

TOWN OF LADYSMITH

A REGULAR MEETING OF THE COUNCIL OF THE TOWN OF LADYSMITH WILL BE HELD IN COUNCIL CHAMBERS AT CITY HALL ON MONDAY, APRIL 4, 2016

Call to Order and Closed Meeting 6:00 p.m. Regular Open Meeting 7:00 p.m.

AGENDA

CALL TO ORDER (6:00 P.M.)

1. 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
- The provision of a municipal service
- 2. RISE AND REPORT

REGULAR MEETING (7:00 P.M.)

- 3. AGENDA APPROVAL
- 4. MINUTES

5. DELEGATIONS

- 5.1. Joanne Sales, Broombusters Invasive Plant Society Broombusters' Initiative to limit the spread of Scotch Broom on Vancouver Island
- 6. PROCLAMATIONS NONE
- 7. DEVELOPMENT APPLICATIONS
 - 7.1. Development Permit Application 410 Third Avenue (Forrest) Lot 1, Block
 73, District Lot 56, Oyster District, Plan 703A

Staff Recommendation:

That Council consider issuing revised Development Permit 3060-14-06 to permit the issuance of a building permit for the conversion of the second storey of an existing accessory building to a coach house dwelling on Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue).

Staff Recommendation:

That Council direct staff to proceed with statutory notice for Development Variance Permit application 3090-16-01 for Strata Lot 14, District Lot 56, Oyster District, Strata Plan 2009 (Lovely).

8. BYLAWS (OFFICIAL COMMUNITY PLAN AND ZONING) – NONE

9. FINANCIAL PLAN DELIBERATIONS

- 9.1. Proposed Property Tax Values for 2016 Presentation by the Director of Financial Services
- 9.2. Public Questions and Input

10. COMMITTEE REPORTS

10.1. Mayor A. Stone

Cowichan Valley Regional District; Advisory Design Panel; Ladysmith Chamber of Commerce

10.2. Councillor R. Hutchins

Heritage Revitalization Advisory Commission; Liquid Waste Management Committee; Protective Services Committee; Stocking Lake Advisory Committee

10.3. Councillor C. Henderson

Community Health Advisory Committee/Interagency Group; Ladysmith Early Years Partnership; Social Planning Cowichan – Affordable Housing Directorate; Youth Advisory Committee

10.4. Councillor D. Paterson

Parks, Recreation and Culture Commission; Protective Services Committee; Festival of Lights Committee

10.5. Councillor J. Friesenhan

Liquid Waste Management Committee; Parks, Recreation and Culture Commission

10.6. Councillor C. Fradin

Community Safety Advisory Commission; Advisory Planning Commission; Liquid Waste Management Committee; Ladysmith Downtown Business Association

10.7. Councillor S. Arnett

Municipal Services Committee; Vancouver Island Regional Library Board; Stocking Lake Advisory Committee; Celebrations Committee

11. Bylaws

	11.1. Town of Ladysmith Water Parcel Tax Bylaw 2016, No. 1906	23
	The purpose of Bylaw 1906 is to establish a water parcel tax rate for property parcels in the Town of Ladysmith.	
	<u>Staff Recommendation:</u> That Council read Bylaw 1906 a first, second and third time.	
	11.2. Town of Ladysmith Sewer Parcel Tax Bylaw 2016, No. 1907	24
	The purpose of Bylaw 1907 is to establish a sewer parcel tax rate for property parcels in the Town of Ladysmith.	
	<u>Staff Recommendation</u> : That Council read Bylaw 1907 a first, second and third time.	
12.	Correspondence	
	12.1. John Elzinga, Cowichan Valley Regional District	. 25 - 29
	<u>Staff Recommendation:</u> That Council receive for information the correspondence and staff report from John Elzinga, General Manager of Community Services at the Cowichan Valley Regional District, entitled "Regional Recreation Next Steps".	
13.	New Business	
	13.1. Project Funding Partnership for Nutsumaat Syaas Project at Ladysmith Secondary School (Councillor Paterson)	30
	<u>Staff Recommendation:</u> That Council: 1. Advise the Nutsumaat Syaays group that it supports a proposed	

partnership between the Town of Ladysmith and the Nutsumaat Syaays group for the sole purpose of securing funding through the Farm Credit Corporation AgriSpirit Fund to install a Coast Salish Welcoming Figure at Ladysmith Secondary School; and

2. Direct staff to work with the proponents to establish the details of this arrangement.

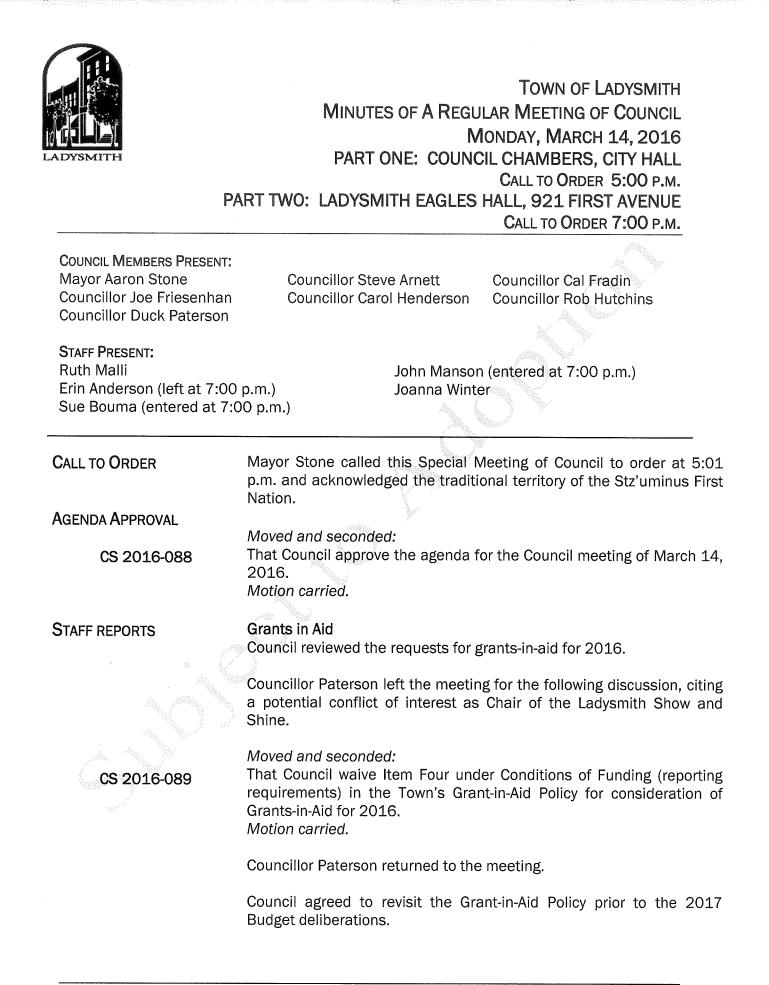
14. UNFINISHED BUSINESS

14.1. Resolution for Association of Vancouver Island and Coastal Communities – Eligibility for Gaming Grants (to be distributed at the meeting)

15. QUESTION PERIOD

- A maximum of 15 minutes is allotted for questions.
- Persons wishing to address Council during "Question Period" must be Town of Ladysmith residents, non-resident property owners, or operators of a business.
- Individuals must state their name and address for identification purposes.
- Questions put forth must be on topics which are not normally dealt with by Town staff as a matter of routine.
- Questions must be brief and to the point.
- Questions shall be addressed through the Chair and answers given likewise. Debates with or by individual Council members or staff members are not allowed.
- No commitments shall be made by the Chair in replying to a question. Matters which may require action of the Council shall be referred to a future meeting of the Council.

ADJOURNMENT



Moved and seconded:

CS 2016-090

That Council write Island Health to express deep concern at the urgent need for the provision of services for families and youth in crisis and at risk in Ladysmith and the unacceptable waiting periods for such services.

Motion carried.

Council members expressed their ongoing frustration that Areas G and H of the Cowichan Valley Regional District do not contribute their share of funds to support Victims Services programs that residents of those areas continue to access.

Moved and seconded:

CS 2016-091 That Council include in its deliberations the request from the Stz'uminus First Nation for a Grant-In-Aid to support Aboriginal Day festivities, which was received after the application deadline. *Motion carried.*

Councillor Paterson excused himself from the meeting during consideration of the Grant-in-Aid for the Ladysmith Show and Shine, citing a possible conflict of interest as he is the Chair of the organization's Board of Directors, and returned following discussions on the matter.

Council members expressed their ongoing concern that the Town is supporting important services delivered by the Ladysmith Resources Centre, which are a provincial responsibility and should be funded by the province.

Council made preliminary allocations of Grants-in-Aid, and revisited its recommendations when it was determined the recommendations exceeded the budget by \$5,400.

Moved and seconded:

That Council increase the Grant-in-Aid budget for 2016 by \$5,000. *Motion withdrawn.*

CS 2016-092

CS 2016-093

CS 2016-094

Moved and seconded: That Council reduce the recommended Grant-in-Aid for the Ladysmith Festival of Lights by \$1,500, to \$13,500. Motion carried.

Moved and seconded:

That Council reduce the recommended Grant-in-Aid to the Ladysmith Archives by \$1,500, to \$13,500. *Motion carried.*

OPPOSED: Mayor Stone, Councillor Hutchins. CS 2016-095

Moved and seconded:

That Council increase the Grant-in-Aid budget for 2016 by \$2,400, to \$114,400.

Motion carried.

Council made the following recommendations with respect to Grantsin-Aid for 2016. The recommendations will be brought forward for approval at an upcoming meeting of Council.

Organization	2016 Preliminary Approval
Arts Council of Ladysmith & District	1,500
Cowichan Family Caregivers Support Society	750
Cowichan Therapeutic Riding Association	0
Festival of Lights Society	13,500
Ladysmith & District Historical Society	
Archives	13,500
Museum	10,000
Preservation Committee	2,000
Ladysmith Ambassador Program	1,500
Ladysmith and District Marine Rescue Society	2,500
Ladysmith Celebrations Society	8,000
Ladysmith Citizens on Patrol	1,500
Ladysmith Community Gardens Society	1,500
Ladysmith Downtown Business Association	
Old Tyme Christmas	1,500
Shop Locally	1,500
Ladysmith Family and Friends (LaFF)	2,500
Ladysmith Fire Rescue	1,200
Ladysmith Little Theatre	500
Ladysmith Maritime Society	
Festival	1,500
Ladysmith Resources Centre Association	
Family Support	8,000
General Programs	8,000
Victim Services	12,000
Volunteer Counselling	1,500
Youth at Risk	8,000
Ladysmith Search & Rescue Society	5,000
Ladysmith Sec School - Frank Jameson Bursary	1,500
Ladysmith Show & Shine	500
Old English Car Club Central Island Branch	250
St John the Evangelist Church	500
Stz'uminus First Nation Aboriginal Day	1,200
Vancouver Island Crisis Society	500
Waiving of Fees	2,500
TOTAL	114,400

Moved and seconded:

CS 2016-096

DEVELOPMENT

APPLICATIONS

That this Special Meeting of Council recess at 6:43 p.m. and that it reconvene as scheduled at the Ladysmith Eagles Hall at 7:00 p.m. *Motion carried.*

E. Anderson left the meeting.

Mayor Stone reconvened this Special Meeting of Council at 6:59 p.m. at the Ladysmith Eagles Hall.

Development Variance Permit Application – 410 Third Avenue (Forrest) Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A

Mayor Stone invited residents both within and outside the Development Variance Permit Application Notice Area to address Council with comments about the application.

Lindy Skutnik, of 676 Hillview, realtor for the Development Variance Permit applicant, summarized the profiles of those who would be interested in purchasing the property at 410 Third Avenue.

Bill Drysdale, of 816 Malone, requested that Council honour the Town's community vision of affordable housing and spoke in support of the application.

April Marrington, of 325 Gatacre, noted that there are many similar two-storey coach houses in the Town, and expressed support of the development variance for 410 Third Avenue.

Nick Ep-Evans, expressed support for the application.

Glenda Patterson, of 920 Third Avenue, commented that the Town has numerous similar structures and expressed support for the application.

Pam Fraser, of 750 Colonia, requested that Council respect coach house development language and deny the application.

Aaron Lafontaine, of 312 Roberts Street, spoke against the application.

Jill Dashwood, of 105-1150 Walkem Road, spoke about the town's vision and the benefits of increased density and spoke in support of the application.

Cathy Gilroy, of 220 Third Avenue, noted that the Town has excellent bylaws in place regarding coach house development and spoke against the application. Lance Fetchko, of Douglas Place, commented on the placement of the driveway for the accessory building.

Mayor Stone thanked the members of the community for their comments.

Moved and seconded:

That Council approve the variance of the height of the coach house dwelling in the existing accessory building on Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue) from 6.6 metres to 7.43 metres for Development Variance Permit 3090-15-03. *Motion carried.*

OPPOSED: Councillors Fradin and Arnett

CS 2016-098

CS 2016-097

Moved and seconded:

That Council deny the proposed variance of the floor area of the coach house dwelling in the existing accessory building on Lot 1, Block 73, District Lot 56, Oyster District, plan 703A (410 Third Avenue) for Development Variance Permit 3090-15-03. *Motion carried.*

OPPOSED: Councillor Paterson

Development Permit Application – 410 Third Avenue (Forrest) Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A

Having issued Development Variance Permit 3090-15-03 with amendments as noted, Council considered Development Permit Application 3060-14-06 for the same subject property.

CS 2016-099

Moved and seconded: That Council refer Development Permit Application 3060-14-06 to staff

to negotiate revisions with respect to overlook and the size of the balcony, and request that staff bring a revised Development Permit to a future meeting of Council. Motion carried.

OPPOSED:

Councillors Arnett, Fradin and Henderson.

QUESTION PERIOD

Members of the audience enquired about the possibility of using a referendum process to make decisions about grants-in-aid.

ADJOURNMENT

CS 2016-100

Moved and seconded: That this meeting of Council adjourn at 8:47 p.m. Motion carried. CERTIFIED CORRECT:

Mayor (A. Stone)

Deputy Corporate Officer (J. Winter)

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MINUTES OF A SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF LADYSMITH HELD IN COUNCIL CHAMBERS, CITY HALL ON THURSDAY, MARCH 17, 2016 CALL TO ORDER 3:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor Aaron Stone Councillor Carol Henderson Councillor Joe Friesenhan

Councillor Steve Arnett Councillor Rob Hutchins Councillor Cal Fradin Councillor Duck Paterson

ALSO PRESENT: Jerry Berry, JB Consultants Inc. Gary Nason, JB Consultants Inc. Dr. Bjorn Leiren, Stefan Fraser and Associates

CALL TO ORDER	Mayor Stone called this Closed Meeting of Council to order at 3:00 p.m. and recognized the traditional territory of the Stz'uminus First Nation.
CLOSED MEETING	
	Moved and seconded:
CE 2016-101	That Council retire into closed session in order to consider the following
	item:
	Human Resources Matter.
	Motion carried.
REPORTS	City Manager Recruitment
	Discussion took place regarding the status of the recruitment process
	for the new City Manager, and options for testing short-listed candidates.
RISE AND REPORT	
	Moved and seconded:
CE 2016-102	That Council rise without report.
	Motion carried.
ADJOURNMENT	
	Moved and seconded:
CE 2016-103	That this Closed Meeting of Council adjourn at 5:15 p.m.
	Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Corporate Officer (S. Bowden)

LADYSMITH	CALL TO ORDER S CALL TO ORDER OF REG	TOWN OF LADYSMITH ULAR MEETING OF COUNCIL MONDAY, MARCH 21, 2016 5:00 p.m. FOR CLOSED SESSION GULAR OPEN MEETING 7:00 p.m. COUNCIL CHAMBERS, CITY HALL
Council Members Present: Mayor Aaron Stone Councillor Carol Henderson Councillor Joe Friesenhan STAFF Present: Ruth Malli	Felicity Adams	Councillor Cal Fradin Councillor Duck Paterson John Manson
Clayton Postings	Joanna Winter	
CALL TO ORDER	Mayor Stone called this Meeting order to retire immediately into Cl	of Council to order at 5:01 p.m. in osed Session.
CLOSED MEETING CS 2016-104	Moved and seconded: That Council retire into Closed	Session in order to consider the ith section 90(1) of the <i>Community</i> n Update (90(1)(m) Service (s. 90(1)(i))
RISE AND REPORT	Council rose from Closed Session	at 6:39 p.m. without report.
REGULAR OPEN MEETING AGENDA APPROVAL	and recognized the traditional term	Open Meeting to order at 7:00 p.m. ritory of the Stz'uminus First Nation.
CS 2016-105	2016. Motion carried.	for the Council meeting of March 21,
MINUTES CS 2016-106	Moved and seconded: That Council approve the minute held March 7, 2016. Motion carried.	es of the Regular Meeting of Council

DELEGATIONS	Dr. Paul Hasselback, Medical Health Officer, Island Health Dr. Hasselback presented a report on substance use and misuse in the Town of Ladysmith, summarizing the current issues and the role of local government in contributing to alleviate them.
	Dr. Hassselback responded to questions from Council. Council thanked Dr. Hasselback for his informative presentation.
STAFF REPORTS	Water Quality Report for 2015 The Director of Infrastructure Services gave a presentation on the recently released 2015 Water Quality Report for the town, and responded to questions from Council. Dr. Hasselback also responded to questions about the Town's water quality and the requirement from Island Health that the Town install a water filtration system in order to maintain its water licence. Dr. Hasselback confirmed that the Town is not able to defer this requirement.
	The Director of Infrastructure Services confirmed that the level of Haloacetic Acids (HAAs) in the Town's water supply is at, and has sometimes been slightly above, the maximum accepted guideline established by the federal government. He confirmed that HAAs are a by-product of the water chlorination process, and that the issue will be resolved with the construction of a water filtration system for the Town's water supply.
CS 2016-107	Moved and seconded: That Council receive the 2015 Water Quality Report for the Town of Ladysmith. Motion carried.
CS 2016-108	Zoning Bylaw Housekeeping Amendments – Bylaw No. 1904 Moved and seconded: That Council receive the report from the Director of Development Services on proposed housekeeping amendments to zoning Bylaw 1860. Motion carried.
CS 2016-109	 Additional Parking in the Vicinity of Aggie Hall Moved and seconded: That Council: 1. Direct staff to commence discussions with the owners of 125 Symonds Street to lease the property for parking, and to report back to Council on lease and funding options; and 2. Include in the 2016-2020 Financial Plan \$5,000 toward parking and traffic signage improvements in the Aggie Hall area, with funding to come from Gas Tax Funds. MOTION DIVIDED (See Resolution CS 2016-109)

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CS 2016-110	<i>Moved and seconded:</i> That Council divide resolution 2016-108 into two separate motions. <i>Motion carried.</i>
CS 2016-111	Moved and seconded: That Council direct staff to commence discussions with the owners of 125 Symonds Street to lease the property for parking, and to report back to Council on lease and funding options. Motion carried.
CS 2016-112	Moved and seconded: That Council refer consideration of allocating \$5,000 in the 2016- 2020 Financial Plan for parking and traffic signage improvements in the Aggie Hall area, with funding to come from Gas Tax Funds to an upcoming meeting of Council at which the 2016 budget will be discussed. Motion carried.
CS 2016-113	 Roof Emergency Repair - Frank Jameson Community Centre Swimming Pool Moved and seconded: That Council 1. Direct staff to proceed with replacing the roof and wall system above the Oasis swimming pool at Frank Jameson Community Centre (FJCC); 2. Approve \$75,000 to be allocated to the replacement of the roof and wall system at FJCC and that the 2016-2020 Financial Plan be amended accordingly; and 3. Direct that, if an insurance claim is successful for the damage to the roof, the funding allocated above be returned to its original source. Motion carried.
CS 2016-114	Water Parcel Tax Rates for 2016 Moved and seconded: That Council direct staff to prepare the 2016 Water Parcel Tax rate bylaw at the rate of \$225.00 per parcel. Motion carried.
CS 2016-115	 Fourth Avenue Road Improvement Project Moved and seconded: That Council: 1. Approve proceeding with the design phase of the 4th Ave/4th Ave Extension Upgrading Project for construction in late 2016, including the repaving of 4th Ave/4th Ave Extension; 2. Direct that the work start at Hambrook, and continue north; 3. Direct that the road cross section include the construction of a new three metre wide shared use bike lane/walkway on the west side, and new curbs on both sides;

	 Direct that construction include various underground replacements as outlined in Appendix "B"; Waive the purchasing policy and contract with Herold E Ltd. to provide the design work. Motion carried. 	-
Bylaws	Town of Ladysmith Waterworks Regulations Bylaw 1999, Amendment Bylaw 2016, No. 1902 Moved and seconded:	No. 1298,
CS 2016-116	That Council adopt Town of Ladysmith Waterworks Regulat 1999, No. 1298, Amendment Bylaw 2016, No. 1902. Motion carried.	ions Bylaw
	Town of Ladysmith Sanitary Sewer Rates Bylaw 1999, Amendment Bylaw 2016, No. 1903 Moved and seconded:	No. 1299,
CS 2016-117	That Council adopt Town of Ladysmith Sanitary Sewer Ra 1999, No. 1299, Amendment Bylaw 2016, No. 1903. <i>Motion carried.</i>	ates Bylaw
	Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendr (No. 4) 2016, No. 1904 Moved and seconded:	-
CS 2016-118	That Council give first and second readings to Town of Zoning Bylaw 2014, No. 1860, Amendment Bylaw (No. 4) 1904, and refer it to a Public Hearing. <i>Motion carried.</i>	
CORRESPONDENCE	Elizabeth Sheehan, President, Climate Smart Reminder to Sign Letter of Support for Tax and Leadership in the New Climate Leadership Plan Moved and seconded:	Incentives
CS 2016-119	That Council send a letter in support of stronger taxes an	d financial
	incentives as part of BC's new Climate Leadership Plan c	onsultation
	period. <i>Motion carried.</i>	
UNFINISHED BUSINESS	Grants-in-Aid Deliberations	
	Moved and seconded:	C 11
CS 2016-120	That Council confirm the Grants-in-Aid allocations for 2016 a	as tollows:
	Organization 2016 Prelimin	ary Approval
	Arts Council of Ladysmith & District	1,500
	Cowichan Family Caregivers Support Society	750
	Cowichan Therapeutic Riding Association	• 0
	Festival of Lights Society	13,500
	Ladysmith & District Historical Society	
	Archives	13,500

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Museum	10,000
Preservation Committee	2,000
Ladysmith Ambassador Program	1,500
Ladysmith and District Marine Rescue Society	2,500
Ladysmith Celebrations Society	8,000
Ladysmith Citizens on Patrol	1,500
Ladysmith Community Gardens Society	1,500
Ladysmith Downtown Business Association	
Old Tyme Christmas	1,500
Shop Locally	1,500
Ladysmith Family and Friends (LaFF)	2,500
Ladysmith Fire Rescue	1,200
Ladysmith Little Theatre	500
Ladysmith Maritime Society	
Festival	1,500
Ladysmith Resources Centre Association	
Family Support	8,000
General Programs	8,000
Victim Services	12,000
Volunteer Counselling	1,500
Youth at Risk	8,000
Ladysmith Search & Rescue Society	5,000
Ladysmith Secondary School - Frank Jameson	1,500
Bursary Ladysmith Show & Shine	500
1930-1 1920-1-10	250
Old English Car Club Central Island Branch	500
St John the Evangelist Church	
Stz'uminus First Nation Aboriginal Day	1,200
Vancouver Island Crisis Society	500
Waiving of Fees	2,500
TOTAL Totion carried	114,400

Motion carried.

QUESTION PERIOD

Members of the audience enquired about the costs of capital projects and how they will be paid for, proposed zoning bylaw changes, the Locomotive 11 restoration project and sidewalk improvements.

ADJOURNMENT

CS 2016-121

Moved and seconded: That this meeting of Council adjourn at 9:18 p.m. Motion carried.

CERTIFIED CORRECT:

Mayor (A. Stone)

Deputy Corporate Officer (J. Winter)

Town of Ladysmith

STAFF REPORT

To: From: Date: File No: Ruth Malli, City Manager Felicity Adams, Director of Development Services March 29, 2016 3060-14-06

RE: <u>Development Permit Application 3060-14-06, 410 Third Avenue (Charles Forrest)</u> Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A

RECOMMENDATION(S):

That Council consider issuing revised Development Permit 3060-14-06 to permit the issuance of a building permit for the conversion of the second storey of an existing accessory building to a coach house dwelling on Lot 1, Block 73, District Lot 56, Oyster District, Plan 703A (410 Third Avenue);

AND THAT the Mayor and Corporate Officer be authorized to sign the Development Permit.

PURPOSE:

The purpose of this staff report is to respond to Council direction for revisions to Development Permit application 3060-14-06 with respect to overlook and the size of the balcony.

INTRODUCTION/BACKGROUND:

On March 14, 2016 Council issued Development Variance Permit 3090-15-03 to permit a coach house dwelling height of 7.43 metres. Also, Council passed the following motion:

That Council refer Development Permit Application 3060-14-06 to staff to negotiate revisions with respect to overlook and the size of the balcony, and request that staff bring a revised Development Permit to a future meeting of Council.

DPA10 Coach House Intensive Residential provides guidelines regarding overlook and balconies in the section on 'Building Character and Design', specifically guidelines 1(f), 1(h), and 1(i). See DPA10 guidelines attached.

SCOPE OF WORK:

Staff met with the applicant and his consultants on March 23, 2016 to discuss options with regards to overlook and the size of the balcony. The options that were discussed with the applicant were:

i. Remove the existing deck and install a julliete style balcony that requires no supporting posts. The existing double doors would need to be modified or replaced. Also, frost all windows facing west on both storeys.







Figure 1: 410 Third Avenue

- Modify the deck size to reduce it to a maximum size of 7.5m² by removing a portion of the deck and relocating supporting posts. Also, frost all windows facing west on both storeys.
- iii. Modify the deck on the west side by removing a portion of the deck and one supporting post, such that a section of the deck remains and is supported on two existing posts. The proposed remaining deck size in this option is 16.7m² (18ft x 10ft). Also, frost all windows on both storeys and deck panels that face west.



iv. Convert the double patio doors to a window, and remove the deck railings such that the deck structure is converted to a roof structure. Also, frost all windows facing west on both storeys.

None of these revisions were supported by the applicant. The applicant is supportive of frosting all windows (both storeys) and deck panels that face west. The applicant requested that Council reconsider the previous option of "modifying the second storey deck using panels that match the existing deck railing, such that the useable and accessible deck area is a maximum of 7.5m²." In this option the outer deck railings would be required to remain in place due to building safety and B.C. Building Code requirements.

The applicant states in an email dated March 23, 2016:

"Please revise my Development application to reflect the addition of frosting of all windows and deck panels on the west side of the garage. The original application to modify the existing deck structure with these changes will fall into the guidelines of a coach house without incurring a prohibitive cost."

ALTERNATIVES:

That staff be directed to continue working with the applicant toward a different solution regarding overlook and the size of the balcony.

FINANCIAL IMPLICATIONS: N/A

LEGAL IMPLICATIONS:

A Coach House Intensive Residential Development Permit is required prior to issuance of a building permit for the change of use.

Council may decide to not issue Development Permit 14-06 where the refusal is based upon a determination that the development permit application does not meet the Development Permit guidelines. If the Development Permit is refused then reasons must be given. The determination by Council must be in good faith and it must be reasonable, not arbitrary.







CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

Development Permit applications do not require statutory notice.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The Building Inspector advises that a building permit will be required to legally convert the building to a residential use. The proposed change of occupancy would require building permit approvals to demonstrate compliance with the B.C. Building Code. Home warranty insurance may also be required from the Homeowner Protection Office.

RESOURCE IMPLICATIONS:

Processing development permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

The Sustainable Development Checklist completed by the applicant indicates that the existing accessory building has been constructed with a heat pump, solar hot water potential, low flush toilets, and a hot-water on demand system.

ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

Council may consider issuance of the Coach House Intensive Residential Development Permit 3060-14-06 or direct staff to continue working with the applicant toward a solution regarding overlook and the size of the balcony.

hoa Brinkman

Report Author: Lisa Brinkman, Senior Planner

I concur with the recommendation:

Felicity Adams, Director of Development Services

mall.

Ruth Malli, City Manager

<u>ATTACHMENT:</u> DPA 10 – Coach House Intensive Residential Development Permit 3060-14-06









TOWN OF LADYSMITH DEVELOPMENT PERMIT

(Section 489 Local Government Act)

FILE NO: 3060-14-06

DATE: April 4, 2016

Name of Owner(s) of Land (Permittee): Charles James Forrest

Applicant: Charles James Forrest

Subject Property (Civic Address): 410 Third Avenue

- 1. This Development Permit is subject to compliance with all of the bylaws of the Town of Ladysmith applicable thereto, except as specifically varied by this Permit.
- 2. This 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 1 Block 73 District Lot 56 Oyster District Plan 703A PID# 008-700-117 (referred to as the "Land")

- 3. This Permit has the effect of authorizing:
 - (a) the issuance of a building permit to install a coach house dwelling unit in an existing accessory building on the Land in accordance with the plans and specifications attached to this Permit, and subject to all applicable laws except as varied by this Permit; subject to the conditions, requirements and standards imposed and agreed to in section 5 of this Permit.
- 4. This Permit does not have the effect of varying the use or density of the Land specified in Zoning Bylaw 2014, No. 1860.

- 5. The Permittee, as a condition of the issuance of this Permit, agrees to:
 - a) Modify the second storey deck of the accessory building, using panels that match the existing deck railing, such that the useable and accessible deck area is a maximum of 7.5m2.
 - b) Install frosting on all windows (both storeys) and deck panels facing rear parcel line (west elevation). The full window and deck panel shall be frosted.
 - c) Place address numbers for the coach house building such that the address numbers are clearly visible from the street.
- 6. Notice of this Permit shall be filed in the Land Title Office at Victoria under s.503 of the *Local Government Act,* and upon such filing, the terms of this Permit (3060-14-06) or any amendment hereto shall be binding upon all persons who acquire an interest in the land affected by this Permit.
- 7. If the Permittee does not substantially start any construction permitted by this Permit within **one year** of the date of this Permit as established by the authorizing resolution date, this Permit shall lapse.
- 8. The plans and specifications attached to this Permit are an integral part of this Permit.
- 9. This Permit prevails over the provisions of the Bylaw in the event of conflict.
- 10. Despite issuance of this permit, construction may not start without a Building Permit or other necessary permits.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL OF THE TOWN OF LADYSMITH ON THE _____ DAY OF _____201__.

MAYOR

CORPORATE OFFICER

OWNER

PLEASE PRINT NAME

Town of Ladysmith

STAFF REPORT

To: From: Date: File No: Ruth Malli, City Manager Felicity Adams, Director of Development Services March 29, 2016 3090-16-01

RE: DEVELOPMENT VARIANCE PERMIT APPLICATION – Oyster Cove Road (Lovely) Subject Property: Strata Lot 14, District Lot 56, Oyster District, Strata Plan 2009

RECOMMENDATION(S):

That Council direct staff to proceed with statutory notice for Development Variance Permit application (3090-16-01) for Strata Lot 14, District Lot 56, Oyster District, Strata Plan 2009 (Oyster Cove Road – Lovely).

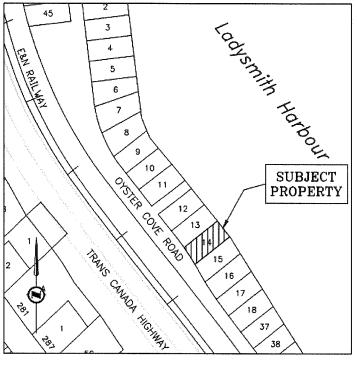
PURPOSE:

The purpose of this staff report is to obtain Council direction regarding statutory notification for a development variance permit application

INTRODUCTION/BACKGROUND:

The applicant, Scott Lovely, is requesting a variance for the siting of a proposed new dwelling with attached garage on Oyster Cove Road. The property is located between Oyster Cove Road and Ladysmith Harbour and currently the property is vacant. The proposed site plan for the property is attached to this staff report.

Pursuant to Bylaw 1667 staff require Council's approval to proceed with the statutory notice to the neighbours given the extent of the setback variances requested.



SCOPE OF WORK:

The current stage of this application is to seek Council's direction to proceed with the statutory notice for the development variance permit application. The subject property is zoned 'Oyster Cove Residential' (R-2-B).

The applicant intends to construct a dwelling with an attached garage on the subject property. The proposed principle building meets all requirements of the Zoning Bylaw except for two variance requests for the garage portion of the building. It is proposed that the attached garage be sited 0.6 metres from the front parcel line (Oyster Cove Road), 6.0







metres is required, thus a variance of 5.4 metres is requested. Also, it is proposed that the attached garage be sited 0.6 metres from the south-east side parcel line, 1.5 metres is required, thus a variance of 0.9 metres is requested.

10.8(5)(c) Principle Building	Required	Proposed	Proposed Variance
Front Parcel Line Setback	6.0 metres	0.6 metres	5.4 metres (For the garage portion of the principle building only.)
South-East Side Parcel Line Setback	1.5 metres	0.6 metres	0.9 metres (For the garage portion of the principle building only.)

Proposed Variances – Oyster Cove Road – Strata Lot 14

There are only a few remaining vacant strata lots along Oyster Cove Road. The parcels on the ocean side of Oyster Cove Road contain dwellings with both attached garages and detached garages. It is typical for the parcels on the ocean side that the attached or detached garage is sited within one metre of the front parcel line (Oyster Cove Road). The proposed siting of the dwelling with attached garage on the subject property is consistent with the development pattern on Oyster Cove Road. If the garage was detached from the house, variances would not be required for the setbacks proposed.

ALTERNATIVES:

To not support Development Variance Permit application 3090-16-01.

FINANCIAL IMPLICATIONS;

None.

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:

It is recommended that Council direct staff to proceed with the statutory notice for Development Variance Permit application 3090-16-01.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

Development Variance Permit application 3090-16-01 has been referred to the Infrastructure Services Department.

RESOURCE IMPLICATIONS:

Processing Development Variance Permit applications is within available staff resources.

ALIGNMENT WITH SUSTAINABILITY VISIONING REPORT:

Not applicable.







ALIGNMENT WITH STRATEGIC PRIORITIES:

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

SUMMARY:

It is recommended that Council direct staff to proceed with the statutory notice for Development Variance Permit application 3090-16-01.

hoa Brinkman

Report Author: Lisa Brinkman, Senior Planner

I concur with the recommendation:

Felicity Adams, Director of Development Services

grado.

Ruth Malli, City Manager

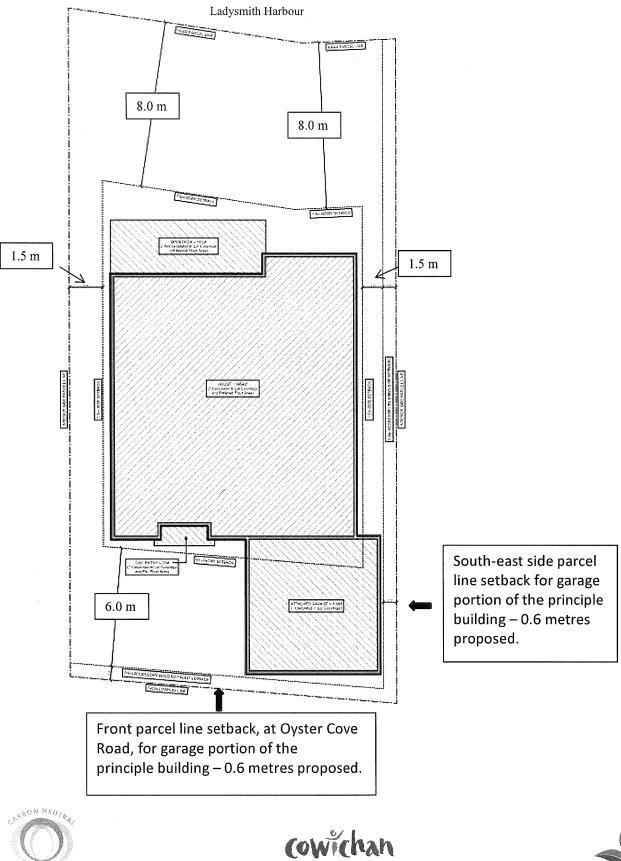
ATTACHMENT: Site Plan - Strata Lot 14 - Oyster Cove Road







Site Plan – Strata Lot 14 – Oyster Cove Road Development Variance Permit Application 3090-16-01



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NO CLIMATE ACTION COMMUNITY 2014

TOWN OF LADYSMITH BYLAW NO. 1906

A bylaw to impose a water parcel tax on owners of land in the Town of Ladysmith pursuant to the provisions of the *Community Charter*.

- WHEREAS the Council of the Town of Ladysmith is empowered by the *Community Charter* to impose and levy a water parcel tax to meet the cost of works and services that benefit land within the Municipality; and
- WHEREAS certain costs have been or are to be incurred by the Town of Ladysmith in constructing and improving the water system of the Town; and
- WHEREAS it is deemed essential and expedient to impose and levy a water parcel tax on land benefiting from such improvements to meet such costs;
- **NOW THEREFORE** the Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Definitions

1.	In this Bylaw: " Parcel "	Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2016 Revised Assessment Roll and all amendments thereto.
	"Group of Parcels"	Means where a building or improvement is constructed over more than one parcel of land, those parcels, if contiguous, may be dealt

Levy

2. A water parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the water system of the Town, or which is deemed to abut on the said water system.

with by the Assessor as one parcel and be assessed accordingly.

- 3. The annual water parcel tax shall be in the amount of Two Hundred and Twenty-five Dollars (\$225.00) per parcel or group of parcels.
- 4. The water parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the water parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.
- 5. The water parcel tax shall have the same rights and remedies as other real property taxes.
- 6. Every water parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter*.

Repeal

7. "Water Parcel Tax Bylaw, 2015, No. 1876" is hereby repealed.

Citation

8.

This bylaw may be cited as "Water Parcel Tax Bylaw 2016, No. 1906".

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 (A. Stone)

Corporate Officer (S. Bowden)

TOWN OF LADYSMITH BYLAW NO. 1907

A bylaw to impose a sewer parcel tax on owners of land in the Town of Ladysmith, pursuant to the provisions of the *Community Charter*.

WHEREAS the Council of the Town of Ladysmith is empowered the *Community Charter* to impose and levy a sewer parcel tax to meet the cost of works and services that benefit land within the Municipality; and

- WHEREAS certain costs have or will be incurred by the Town of Ladysmith in constructing and improving the sewer system of the Town; and
- WHEREAS it is deemed essential and expedient to impose and levy a sewer parcel tax on land benefitting from such improvements to meet such costs;
- **NOW THEREFORE** the Municipal Council of the Town of Ladysmith in open meeting assembled enacts as follows:

Definitions

1.	In this Bylaw:	
	"Parcel"	Means any lot, block or other area of land in which real property is held, or into which it is subdivided, as identified in the 2016 Revised Assessment Roll and all amendments thereto.
	"Group of Parcels"	Means where a building or improvement is constructed over more than one parcel of land, those parcels, if contiguous, may be dealt with by the Assessor as one parcel and be assessed accordingly.

<u>Levy</u>

- 2. A parcel tax shall be levied annually against each parcel or group of parcels of land within the Town of Ladysmith which is capable of being connected to the sewer system of the Town, or which is deemed to abut on the said sewer system.
- 3. The annual sewer parcel tax shall be in the amount of Two Hundred Sixty-nine Dollars (\$269.00) per parcel or group of parcels.
- 4. The sewer parcel tax imposed by this bylaw on each parcel of land shall be shown by the Collector on the real property tax roll, and the payment of the parcel tax shall be made in the same manner, on or before the same dates, as other real property taxes.
- 5. The sewer parcel tax shall have the same rights and remedies as other real property taxes.
- 6. Every parcel tax assessment roll and every revision thereof shall be considered and dealt with by a Parcel Tax Roll Review Panel appointed pursuant to the provisions of the *Community Charter.*

Repeal

7. "Sewer Parcel Tax Bylaw 2015, No. 1877" is hereby repealed.

Citation

8. This bylaw may be cited as "Sewer Parcel Tax Bylaw 2016, No. 1907".

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 (A. Stone)



Corporate Officer (S. Bowden)

From: John Elzinga [mailto:jelzinga@cvrd.bc.ca]

Sent: March 24, 2016 10:30 AM

Subject: Regional Recreation next steps

Hello all.

At the CVRD's Regional Services Committee meeting last night, regarding the regional recreation report, the committee approved having staff provide some more information on current services, space usage, and any long range needs identified for each facility. That information is intended to be presented at the May Regional Services Committee meeting. It is anticipated that at that May meeting, the Committee will decide whether or not to invest in this regional recreation initiative long term, which could mean updating the 2011 facility use analysis, public input on services, and / or forming the regional recreation select committee to guide the process.

For potential regional recreation select committee members, that means it will be May at the earliest for a determination if your services will be required. Thank you again for your offer to volunteer.

For recreation staff around the region, I will be developing a template like the one I requested prior to the March 1 workshop. This one, however, will have different questions – questions around what types of activities are currently in your facility, what organizations are you serving, what percentage of the time are your spaces being used, and what service, capital or facility changes are you anticipating in the next five years. So this is a friendly heads up that I anticipate sending out a template mid next week, with an anticipated deadline in the third week of April to get the information back to me.

Any questions, please let me know. Thank you all for your assistance. John.

John Elzinga, General Manager, Community Services Department Cowichan Valley Regional District 175 Ingram Street, Duncan, BC V9L 1N8 Email: <u>jelzinga@cvrd.bc.ca</u> Tel: 250.746.2520

CVRD STAFF REPORT TO COMMITTEE

DATE OF REPORT	March 8, 2016
MEETING TYPE & DATE	Regional Services Committee Meeting of March 23, 2016
FROM:	General Manager Community Services Department
SUBJECT:	Regional Recreation
FILE:	

PURPOSE/INTRODUCTION

The purpose of this report is to provide options for advancing regional recreation.

RECOMMENDED RESOLUTIONS

That the Regional Services Committee request additional information from staff (option 2 within this report to March 23, 2016 Regional Services Committee) on current services, space usage, and facility long range plans for nine major recreation facilities in the region, for the May 25, 2016 Regional Services Committee Meeting.

BACKGROUND

The Board has approved a draft terms of reference for a Regional Recreation Select Committee, and recreation commissions have recommended members to that committee. The Board has not yet established a committee, or approved membership.

The Board has approved a facility use analysis in 2017, pending budget approval.

The Board held a workshop on regional recreation on March 1, 2016. Within the workshop there was a facility funding history presentation, on the budget and usage of nine major recreation facilities in the region. There was information on the foundation, rationale, goals, objectives, possible legal structures, possible delivery structures, basis for sharing costs, and major challenges of public recreation. There was also Board discussion on what is the Board most proud of, what concerns the Board has with recreation services and facilities in our region, and recommendations for both immediate and future action.

Suggested immediate actions included:

- Update / clarify information on what services / spaces are being used for recreation, who is using them, and for what purposes
- Embrace a vision and framework for decision making and evaluating options / recommendations (related to regional service delivery)

ANALYSIS

Staff are presenting options for advancing regional recreation. These options will have different levels of investment and consideration, including: staff resources; additional costs; select committee establishment; and public engagement.

Immediate action options

 Option 1: Discontinue regional recreation initiative

 Staff resource investment: none
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Additional costs: none Select committee establishment: not required Public engagement: none Implications:

- Concern of funding equity / fairness not addressed
- No updated facility usage data, other than what can be provided through registered recreation programs to commissions
- No changes to governance / decision making
- No public dialogue
- Barriers to seamless, consistent services across the region will continue
- No long term recreation plan for the region
- North Cowichan, Duncan will re-implement two tiered fees for area E residents to use the Cowichan Aquatic Centre in 2017
- North Cowichan, Duncan will negotiate higher contribution to access the Cowichan Aquatic Centre for areas A through F, area I and the Town of Lake Cowichan in 2018, or re-implement two tiered fees.

Option 2: Request limited additional information from staff

Staff resource investment: minimal amount of staff time Additional costs: minimal additional cost Select committee establishment: not required Public engagement: none Implications:

- Additional information on current services and space usage could be provided for the nine identified major recreation facilities
- Any existing long range recreation plan or identified needs for each facility could be provided
- Would allow for a presentation at the May 2016 Regional Services Committee meeting, on the additional information on services, space usage, and facility long range plans
- Would allow the Board at the May 2016 Regional Services Committee meeting, to either discontinue the regional recreation initiative, or continue the initiative with investment in the following option(s)

Option 3: Request significant additional information (usage)

Staff resource investment: increased amount of staff time dedicated to initiative Additional costs: confirm existing direction to spend up to \$45,000 for facility use analysis update in 2017

Select committee establishment: not required Public engagement: usage survey Implications:

- Will have updated facility usage data
- No changes to governance / decision making / equity
- No public dialogue on vision, only surveyed on usage
- Does not by itself eliminate barriers to seamless, consistent services, or create a long term recreation plan for the region.

Option 4: Request significant additional information (vision on services)

Staff resource investment: significant amount of staff time dedicated to initiative Additional costs: related to public engagement / consulting, amount yet to be determined Select committee establishment: yes, to provide direction to staff Public engagement: significant Implications:

• Will have updated report on future service needs

- No changes to governance / decision making / equity
- Significant public dialogue on services / needs
- Does not by itself eliminate barriers to seamless, consistent services, or create a long term recreation plan for the region.

Potential Future Options / Initiatives would include a review of:

- Barriers to seamless, consistent services / potential efficiencies
- Financial implications of future service needs
- Delivery systems (regional, sub-regional, local / community)
- Funding models / equity
- Governance (commissions)

Potential End Product:

- Recreation master plan for the region, incorporating vision for services and facilities, appropriate delivery systems, funding models, and governance.
- Public engagement strategy for that recreation master plan

FINANCIAL CONSIDERATIONS

Level of financial considerations determined by option / direction from the Board. Recommended Option 2 has limited financial impact in both staff time and additional costs.

COMMUNICATION CONSIDERATIONS

Level of communication considerations determined by option / direction from the Board. Recommended Option 2 includes staff communication to achieve limited additional information only.

STRATEGIC/BUSINESS PLAN CONSIDERATIONS

Regional recreation initiative not currently included in the corporate strategic plan. If the Board directs long term investment of resources into developing regional recreation, a potential change to the strategic plan to include regional recreation should be considered.

Referred to:

- □ Community Services (Island Savings Centre, Cowichan Lake Recreation, South Cowichan Recreation, Arts & Culture, Public Safety, Facilities & Transit)
- Corporate Services (Finance, Human Resources, Legislative Services, Information Technology)
- Engineering Services (Environmental Services, Capital Projects, Water Management, Recycling & Waste Management)
- □ Planning & Development Services (Community & Regional Planning, Development Services, Inspection & Enforcement, Economic Development, Parks & Trails)
- Strategic Services

Prepared by:

John Elzinga General Manager

Reviewed by:

Not Applicable Not Applicable

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Not Applicable

ATTACHMENTS:

Attachment A – Regional Recreation Workshop Notes

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Our school community would like to bring aboriginal education and understanding to the forefront of our learning journey. We would like to continue a conversation with our school community about truth ... about reconciliation.



World famous Stzłuminus First Nation Carver, John Marston, with the old growth red cedar log donated by TimberWest.

To that end, we are embarking on a transformative journey. Stz'uminus First Nation master carver, John Marston, has been asked to help us in the project. This unique undertaking will involve installing a Coast Salish Welcoming Figure in the foyer of Ladysmith Senior Secondary School. As part of the understanding process a 16' tall Welcoming Figure will be carved in the main foyer of our school inside a traditional Coast Salish house. A goal of the journey is to have teachings by the Elders happening alongside the carving.

Join Us On The Journey...

Mayor & Council Town of Ladysmith

As you are aware, there is a group of volunteers who are eagerly working on the above project. It is anticipated that this project will not only be viewed by over 500 students & staff twice a day but by the thousands of people that go to various sports functions and community events every year.

With this exposure it is believed that this "welcoming figure" will help bring a better understanding of Stz'uminus culture and history.

There is an opportunity to apply for a "Farm Credit Canada - AgriSpirit Fund" grant but we need a "partner" to work with and administer the funds.

The group is asking for the assistance from the Town of Ladysmith in this regard on the grant. We will be doing the paper work it's just that the project needs a recognized organization to administer the funds if granted.

Thank you for your time and we look forward to your favourable response.

Sincerely Duck Paterson Volunteer

nutsumaat syaays

Ladysmith econdary School 250.245.3043

"working together as one" Bringing together the Ladysmith Community with our neighbouring Stz'uminus First Nation Community in a cooperative year long cultural art project.

Pictured above is a "stylized" version of a First Nation carving shed similar to

what is to be constructed at L.S.S.