture Commission; Vancouver Island Regional Library Board; Celebrations Committee</p>	
<p>9. STAFF REPORTS</p>	
<p>9.1. Rogers Telecommunications Facility Proposal, 4300 Thicke Road (W2156)</p>	<p>42 – 45</p>
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<p>10. CORRESPONDENCE</p>	
<p>10.1. S/Sgt. Larry Chomyn, RCMP Ladysmith Detachment 2013/2014 Annual Performance Plan Priorities and Quarterly Mayor’s Report</p>	<p>48 – 54</p>
<p><u>Staff Recommendation</u> That the correspondence from S/Sgt. Larry Chomyn confirming the RCMP Ladysmith Detachment Annual Performance Plan Priorities for 2013/2014, and the detachment’s First Quarter Report for 2013/2014, be received.</p>	
<p>10.2. Mark Ruttan, Corporate Officer, Municipality of North Cowichan Response to Town of Ladysmith Request for Consideration of Region-Wide No- Smoking Regulations</p>	<p>55</p>
<p><u>Staff Recommendation:</u> That the correspondence from the Municipality of North Cowichan in response to council’s request for consideration of region-wide smoking regulations, dated April 22, 2013, be received.</p>	
<p>10.3. Muriel Carlson Clean-up of the Waterfront</p>	<p>56 - 57</p>
<p><u>Staff Recommendation</u> That the correspondence from Muriel Carlson dated April 23, 2013 regarding clean-up of the Ladysmith waterfront be acknowledged and that Council consider whether it wishes to direct staff to take action in response to the correspondence.</p>	

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10.4. Jamie Brennan, Chair, Nanaimo Ladysmith Public Schools Proposed 10-Year Enhanced Facilities for Learning Plan for School District 68	58 - 59
<u>Staff Recommendation</u> That the correspondence from Jamie Brennan, Chair, Nanaimo-Ladysmith Public Schools, dated April 26, 2013, be received and that the dates of the public consultation meetings be noted.	
10.5. Cathy Gilroy, Colleen Cooper, Cpt. Karen Graczyk, Royal Canadian Air Cadets Request for Approval of Air Cadets Parade, Event and Signage	60
<u>Staff Recommendation</u> That Council approve the request from the Royal Canadian Air Cadets for Town support of the Ladysmith Air Cadets 70 th anniversary celebrations as outlined in their correspondence dated April 29, 2013, and that staff be requested to work with event organizers as appropriate.	
11. BYLAWS	
11.1. Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2013, No. 1825	61 - 62
May be adopted.	
The purpose of Bylaw 1825 is to amend Town of Ladysmith building permit fees as directed by Council.	
11.2. Town of Ladysmith Financial Plan Bylaw 2013, No. 1827	63 - 67
May be read a first, second and third time	
The purpose of Bylaw 1827 is to establish the 2013 to 2017 Financial Plan for the Town of Ladysmith.	
11.3. Town of Ladysmith Tax Rates Bylaw 2013, No. 1828	68 -69
May be read a first, second and third time.	
The purpose of Bylaw 1828 is to establish property tax rates for 2013.	
12. NEW BUSINESS	
13. UNFINISHED BUSINESS	
14. QUESTION PERIOD	
<ul style="list-style-type: none">• A maximum of 15 minutes is allotted for questions.• Persons wishing to address Council during “Question Period” must be Town of Ladysmith residents, non-resident property owners, or operators of a business.• Individuals must state their name and address for identification purposes.• Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.• Questions must be brief and to the point.	

- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

15. ADJOURNMENT



TOWN OF LADYSMITH
MINUTES OF A REGULAR MEETING OF COUNCIL
MONDAY, APRIL 15, 2013 – 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL

COUNCIL MEMBERS PRESENT:

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

STAFF PRESENT:

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

CALL TO ORDER Mayor Hutchins called the Regular Meeting of Council to order at 7:03 p.m.

AGENDA APPROVAL

CS 2013-119 It was moved, seconded and carried that the agenda for the Regular Council Meeting of April 15, 2013 be approved as amended to include the following additions:

- 8.2 Loan Authorization Bylaw amendment
- 11.1 Ground-breaking on renovations at Peerless Road Recycling Depot
- 11.2 Recommendation from Government Services Committee regarding TELUS Monopole

MINUTES

CS 2013-120 It was moved, seconded and carried that the minutes of the Regular Meeting of Council held April 2, 2013 be approved as circulated.

CS 2013-121 It was moved, seconded and carried that the minutes of the Special Meeting of Council held April 8, 2013 be approved as circulated.

PROCLAMATIONS

Mayor Hutchins proclaimed April 28, 2013 as “National Day of Mourning for Workers Killed and Injured on the Job” in the Town of Ladysmith, in remembrance of those workers who have lost their lives and their health due to workplace injuries.

**2013 TO 2017
FINANCIAL PLAN
DELIBERATIONS**

Ladysmith Resources Centre Association – Additional Information Regarding Program Access by Ladysmith Residents for Grant-in-Aid Application

CS 2013-122 It was moved, seconded and carried that Grants-in-Aid be provided to the Ladysmith Resources Centre Association for the Youth at Risk Program, Family Support Services and General Programming at 2012 levels, and that the organization be requested to track

program usage by residents of the Town of Ladysmith.

Review and Discussions

Council discussed options for trolley service in June, July and August. Members of the public suggested that Council consider ways to maintain at least partial trolley service during the tourist season.

CS 2013-123 It was moved and seconded that trolley service be eliminated, effective June 1, 2013.

MOTION DEFEATED

OPPOSED: Councillors G. Patterson, Dashwood, Drysdale, and Mayor Hutchins.

CS 2013-124 It was moved and seconded that trolley service be reduced to three days per week, based on days with the highest number of passengers.

MOTION DEFEATED

OPPOSED: Councillors Drysdale, D. Paterson, G. Patterson, Arnett, and Mayor Hutchins.

CS 2013-125 It was moved, seconded and carried that staff be requested to report back to Council with recommendations regarding user fees for Town playing fields, which would include compensation for lighting.

Council discussed options for seasonal staffing in the parks maintenance department. Members of the public requested that Council consider ways to ensure adequate maintenance of parks and boulevards throughout the Town in spring and summer.

CS 2013-126 It was moved, seconded and carried that summer staffing levels for 2013 in the parks maintenance department be maintained at the same level as 2012.

OPPOSED: Councillor Arnett

CS 2013-127 It was moved and seconded that Council Indemnification be maintained at 2012 levels.

MOTION WITHDRAWN

CS 2013-128 It was moved, seconded and carried that staff be directed to report back to Council with daily ridership statistics for the Ladysmith

Trolley for June, July and August.

Council provided the following direction with respect to items that were recommended in the Financial Plan for 2013:

- Include \$14,000 for Hale Pumps and Confined Space Communication for Ladysmith Fire/Rescue
- Include \$46,000 for the roof at Aggie Hall
- Include \$40,000 in the budget for repairs to the seawall at Gourlay Janes Park

CS 2013-129 It was moved, seconded and carried that \$40,000 be included in the Financial Plan for 2013 for developing a pavement management strategy.

OPPOSED: Councillors Horth and D. Paterson

CS 2013-130 It was moved, seconded and carried that \$10,000 be included in the Financial Plan for 2013 for new bleachers at Holland Creek Ball Park.

CS 2013-131 It was moved, seconded and carried that \$10,000 be included in the Financial Plan for 2013 for safety improvements to the walkway to the Ladysmith Maritime Society Community Marina, including lighting.

CS 2013-132 It was moved, seconded and carried that the 2013 budget for repairs to the culvert at the Ladysmith Golf Course be increased from \$60,000 to \$80,000, to be funded from Gas Tax funds.

CS 2013-133 It was moved, seconded and carried that the Town continue to follow the 2012 policy with respect to tax increases for 2013.

OPPOSED: Councillor Horth

STAFF REPORTS

Amendments to Building Permit Fees

CS 2013-134 It was moved, seconded and carried that the recommended increases in building permit fees be approved and that staff be directed to proceed with preparation of an amendment to the Fees and Charges Bylaw.

Amendment to Waste Water Treatment Plant Loan Authorization Bylaw 1792

CS 2013-135 It was moved, seconded and carried that the report from the Director of Financial Services regarding a proposed amendment to Waste Water Treatment Plan Loan Authorization Bylaw 1792 be accepted.

BYLAWS

CS 2013-136 **Town of Ladysmith Water Parcel Tax Bylaw 2013, No. 1823**
It was moved, seconded and carried that Town of Ladysmith Water Parcel Tax Bylaw 2013, No. 1823 be adopted.

CS 2013-137 **Town of Ladysmith Sewer Parcel Tax Bylaw 2013, No. 1824**
It was moved, seconded and carried that Town of Ladysmith Sewer Parcel Tax Bylaw 2013, No. 1824 be adopted.

CS 2013-138 **Town of Ladysmith Fees and Charges Bylaw 1994, No. 1119, Amendment Bylaw 2013, No. 1825**
It was moved, seconded and carried that Town of Ladysmith Fees and Charges Bylaw 1994, No. 1119, Amendment Bylaw 2013, No. 1825 be read a first, second and third time.

CS 2013-139 **Town of Ladysmith Waste Water Treatment Plant Loan Authorization Bylaw 2012, No. 1792**
It was moved, seconded and carried that third reading of Town of Ladysmith Waste Water Treatment Plant Loan Authorization Bylaw 2012, No. 1792 be rescinded and that the bylaw be amended by deleting reference to receiving the assent of the electors and adding the following Section 2 and renumbering the subsequent sections accordingly:

2. The funds are being borrowed for the purpose of preparing and implementing a waste management plan under Section 24 of the Environmental Management Act.

CS 2013-140 It was moved, seconded and carried that Town of Ladysmith Waste Water Treatment Plant Loan Authorization Bylaw 2012, No. 1792 be read a third time as amended.

CORRESPONDENCE

CS 2013-141 It was moved, seconded and carried that in response to their correspondence dated March 26, 2013, Margaret and Adam Seymour be requested to provide an accounting summary from the 2012 Stz'uminus Canoe Festival prior to Council considering the request for sponsorship of the 2013 Festival.

NEW BUSINESS

Peerless Road Recycling Depot

Mayor Hutchins reminded Council that the ground-breaking ceremony for renovations to the Peerless Road Recycling Depot would take place at 11:00 a.m. on Tuesday, April 16.

Government Services Committee Recommendation - TELUS Monopole

CS 2013-142 It was moved, seconded and carried that Town of Ladysmith Council concurs with the proposed installation of a 14.9 metre tall

telecommunications facility at the TELUS central office located at 11 Roberts Street, at siting option C (monopole located on the east side and partially screened by the TELUS building and the equipment contained in the existing garage), provided that the facility is pre-designed such that its height could be increased to accommodate multiple carriers in the future.

**QUESTION PERIOD
EXECUTIVE SESSION**

R. Johnson enquired about staff positions for 2013.

CS 2013-143

It was moved, seconded and carried at 9:45 p.m. that Council retire into Executive Session after a two-minute recess.

**RISE AND REPORT
ADJOURNMENT**

Council arose from Executive Session at 10:05 p.m. without report

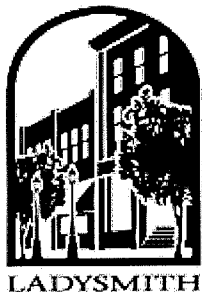
CS 2013-144

It was moved, seconded and carried that this Regular Meeting of Council be adjourned at 10:05 p.m.

CERTIFIED CORRECT

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)



Town of Ladysmith
STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: May 1, 2013
File No: 3360-12-01

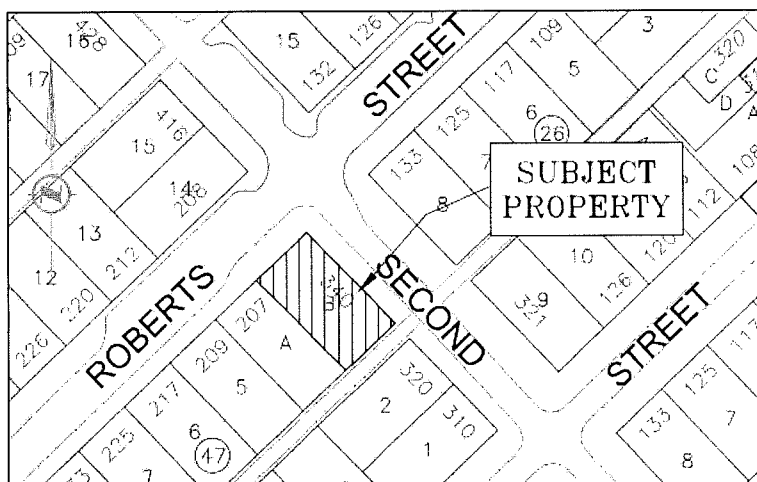
Re: Official Community Plan (OCP) Amendment and Rezoning Application (Kolk)
340 2nd Avenue (Lot B, District Lot 56, Oyster District, Plan VIP65504)

RECOMMENDATION(S):

1. That Council give first and second reading to “Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 40), 2013, No 1816” and “Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.91), 2013, No. 1817”; and that a public hearing be scheduled for Bylaws 1816 and 1817.

PURPOSE:

The purpose of this staff report is to provide an update regarding application 3360-12-01 and to present a bylaw to amend the Official Community Plan (OCP) and a bylaw to amend the Zoning Bylaw to facilitate a proposed 5 unit townhouse development at 340 2nd Avenue. The property is currently zoned ‘Institutional Zone’ (P-1).



INTRODUCTION/BACKGROUND:

At the January 7, 2013 meeting Council passed the following motion:

“It was moved, seconded and carried that staff be directed to prepare bylaws to amend the Official Community Plan and the Zoning bylaw to permit a five unit townhouse development on the property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) pursuant to:

- A density bonus provision such that the units are built to a high energy efficiency standard;
- A contribution to the community amenity fund;
- A commitment to the Michael Ker building designs; and
- Road frontage and boulevard improvements.”



SCOPE OF WORK:

The current stage of this rezoning application is to present a bylaw to amend the OCP and the Zoning Bylaw. The applicant has held a neighbourhood information meeting (see “Citizens/Public Relations” section), and staff has been working with the applicant towards a land-use agreement (covenant).

Bylaw 1816

Bylaw 1816 proposes to amend the Official Community Plan by adding a clause which states that new locations for multi-family development will generally only be achieved through density bonusing with the provision of amenities. Amenity contributions may include affordable housing, highly energy efficient buildings, utilizing alternative energy sources, or other features that contribute to reducing the impacts of climate change. Bylaw 1816 also proposes to designate 340 2nd Avenue as ‘Multi-Family Residential’ and places the ‘Multi-Family Residential’ development permit area on the subject property.

Bylaw 1817

Bylaw 1817 proposes to amend the Zoning Bylaw by placing “Multi-Family Residential (R-3)” on the subject property, with a site specific density bonus provision. The density bonus provision permits 69 units per hectare (5 residential units) subject to the building attaining a minimum Energuide 80 energy standard. To ensure this standard is achieved at the time of building permit a series of steps are included in Bylaw 1817.

To achieve the five dwelling units at 340 2nd Ave. some site specific regulations are proposed to the R-3 Zone as shown in Table 1.

Table 1: Proposed Site Specific Regulations for 340 2nd Ave.

	R-3 Zone	Proposed Site Specific Regulations
Parcel coverage	50% (363 m ²)	59% (426 m ²) (when 5 units)
Height	12 m	10.4 m
Front yard setback (Roberts St)	6 m	4 m
Rear yard setback (lane/alley)	4.5 m	1.5 m
Side yard setbacks	4.5 m	west side 1.5 m east side 3 m (when 5 units)

The applicant has agreed to place a covenant on the title to secure the following:

- A contribution of \$5000 to the community amenity fund;



- A commitment to the Michael Ker building designs; and
- A commitment to constructing the road frontage and boulevard improvements (at the time of development) to meet the Town of Ladysmith Engineering Standards.

If the application proceeds the covenant would be registered on title prior to final adoption of Bylaw 1816 and 1817.

ALTERNATIVES:

That Council direct staff to work with the applicant on reducing the overall building height in response to neighbourhood input.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

A public hearing will be required to be held.

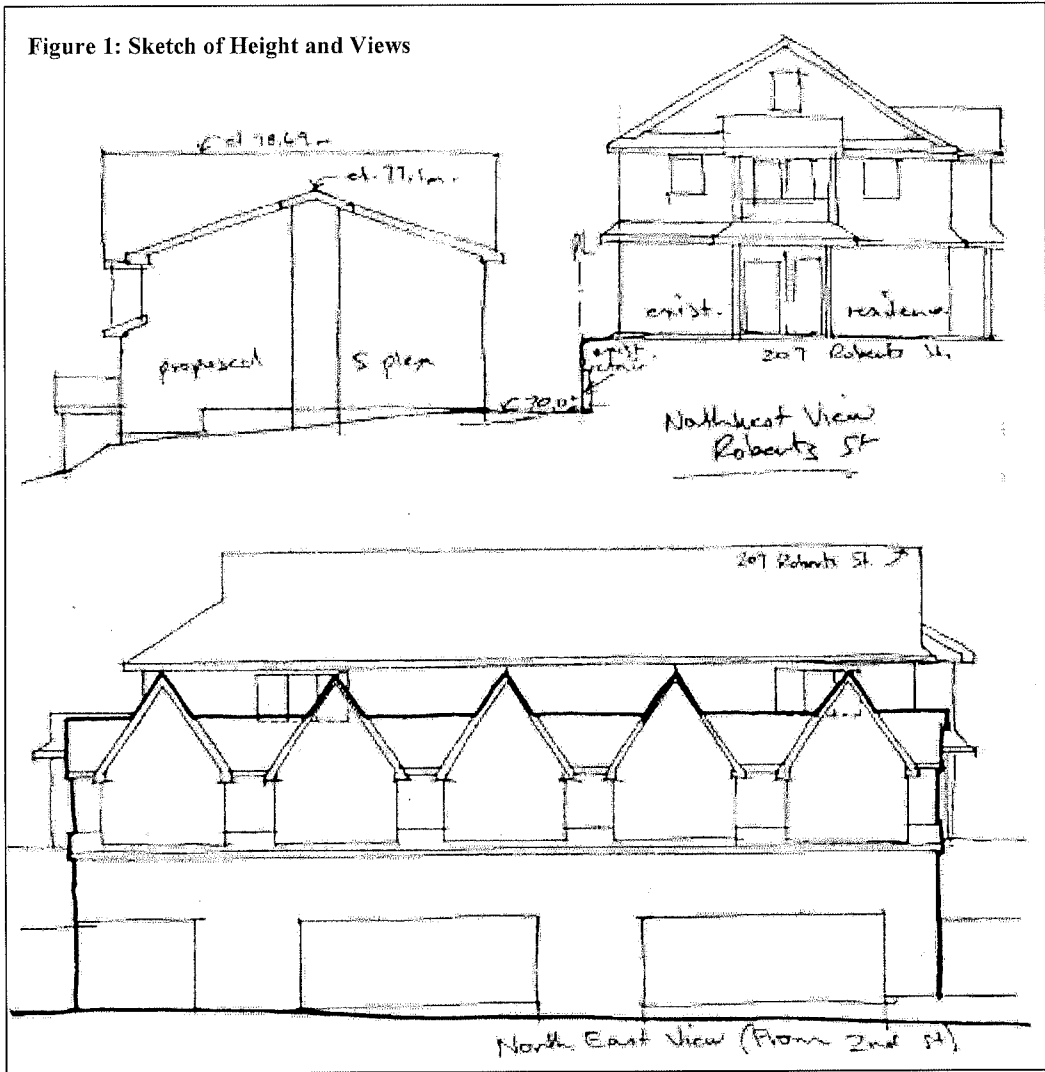
CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The applicant held a neighbourhood information meeting on March 9, 2013. The meeting was advertised in the March 5th Ladysmith Chronicle, and notices were delivered to neighbours. The meeting sign-in sheet indicates that 14 people attended the meeting. Following the meeting ten letters were submitted directly to the Town of Ladysmith identifying neighbourhood concerns. A summary of the neighbourhood input is provided in Table 2.

Table 2: Neighbourhood Input Summary

Input	Response
<p>The proposal is not consistent with the OCP designation of 'single family' and the neighbourhood character of single family uses.</p> <p>Prefer to keep multi-family in the downtown mixed use and core area.</p> <p>Five residential units is too many.</p> <p>The development is too large for the property.</p>	<p>The applicant is requesting an amendment to the OCP to designate the property from 'Single Family Residential' to 'Multi-Family Residential'.</p> <p>Five units requires building to an Energuide 80 energy standard (density for amenity).</p>
<p>The development impacts views from the adjacent residential properties. A flat roof is recommended.</p>	<p>The applicant's designer provided a sketch demonstrating the proposed height of the building in relation to the existing building at 207 Roberts Street (see Figure 2). The proposed zoning would permit a 10.4 metre height. The current P-1 zoning permits a maximum height of 12 metres.</p>

Traffic and safety are concerns.	The proposed road, sidewalk, and parking design will meet the Town of Ladysmith Engineering Standards.
A shortage of parking is a concern.	The applicant is providing 5 in-garage stalls, 5 driveway stalls, and 2-3 on-street stalls for the proposed development.



INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department has reviewed the proposal and they have no concerns. Frontage and boulevard improvements will be required at the time of development and will adhere to the Town of Ladysmith Engineering Standards.

RESOURCE IMPLICATIONS:

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

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The sustainability checklist submitted with the application indicates that the proposal is consistent with the Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

Bylaw 1816 and 1817 have been drafted for Council consideration. The applicant has held a neighbourhood information meeting which offers insight into the neighbourhood concerns regarding the proposal. The applicant has worked with staff to respond to APC and neighbourhood concerns.

I concur with the recommendation.



Ruth Mall, City Manager

ATTACHMENTS:

Bylaw 1816

Bylaw 1817

TOWN OF LADYSMITH

BYLAW NO. 1816

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 hereby amended as set out in Schedule I to this Bylaw.

CITATION

2. This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 40) 2013, No. 1816".

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

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

on the _____ day of _____

READ A THIRD TIME on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1816 – Schedule I

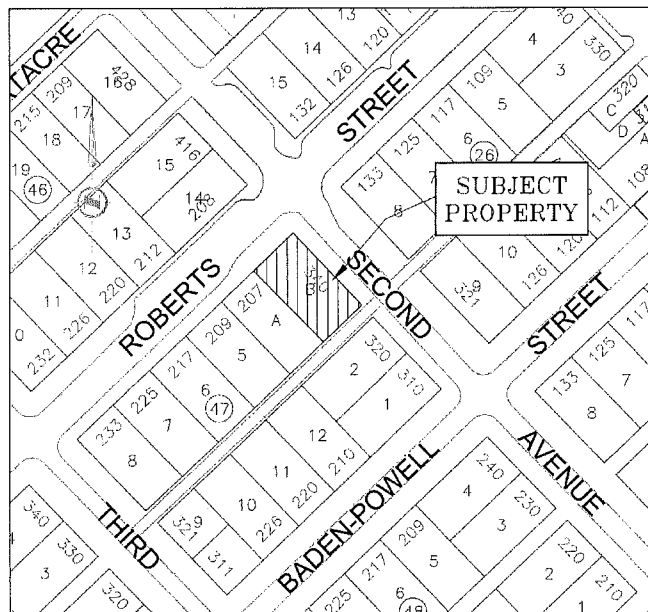
1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:

- a) Section 3.8.1 ‘Land Use Designations’ is amended by adding a new sentence to the paragraph “Multi-Family Residential” following the sentence:

“Designation of new locations for Multi-Family Residential development will, in addition to the above criteria, be assessed based on an appropriate ‘fit’ with the neighbourhood in terms of scale, traffic, and parking, and servicing issues.”, as follows:

“In most circumstances the Multi-Family Residential designation will only be achieved through amenity density bonusing (amenities may include affordable housing, highly energy efficient buildings, utilizing alternative energy sources, and other features that contribute to reducing the impacts of climate change).”

- b) Map 1 “Land Use” is amended by placing the “Multi-Family Residential” land use designation on the ‘subject property’ legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) as shown cross-hatched on the map below.
- c) Map 2 “Development Permit Areas” is amended by placing “Development Permit Area 4 - Multi-Family Residential (DPA 4)” on the ‘subject property’ legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) cross-hatched on the map below.



TOWN OF LADYSMITH

BYLAW NO. 1817

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

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

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

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

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is hereby further amended by adding the following to "Section 12.0 Multi-Family Residential (R-3)":
 - (a) Adding the following site specific regulations to section 12.2 Conditions of Use:
 - “(2.1) Despite section 12.2(3), for the subject property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) the height of a principal building shall not exceed 10.4 metres.
 - (4.1) Despite section 12.2(4), for the subject property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) no building or structures shall be closer than:
 - (a) 4.0 metres to the front lot line;
 - (b) 1.5 metres to the rear lot line;
 - (c) 4.5 metres to the side lot lines.”

(b) Adding a new section 12.5 Density Bonus as follows:

“12.5 Density Bonus

Despite section 12.2 (5) above, a density bonus may be permitted on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) as indicated in the table below where the amenities listed in Column One are provided to assist the Town of Ladysmith in meeting its greenhouse gas emission reduction targets in accordance with the Official Community Plan. Where the developer provides the amenities listed in Column One, a density bonus is permitted as listed in Column Two.

COLUMN ONE: AMENITIES	COLUMN TWO: DENSITY BONUS
The building built on the land shall attain a minimum of EnerGuide 80 Energy Standard, and the following steps shall be completed: 1. Prior to issuance of a building permit, provide a copy of the energy audit from a Certified Energy Advisor.	The maximum number of dwelling units permitted on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) is 69 units per hectare of lot area (5 units). Despite section 12.2 (1)(a), the maximum

<p>2. Prior to issuance of a building permit, provide a letter of credit for 1% of the construction costs.</p> <p>3. Prior to issuance of an occupancy permit, provide a letter from the Certified Energy Advisor stating that the building has complied with the EnerGuide 80 Energy Standard.</p> <p>4. The letter of credit will be returned once the letter from the Certified Energy Advisor stating that the building has complied with the EnerGuide 80 Energy Standard has been received by the Building Inspector.</p>	<p>parcel coverage permitted on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) is 59%.</p> <p>Despite section 12.2(4.1), a building located on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) may be located 3 metres from the north side lot line (Roberts Street) and 1.5 metres from the south side lot line (lane).”</p>
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- (2) The zoning map, being ‘Schedule A’ to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing “Multi Family Residential (R-3)” on the subject property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) as shown in ‘Schedule A’ attached to and forming part of this Bylaw.

CITATION

- (3) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 91), 2013, No. 1817”.

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

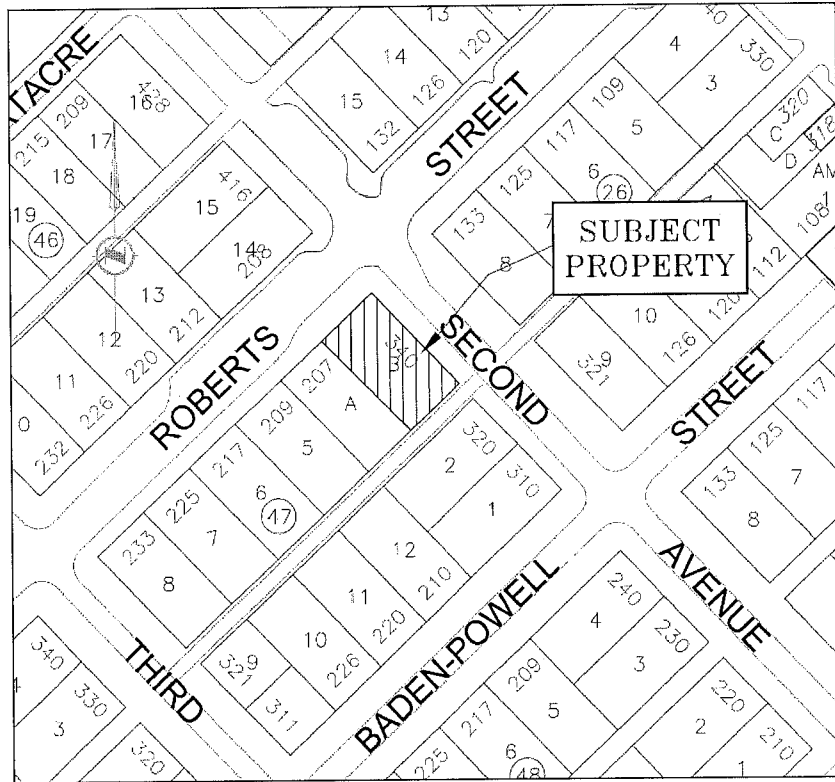
READ A THIRD TIME on the day of

ADOPTED

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw No. 1817 - Schedule A





Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: May 1, 2013
File No: 3360-13-01

Re: **OFFICIAL COMMUNITY PLAN (OCP) AMENDMENT & REZONING APPLICATION
1201 & 1251 Christie Rd. (Lot 7 and 8, D.L. 147, Oyster District, Plan VIP85271)**

RECOMMENDATION(S):

1. That Council give first and second reading to “Official Community Plan Bylaw, 2003, No. 1488, Amendment Bylaw (No. 41) 2013, No. 1818” and “Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.91), 2013, No. 1819”; and that a public hearing be scheduled for Bylaws 1818 and 1819.
2. That Council direct staff to amend the designated truck route in the “Ladysmith Streets and Traffic Bylaw 1998, No. 1309” to add Rocky Creek Road and delete Bayview Avenue.
3. That Council direct staff to place “No Truck” signs on Strathcona Road and Third Avenue.

PURPOSE:

The purpose of this staff report is 1) to provide an update to Council regarding the results of the consultation for application 3360-13-01; 2) to present a bylaw to amend the Official Community Plan (OCP) and a bylaw to amend the Zoning Bylaw to permit light industrial use at 1201 and 1251 Christie Road; and 3) to provide a summary of the proposed land-use agreement (covenant).

INTRODUCTION/BACKGROUND:

At the meeting on January 21, 2013 Council passed the following motion:

“It was moved, seconded and carried that:

- a) Council has considered s.879 of the Local Government Act (consultation during OCP development) and determines that for Official Community Plan (OCP) amendment application 3360-13-01 (1201 and 1251 Christie Road) the following consultation is to be undertaken:
 - Staff referral to the Advisory Planning Commission (APC) for review and comment;
 - Referral to the Stz’uminus First Nation;
 - Referral to the Ministry of Transportation; and
 - Schedule a neighbourhood information meeting.

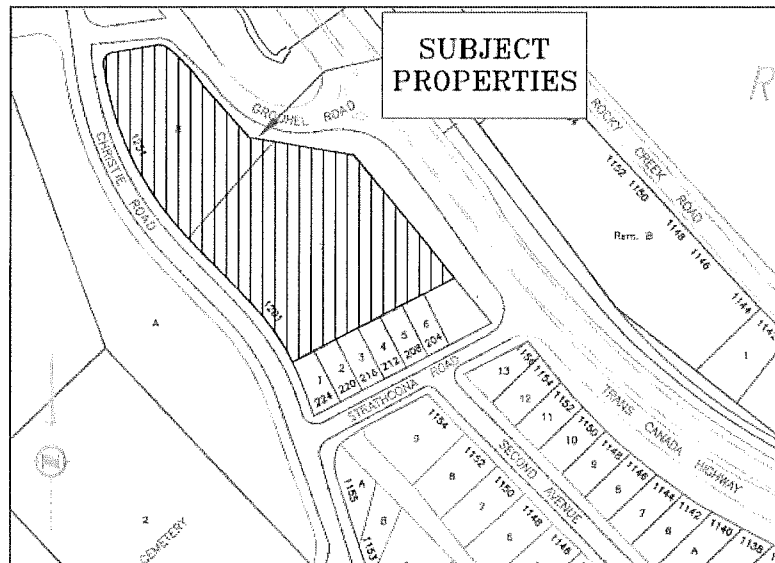
- b) Council direct staff to prepare a bylaw to amend the Official Community Plan and a bylaw to amend the Zoning Bylaw to permit light industrial use on the properties legally described as Lot 7 and Lot 8, DL 147, Oyster District, Plan VIP85271 (1201 and 1251 Christie Road).
- c) Council direct staff to draft a land-use agreement (covenant) to guide the design of development at 1201 and 1251 Christie Road.”

SCOPE OF WORK:

The current stage of this application is to report on the OCP amendment consultation; to present a bylaw to amend the OCP and Zoning Bylaw; and to report on the land-use agreement.

Consultation

The application was referred to the Stz’uminus First Nation on January 25th, 2013 and no comments have been received. Information regarding the APC meeting is in the ‘Citizen/Public Relations’ section below. The Ministry of Transportation and Infrastructure is supportive of the proposal.



A neighbourhood meeting was held on April 9, 2013 and was attended by 10 neighbours. The questions raised at the meeting were regarding proposed use of the property, landscaping, the multi-use pathway, retaining walls, lighting, business hours, home values, and traffic. Three submissions were received, one supporting, one not supporting (but recognizes the value of the project with specific requests if the project proceeds), and one with specific requests regarding truck traffic, hours of operation, and noise. Table 1 below summarizes the consultation input and responses.

Table 1: Consultation Input Summary

Input	Response
Lighting impact on the residential area.	Downcast lighting required in covenant design guidelines.
Business hours impact on residential area. Restrict noise and odours. Use landscape buffer as sound barrier.	The covenant limits operations that create external environmental impacts off-site, such as noise and odours, between 9pm and 7am consistent with the I-1 Zone (limiting between 6pm to 7am was requested Monday to Friday). The Town’s Noise Suppression Bylaw also

	applies. Mechanical equipment is not permitted on the roof of buildings on the adjacent parcel. Landscape buffer requirements are included in the covenant.
Increase in truck traffic. Truck route signage requests. Vehicle speed and pedestrian access on Strathcona Road.	The covenant requires truck route signage on the site. Signage could be placed on Strathcona Road and Third Avenue and amendments could be made to the Truck Route. A traffic light at the Grouhel Road intersection with the Highway is not supported by MOT.
Ensure an attractive entrance to Ladysmith. Potential decrease in residential property values. The site requires development.	The covenant specifies requirements for landscaping, architectural features, buffering, and boulevard improvements to ensure a high quality development. Also, an industrial development permit will be required prior to development.
Grade differences from retaining walls and site grading require appropriate fencing.	B.C. Building Code addresses railings for pedestrian safety. The residential properties currently contain rear yard fences. The covenant requires that a rear yard fence be constructed at 224 Strathcona Road (if desired).
Maintenance of natural trees in the buffer areas and plant new trees as tall as possible. Buffer areas are supported.	The covenant requires that every effort must be made to preserve existing natural, non-invasive vegetation in the buffer areas. The minimum height for new trees is 2 metres. Buffer areas are a minimum 5 m and 9 m.
Improve safety for cyclists and pedestrians on Christie Road.	The covenant requires that a 3 metre wide multi-use pathway be provided on the east side of Christie Road.
Concern regarding drainage from the site.	The covenant requires that no additional drainage shall be directed to the Provincial Highway.
Concern regarding the view to a roof from the residential lots.	The covenant states that mechanical equipment (except plumbing venting and natural gas venting) is not permitted on the roof of a building on lot 7.

As a design consideration for the neighbours, it is recommended that the current residential zoning remain on the corner area fronting Strathcona Road and adjacent to the residential

lots so that it will remain designated as 'Multi-Family Residential' and zoned as 'Medium Density Residential (R-3-A)'. The bylaws have been drafted to implement this direction.

Bylaw 1818

Bylaw 1818 proposes to amend the OCP by designating Lot 8 and the majority of Lot 7 as 'Light Industrial'; and by placing 'Development Permit Area 5 – Industrial' on the areas designated as 'Industrial'. DPA 5 guides the form and character of the development. These guidelines will be augmented by the land-use agreement.

Bylaw 1819

Bylaw 1819 proposes to amend the Zoning Bylaw by placing "Light Industrial Zone (I-1)" on Lot 8 and the majority of Lot 7. Bylaw 1819 also proposes that the subject properties have a site specific exception to remove 'service station' use and 'retail/wholesale storage of petroleum products' use at 1201 and 1251 Christie Road.

Land-Use Agreement (Covenant)

The proposed land-use agreement for the subject properties focusses on ensuring that a well-designed development occurs at 1201 and 1251 Christie Road. The objective is to manage the interface of light industrial development with the adjacent residential uses and to provide for an appropriate entry to the Town.

The proposed terms and conditions in the covenant are as follows:

- Mechanical equipment (except plumbing venting and natural gas venting) will be prohibited on the roof to improve the view and noise impacts for adjacent residential.
- Specific landscaping and retaining wall requirements to a high standard.
- A five metre buffer shall be provided on all lot frontages.
- A landscaped nine metre buffer shall be provided between the light industrial use and the residential properties.
- Architectural treatment specifications for building elevations visible from public roads.
- Lighting specifications.
- A rear yard fence shall be provided to the 'Habitat for Humanity' home at 224 Strathcona Road, if requested.
- A separated multi-use pathway shall be constructed on the east side of Christie Road.
- Truck route information shall be posted at 1201 and 1251 Christie Road for truck drivers to prohibit left turn movements onto the Trans Canada Highway at Grouhel Road, as requested by the Ministry of Transportation.
- Street trees shall be planted in the boulevard area on Christie Road.
- No additional drainage may flow to the Provincial highway and post development flows may not exceed pre-development flows. The use of onsite bio-swales is encouraged.

- Covenant states that external environmental impacts off-site, such as noise and odours, may not occur between 9pm and 7am.

If the application proceeds the covenant would be registered on the certificate of title prior to final approval of the bylaws. Also, if the application proceeds a development permit will be required prior to development.

ALTERNATIVES:

That Council not proceed with Bylaws 1818 and 1819.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

A public hearing will be required to be held.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Advisory Planning Commission passed the following motion on February 13, 2013:

“It was moved, seconded and carried that the Advisory Planning Commission recommends support for rezoning 1201 and 1251 Christie Road to permit light industrial use. However, the Advisory Planning Commission has the following concerns that they wish to see addressed:

- Noise and odour emissions;
- Improve the safety for cyclists and pedestrians on Christie Road;
- Carefully consider retaining walls and slope stability;
- Carefully consider how drainage is managed;
- Concern regarding the potential view of a large flat asphalt roof from adjacent residential lots; and
- This is the gateway to Ladysmith, thus site and architectural design should be carefully considered.”

The concerns raised by the APC have been addressed in the proposed land-use agreement (covenant) to be registered on the title of the property.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Infrastructure Services Department has reviewed the proposed rezoning and traffic implications and has provided traffic impact solutions. The Transportation Plan being initiated this year by the Town will deal with truck movements in the area in consultation with the Ministry of Transportation and Infrastructure.

RESOURCE IMPLICATIONS:

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

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The proposal is generally consistent with the Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

Consultation has occurred regarding the proposed light-industrial use for 1201 and 1251 Christie Road. The terms for a land use agreement (covenant) have been established to guide the design of the project and to address APC, neighbourhood, and agency concerns. It is recommended to give first and second reading to proposed Bylaws 1818 and 1819 and to schedule a public hearing.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

Bylaw 1818

Bylaw 1819

TOWN OF LADYSMITH

BYLAW NO. 1818

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) 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.41), 2013, No. 1818".

READ A FIRST TIME on the day of 2013

READ A SECOND TIME on the day of 2013

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

on the day of 2013

READ A THIRD TIME on the day of 2013

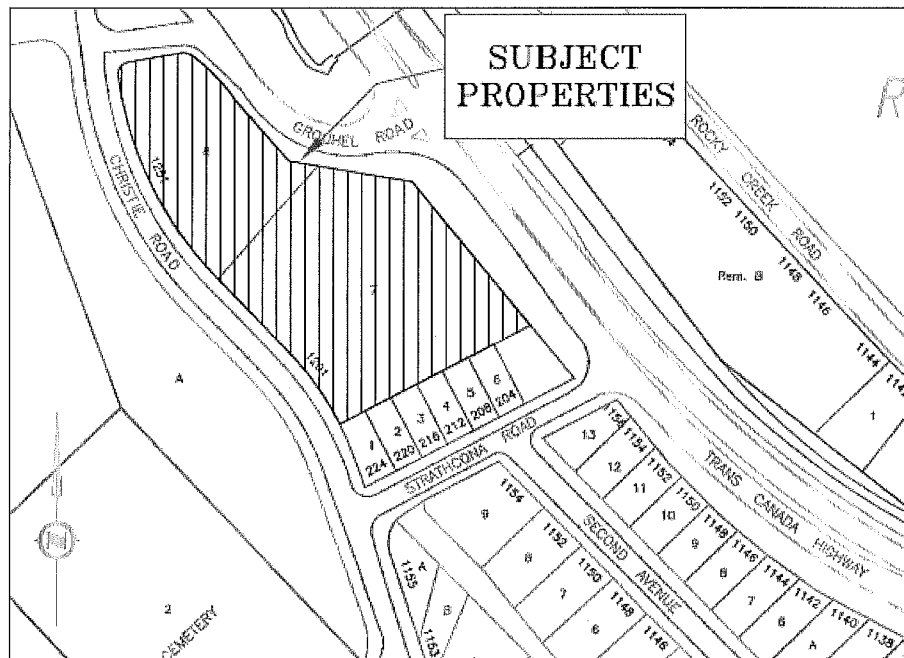
ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

**BYLAW NO. 1818
SCHEDULE A**

- (1) Schedule "A" – "Town of Ladysmith Community Plan" is amended as follows:
- (a) Placing on Map 1 "Land Use" the designation "Industrial" on the subject properties being a portion of Lot 7 and Lot 8, District Lot 147, Oyster District, VIP85271 (1201 and 1251 Christie Road) as shown cross hatched on the map below.
 - (b) Placing on Map 2 "Development Permit Areas" "Development Permit Area 5 – Industrial (DPA 5)" on the subject properties being a portion of Lot 7 and Lot 8, District Lot 147, Oyster District, VIP85271 (1201 and 1251 Christie Road) as shown cross-hatched on the map below.



TOWN OF LADYSMITH

BYLAW NO. 1819

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

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

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

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

- (A) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended as follows:
 - (1) Adding the following site specific regulations to section 26.2 "Conditions of Use" following sub-section (5):
 - "(6) Despite section 26.1 the following uses are not permitted on the properties described as Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 (1201 and 1251 Christie Road):
 - i) Service station including autobody repairs and painting; and
 - ii) Retail and wholesale storage of petroleum and accessory storage of petroleum products not exceeding 450,000 litres."
- (B) The map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Light Industrial Zone (I-1) Zone" on the subject properties being a portion of Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 (1201 and 1251 Christie Road) as shown on Schedule I attached to this Bylaw.

CITATION

- (C) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.92), 2013, No. 1819".

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

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

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

APPROVED UNDER THE TRANSPORTATION ACT

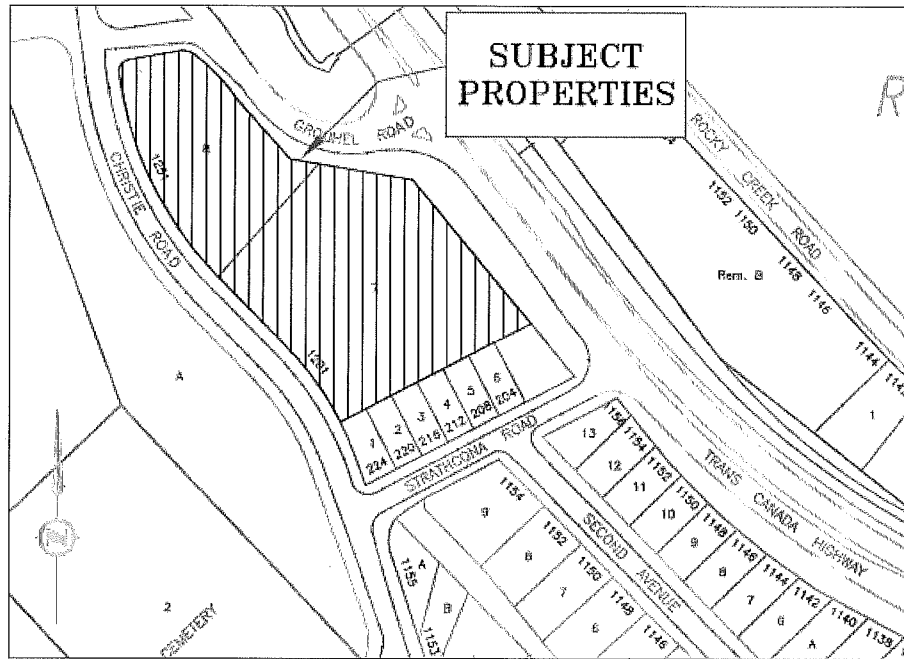
on the _____ day of _____

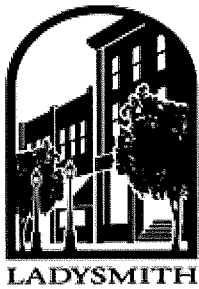
ADOPTED on the _____ day of _____

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1819 – Schedule 1





Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
 From: Felicity Adams, Director of Development Services
 Date: April 23, 2013
 File No: 3090-13-01

Re: Development Variance Permit Application – 948 Malone Road (Morgan)
Lot 19, District Lot 96, Oyster District, Plan VIP57370

RECOMMENDATION(S):

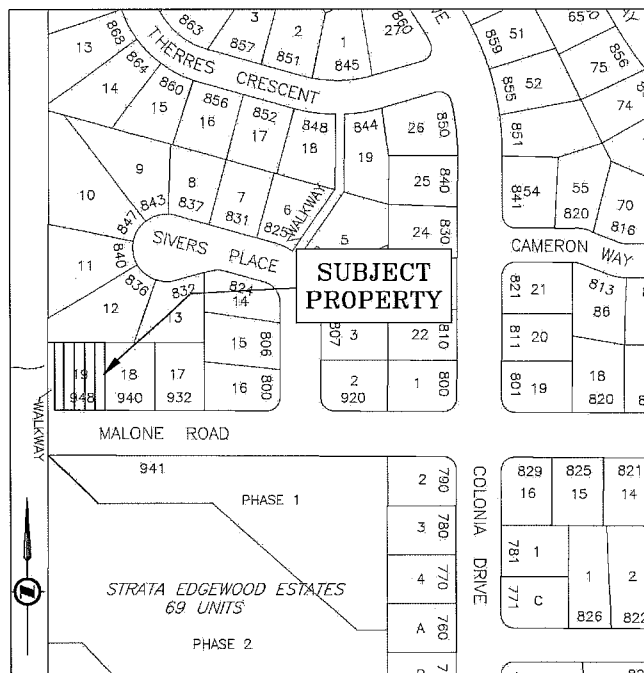
That Council consider approving Development Variance Permit application 3090-13-01 for Lot 19, District Lot 96, Oyster District, Plan VIP57370 (948 Malone Road) to permit an addition to an existing dwelling.

PURPOSE:

The purpose of this staff report is to obtain Council direction regarding a development variance permit for an addition to an existing dwelling.

INTRODUCTION/BACKGROUND:

The applicants are proposing to construct an 85.5 m² two-storey addition to the west side of the existing 147 m² single-storey dwelling at 948 Malone Road. The proposed addition does not comply with the required sideyard setbacks, maximum finished floor area, and maximum lot coverage as permitted by the Zoning Bylaw.



At its meeting held April 2, 2013, Council directed staff to proceed with statutory notice for development variance permit application 3090-13-01.

SCOPE OF WORK:

The current stage of this application is to seek Council's decision on the proposed Development Variance Permit.

The subject property is 669 m² (7,201 ft²) in size and is zoned 'Suburban Residential Zone (R-1)'. The minimum side yard setback for a principal building is 1.5 m to one side lot line,

and 3.0 m to the other lot line. The current side yard setback to the east measures 1.6 m. The applicant is proposing a side yard setback to the west of 2.2 m, or 0.8 m less than the required side yard setback.

The finished floor area of the home will increase to 232.7 m², which is 12 m² larger than permitted. As a result, the parcel coverage will increase to 34.8%, or 1.8% greater than the maximum parcel coverage. According to the applicant, the additional floor area is for the residents and a secondary suite is not proposed.

Summary of Development Variance Permit Application 3090-13-01

Principal building	Permitted	Proposed	Requested Variance
Side yard setback	3 m	2.2 m	0.8 m
Finished Floor Area	220.7 m ²	232.7 m ²	12 m ²
Parcel Coverage	33%	34.8%	1.8%

All other regulations of the R-1 zone have been met.

ALTERNATIVES:

To not support DVP application 3090-13-01.

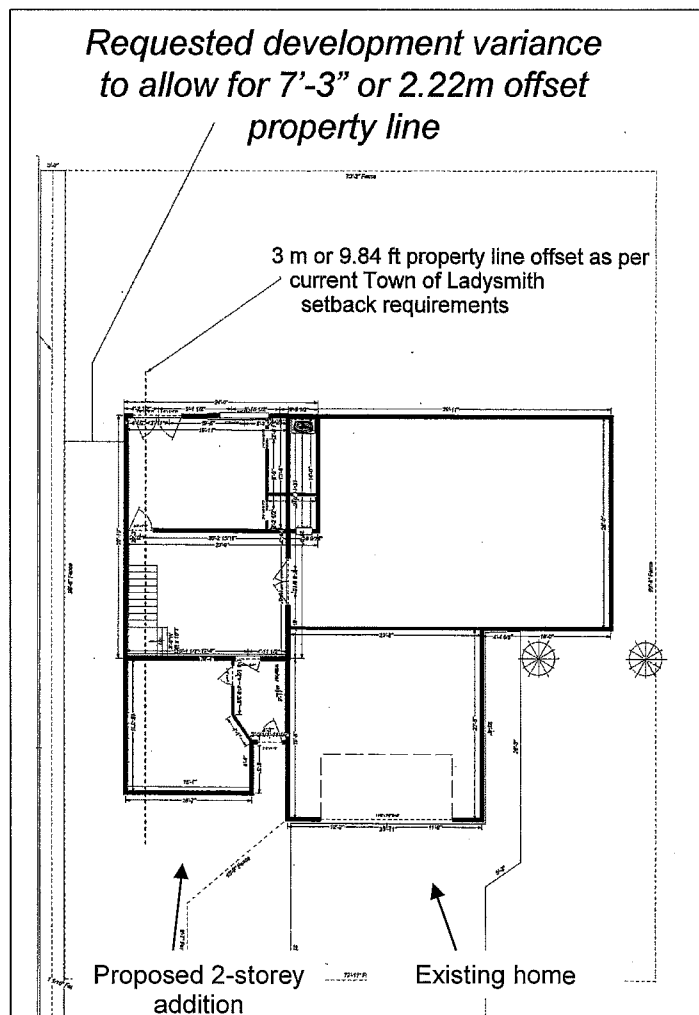
FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS:

The *Local Government Act* enables Council to vary zoning regulations, except use and density regulations through the issuance of a development variance permit. This is a discretionary decision of Council. Public notification is required.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The Town of Ladysmith notice regarding Development Variance Permit 3090-13-01 sent to neighbouring



was

properties on April 18, 2013. At the time of writing this report, one neighbour had expressed support for the proposal.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Variance Permit application 3090-13-01 was referred to the Infrastructure Services Department, and they have no objections to the proposed variances.

RESOURCE IMPLICATIONS:

Processing Development Variance Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The subject development variance permit proposal is not inconsistent with the Visioning Report.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

It is recommended that Council approve Development Variance Permit application 3090-13-01.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

DVP 13-01



TOWN OF LADYSMITH
DEVELOPMENT VARIANCE PERMIT 13-01
DATE: April 23, 2013

TO:	Dean Morgan
ADDRESS:	948 Malone Road Ladysmith, B.C. V9G 1N4

1. This Development Variance Permit is issued subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies to and only to those lands within the Town of Ladysmith described below and any and all buildings, structures and other development thereon:

Lot 19, District Lot 96, Oyster District, Plan VIP57370 - PID: 018-436-692 (948 Malone Road)

3. Section 5.11 "Yards" in the General Regulation section of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:

From:

Section 5.11 (1) "Except as otherwise provided in each particular zone, the following features may project into a required setback or yard:

- (a) Steps;
- (b) Eaves and gutters, cornices, sills, belt courses, bay windows, chimneys, heating or ventilating equipment or other similar features provided that such projections do not exceed 1.0 metre nor 50 percent of the width in the case of a side yard of less than 1.5 metres wide;
- (c) Open porches and canopies (not including carports) sun shades, unenclosed stair wells, or balconies provided that such projections do not exceed 1.5 metres in the case of a front or side yard or 2.0 metres in the case of a rear yard;
- (d) Covered or underground parking areas which are in or beneath any part of a principal building, or those parking areas which are within an accessory building which has become part of a principal building by reason of its attachment thereto;

and no other features may project into a required front, side or rear yard.

To:

Section 5.11 (1) "Except as otherwise provided in each particular zone, the following features may project into a required setback or yard:

- (a) Steps;
- (b) Eaves and gutters, cornices, sills, belt courses, bay windows, chimneys, heating or ventilating equipment or other similar features provided that such projections do not exceed 0.6 metres in the case of a side yard;

- (c) Open porches and canopies (not including carports) sun shades, unenclosed stair wells, or balconies provided that such projections do not exceed 0.7 metres in the case of a side yard, 1.5 metres in the case of a front yard or 2.0 metres in the case of a rear yard;
- (d) Covered or underground parking areas which are in or beneath any part of a principal building, or those parking areas which are within an accessory building which has become part of a principal building by reason of its attachment thereto;

and no other features may project into a required front, side or rear yard

4. Section 8.2 "Conditions of Use" in the Suburban Residential (R-1) Zone of the "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is varied for the subject property as follows:

From:

Section 8.2 (1) "The maximum parcel coverage shall not exceed 33.0 percent."

To:

Section 8.2 (1) "The maximum parcel coverage shall not exceed 34.8 percent."

AND

From:

Section 8.2 (3) "No buildings or structures located on a parcel where the principal use is residential shall be closer than (b) 3.0 metres to one side lot line and a minimum of 1.5 meters to the other side lot line."

To:

Section 8.2 (3) "No buildings or structures located on a parcel where the principal use is residential shall be closer than (b) 2.2 metres to one side lot line and a minimum of 1.5 meters to the other side lot line."

AND

From:

Section 8.2 (4) "The minimum finished floor area for a single family dwelling shall be 83.0 square metres and the maximum finished floor area shall be the lesser of 33.0 percent of the parcel area or 240.0 square metres."

To:

Section 8.2 (4) "The minimum finished floor area for a single family dwelling shall be 83.0 square metres and the maximum finished floor area shall be the lesser of 34.8 percent of the parcel area or 232.7 square metres."

5. The land described herein shall be developed strictly in accordance with terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part thereof.

6. The following plans and specifications are attached:

- a) Schedule A – Proposed Addition (Site Plan)

7. THIS PERMIT IS NOT A BUILDING PERMIT. No occupancy permit shall be issued until all items of this Development Variance Permit have been complied with to the satisfaction of the Corporate Officer.

AUTHORIZING RESOLUTION passed by Municipal Council on the _____ day of _____, 2013.

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

I HEREBY CERTIFY that I have read the terms and conditions of the Development Variance Permit contained herein. I understand and agree that the Town of Ladysmith has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with **Dean A. Morgan** other than those contained in this permit.

Signed

Witness

Title

Occupation

Date

Date

TOWN OF LADYSMITH

BYLAW NO. 1816

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 hereby amended as set out in Schedule I to this Bylaw.

CITATION

2. This bylaw may be cited for all purposes as "Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw (No. 40) 2013, No. 1816".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

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

on the day of

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

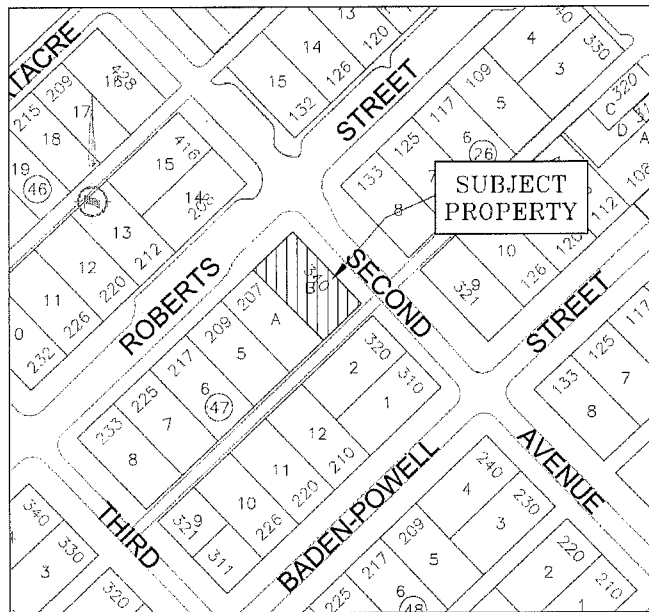
Corporate Officer (S. Bowden)

Bylaw 1816 – Schedule I

1. Schedule “A” – “Town of Ladysmith Community Plan” is amended as follows:
 - a) Section 3.8.1 ‘Land Use Designations’ is amended by adding a new sentence to the paragraph “Multi-Family Residential” following the sentence:

“Designation of new locations for Multi-Family Residential development will, in addition to the above criteria, be assessed based on an appropriate ‘fit’ with the neighbourhood in terms of scale, traffic, and parking, and servicing issues.”, as follows:

“In most circumstances the Multi-Family Residential designation will only be achieved through amenity density bonusing (amenities may include affordable housing, highly energy efficient buildings, utilizing alternative energy sources, and other features that contribute to reducing the impacts of climate change).”
 - b) Map 1 “Land Use” is amended by placing the “Multi-Family Residential” land use designation on the ‘subject property’ legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) as shown cross-hatched on the map below.
 - c) Map 2 “Development Permit Areas” is amended by placing “Development Permit Area 4 - Multi-Family Residential (DPA 4)” on the ‘subject property’ legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) cross-hatched on the map below.



TOWN OF LADYSMITH

BYLAW NO. 1817

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

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

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

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

- (1) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160", as amended, is hereby further amended by adding the following to "Section 12.0 Multi-Family Residential (R-3)":
 - (a) Adding the following site specific regulations to section 12.2 Conditions of Use:
 - “(2.1) Despite section 12.2(3), for the subject property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) the height of a principal building shall not exceed 10.4 metres.
 - (4.1) Despite section 12.2(4), for the subject property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) no building or structures shall be closer than:
 - (a) 4.0 metres to the front lot line;
 - (b) 1.5 metres to the rear lot line;
 - (c) 4.5 metres to the side lot lines.”
 - (b) Adding a new section 12.5 Density Bonus as follows:

“12.5 Density Bonus

Despite section 12.2 (5) above, a density bonus may be permitted on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) as indicated in the table below where the amenities listed in Column One are provided to assist the Town of Ladysmith in meeting its greenhouse gas emission reduction targets in accordance with the Official Community Plan. Where the developer provides the amenities listed in Column One, a density bonus is permitted as listed in Column Two.

COLUMN ONE: AMENITIES	COLUMN TWO: DENSITY BONUS
The building built on the land shall attain a minimum of EnerGuide 80 Energy Standard, and the following steps shall be completed: 1. Prior to issuance of a building permit, provide a copy of the energy audit from a Certified Energy Advisor.	The maximum number of dwelling units permitted on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) is 69 units per hectare of lot area (5 units). Despite section 12.2 (1)(a), the maximum

<p>2. Prior to issuance of a building permit, provide a letter of credit for 1% of the construction costs.</p> <p>3. Prior to issuance of an occupancy permit, provide a letter from the Certified Energy Advisor stating that the building has complied with the EnerGuide 80 Energy Standard.</p> <p>4. The letter of credit will be returned once the letter from the Certified Energy Advisor stating that the building has complied with the EnerGuide 80 Energy Standard has been received by the Building Inspector.</p>	<p>parcel coverage permitted on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) is 59%.</p> <p>Despite section 12.2(4.1), a building located on Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) may be located 3 metres from the north side lot line (Roberts Street) and 1.5 metres from the south side lot line (lane)."</p>
---	--

(2) The zoning map, being 'Schedule A' to "Town of Ladysmith Zoning Bylaw 1995, No. 1160" is hereby amended by placing "Multi Family Residential (R-3)" on the subject property legally described as Lot B, District Lot 56, Oyster District, Plan VIP65504 (340 Second Avenue) as shown in 'Schedule A' attached to and forming part of this Bylaw.

CITATION

(3) This Bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No. 91), 2013, No. 1817".

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

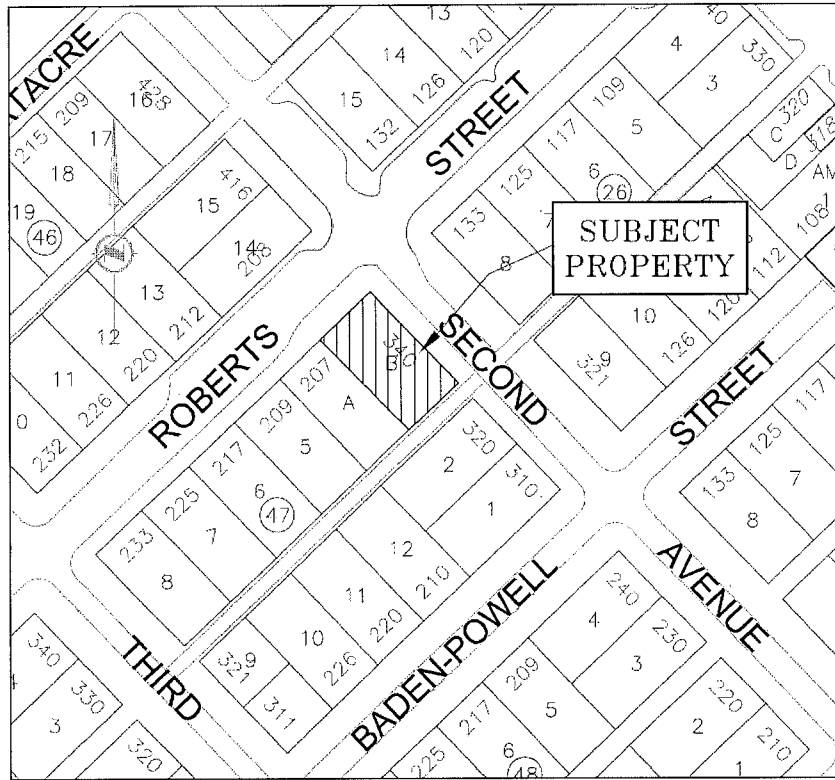
READ A THIRD TIME on the day of

ADOPTED

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw No. 1817 - Schedule A



TOWN OF LADYSMITH

BYLAW NO. 1818

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) 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.41), 2013, No. 1818".

READ A FIRST TIME on the day of 2013

READ A SECOND TIME on the day of 2013

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

on the day of 2013

READ A THIRD TIME on the day of 2013

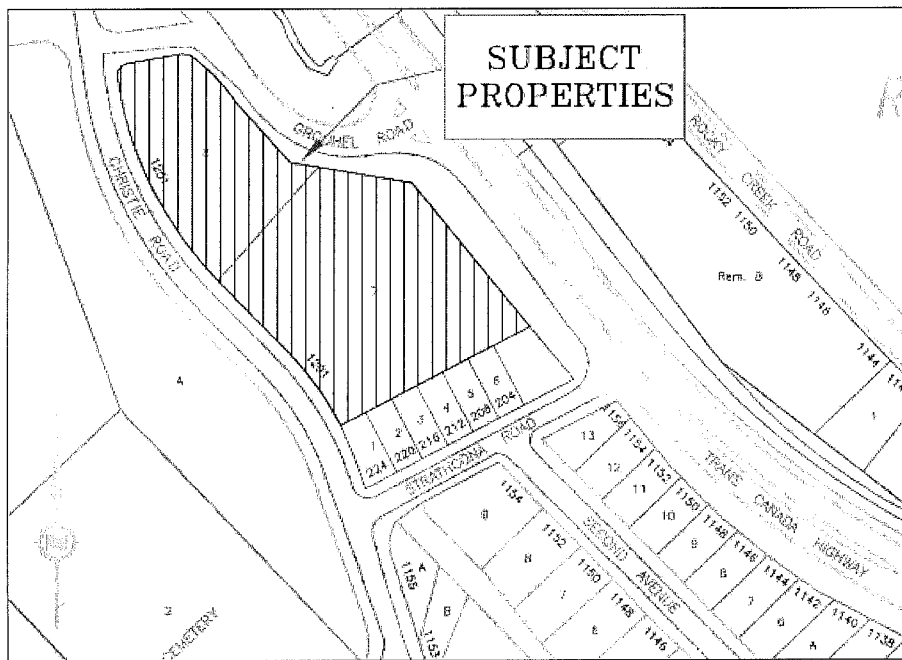
ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

**BYLAW NO. 1818
SCHEDULE A**

- (1) Schedule "A" – "Town of Ladysmith Community Plan" is amended as follows:
- (a) Placing on Map 1 "Land Use" the designation "Industrial" on the subject properties being a portion of Lot 7 and Lot 8, District Lot 147, Oyster District, VIP85271 (1201 and 1251 Christie Road) as shown cross hatched on the map below.
 - (b) Placing on Map 2 "Development Permit Areas" "Development Permit Area 5 – Industrial (DPA 5)" on the subject properties being a portion of Lot 7 and Lot 8, District Lot 147, Oyster District, VIP85271 (1201 and 1251 Christie Road) as shown cross-hatched on the map below.



TOWN OF LADYSMITH

BYLAW NO. 1819

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

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

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

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

(A) The text of "Town of Ladysmith Zoning Bylaw 1995, No. 1160" as amended is hereby further amended as follows:

(1) Adding the following site specific regulations to section 26.2 "Conditions of Use" following sub-section (5):

“(6) Despite section 26.1 the following uses are not permitted on the properties described as Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 (1201 and 1251 Christie Road):

- i) Service station including autobody repairs and painting; and
- ii) Retail and wholesale storage of petroleum and accessory storage of petroleum products not exceeding 450,000 litres.”

(B) The map, being ‘Schedule A’ to “Town of Ladysmith Zoning Bylaw 1995, No. 1160” is hereby amended by placing “Light Industrial Zone (I-1) Zone” on the subject properties being a portion of Lot 7 and Lot 8, District Lot 147, Oyster District, Plan VIP85271 (1201 and 1251 Christie Road) as shown on Schedule I attached to this Bylaw.

CITATION

(C) This bylaw may be cited for all purposes as "Town of Ladysmith Zoning Bylaw 1995, No. 1160 Amendment Bylaw (No.92), 2013, No. 1819”.

READ A FIRST TIME on the _____ day of _____

READ A SECOND TIME on the _____ day of _____

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

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

APPROVED UNDER THE TRANSPORTATION ACT

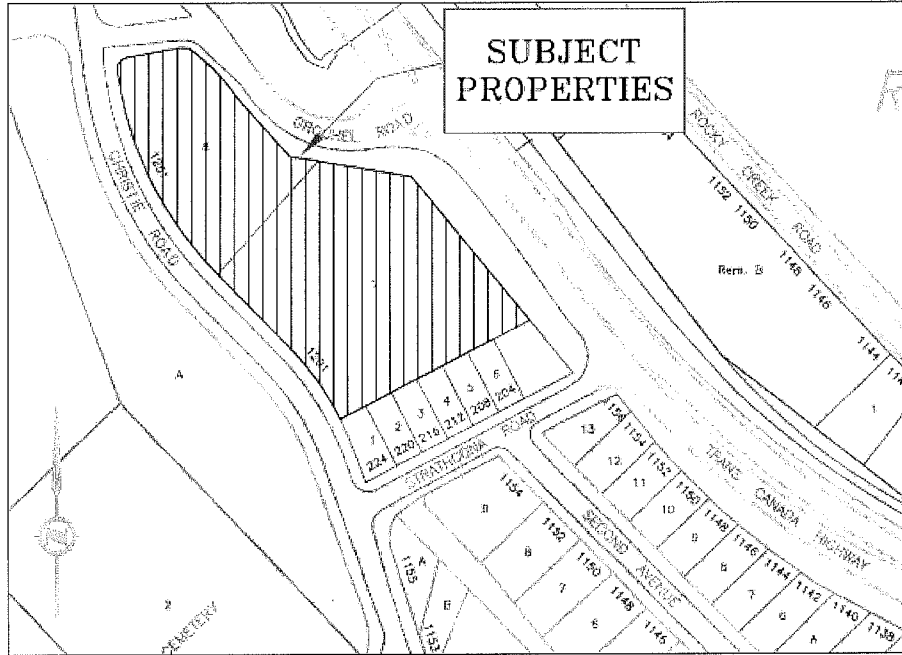
on the _____ day of _____

ADOPTED on the _____ day of _____

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Bylaw 1819 – Schedule 1





Town of Ladysmith

COMMITTEE REPORT

To: Mayor and Council
From: Government Services Committee
Date: April 18, 2013
File No:

Re: GOVERNMENT SERVICES COMMITTEE RECOMMENDATIONS - April 15, 2013

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

1. That
 - a) a memorial tree be planted at Forrest Field in memory of Jaedynn Amann-Hicks;
 - b) letters be sent to the federal and British Columbia governments requesting that "Jaedynn's Law" banning the use of free-standing soccer nets in public soccer fields across Canada be enacted as soon as possible;
 - c) a comprehensive Playing Fields Policy be drafted which includes regulations pertaining to soccer nets located on Town-owned playing fields; and
 - d) that School District No. 68 be requested to comply with the regulations contained in the Playing Fields Policy pertaining to the use of soccer nets on School District property.

2. That Council consider including bylaw amendments to permit hens in backyards in its 2014 work plan.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Felicity Adams, Director of Development Services
Date: May 1, 2013
File No: 6675-20

Re: **ROGERS PROPOSAL – 4300 THICKE ROAD (W2156)**

RECOMMENDATION(S):

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

2. That Council request Rogers to investigate aesthetically pleasing 50 metre telecommunications tower designs suitable for the gateway to the South Ladysmith Industrial Park, including a “mono-pine” structure.

PURPOSE:

The purpose of this staff report is to present a proposal for a 50 metre lattice self-support tower (telecommunications facility) to be located at 4300 Thicke Road in the South Ladysmith Industrial Park and to seek Council direction regarding public consultation and tower design.

INTRODUCTION/BACKGROUND:

Telecommunication facilities are within federal jurisdiction. While local zoning powers do not apply to such facilities, Industry Canada (the regulator) policy requires a telecommunications proponent to consult with the “local land use authority” (the Town) in certain circumstances as outlined in the “Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)”.

Consultation with the land use authority and the community is required for a 50 metre facility.

The purpose of the consultation is to understand community interest and, as much as possible, to site facilities in response to these interests. The CPC-2-0-03 provides

a default consultation process which the Town's "Guideline for the Siting of Spectrum Management and Telecommunications Facilities" also supports.

For this proposal, Industry Canada requires the following consultation with the community. A summary of comments would be provided to the Town.

- Contact all property owners in writing within the area three times the tower height (3 x 50m = 150 m).
- Place a public notice in the local newspaper to invite the public to comment.

Rogers is seeking comments from the Town regarding the new proposed site, tower design and the notification area and process.

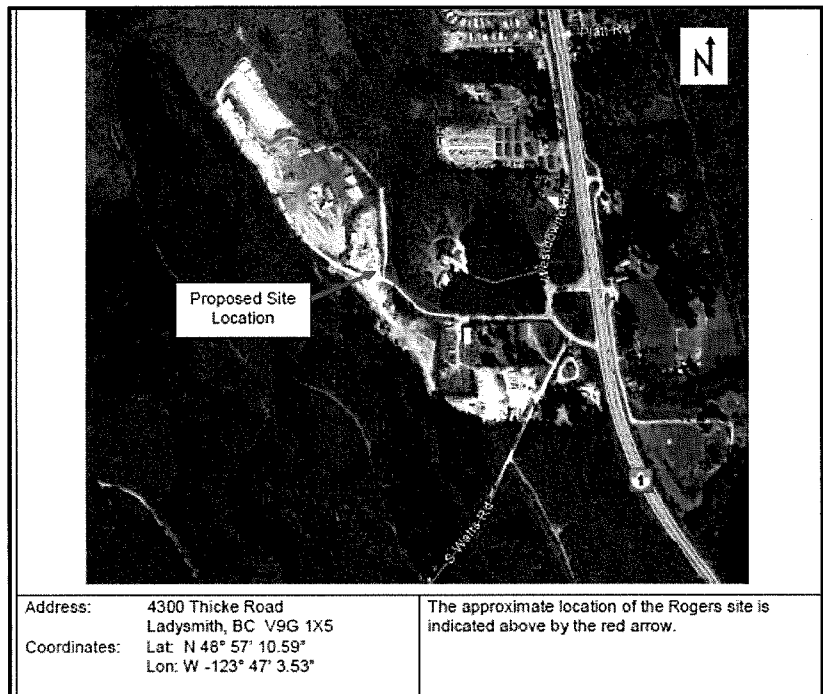
SCOPE OF WORK:

Rogers is proposing to install a 50 metre lattice self-support tower, located on lands privately owned at 4300 Thicke Road to support a new telecommunications facility. Rogers proposes to place the tower and equipment shelter within a compound area of approximately 20 metres by 20 meters which would be fenced restricting public access.

The proposed tower is reported to offer improved wireless service along the Island Highway and to areas to the south, including the South Ladysmith Industrial Park and Saltair. In addition, TELUS proposes to co-locate with Rogers on this facility.

The property is zoned Heavy Industrial Zone (I-2) which is a zone supported by the Town's Guidelines for the location of

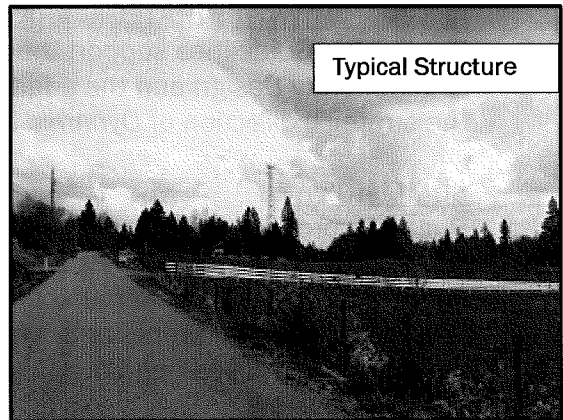
telecommunications facilities. The site is located within the South Ladysmith Industrial Park and adjacent to the Peerless Road Recycling Depot.



The tower structure, design and colour are design elements for consideration and Council could provide input on these elements. A photo simulation from the Island Highway has been prepared by Rogers at a view where the proposed lattice tower will be most visible along the Island Highway. Due to the existing mature trees along the west side of the highway, Rogers reports that the tower is screened in part from



various viewpoints and that Transport Canada may require tower lighting and/or markings. A typical structure is shown in the photo. Staff has inquired as to whether the tower could be designed with the appearance of an evergreen tree which is referred to as a “mono-pine” or other aesthetically pleasing design. This site is located at a future entry to the South Ladysmith Industrial Park and the appearance of the area is important. Rogers is amenable to this review.



Rogers is also agreeable to hosting a public information meeting if requested by Council. The Town and Country Mobile Home Park is located outside the required written notice circulation area, so it is recommended that these Town residents be included in the written notification.

ALTERNATIVES:

Rogers had previously considered a site located in Saltair, but was redirected by the CVRD to south Ladysmith industrial lands as a result of the public consultation process. The Town reviewed its own sites for potential opportunity but none met the required criteria.

FINANCIAL IMPLICATIONS: None.

LEGAL IMPLICATIONS:

Telecommunications facilities are federally regulated. The Town has limited influence on the approval of these facilities but can influence design and siting. The Town has identified I-2 zoned land as appropriate for the siting of telecommunication facilities.

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Rogers attest that the proposed tower will at all times comply with Health Canada’s Safety Code 6 limits.

Under the Industry Canada default consultation requirements, Rogers will contact all properties owners in writing within three times of the tower height (which given the size of the properties in this area includes four Crown land parcels) and it will place a public notice in the Chronicle newspaper. The required period for public comment is 30 days. Additional consultation is recommended by staff and agreeable to Rogers.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS: None.

RESOURCE IMPLICATIONS: None.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:



A “local diverse economy” is strategy 5 of the Sustainability Strategy.

ALIGNMENT WITH STRATEGIC PRIORITIES:


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

SUMMARY:

Rogers is proposing a 50 metre lattice self-support tower at 4300 Thicke Road in the South Ladysmith Industrial Park. Although Industry Canada has exclusive jurisdiction in the licensing of telecommunications sites, such as the proposed tower, Industry Canada requires all proponents to consult with the local land use authority and the public. Rogers is seeking Council’s input on the consultation process and the tower design and siting.

It is recommended that Council request a public information meeting to be hosted by Rogers and also an investigation of a possible alternative tower designs.

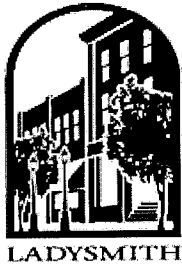
I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None.



Town of Ladysmith

STAFF REPORT

To: Ruth Malli, City Manager
From: Sandy Bowden, Director of Corporate Services
Date: April 18, 2013
File No:

Re: **JANITORIAL SERVICES FOR RCMP BUILDING**

RECOMMENDATION:

That Council waive the Town's purchasing policy and enter into a new lease with Big Island Building Services to provide janitorial services for the Ladysmith RCMP Detachment for a two year period with an option to renew for a further two years, commencing June 1, 2013 for a monthly fee of \$897.59 per month plus applicable taxes.

INTRODUCTION/BACKGROUND:

Big Island Building Services has been providing janitorial services at the Ladysmith RCMP Detachment since May 2009. The company was engaged after a request for proposals was issued in the spring of 2009.

The RCMP require that any contractors working in their detachments have full security clearance. This type of clearance is more extensive than the usual criminal record check, and can take up to six months to obtain. Big Island's cleaning staff have had this security clearance since 2009.

Due to the length of time required to process a security clearance, and the fact that the Ladysmith Detachment is satisfied with the work carried out by Big Island Services, the Detachment has requested that the Town consider foregoing the usual process of requesting quotes, and renew the contract with Big Island Building Services for a two-year period.

The organization currently supplies janitorial services for six RCMP detachments on Vancouver Island, in addition to the Ladysmith Detachment.

The contract includes a requirement that the contractor use green cleaning products, in accordance with Town policy.

ALTERNATIVES:

Council can choose to direct staff to seek quotes for the janitorial services at the Ladysmith RCMP Detachment.



FINANCIAL IMPLICATIONS:

The monthly fee is an increase of \$28.59 over the previous contract.

LEGAL IMPLICATIONS:

N/A

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Given the stringent requirements of the RCMP's security clearance process and the fact that Big Island's fees are competitive and no fee increase is proposed, staff does not anticipate any comments from the community.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Corporate Services staff will set up the contract and Financial Services staff will manage the payments.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT

N/A

ALIGNMENT WITH STRATEGIC PRIORITIES:

N/A

SUMMARY:

Under the terms of the lease between the Town and the RCMP for the Ladysmith RCMP Detachment, the Town is responsible for securing janitorial services for the detachment. The contract with the current contractor, Big Island Building Services, expires on May 31, 2013. It is recommended that Council waive the purchasing policy in order to renew the contract with Big Island Building Services for a two year period with an option to renew for a further two years.

I concur with the recommendation.



Ruth Malli, City Manager

ATTACHMENTS:

None





Royal
Canadian
Mounted
Police

Gendarmerie
royale
du
Canada

Security Classification/Designation
Classification/désignation sécuritaire

Non- Commissioned Officer in Charge
Ladysmith Detachment
320 6th Ave. P.O. Box 280
Ladysmith, B.C.
V9G 1A2

Your File Votre référence

Our File Notre référence

April 18, 2013

Mayor Robert HUTCHINS
P.O. Box 220
Ladysmith, BC V9G 1A2

Dear Mayor and Council:

This letter is to inform you of the 2013/14 Annual Performance Plan (APP) Priorities and initiatives for the Ladysmith RCMP Detachment. As part of the planning process consultations have been made with yourself, the community members we serve, and police officers within the Detachment. These priorities are a result of all of these consultations and input.

The four Priorities and objectives for the 2013/14 year are:

1. PROPERTY- BREAK and ENTER/CRIME REDUCTION

Objective: Reduce Property Crime.

The measures for this will be a reduction in residential and business Break and Enters as well as a reduction in theft from motor vehicles.

2. TRAFFIC- AGGRESSIVE DRIVING/IMPAIRED DRIVERS

Objective: Contribute to Safe Roads.

The measures for this will be the interdiction of impaired drivers utilizing the Criminal Code and Provincial Laws as well as the interdiction of aggressive and/or distracted drivers.

Canada

3. POLICE/COMMUNITY RELATIONS/VISIBILITY

Objective: Enhance/Contribute to Police and Community Relations

The measures for this will be the implementation of a Bar Watch Program and an increase in the number of community events members attend.

4. FIRST NATIONS POLICING- Alcohol and Drugs in relation to Aboriginal Communities.

Objective: Contribute to safer and healthier Aboriginal Communities.

The measures for this will be an increase in the number of community partnerships developed, which will include drug and alcohol presentations as well as scheduled pro-active patrols to Penelakut Island.

INITIATIVES

Under each of these priorities there will be a number of initiatives.

The Initiatives for each of these priority items are:

PROPERTY- BREAK and ENTER/CRIME REDUCTION

1. Identify the top three prolific offenders for property crime and target these individuals with the goal of prosecution, relocation, or rehabilitation.
2. The Ladysmith Detachment will utilize the "Bait Car" program to target, apprehend and prosecute individuals involved in theft of, and from, vehicles.
3. The Ladysmith Detachment will work with the Citizens on Patrol to explore and implement the "Lockout Autocrime" program.
4. Members of the Ladysmith Detachment will conduct regular curfew checks of individuals on curfews, with a primary focus on prolific offenders.

TRAFFIC- AGGRESSIVE DRIVING/IMPAIRED DRIVERS

1. The Ladysmith Detachment will acquire two additional radar units to be placed in marked police vehicles.
2. The Ladysmith Detachment will liaison with resources who currently submit traffic related articles to media on the Island. The Detachment will arrange to include Ladysmith in the distribution of these articles.
3. Members of the Ladysmith Detachment will conduct regular road checks with a focus on impaired drivers, twice a week.
4. Members of the Ladysmith Detachment will conduct regular road checks with a focus on distracted drivers once a month, focusing on daytime and downtown areas.

POLICE/COMMUNITY RELATIONS/VISIBILITY

1. The Detachment will continue and increase bike patrols in the community and expand into the Stz'uminus Community. Two bike patrols a week will be targeted for the period of May through September.
2. The Detachment will implement a Bar Watch program to hold liquor establishments accountable under the LCLA, as well as deter the infiltration of organized crime into the local bars.
3. The Detachment will assign specific members to serve as liaison officers with the local public school system within the Ladysmith Detachment area. These members will visit the schools to develop relationships and meet with students and staff.

FIRST NATIONS POLICING

1. The FNP member at the Ladysmith Detachment will arrange six (6) workshops over the year for the Stz'uminus First Nation. The workshops will include, but are not limited to, substance abuse, family violence, bicycle safety, fraud etc.
2. The Ladysmith FNP member, in consultation with the Stz'uminus First Nation, will arrange one cultural workshop for the Ladysmith Detachment members focusing on the traditions and culture of the Coast Salish people.
3. The Ladysmith Detachment members will conduct pro-active patrols to Penelakut Island, accompanying the school liaison or NCO I/C on their regular patrols to the Island. Each member will be required to attend at least once during the year on a pro-active patrol.

If you have any questions regarding the Annual Performance Plan, or wish to discuss these further, please do not hesitate to contact me.

S/Sgt. Larry CHOMYN
NCO I/C
Ladysmith Detachment

Royal Canadian
Mounted Police

Gendarmerie Royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

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

Your File - Votre référence

Our File - Notre référence

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

302-

Date

April 2nd 2013

Quarterly Mayor's Report - 1st Quarter - January, February and March 2013

There were three hundred and seventy one (371) calls or occurrences (year to date calls -371) received during the months of January, February and March 2013 in the immediate Town of Ladysmith. Below is an overview of various police occurrences for the 1st Quarter and from previous years.

Occurrences	Jan, Feb, Mar 2013	2013YTD	2012YTD	2011YTD
Sexual Assaults	2	2	2	2
Assaults	21	21	15	13
Break & Enter - Business	5	5	5	7
Break & Enter - Residence	4	4	11	11
Break & Enter - Other	2	2	4	4
Theft of Vehicle	4	4	8	13
Theft fm Vehicle - Over \$5K	0	0	0	0
Theft fm Vehicle - Under \$5K	7	7	16	7
Theft Over \$5K	1	1	0	1
Theft Under \$5K	15	15	22	24
Possession Stolen Property	0	0	1	5
Mischief/Property Damage Over \$5K	0	0	0	0
Mischief/Property Damage Under \$5K	10	10	24	15
Total Calls for Service, Ladysmith	371	371	392	508
Total Calls for service, Detachment	756	756	798	962

For your information, please find enclosed a copy of the Guardroom and Criminal record check statistics report, YTD 2013.

In addition, I have attached a brief summary of the Victim Services program completed by the Victim Services Program Manager in Ladysmith.

Victim Services Referrals	Jan, Feb and March 2013	2013YTD	2012YTD/	2011YTD/
Town of Ladysmith Referrals	40	40	64	70
Detachment's Total Referrals	70	70	94	121

PRIORITY UPDATES:

REDUCE PROPERTY CRIME:

1. Ladysmith members continue to conduct curfew checks on individuals placed on court ordered curfews. Those on curfews have become accustomed to police checks and for the most part are complying with their court orders.
2. A Ladysmith member regularly attends the Prolific Offender Management (POM) meetings held in the Duncan. These meetings are attended by the various Cowichan Valley Detachments, Probation, Crown and other associated agencies. Further training has been provided to Detachment members regarding the Prolific Offender Management program and a variety of investigative tactics have been utilized to follow up on individuals committing property related offences. The Ladysmith Detachment has been working closely with the North Cowichan/Duncan and Nanaimo Detachments, having success in solving a number of break and enters. The Ladysmith Detachment exceeded their target goals in regard to the reduction of the number of residential break and enters and theft from vehicles.

TRAFFIC- AGGRESSIVE AND IMPAIRED DRIVERS:

This was a very successful quarter for the Ladysmith Detachment in regard to interdiction of impaired drivers and targeting aggressive and distracted drivers. A total of 16 road checks were conducted from January to March. 17 impaired investigations were entered into which involved sanctions, 3 driving prohibitions related to drugs were served, and 226 violation tickets and notice and orders were issued during this time period. One news article was submitted for education purposes focusing on traffic issues.

POLICE/COMMUNITY RELATIONS:

Members of the Ladysmith Detachment are assigned as school liaison officers for each of the schools in the Detachment area. Members attend the schools on a regular basis for visitations and presentations, with a minimum expectation of one visit a month. DARE is being offered at two of the local schools as well as the Stz'uminus School. The Ladysmith Detachment provided a member to participate in the high school PARTY program. One Ladysmith Member attended School Threat Assessment training with personnel from the Nanaimo School District, having

Page 2 of/de 3



already put this training to use in an interagency investigation involving a student. The Detachment continues to regularly host school tours at the Detachment. The Detachment hosted a successful volunteer appreciation BBQ for all volunteers associated to the Detachment this quarter. Each volunteer was presented with a thank you card and small pin in appreciation of their service. Currently the Detachment is involved in a recruitment campaign for auxiliary constables, and joint training is planned for the fall with the North Cowichan/Duncan Detachment. Ladysmith members also continue to be visible in the licensed establishments and are moving forward on the Bar Watch initiative.

The Ladysmith Detachment has recently been issued a 26 foot watercraft. Members of the Detachment are currently being trained and the boat is distinctly marked as RCMP, which will not only assist in responding to calls on the water, Thetis and Penelakut Islands, but also increase the visibility of the RCMP on the waterfront and harbour area.

DRUGS AND ALCOHOL- CONTRIBUTE TO SAFER AND HEALTHIER ABORIGINAL COMMUNITIES:

Ladysmith members have continued to make regular, pro-active patrols to Penelakut Island. One member has been assigned to the Penelakut School as a school liaison and makes regular visits to interact and build relationships. The Ladysmith Detachment targeted at least one pro-active patrol to Penelakut for each member during the year, with this goal being exceeded. With the addition of the cabin police boat travel to and from the Island will be enhanced and reduce the response time.

The First Nations Policing member for the Stz'uminus Band has developed a positive relationship with the community. Cst. CHANIN is working towards facilitating a cultural workshop for the Ladysmith RCMP members by the Stz'uminus members. Cst. CHANIN is currently delivering the DARE program as well as a variety of presentations and workshops.

The Detachment has participated in meetings on Penelakut Island focused on suicide prevention and police response. They are also actively supporting the Victim Service worker in developing relations and establishing assistance with the Stz'uminus Band.

PERSONNEL UPDATES:

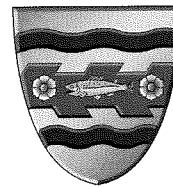
Interviews have been held to fill the vacant Public Service Worker position, and this is progressing. Cst. WANG from the Quesnel Detachment has recently sold his home and is currently in the Ladysmith Detachment area on a house hunting trip.

Sincerely,

S/Sgt Larry CHOMYN
Non Commissioned Officer in Charge
Ladysmith Detachment
(250) 245-2215 larry.chomyn@rcmp-grc.gc.ca



Municipality of North Cowichan



7030 Trans Canada Highway, Box 278
Duncan, BC V9L 3X4

Telephone: (250) 746-3100
Fax: (250) 746-3133
www.northcowichan.ca

April 22, 2013

File: 0220-01

Mayor Robert Hutchins
Town of Ladysmith
410 Esplanade
PO Box 220
Ladysmith BC V9G 1A2

Dear Mayor Hutchins

Re: Request for Consideration of Implementing Region-Wide No Smoking Regulations

I write to advise that the North Cowichan Municipal Council, at its April 17, 2013 Regular Council meeting, received your letter dated March 27, 2013 regarding the above-noted subject. Council noted it has already directed staff to draft a report on prohibiting smoking at North Cowichan facilities and parks. Staff will expand the scope of its report to address suggestions contained in your letter. We will advise you of the outcome in due course.

Should you have any further questions and/or comments, please do not hesitate to contact me at 250-746-3100 or by email.

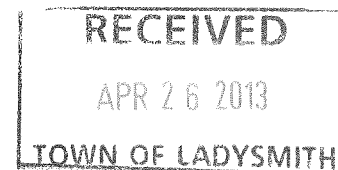
Sincerely

A handwritten signature in black ink, appearing to read 'Mark Ruttan', is written over a horizontal line.

Mark Ruttan
Corporate Officer

ruttan@northcowichan.ca

pc: Ernie Mansueti, Director of Parks & Recreation



From: Muriel Carlson **Sent:** April 23, 2013 2:09 PM
To: Rob Hutchins
Subject: The Big Clean Up of the Waterfront

Hi Mayor Rob, Councilmen/Ladies

Thank you so very, very much for putting the word out to the Citizens of Ladysmith, that our Local Waterfront was in desperate need to be cleaned up of all the garbage that "some people" have dumped down there. The vast turnout of Volunteers on Sunday was amazing & this has helped to restore my faith in people. I was so totally elated to see most of the garbage picked up and hauled away on Sunday.

When I first brought this to the attention of City Hall, I did not expect much to be done about the issue and I was wrong. So now that the area is basically cleaned up of the worst garbage, I have a few other requests to make of Town Council.

Is it possible for the Town of Ladysmith to erect signage at both ends of the dirt roads by the railway tracks where most of the garbage was dumped in the bushes, down the banks and on the road.

Possible wording could be: No Dumping of Garbage in this area, Please help to keep our waterfront clean, Posted on the sign also that People caught dumping garbage or waste will be caught and fined, then the amount the fine could possibly be. Another spot that could use some signage is behind or near the Horseshoe pitch, I understand there were over 12 bags of garbage removed from that area alone on Sunday.

Another thought I had, was possibly in order to prevent vehicles from being able to drive down that dirt road to dump their garbage that the cement abutments on either end of the roadway could be moved back more. e.g. by the Black Press Office, where their parking lot ends and the dirt roadway begins, then on the other end of the road, closer to where the road comes from a Y shape into one dirt road.

Also noticed by most of the Volunteers on Sunday was the amount of "doggy poop bags" that had been tossed into the bush area that were hanging off of tree branches and blackberry bushes or just sitting on the side of the roadways. Is it possible to put a garbage can in the area (much like what is in the Parks in town), so people hopefully would dispose of their doggy bags in a proper manner. Now a days most doggy bags are bio degradable, but they still look horrible hanging from the trees and bushes. Perhaps even put a doggy bag dispenser down in that area for those that don't bring their own bags.

My final request is that perhaps the Town of Ladysmith, could have another Clean Up your Waterfront Day, in early October or when the Town has their Fall Clean Up Week. If we can do this twice a year, perhaps we can restore the original beauty & cleanliness of the Town and waterfront.

I look at this as being pro active & if people are made aware that dumping garbage in Ladysmith along the waterfront or other areas is not acceptable to the Citizens of the Community nor

Town Council, then if we clean it up, put up signs, add garbage bins in the troubled areas, perhaps, those that leave the messes behind will change their ways and become Pro Active Citizens also.

I should also mention to you that the people who were just out enjoying a walk along the Waterfront on Sunday, kept stopping and talking to the Volunteers and thanking us for cleaning up the mess. We also received numerous thank yous from some of the people who live on their boats in the waterfront.

Sincerely,

Muriel/Ken Carlson



NANAIMO LADYSMITH
PUBLIC SCHOOLS
LEARNING TOGETHER

395 Wakesiah Avenue
Nanaimo, BC V9R 3K6
Telephone: 250 754-5521
Fax: 250 741-5238
www.sd68.bc.ca

Office of the Board Chair

April 26, 2013

Dear Mayor Rob Hutchins & Council, Town of Ladysmith

On Wednesday evening, April 24, the Board of Education approved the Proposed 10-Year Enhanced Facilities for Learning Plan, in principle, for distribution and public consultation. The goal of the plan is to provide facilities that support improved learning opportunities for all students. The proposed plan outlines program, service, and facility enhancements to strengthen the quality and accountability of public education.

We would welcome the opportunity over the coming weeks, to meet with your representatives and receive your input to the Board on this proposed plan. I encourage you to look at the proposed plan and the supporting documents at www.sd68.bc.ca. In the long term, this plan would affect all students in our district, through changes in facilities and programs at their elementary or secondary schools. Ms. Cathy Kelt will be in contact with your office soon to make arrangements for a meeting.

On the reverse of this letter is a summary of the proposed plan. Please note that the plan does include some potential school closures and consolidations.

The 60-day consultation period is now underway and there will be several ways you can provide input. Please note that we are inviting feedback about all aspects of the proposed plan.

- There will be an online public engagement process, (called ThoughtStream) at each school. You will receive information next week on how parents, students and staff at your school can participate in this process.
- At any time during the process, individuals and groups can submit written input via email ckelt@sd68.bc.ca, fax 250 741-5309, or mail to the Board of Education, 395 Wakesiah Avenue, Nanaimo, BC V9R 3K6.
- There will be public meetings scheduled in Ladysmith, Cedar, Central Nanaimo, and North Nanaimo June 12, 13, 17, and 19. Exact times and locations of these meetings will be announced soon.

The plan proposes some very significant changes to our schools. We urge all parents to become familiar with the proposed plan and to provide your input.

Sincerely,

Jamie Brennan, Chair
Nanaimo Ladysmith Public Schools

Summary of Proposed 10-Year Enhanced Facilities for Learning Plan

In 2013:

- Feasibility studies related to new and expanded programs
- Review secondary school models and transition of senior learning alternatives
- Close Junior Learning Alternatives site (June 30, 2013)
- Close South Wellington and North Oyster – students to Woodbank Primary and North Cedar Intermediate (June 30, 2013)
- Relocate English program from Quarterway to Forest Park and Brechin (budget strategy) (September 2013)
- Expand number of K-1 French Immersion spaces in Nanaimo
- Close District Resource/Learning Centre (budget strategy) (June 30, 2013)

In 2014, Ladysmith schools:

- Ladysmith Secondary reconfigured as a Grades 6-12 school (September 2014)
- Ladysmith Intermediate Grades 6 and 7 move to Ladysmith Secondary (September 2014)
- Close Davis Road Elementary (June 2014)
 - K-5 move to Ladysmith Intermediate (dual track)
 - Grades 6 and 7 move to Ladysmith Secondary (dual track)
- Planning for construction of a new Ladysmith Elementary school

In 2014-15, Cedar schools:

- Cedar Secondary Grades 8 to 12 students relocate to John Barsby (September 2014)
- Cedar Secondary building renovated for use by elementary students in September 2015

In 2015 to 2017:

- Close Woodbank Primary and North Cedar Intermediate (June 2015)
- New Cedar Elementary opens with arts program (September 2015)
- Expand French Immersion to Grade 8 at Ladysmith Secondary (September 2015)
- Begin the building of new facilities: NDSS and Ladysmith Elementary (2015-16)
- Introduce further enrichment programs

In 2017:

- Close Woodlands Secondary (June 2017)
- Remaining Woodlands students relocate to the new NDSS (September 2017)
- Close Ladysmith dual-track elementary (formerly Ladysmith Intermediate) and Ladysmith Primary (June 2017)
- Students relocate to the new Ladysmith Elementary (dual track) (September 2017)
- Begin the rebuild of Cilaire Elementary on the current school site

In 2018 to 2022:

- Close Departure Bay Elementary (June 2018)
- New Cilaire Elementary opens with Cilaire and Departure Bay students (September 2018)
- Begin the District Administration Centre rebuild at the Selby Street site (2018)
- Begin the Rutherford Elementary rebuild (2018)
- Undertake renovations at Seaview Elementary (2019)
- Occupy new District Administration Centre (2020)
- Update and upgrade additional schools, and expand the International Baccalaureate and Advanced Placement offerings



257 RCACS Parent Committee
Squadron #257 Parallel Ladysmith
P.O. Box 1253
Ladysmith B.C. V9G 1A8
ladysmithaircadets@yahoo.ca

April 29, 2013

Dear Mayor Hutchins and Members of Town Council,

On Sunday September 22nd 2013 the Ladysmith Air Cadets plan to host a very special event commemorating 70 years of Air Cadets in Ladysmith and to highlight the historical Agricultural Hall. "The Aggie" has been quarters for the Squadron since the 1940's and has also been the home for many community events and organizations over the years.

Event overview: We are planning a Vancouver Island Wing Air Cadet Squadron and Band Parade followed by a community open house at the Aggie Hall. We plan to parade along 1st Avenue to the Hall, followed by a formal Inspection on the Aggie Field. We anticipate 300-400 Cadets and Officers to be in attendance. The purpose of the open house would be to encourage the public to tour the Hall (including the lower Cadet classrooms and range) with displays depicting the history of the Hall, the history of the Cadet Program and to provide Air Cadet enrolment information.

There are three pivotal organizations involved: the Department of National Defence/Regional Cadet Support Unit, the Air Cadet League of Canada/BC Provincial Committee and the Town of Ladysmith. We have full support and approval from DND and the Air Cadet League, but in order to proceed we require formal approval from the Town of Ladysmith. We intend to work closely with Council and staff to ensure a safe and successful event for all, with all requirements met.

We also seek permission to install a large format photo collage to commemorate our 70th anniversary. This would serve as an additional gallery piece to complement those which already adorn the interior of the hall. Our exterior signage will be completed and ready for installation for this event.

To sum up:

1. Do we have formal approval for this event?
2. Do we have permission to install a photo collage commemorating 70 years of Air Cadets in Ladysmith?

Sincerely,

Cathy Gilroy Colleen Cooper Captain Karen Graczyk (Commanding Officer)
RCACS 257 70th Anniversary Planning Committee

cc: Mike Symons/BCPC VI Wing, Chair
William Stacey/257 RCACS Sponsoring Committee, Chair

TO LEARN

TO SERVE

TO ADVANCE

**TOWN OF LADYSMITH
BYLAW NO. 1825**

A bylaw to amend "Building and Plumbing Bylaw 1994, No. 1119"

WHEREAS the *Community Charter* empowers the Municipal Council to amend the Building and Plumbing Bylaw;

AND WHEREAS the Town of Ladysmith has adopted and wishes to amend the "Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119";

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

1. "Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119", as amended, is hereby further amended by deleting Schedule J and replacing it with the following Schedule J:

<u>BUILDING PERMITS</u>	
<u>Building Valuation:</u> For single and two family dwellings, factory built homes, mobile homes and moved buildings, and buildings accessory thereto, the value of construction used to determine the permit fee shall be calculated based on the values as specified in the table. All other building types, based on Engineer's Estimate of the value of construction.	
1. Main Floor	\$100/sq.ft.
2. Additional Floor(s)	\$50/sq.ft.
3. Garage	\$30/sq.ft.
4. Carport	\$20/sq.ft.
5. Sundeck	\$20/sq.ft.
6. Basement	\$40/sq.ft.
7. Secondary Suite	\$23/sq.ft.
<u>Building Permit Fees and Inspection Charges:</u>	
All except Mobile Home/Manufactured Home: Percent of building valuation calculated above:	1.10%
Mobile Home/Manufactured Home Flat Rate:	\$300
Driveway Access Permit Fee	\$25
<u>Plumbing Permit Fee:</u> Minimum # of fixtures - 1 or 2	\$24
3 or more fixtures	\$12/fixture
Water Service Inspection Fee	\$25
Sanitary Sewer Inspection Fee	\$25
Storm Drain Inspection Fee	\$25
<u>Permit Fee to Wreck or Demolish a Building</u>	
- building floor area of 186.0 sq.m. (2,000 sq.ft.) or less	\$50
- building floor area larger than 186 sq.m.	\$100
<u>Double Fee:</u> If any work for which a permit is required is commenced before a permit has been obtained, the fee payable shall be doubled.	
<u>Re-Inspection Fee:</u> For building or plumbing inspection required as a result of a call back where work was incomplete or improperly done	
	\$30
Permit Fee to Move a Building (within the municipality)	\$300
For building inspections prior to a move:	
- building floor area of 93.0 sq.m. or less	\$50
- building floor area or larger than 93.0 sq.m. (1000 sq.ft.)	\$100
Note: This fee is in addition to permit fee required for the moved building and the construction undertaken at the new site.	
Permit Fee to Move a Mobile Home Located Within Ladysmith to Another Site Within Ladysmith	\$25
<u>Other Fees:</u>	
File review fees	\$42/hr
Survey certificate, file review	\$42
Mobile home parks	\$50/site
Sprinkler systems - First head	\$30
Sprinkler systems - 2-50 head	\$1.00 per head
Sprinkler systems - Each additional head	\$0.30 per head
Damage deposit (non-interest bearing)	\$1000
Building Envelope Remediation Administration Fee	\$50
<u>Fee Reduction: Professional Design</u>	
Where professional design and field review are required, the building permit fee shall be reduced by that portion of value of the work which is subject to professional design, multiplied by the value of the permit fees.	
Effective September 19, 2011 to September 19, 2016 only:	
Permit Fee for construction requiring a building permit in a secondary suite that existed prior to September 19, 2011 within a single family dwelling	\$0

2. **CITATION**

This bylaw may be cited for all purposes as “Town of Ladysmith Building and Plumbing Bylaw 1994, No. 1119, Amendment Bylaw 2013, No. 1825”.

READ A FIRST TIME on the 15th day of April, 2013

READ A SECOND TIME on the 15th day of April, 2013

READ A THIRD TIME on the 15th day of April, 2013

ADOPTED on the day of

Mayor (R. Hutchins)

Director of Corporate Services (S. Bowden)

TOWN of LADYSMITH

BYLAW NO. 1827

A bylaw establishing the Financial Plan for the years 2013-2017.

WHEREAS the *Community Charter* requires Municipal Councils to prepare and adopt, by bylaw, a financial plan;

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

- (1) Schedule "A" attached hereto and made part of the bylaw is hereby adopted and shall be the Financial Plan for the Town of Ladysmith for the five years ending the thirty-first day of December, 2017.
- (2) Schedule "B" attached hereto and made part of the bylaw is hereby adopted and shall be the statement of objectives and policies for the Town of Ladysmith for the five years ending the 31st of December 2017.
- (3) This bylaw may be cited for all purposes as: "*Town of Ladysmith Financial Plan Bylaw 2013, No. 1827*".
- (4) "Town of Ladysmith Financial Plan Bylaw 2012, No. 1801" is hereby repealed.

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

Schedule 'A' of Bylaw 1827

Town of Ladysmith 2013-2017

	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>
REVENUES:					
Revenue From Property Tax Values	7,085,455	7,581,546	7,867,466	8,356,409	8,448,476
Revenue From Grants In Lieu	158,250	161,415	164,645	167,937	171,296
Revenue From Parcel Taxes	1,349,850	1,408,449	1,468,030	1,528,601	1,805,229
Revenue From Fees & Charges	3,059,327	3,101,237	3,198,848	3,511,074	3,454,200
Revenue From Other Sources	1,767,972	2,462,047	4,266,801	1,830,080	2,635,461
	<u>13,420,854</u>	<u>14,714,694</u>	<u>16,965,790</u>	<u>15,394,101</u>	<u>16,514,662</u>
EXPENSES:					
General Operating Expense	8,910,529	9,078,826	9,254,747	9,433,596	9,618,011
Sanitary Sewer Operating Expenses	578,195	589,761	749,160	906,090	923,000
Water Operating Expenses	557,270	553,116	564,179	575,461	586,969
Interest Payments	568,706	569,359	569,667	557,124	557,046
Amortization	2,270,000	2,315,400	2,361,708	2,408,942	2,457,121
	<u>13,474,700</u>	<u>14,106,462</u>	<u>14,509,461</u>	<u>14,876,213</u>	<u>15,142,147</u>
Annual Surplus/Deficit	536,154	1,608,232	3,466,329	1,512,888	2,374,515
Add back:					
Amortization	2,270,000	2,315,400	2,361,708	2,408,942	2,457,121
Capital Expenditures					
General Capital	1,919,141	1,573,320	3,278,647	2,757,329	4,281,196
Sanitary Sewer Capital	6,500,000	11,186,900	1,397,200	852,500	427,800
Water Capital	2,892,131	1,796,405	3,936,725	322,061	322,414
Proceeds from New Debt	(4,729,000)	(9,900,000)	(2,300,000)	0	(1,080,000)
Principal Payments	450,762	454,496	558,302	556,868	549,618
Transfers from DCC's & Reserves	(381,625)	(724,730)	(108,075)	(500,000)	0
Transfer to/from Own Funds	(3,845,255)	(462,759)	(934,762)	(66,928)	330,608
	<u>(1,912,015)</u>	<u>(10,756,999)</u>	<u>(4,028,235)</u>	<u>(1,207,660)</u>	<u>(1,272,974)</u>
Financial Plan Balance	-	-	-	-	-

Schedule 'B' of Bylaw No. 1827

**Town of Ladysmith 2013 – 2017 Financial Plan
Statement of Objectives and Policies**

In accordance with Section 165(3.1) of the Community Charter, the Town of Ladysmith (Town) is required to include in the Five Year Financial Plan, objectives and policies regarding each of the following:

1. The proportion of total revenue that comes from each of the funding sources described in Section 165(7) of the Community Charter;
2. The distribution of property taxes among the property classes, and
3. The use of permissive tax exemptions.

Funding Sources

Table 1 shows the proportion of total revenue proposed to be raised from each funding source in 2013. Council currently has no specific policy surround the proportion of total revenue to come from each funding source. Property taxes form the greatest proportion of revenue. As a revenue source, property taxation offers a number of advantages, for example, it is simple to administer and it is fairly easy for residents to understand. It offers a stable and reliable source of revenue for services that are difficult or undesirable to fund on a user-pay basis. These include services such as general administration, fire protection, police services, bylaw enforcement and street lighting.

User fees and charges form a large portion of planned revenue. Many services can be measured and charged on a user-pay basis. Services where fees and charges can be easily administered include water and sewer usage, building permits, business licenses, and sale of services - these are charged on a user pay basis. User fees attempt to apportion the value of a service to those who use the service.

Objective

- The Town will increase the proportion of revenue that is received from user fees and charges by at least 3 percent over the current levels.

Policies

- The Town will review all user fee levels to ensure they are adequately meeting both the capital and delivery costs of the service.
- Universal water metering rates will be reviewed to ensure that appropriate user fees and charges, rather than taxation, to lessen the burden on its limited property tax base.

Table 1: Sources of Revenue

Revenue	2013	% total
Property Taxes	\$7,085,455	31.33%
Grants in Lieu	158,250	0.70%
Parcel Taxes	1,349,850	5.97%
User fees & Charges	3,059,327	13.53%
Other Sources	454,921	2.01%
Borrowing	4,729,000	20.91%
Government Grants	1,313,051	5.81%
DCC's & Reserves	381,625	1.69%
Own Funds	4,085,439	18.06%

Distribution of Property Tax Rates

Table 2 outlines the distribution of property taxes among the property classes. The residential property class provides the largest proportion of property tax revenue. This is appropriate as this class also forms the largest portion of the assessment base and consumes the majority of Town services.

Objectives

- In 2013, maintain the Major Industry (Class 4) tax dollar levy. Over 2014-2017, reduce the share of property tax paid by Class 4 by at least 2 percent.
- In 2013, Council directed the Residential Class (Class 1) tax increase to be no more than 5% after new construction figures and that the Business/Other Class (Class 6) increase be no more than half of the Residential (Class 1) increase. Over 2014-2017, maintain the Class 6 tax levy increase to be no more than half of the Class 1 tax levy increase.

Policies

- Supplement, where possible, revenues from user fees and charges to help to offset the burden on the entire property tax base as a result of the reduction in the tax share paid by major industry (Class 4).
- If a tax shift to other property classes is required as a result of the reduction in the tax rate to major industry (Class 4), Residential (Class 1) should be the first to absorb any such shifts.
- Continue to maintain and encourage economic development initiatives designed to attract more light industry, retail and commercial businesses to invest in the community. New investment from these areas will help offset the reduction to major industry (Class 4) while providing more revenue for the Town.
- Align the distribution of tax rates among the property classes with the social and economic goals of the community, particularly to encourage economic and environmental sustainability opportunities.
- Regularly review and compare the Town's distributions of tax burden relative to other municipalities in British Columbia.

Table 2: Distribution of Property Tax Rates

Property Class	% of Total Property Taxation	Dollar Value
Residential (1)	69.49%	\$4,923,703
Utilities (2)	0.45%	31,943
Supportive Housing (3)	0.00%	0
Major Industry (4)	13.35%	945,952
Light Industry (5)	0.83%	59,112
Business and Other (6)	15.67%	1,110,025
Managed Forest Land (7)	0.00%	170
Recreation/Non-profit (8)	0.19%	13,252
Farmland (9)	0.02%	1,298
Total	100%	\$7,085,455

Permissive Tax Exemptions

The Town provides permissive tax exemptions. Some of the eligibility criteria for permissive tax exemptions include the following:

- The tax exemption must demonstrate benefit to the community and residents of the Town by enhancing the quality of life (economically, socially and culturally) within the community.
- The goals, policies and principles of the organization receiving the exemption must not be inconsistent or in conflict with those of the Town.
- The organization receiving the exemption must be a registered non-profit society, as the support of the municipality will not be used for commercial and private gain.
- Permissive tax exemptions will be considered in conjunction with: (a) other assistance being provided by the Town; (b) the potential demands for Town services or infrastructure arising from the property; and (c) the amount of revenue that the Town will lose if the exemption is granted.

Objective

- The Town will continue to provide permissive tax exemptions to some non-profit societies. The Town has also expanded its offering of permissive tax exemptions to include revitalization tax exemptions. It also intends to offer permissive tax exemptions targeted at green development for the purposes of encouraging development that will meet our *Climate Action Charter* commitments.

Policies

- Expand the permissive tax exemption policy to include eligibility requirements for green revitalization tax exemptions.
- Develop a revitalization tax exemption program which details the kinds of green activities that the exemption program will target.
- Integrate the green revitalization tax exemption program into the Town's existing economic initiatives as a means of attracting retail and commercial businesses to further invest in the community.
- Establish a revitalization tax exemption for economic revitalization in order to encourage the commercial and industrial redevelopment of specific areas.

Table 3: Utilization of Reserves, Development Cost Charges and Surplus

Source	% of Total	Dollar Value
Reserves	6%	\$273,550
Development Cost Charges	2%	108,075
Surplus	91%	4,085,439
Total		\$4,467,064

TOWN OF LADYSMITH

BYLAW NO. 1828

A bylaw for the levying of rates for Municipal, Hospital and Regional District purposes for the year 2013.

WHEREAS the Council of the Town of Ladysmith shall, pursuant to Section 197 of the *Community Charter*, in each year, adopt a bylaw to impose rates on taxable land and improvements according to their assessed value to provide the money required for purposes specified in the Charter;

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

The following rates are hereby imposed:

1. (a) For all lawful general purposes of the municipality on the assessed value of the land and improvements taxable for general municipal purposes, rates appearing in column "A" of the Schedule attached hereto and forming part of this bylaw.
 - (b) For the purposes of the Cowichan Valley Regional District on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "B" of the Schedule attached hereto and forming part of this bylaw.
 - (c) For hospital purposes on the assessed value of land and improvements taxable for regional hospital district purposes, rates appearing in column "C" for the Cowichan Valley Regional Hospital District attached hereto and forming part of this bylaw.
2. This bylaw may be cited as the "Town of Ladysmith Tax Rates Bylaw 2013, No. 1828".

READ A FIRST TIME on the day of

READ A SECOND TIME on the day of

READ A THIRD TIME on the day of

ADOPTED on the day of

Mayor (R. Hutchins)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH BYLAW No. 1828 – 2013
Schedule "A"

PROPERTY CLASS		<u>A</u> Municipal	<u>B</u> Cowichan Valley Regional District	<u>C</u> Cowichan Valley Regional Hospital District
1	Residential	4.8096	0.6254	0.4462
2	Utilities	37.0139	2.1889	1.5617
3	Sup Housing	4.8096	0.6254	0.4462
4	Major Industry	97.3893	2.1264	1.5170
5	Light Industry	20.9060	2.1264	1.5170
6	Business	14.7969	1.5322	1.0932
7	Managed Forest	38.6750	1.8762	1.3386
8	Rec Non Profit	2.7162	0.6254	0.4462
9	Farm	28.1544	0.6254	0.4462